



***AMENDED* CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 18, 2018, 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: APNs: 261-122-004; 261-122-005; 261-122-006; and 261-122-007. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Cornerstone Main Partners LP. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 140 South C Street, Porterville, CA. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.
- 3** -Government Code Section 54956.8 -- Conference with Real Property
Negotiators/Property: APNs: 252-195-006, 252-195-007, and 252-195-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Peters Loyd Funeral Services, Inc. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management & Confidential Series; and all Unrepresented Management Employees.
- 5** - Government Code Section 54956.95 – Liability Claim: Claimant: Carmen Rodriguez. 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 Council Member Cameron Hamilton
Invocation

PRESENTATIONS

Employee of the Month - Carlos Sanchez

Employee Service Awards

AB 1234 REPORTS

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

1. Tulare County Water Commission Meeting - September 10, 2018
2. Eastern Tule Groundwater Sustainability Agency Board - September 6, 2018
3. League of California Cities Annual Conference - September 12-15, 2018

REPORTS

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

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - September 6, 2018
 2. Library & Literacy Commission - September 11, 2018
 3. Arts Commission - August 22, 2018
 4. Animal Control Commission - September 10, 2018
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC) - August 28, 2018
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update
 2. Report of Commission Vacancies

ORAL COMMUNICATIONS

This is the opportunity to address the Council on any matter of interest, whether on the agenda or not. Please address all items not scheduled for public hearing at this time. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar. All items removed from the Consent Calendar for further discussion will be heard at the end of Scheduled Matters.

1. City Council Minutes of August 1, 2018, August 7, 2018 and September 4, 2018

Re: Considering approval of the draft minutes of August 1, 2018, August 7, 2018 and

September 4, 2018.

2. **Request For Approval To Purchase Vast Network Internet Services**
Re: Considering approval of the purchase of Vast Network Fiber Service at a cost of \$14,400 annually for 5 years.
3. **Authorization to Purchase Specialized Equipment**
Re: Considering approval of the purchase of police radios from Motorola at a cost of \$37,077.19 and mobile data terminals from Dell at a cost of \$12,005.36.
4. **Amendment to Employee Pay and Benefit Plan - Management & Confidential Series**
Re: Considering approval of a draft resolution authorizing amendments to the Employees' Pay and Benefit Plan and other documents as may be necessary to implement the negotiated changes in salary and benefits for Management and Confidential Series employees.
5. **Approval for Community Civic Event - Palabra de Victoria Church - Community Outreach - September 29, 2018**
Re: Considering approval of an event to take place in the church parking lot and in front of the church on 'E' Street, Saturday, September 29, 2018, from 3:00 p.m. to 8:00 p.m., and a request for the closure of 'E' Street from Orange Street to the end of the church building.
6. **Approval for Community Civic Event - Central California Family Crisis Center - 20th Annual Domestic Violence Candlelight Vigil - October 11, 2018**
Re: Considering approval of an event to take place on Thursday, October 11, 2018, from 6:00 p.m. to 8:00 p.m. at Centennial Park.
7. **Approval for Community Civic Event - Veterans Homecoming Committee - Veterans Day Parade - November 12, 2018**
Re: Considering approval of an event to take place on Monday, November 12, 2018, from 5:00 a.m. to 12:00 p.m.; and approval of a request for the closure of Main Street from Doris Avenue to Orange Avenue and additional side streets.
8. **Status and Review of Declaration of Local Emergency**
Re: Considering approval of the continuance of the Declaration of Local Emergency.

SCHEDULED MATTERS

9. **Consideration of Police Department's Participation in Dispatch Consolidation Study**
Re: Considering approval of the Police Department's participation in a Dispatch Consolidation Study; and authorizing the expenditure of up to \$15,000 for the Police Department's contribution to funding for the study.

10. Consideration of Financing to Provide for the Refunding of the Outstanding Porterville Public Financing Authority Sewer Revenue Bonds, Series 2011

Re: Consideration of financing for the refunding of the 2011 Sewer Revenue Bonds, and authorization to execute all draft resolutions, agreements, and documents as may be required.

11. Consider Requesting the Arts Commission to Begin Planning the 1st Annual Porterville Arts Expo or Festival

Re: Consider requesting the Arts Commission to begin planning the 1st Annual Porterville Arts Expo or Festival.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

Any Closed Session Items not completed prior to 6:30 p.m. will be considered at this time.

ADJOURNMENT - to the meeting of October 1, 2018.

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 – SEPTEMBER 18, 2018

SUBJECT: 1. Water Conservation Phase III Status Update

SOURCE: Public Works

COMMENT: The City of Porterville has continued to implement an active water conservation approach, both conserving and providing flexibility to the community. The City has transitioned from Phase IV to Phase III of the City's Water Conservation Plan as of June 1, 2018. The Water Conservation Plan applies to all municipal water users within or outside city limits. As part of the Phase III plan, the City has provided additional watering days, a two day per week watering schedule based on address. If an address ends with an "odd" number, the watering days are Tuesday and Saturday; if an address ends with an "even" number, the watering days are Wednesday and Sunday. 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 Monday, Thursday, or Friday. Watering of outdoor landscaping is prohibited during, and within 48 hours after, measurable rainfall which is now defined as greater than 0.01 of an inch.

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 August 2018 shows that a total of 171 Notice of Violations were issued for water wasting, and 0 Administrative Citations were issued.

Water production for August 2018 shows a 3% decrease from the 5-year average. The production for the month of August 2018 was 413 million gallons, which when compared to the production for the month of August 2013 of 509 million gallons, equates to an 18.3% reduction. Residential consumption for August 2018 was 162.5 gallons per capita per day (GPCD).

Compliance with individual water supplier conservation requirements is based on cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. City Staff will be evaluating conservation totals in two formats: 1. Calculate the cumulative conservation totals for production as compared to production in 2013; and 2. Calculate cumulative conservation totals in relation to GPCD, in efforts to evaluate population growth impacts on production as compared to 2013. The cumulative total of production for the City of Porterville's conservation efforts will reflect August 2015 through August 2018. Porterville's cumulative total production

conservation through August 2018 is 23.7%. The cumulative total of GPCD for the City of Porterville's conservation efforts will reflect August 2015 through August 2018. Porterville's cumulative total GPCD conservation through August 2018 is 25.6%.

Under the February 2, 2016, emergency regulation, the City of Porterville received a revised conservation standard of 28% with an additional 2% reduction for climate adjustment, making the City's conservation standard 26%. After reviewing the Water Board's Self-Certification criteria for drought impacts to water supplies, the City of Porterville Council approved maintaining a self-imposed standard of 26%. The continuation of the current conservation goals keep a standardized message that the City has worked to develop in public outreach, provides resiliency and capacity to ensure three years of supply under drought conditions, meets the minimum 20% conservation standard defined in the City's Urban Water Management Plan, and assists the City towards meeting the requirements of the Sustainable Groundwater Management Act (SGMA).

The State Water Board continues to require monthly reporting to track what agencies are doing and how they perform throughout the year. Proposed permanent regulations, will require agency reporting to continue monitoring the performance of urban water conservation, with a preparedness to return back to a conservation standard if necessary.

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Monthly Production GPCD Status for August 2018
 2. Monthly Production Production Status for August 2018
 3. Drought Response Phase III Flyer

Appropriated/Funded:

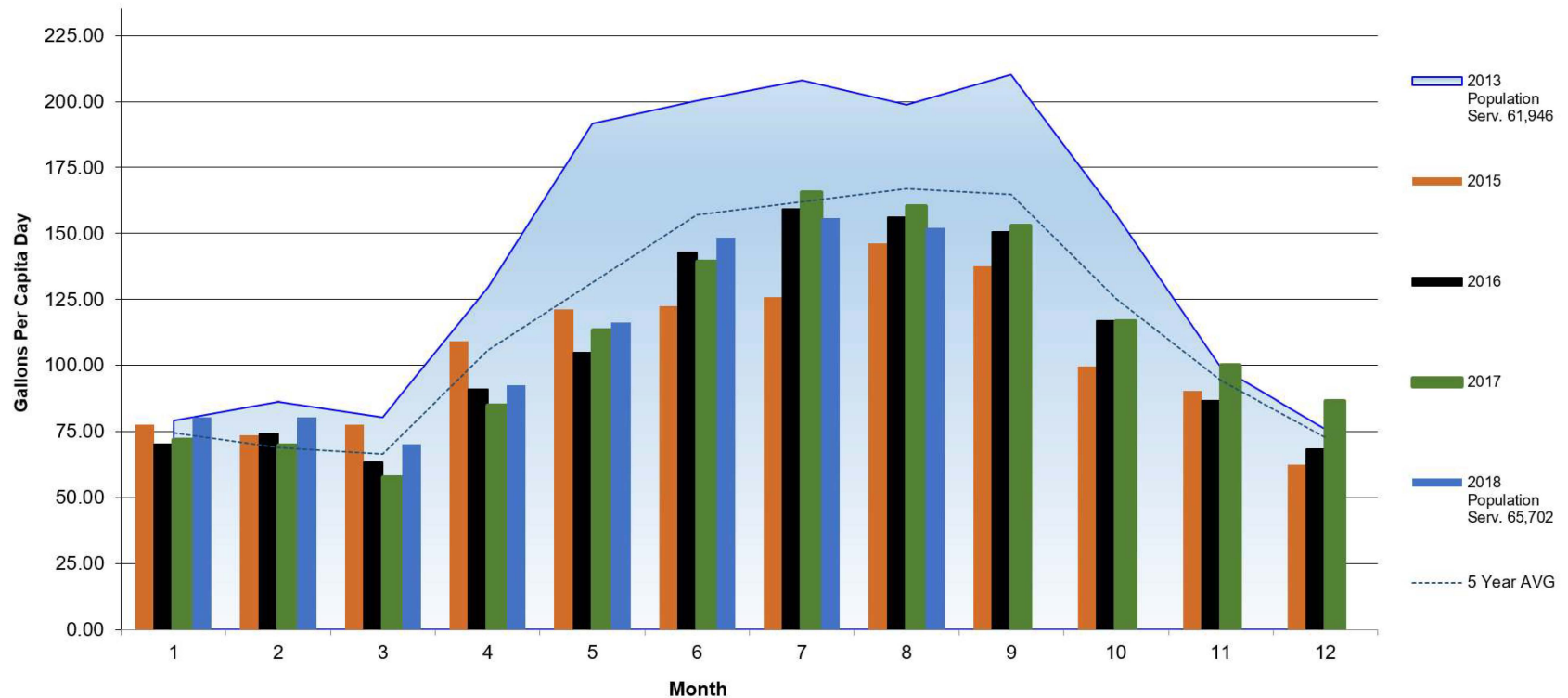
Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

Monthly Production Status & Cumulative Total August 2015 Through August 2018 Gallon Per Capita Day Comparison to 2013 & 5 Year Average



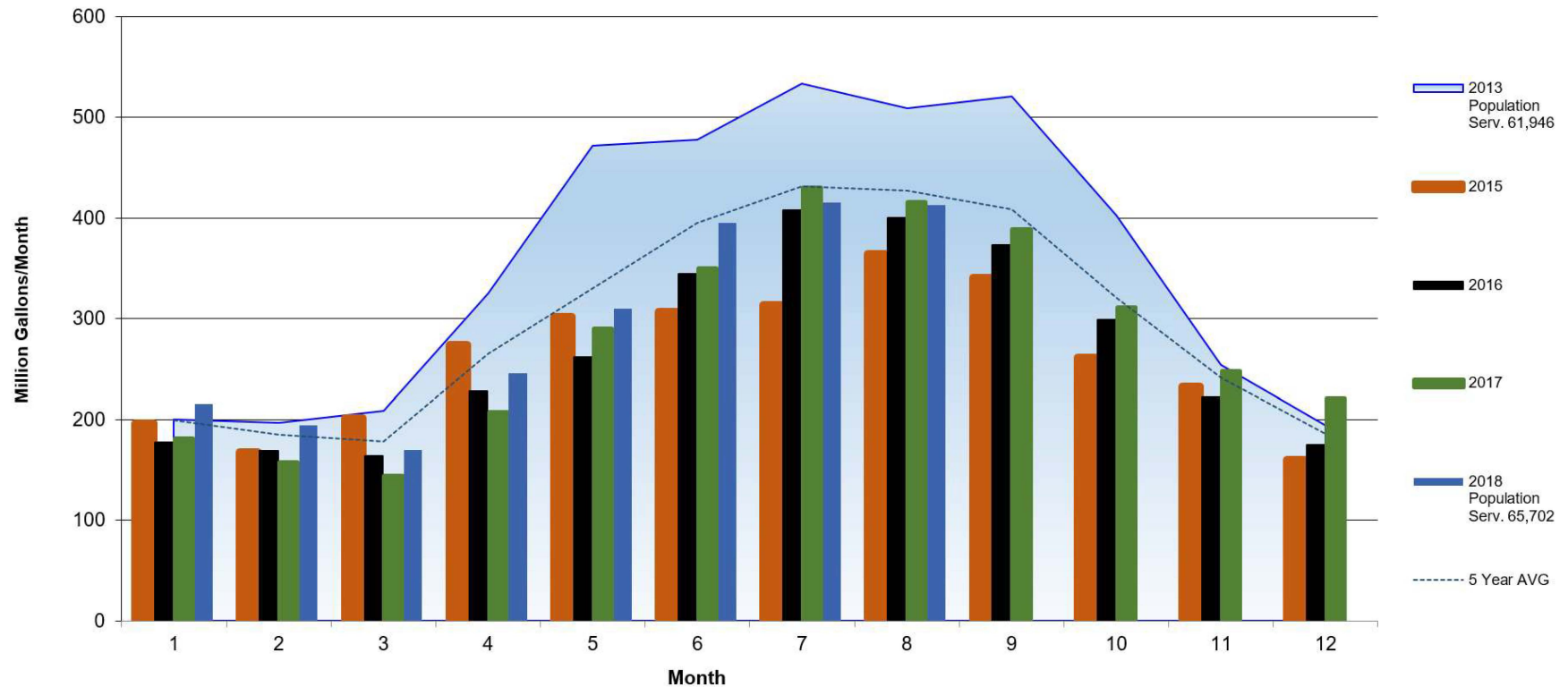
GPCD

Cumulative Total 25.6%

2015	-2%	-15%	-4%	-16%	-37%	-39%	-40%	-27%	-35%	-37%	-9%	-18%
2016	-12%	-14%	-21%	-30%	-45%	-29%	-24%	-21%	-28%	-26%	-13%	-10%
2017	-9%	-19%	-28%	-34%	-41%	-30%	-20%	-19%	-27%	-26%	1%	14%
2018	1%	-7%	-13%	-29%	-39%	-26%	-25%	-24%				

Percent Comparison to 2013 Production

Monthly Production Status & Cumulative Total August 2015 Through August 2018 Production Comparison to 2013 & 5 Year Average



Production

Cumulative Total 23.7%

2015	-2%	-15%	-4%	-16%	-36%	-36%	-41%	-28%	-35%	-35%	-8%	-18%
2016	-12%	-14%	-21%	-30%	-45%	-28%	-24%	-21%	-28%	-26%	-13%	-10%
2017	-9%	-20%	-31%	-36%	-38%	-27%	-19%	-18%	-25%	-23%	-2%	14%
2018	7%	-1%	-19%	-24%	-34%	-17%	-22%	-18%				

Percent Comparison to 2013 Production



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.



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: 2. Report of Commission Vacancies

SOURCE: Administrative Services

COMMENT: One vacancy currently exists on the Animal Control Commission, and staff has received verbal notification of two resignations on the Arts Commission. In addition, the terms of Allan Bailey, Patience Christenson, Esther Figueroa, and Edith LaVonne who are currently appointed to the Library and Literacy Commission are due to expire in October of 2018. Staff will reach out to the existing members to determine whether they wish to seek reappointment.

As is customary, staff will advertise the above-referenced vacancies through the media and on the City's website, and will continue to solicit applications for the Council's consideration.

Information and eligibility requirements for these Commissions are as follows:

Animal Control Commission: The Commission serves in an advisory capacity to the City Council on any matters concerning animal control, and is comprised of five (5) members with staggered four year terms. The Commission meets on the second Monday of each month. To be eligible for appointment, individuals must reside within the City of Porterville and represent a cross-section of the community.

Arts Commission: The Commission serves in an advisory capacity to the City Council, and is comprised of five (5) members, plus one (1) youth member, with staggered three year terms. The Commission meets on the third Wednesday of each month. To be eligible for appointment, individuals must be associated with at least one category of the arts (theatrical/performing; visual/graphic; or music).

Library and Literacy Commission: The Commission serves in an advisory capacity to the City Council on any matters concerning the library, and is comprised of seven (7) members with staggered three year terms. The Commission meets on the second Tuesday of each month. To be eligible for appointment, individuals must reside within the City of Porterville.

Those interested in serving on either of the aforementioned commissions are encouraged to submit a Request for Appointment to the Office of City Clerk. Forms and additional information are available on the City's website. Requests for Appointment received will be brought to the City Council for consideration at a later date.

RECOMMENDATION: Informational Item Only.

ATTACHMENTS:

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: City Council Minutes of August 1, 2018, August 7, 2018 and September 4, 2018

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of August 1, 2018, August 7, 2018, and September 4, 2018, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of August 1, 2018, August 7, 2018 and September 4, 2018.

ATTACHMENTS:

1. 2018-08-01 Draft Minutes
2. 2018-08-07 Draft Minutes
3. 2018-09-04 Draft Minutes

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Patrice Hildreth, Administrative Services Dir

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 1, 2018, 5:30 PM**

Called to Order at 5:30 p.m.

Roll Call: Council Member Monte Reyes (arrive during Closed Session), Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward

Absent: Mayor Milt Stowe

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

- A. Closed Session Pursuant to:
1 - Government Code Section 54956.9(d)(3) - Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation: One Case in which facts are not yet known to potential plaintiff.

6:08 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Julia Lew reported that no reportable action had taken place.

The Pledge of Allegiance was led by Council Member Martha A. Flores.

Invocation -- a moment of silence was observed.

ORAL COMMUNICATIONS

- Ellen Nichols, Porterville, expressed concerns regarding road design, adequate parking spaces, and air quality.
- Greg Shelton, Porterville, applauded the Council and staff for getting the item on the Agenda; and thanked the Council for consideration of the item.

SCHEDULED MATTERS

1. CALLING OF CITY ELECTION FOR VOTER APPROVAL OF AUTHORIZING TAXES ON CANNABIS BUSINESSES

Recommendation: That the City Council provide direction on the calling of a city election for voter approval of authorizing taxes on cannabis.

City Manager Lollis introduced the item and presented the staff report.

Discussion took place regarding the timeline associated with calling an election, having two measures on the November ballot, and the collection of sales tax and additional taxes for commercial activities as a revenue source.

Members of the Council expressed concerns with time, and spoke in favor of ad hoc committee review and potential preparation for the 2020 election.

- Lawana Tate spoke of regulations in Oregon, Washington, and the City of Woodlake; suggested that the City Council have additional public hearings to hear from individuals who are interested in the industry; and spoke in support of revenue generation from legal sales.

The Council directed that the ad hoc committee review cannabis business activities and the potential taxing of said activities in the future.

Documentation: None.

Disposition: Direction given.

OTHER MATTERS

- City Manager Lollis provided an update on the status of Mayor Stowe; and spoke of the passing of a hot shot firefighter who died battling the Ferguson Fire.

ADJOURNMENT

The Council adjourned at 6:45 p.m. to the meeting of August 7, 2018.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 7, 2018, 5:30 PM**

Call to Order at 5:33 p.m.

Roll Call: Council Member Monte Reyes, Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Brian Ward, Mayor Milt Stowe (arrived at 5:36 p.m.)

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 251-350-014. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Porterville Unified School District. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 253-050-093 and 253-050-089. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and James Gregory Shelton. Under Negotiation: Terms and Price.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 261-122-004; 261-122-005; 261-122-006; and 261-122007. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Cornerstone Main Partners LP. Under Negotiation: Terms and Price.

4 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Management & Confidential Series; Porterville City Employees Association; Public Safety Support Unit; and all Unrepresented Management Employees.

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

6 - Government Code Section 54956.95 – Liability Claim: Claimant: Daniel Jacuinde. Agency claimed against: City of Porterville.

7 - Government Code Section 54956.95 – Liability Claims: Claimants: Isidro Flores, Monica Flores, and Isabella Flores. Agency claimed against: City of Porterville.

8 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Greg L. Woodard and Cinda D. Woodard, Trustees of the Woodard Family Revocable Trust of August 10, 2006, Tulare County Superior Court Case No. 273165.

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

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

6:30 P.M. RECONVENED OPEN SESSION AND REPORTED ON REPORTABLE ACTION TAKEN IN CLOSED SESSION

City Attorney Lew reported action pertaining to A-5, A-6, and A-10 as follows:

- A-5. On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously rejected the claim filed by Ryan Monk.

Documentation: M.O. 01-080718

Disposition: Claim rejected.

- A-6. On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Vice Mayor Brian Ward the City Council unanimously rejected the claim filed by Daniel Jacuinde.

Documentation: M.O. 02-080718

Disposition: Claim rejected.

- A-10. On a MOTION made by Mayor Milt Stowe, and SECONDED by Vice Mayor Brian Ward the City Council unanimously approved the initiation of litigation concerning abatement of a building.

Documentation: M.O. 03-080718

Disposition: Approved.

The Pledge of Allegiance was led by Council Member Monte Reyes.

Invocation -- a moment of silence was observed.

AB 1234 REPORTS

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

1. Council of Cities - July 18, 2018
Mayor Stowe reported on discussion pertaining to the Economic Development Corporation (EDC) and its value to cities who participate, Proposition 3, and water.
2. Tulare County Economic Development Corp. (TCEDC) - July 26, 2018
Council Member Reyes reported on his appointment as Chair of the ECD, approval of financial report, discussion of Memorandum of Understanding, and scheduling of a workshop on the 10th.
3. Eastern Tule Groundwater Sustainability Agency (GSA) - August 2, 2018
Council Member Hamilton reported on action pertaining to new Executive Officer, amendments to Joint Powers Agreement (JPA) and bylaws, and referral of items to the Stakeholder Committee.

REPORTS

This is the time for all informational items.

- I. Staff Informational Reports
 1. Report on Charitable Car Washes
 2. Code Enforcement Quarterly Report
 3. Golf Course 4th Quarter Report - FY 2017/18
 4. OHV Park 4th Quarter Report - FY 2017/18
 5. City Commission and Committee Attendance Reports - 4th Quarter FY 2017/18
 6. Building Permit Activity - 4th Quarter Report (April, May, June)
 7. Street Performance Measure - 4th Quarterly Report (April, May, June)

Council Member Flores commented on attendance of commission and committee members and inquired about policies or procedures in place for those members who have excessive absences. Mr. Lollis stated that the removal of a member could be initiated by the Council or the commission/committee; and Vice Mayor Ward spoke of previous discussions pertaining to a standard attendance percentage of 70%.

ORAL COMMUNICATIONS

- Tony Trujillo, Porterville, stated that he was representing the residents of Casa del Rio and spoke of issues with low lighting and fencing that separates the river from the playground. He expressed concern for the safety of the children in the neighborhood and requested better fencing to keep transients from using the playground as a shortcut.
- Tamara Bishop-Mitchell, Chair of Library Commission, thanked the Council for it's special meeting with the Library and Literacy Commission; inquired about funds that were put aside for the elevator, restroom, and windows; and stated that the library should benefit from the proposed tax measure as well.

CONSENT CALENDAR

There were no items pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve Items Nos. 1 through 12. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF MAY 15, 2018

Recommendation: That the Council approve the draft Minutes of May 15, 2018.

Documentation: M.O. 04-080718

Disposition: Approved.

2. REQUEST TO PURCHASE POLICE VEHICLE

Recommendation: That the City Council:

1. Authorize Police Department Staff to purchase one (1) police vehicle;
and
2. Authorize payment upon satisfactory delivery of the vehicle.

Documentation: M.O. 05-080718

Disposition: Approved.

3. AUTHORIZATION TO PURCHASE ELECTRONIC FAREBOXES FOR
ELECTRIC TRANSIT BUSES

Recommendation: That the City Council:

1. Adopt a Resolution authorizing the City Manager or his designee to sign all contract documents, purchase orders and change orders for an electronic farebox system purchase contract with Genfare of Elk Grove Village, IL for the purchase of nine Fast Fare fareboxes, four Fast Fare-E Remote Readers, and spare parts in an amount to not exceed \$185,889.72; and
2. 2. Authorize the Mayor to sign the Resolution.

Documentation: Resolution No. 56-2018

Disposition: Approved.

4. CONSIDERATION OF YOUTH EXPERIENCING SUCCESS (YES)
PROGRAM AGREEMENT AND REQUEST FOR EXPANSION

Recommendation: That the City Council:

1. Approve the draft Agreement between the City of Porterville and the Porterville Unified School District Regarding the YES Program, and authorize the Mayor to sign said Agreement;
2. Approve the budget adjustment in the amount of \$181,000 to increase the FY2017-2018 YES Program costs and the corresponding increase in the YES Program revenue budget; and 3. Authorize staff to modify the FY2018-2019 revenue and expenditure estimates for the YES program, to accommodate the 2018-19 school year expansion.

Documentation: M.O. 06-080718

Disposition: Approved.

5. AUTHORIZATION TO APPLY FOR FTA SECTION 5311 PROGRAM
FUNDING

Recommendation: That City Council:

1. Approve the attached draft Resolution authorizing staff to act on behalf of the City to apply for FTA Section 5311 financial assistance; and
2. Authorize the Mayor to sign the Resolution.

Documentation: Resolution No. 57-2018

Disposition: Approved.

6. SELECTION OF ON-CALL ENVIRONMENTAL CONSULTANTS

Recommendation: That the City Council:

1. Authorize staff to negotiate on-call contracts with AES, Crawford & Bowen, LSA, and Provost & Pritchard Consulting Group;
2. Authorize the Mayor to sign contract documents;
3. Authorize the Community Development Director to sign task orders; and
4. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

Documentation: M.O. 07-080718

Disposition: Approved.

7. REQUEST FOR AN EXTENSION OF TIME FOR SALAZAR RANCH

Recommendation: That the City Council adopt the draft resolution approving a 24-month extension of time for the Salazar Ranch Tentative Subdivision Map.

Documentation: Resolution No. 58-2018

Disposition: Approved.

8. QUARTERLY PORTFOLIO SUMMARY

Recommendation: That the City Council accept the quarterly Portfolio Summary Report.

Documentation: M.O. 08-080718

Disposition: Approved.

9. PRELIMINARY FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the preliminary financial status reports as presented.

Documentation: M.O. 09-080718

Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT - FAMILY HEALTH CARE NETWORK - 18TH ANNUAL HEALTH FAIR AND FIESTAS PATRIAS - SEPTEMBER 16, 2018

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the Family Health Care Network, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 10-080718

Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT - AMERICAN CANCER SOCIETY - PORTERVILLE RELAY FOR LIFE - 20TH YEAR RIBBON CUTTING AND PROCLAMATION - AUGUST 23, 2018

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the American Cancer Society subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

Documentation: M.O. 11-080718

Disposition: Approved.

12. STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY

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.

Documentation: M.O. 12-080718

Disposition: Approved.

PUBLIC HEARINGS

13. CONSIDERATION OF ITEMS NECESSARY TO PLACE A GENERAL PURPOSES BALLOT MEASURE ON THE NOVEMBER 2018 ELECTION

Recommendation: That the City Council determine whether Porterville voters should have the option to consider a general purpose revenue measure this November with the intent of this Council being to focus the funds on police, fire, and street maintenance. Should the Council determine in favor of letting the voters decide this measure, then:

1. Adopt a Resolution placing the general purpose measure on the November 6, 2018 Ballot; The Resolution includes the Ordinance adopting the tax, which would become effective only if the measure is approved by the voters in November 2018; and
2. Authorize the Amendment to the Lew Edwards Group services agreement for assistance with a legally permissible Public Education Program.

City Manager John Lollis introduced the item and presented the staff report.

The Public Hearing was opened at 7:07 p.m.

- Edith LaVonne stated that she had participated the survey and was in favor of a 1% tax; and identified her priorities as streets, fire and medical emergency response, and police.
- Brock Neeley stated that he would like to see a sunset on the tax of five years; indicated that he was not in favor of Measure H Oversight Committee oversight; and spoke in favor of prioritizing streets in the start.
- John Coffee spoke in favor of prioritizing streets over emergency response and police, and of giving the oversight committee some teeth.
- Daniel Penaloza spoke in favor of prioritizing street maintenance, street lights, and investing in infrastructure; and applauded the Police Department for what they are able to achieve with what they have.

The Public Hearing was closed at 7:16 p.m.

The Council addressed comments made during the public hearing; and voiced support for public safety as well as street maintenance. Staff elaborated on population growth, the ability to modify the expenditure plan, and support for the increased revenues.

City Attorney Lew noted that the ordinance attached to the resolution was missing, "...2005." in the second sentence of Section 22-9.16.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council adopt a Resolution placing the general purpose measure on the November 6, 2018 Ballot that includes the Ordinance adopting the tax, which would become effective only if the measure is approved by the voters in November 2018; and authorize the Amendment to the Lew Edwards Group services agreement for assistance with a legally permissible Public Education Program.

Documentation: Resolution No. 59-2018

Disposition: Approved.

SECOND READINGS

14. SECOND READING - ORDINANCE NO. 1848 - NUISANCES RELATED TO SHOPPING CARTS

Recommendation: That the Council give Second Reading to Ordinance No. 1848, waive further reading, and adopt said Ordinance.

City Manager Lollis introduced the item, and the staff report was waived at the Council's request.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council give Second Reading to Ordinance No. 1848 being, AN ORDINANCE OF THE

COUNCIL OF THE CITY OF PORTERVILLE ADDING ARTICLE X TO CHAPTER 18 OF THE PORTERVILLE MUNICIPAL CODE REGARDING NUISANCES RELATED TO SHOPPING CARTS. The motion carried unanimously.

The Ordinance was read by title only.

Documentation: Ordinance No. 1848

Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores, expressed gratitude to fire personnel; stated that he would be praying for all those effected by the fires; thanked the Police Department for including the Council in the swearing in ceremony; and added that she looked forward to attending the Military Academy ribbon cutting ceremony.
- Council Member Hamilton echoed Council Member Flores' remarks; and asked about the turnout at National Night Out.
- Council Member Reyes spoke of his attendance at the Jaye Street Bridge grand opening; and echoed the sentiments communicated by Council Member Flores regarding wildfires.
- Vice Mayor Ward spoke of upcoming back to school traffic and activities; also thanked firefighters and their efforts; stated that the City had a great team and that he was glad to see the Mayor in attendance.
- Council Member Hamilton spoke of a community meeting with Burton School District and lauded Police Chief Eric Kroutil and Acting Public Works Director Mike Reed for their participation.
- Mayor Stowe spoke of a recent medical scare; thanked fire personnel; encouraged drivers to slow down and look out for kids going back to school; and appreciated public comments regarding the much needed tax measure.
- City Manager Lollis spoke of the recent passing of Mr. Kabot; and announced the return of fire patrol unit from fighting the Ferguson fire and its likely departure to Mendocino.

CLOSED SESSION

The Council took a five minute recess and reconvened in Closed Session at 7:48 p.m. City Attorney Lew announced that no reportable action was anticipated.

ADJOURNMENT

The Council adjourned at 8:50 p.m. to the meeting of August 21, 2018.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 4, 2018, 5:30 PM**

Call to Order at 5:32 p.m.

Roll Call: Council Member Monte Reyes, Council Member Martha A. Flores, Council Member Cameron Hamilton, Vice Mayor Ward, and Mayor Milt Stowe

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 261-122-004; 261-122-005; 261-122-006; and 261-122-007. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Cornerstone Main Partners LP. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 155 and 165 N. D Street, Porterville. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Val Guzman and Lionel R. Guzman, respectively. Under Negotiation: Terms and Price.

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

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. Greg L. Woodard and Cinda D. Woodard, Trustees of the Woodard Family Revocable Trust of August 10, 2006, Tulare County Superior Court Case No. 273165.

5 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two cases: One case in which facts are not yet known to potential plaintiff; and one case concerning correspondence dated August 26, 2018, from John Duran alleging voter rights violations.

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

**6:40 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-4, as follows:

A-4. On a MOTION made by Council Member Cameron Hamilton, and SECONDED by Council Member Martha A. Flores the City Council unanimously approved settlement of the lawsuit for \$95,000 and \$5,000 for appraisal reimbursement.

Documentation: M.O. 01-090418

Disposition: Approved.

The Pledge of Allegiance was led by Mayor Milt Stowe.
Invocation -- a moment of silence was observed.

PROCLAMATIONS

Adult Literacy Awareness Month
Library Card Sign-Up Month

AB 1234 REPORTS

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

1. Tulare County Economic Development Corp. (TCEDC) - August 23, 2018
Council Member Reyes reported on the extended workshop during which the future of the TCEDC was discussed.

STAFF INFORMATIONAL REPORTS

None

ORAL COMMUNICATIONS

- Ellen Nichols, Porterville resident, spoke of the use of abbreviations and acronyms in presentations and verbal communication during the meeting; and requested that the Council refrain from approving drive thrus at businesses in consideration of air quality.

CONSENT CALENDAR

Council Member Flores indicated that she had a conflict of interest pertaining to real property for Item Nos. 8 and 10 and would be abstaining from those items. There were no items pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve Items Nos. 1-17 with the noted abstentions. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JUNE 5, 2018 AND JUNE 19, 2018

Recommendation: That the Council approve the draft Minutes of June 5, 2018 and June 19, 2018.

Documentation: M.O. 02-090418

Disposition: Approved.

2. AUTHORIZATION TO PURCHASE BATTERY POWERED HYDRAULIC EXTRICATION SYSTEM WITH FUNDS FROM THE 2017 STATE HOMELAND SECURITY GRANT

Recommendation: That the City Council authorize the expenditure of the State Homeland Security Grant funds in the amount of \$32,977.

Documentation: M.O. 03-090418

Disposition: Approved.

3. AUTHORIZATION TO AWARD CRUSHING AND SCREENING PROJECT

Recommendation: That City Council:

1. Award the Crushing and Screening Project to Dunn's Sand at a cost not to exceed \$40,000 (bid amount plus contingency if the total tonnage of material exceeds the estimated 5000 tons).;
2. Direct the Finance Director to initiate a Purchase Order to Dunn's Sand for a not to exceed amount of \$40,000; and
3. Direct the Finance Director to make a payment to Dunn's Sand upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 04-090418

Disposition: Approved.

4. AUTHORIZATION TO AWARD CLEANING OF ANAEROBIC DIGESTERS

Recommendation: That City Council:

1. Award the cleaning of digesters #1, #2 and #4 to Wastewater Solids Management Company for a total project amount not to exceed \$44,594, which includes a ten percent contingency per digester;
2. Direct the Finance Director to initiate a Purchase Order to Wastewater Solids Management Company for a not to exceed amount of \$44,594, which includes a ten percent contingency per digester; and
3. Direct the Finance Director to make payment to Wastewater Solids Management Company upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 05-090418

Disposition: Approved.

5. BID RESULTS - VARIOUS CONCRETE AND ADA IMPROVEMENTS PROJECT

Recommendation: That the City Council:

1. Award the Various Concrete and ADA Improvement Projects to MAC General Engineering in the amount of \$330,584;
2. Authorize a 10% contingency to cover unforeseen construction costs;
3. Authorize 10% for construction management, quality control and inspection; and
4. Authorize the Finance Director to appropriate \$159,899.40 of additional Local Transportation Funds needed to fully fund the project.

Documentation: M.O. 06-090418

Disposition: Approved.

6. ACCEPTANCE OF SUBDIVISION IMPROVEMENTS - SUMMIT ESTATES 2, PHASE 1 (JASON MOYES - SMEE HOMES, INC.)

Recommendation: That the City Council:

1. Accept the public improvements, including those related to the Landscape & Lighting District of Summit Estates 2, Phase 1 Subdivision for maintenance;
2. Authorize the City Clerk to file the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

Documentation: M.O. 07-090418

Disposition: Approved.

7. AUTHORIZATION TO EXECUTE A CONSULTANT SERVICE AGREEMENT FOR THE ANIMAL SHELTER FACILITY PROJECT (185 SOUTH D STREET)

Recommendation: That City Council:

1. Authorize the Mayor to execute the Consultant Service Agreement, upon approval by the City Attorney, with Rania Alomar Architects, Inc. in the amount of \$719,130;
2. Authorize the Finance Director to augment the FY 2018/2019 annual budget to include \$75,000 of Local Transportation Funds for the D Street Frontage Improvements; and
3. Authorize the Public Works Director to secure Measure R Funds for the design of the Bike and Pedestrian Path from Putnam Avenue to Olive Avenue in the amount of \$225,000.

Documentation: M.O. 08-090418

Disposition: Approved.

8. AUTHORIZATION TO NEGOTIATE CONSULTANT SERVICE AGREEMENTS - 2018/2019 FISCAL YEAR MAJOR STREET PROJECTS

Recommendation: That City Council authorize the Public Works Director to negotiate consulting services for major street projects as defined in Fiscal Year 18/19 Annual Budget.

AYES: Reyes, Hamilton, Ward, Stowe
NOES: None
ABSTAIN: Flores
ABSENT: None

Documentation: M.O. 09-090418

Disposition: Approved.

9. AUTHORIZATION OF STREET CLOSURE FOR ANNUAL ZALUD HOUSE MUSEUM PIONEER DAYS & RIB COOK-OFF

Recommendation: That the City Council authorize the temporary closure of Main Street between Morton and Mill; and Thurman and Cleveland Avenues between Division Street and the alley west of Second Street, for the Zalud House Museum Pioneer Days & Rib Cook-Off on October 13, 2018, 5:00 AM-5:00 PM.

Documentation: M.O. 10-090418

Disposition: Approved.

10. FINAL BALLOT RESULTS - AREA 456 A, B, C & E HENDERSON AVE SEWER UTILITY DISTRICT

Recommendation: That City Council accept the voting results for Area 456 A, B, C & E Henderson Ave Sewer Utility District and adopt the resolution approving the Formation of Sewer Utility District No. 456 A, B, C & E Henderson Ave.

AYES: Reyes, Hamilton, Ward, Stowe

NOES: None

ABSTAIN: Flores

ABSENT: None

Documentation: Resolution No. 62-2018

Disposition: Approved.

11. ADOPTION OF THE CITY LIBRARY'S RULES OF CONDUCT

Recommendation: That the City Council approve the draft resolution adopting the proposed Rules of Conduct for the City Library and process for appeal.

Documentation: Resolution No. 63-2018

Disposition: Approved.

12. CONFLICT OF INTEREST CODE AMENDMENT

Recommendation: That the City Council adopt the draft resolution approving the amended City of Porterville Conflict of Interest Code.

Documentation: Resolution No. 64-2018

Disposition: Approved.

13. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN - PORTERVILLE CITY EMPLOYEES ASSOCIATION

Recommendation: That the City Council:

1. Adopt the draft resolution approving the negotiated changes within the Porterville City Employees Association's MOU; and
2. Direct HR staff to amend all other documents as may be necessary to document and implement said negotiated changes.

Documentation: Resolution No. 65-2018

Disposition: Approved.

14. AMENDMENT TO EMPLOYEE PAY AND BENEFIT PLAN - PUBLIC SAFETY SUPPORT UNIT

Recommendation: That the City Council:

1. Adopt the draft resolution approving the negotiated changes within the Public Safety Support Unit's MOU; and
2. Direct HR staff to amend all other documents as may be necessary to document and implement said negotiated changes.

Documentation: Resolution No. 66-2018

Disposition: Approved.

15. REQUEST FOR PROCLAMATION - SUICIDE PREVENTION AWARENESS MONTH - SEPTEMBER 2018

Recommendation: That the City Council consider approval of the request to proclaim September 2018 as "Suicide Prevention Awareness Month."

Documentation: M.O. 11-090418

Disposition: Approved.

16. STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY

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.

Documentation: M.O. 12-090418

Disposition: Approved.

17. CITY COUNCIL MEMBER REQUESTED AGENDA ITEM - CONSIDER REQUESTING THE ARTS COMMISSION TO BEGIN PLANNING THE 1ST ANNUAL PORTERVILLE ARTS EXPO OR FESTIVAL

Recommendation: That the City Council approve Vice Mayor Ward's request to consider requesting the Arts Commission to begin planning the 1st Annual Porterville Arts Expo or Festival.

Documentation: M.O. 13-090418

Disposition: Approved.

Following approval of the Consent Calendar, Vice Mayor Ward read and presented the "Suicide Prevention Awareness Month" proclamation.

PUBLIC HEARINGS

18. CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FY 2017-2018

Recommendation: That the City Council consider the draft 2017-2018 Consolidated Annual Performance Evaluation Report and direct staff to submit it to the Department of Housing and Urban Development by the required deadline of September 28, 2018, as well as respond to any comments received prior to September 04, 2018.

City Manager John Lollis introduced the item, and Community Development Director Jenni Byers presented the staff report.

The Public Hearing was opened at 7:05 p.m. The Mayor closed the Public Hearing at 7:05 p.m. when no one came forward.

Staff addressed questions from the Council regarding the percentage of funds expended for homebuyer and business assistance programs.

COUNCIL ACTION: MOVED by Mayor Milt Stowe, SECONDED by Vice Mayor Brian Ward that the City Council direct staff to submit 2017/2018 Consolidated Annual Performance Evaluation Report to the Department of Housing and Urban Development by the required deadline of September 28, 2018, as well as respond to any comments received prior to September 04, 2018. The motion carried unanimously.

Documentation: M.O. 14-090418

Disposition: Approved.

SCHEDULED MATTERS

19. STATE OF CALIFORNIA HOUSING AND HOMELESSNESS FUNDING PROGRAMS

Recommendation: That the City Council accept the item for informational purposes and provide direction to the varying grant opportunities City Manager Lollis

introduced the item, and Community Development Director Byers presented the staff report.

City Manager Lollis introduced the item, and Community Development Director Byers presented the staff report.

Discussion ensued regarding the various types of one-time funds available. Council members expressed concerns regarding the inability of one-time monies to sustain a program or facility that could end up being a drain on the City's budget in the long term.

Staff spoke of the lack of support services and mobile outreach, and of the importance of partnerships from an operational standpoint. Staff also elaborated on recent discussion of the Tulare County Homelessness Taskforce and potential challenges.

The Council directed staff to move forward and actively pursue funding.

Documentation: None
Disposition: Direction given.

20. CONSIDER RESOLUTIONS OF SUPPORT FOR PROPOSITION 1 (VETERANS AND AFFORDABLE HOUSING BOND ACT OF 2018) AND PROPOSITION 3 (WATER SUPPLY AND WATER QUALITY ACT OF 2018), AND OPPOSITION TO PROPOSITION 6 (VOTER APPROVAL FOR INCREASES IN GAS AND CAR TAX)

Recommendation: That the City Council consider Resolutions of Support for Proposition 1 (Veterans and Affordable Housing Bond Act of 2018) and Proposition 3 (Water Supply and Water Quality Act of 2018), and Opposition to Proposition 6 (Voter Approval for Increases in Gas and Car Tax).

City Manager Lollis introduced the item and presented the staff report. Following the brief report, Vice Mayor Ward indicated that he was not in support of the resolution pertaining to Proposition 6.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Council Member Martha Flores that the City Council approve Resolutions of Support for Proposition 1 (Veterans and Affordable Housing Bond Act of 2018) and Proposition 3 (Water Supply and Water Quality Act of 2018), and Opposition to Proposition 6 (Voter Approval for Increases in Gas and Car Tax).

AYES: Reyes, Flores, Hamilton, Stowe
NOES: Ward
ABSTAIN: None
ABSENT: None

Documentation: Resolution Nos. 67-2018, 68-2018, and 69-2018

Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville resident, recommended that the next homeless count inquire as to how individuals came to be in Porterville.

OTHER MATTERS

- Council Member Hamilton spoke of a successful pool season, and the upcoming Pioneer Days event.
- Council Member Reyes spoke of his participation in a roundtable discussion pertaining to the PM2.5 Plan.
- Vice Mayor Ward spoke of improvements to the medians on Henderson Avenue and of the need to replace dying trees and plants.
- City Manager Lollis spoke of the upcoming 9/11 memorial and League of California Cities Annual Conference; and lauded City staff for back pack donation drive spearheaded by Community Development Manager Julie LaPere.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:02 p.m. to the meeting of September 18, 2018.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Request For Approval To Purchase Vast Network Internet Services

SOURCE: Finance

COMMENT: The IT Division requests approval to purchase Vast Network Fiber Internet Service to the City's datacenter. The City currently utilizes a 100mbps Charter Spectrum connection for primary internet service and a 10mbps OACYS wireless connection as a backup. The five (5) year contract with Charter will expire on January 14, 2019. Since moving to Charter internet services 5 years ago, the City has increased its cloud computing usage. The City has transitioned to Microsoft O365, the Police Department has adopted body cameras, and have shifted some application to the cloud. Vast is proposing two separate 500mbps connections with diverse paths, one as the primary and the other as a backup in the event of primary failure. Vast Network service includes a 24-hour network support and a network availability uptime of 99.99%.

Staff requested and received several proposals. Below is a summary of the services and cost proposals and a comparison with the current provider.

	Term	Primary Bandwidth	Monthly Cost	Backup Option	Backup Bandwidth	Backup Cost	Annual Cost	Non- recurring Charge
Current								
Charter	exp 1/2019	100Mbps	\$ 1,280	OACYS	10Mbps	\$ 159	\$ 17,268	
Proposed								
Charter	5 years	200Mbps	\$ 1,169	Charter	200Mbps	\$ 1,169	\$ 28,056	\$ 500
TPX	3 years	100Mbps	\$ 1,100	TPX	100Mbps	\$ 1,100	\$ 26,400	\$ -
OCSNET	5 years	500Mbps	\$ 1,495	OCSNET	100Mbps	\$ 469	\$ 23,568	\$ -
Vast	5 years	500Mbps	\$ 600	VAST	500Mbps	\$ 600	\$ 14,400	\$ 1,000

Staff recommends the purchase of Vast Network Fiber Service at a cost of \$1,200 monthly, which is annualized to \$14,400, with a nonrecurring cost of \$1,000. There is no additional cost for infrastructure build because of requested dark fiber installation during the Porterville construction in 2012. The nonrecurring cost and the annual cost of the service will be covered in the IT Division's operating budget in the General Fund.

Staff is also requesting purchase of the service 3 months prior to the expiration

of the current contract with Charter, in order to reassign new vendor IP addresses and testing outside connections and insure a smooth transition.

Upgrading internet bandwidth will allow the City to meet the growing demand for faster communication speeds to service employees' needs to be effective in their tasks. It will also enable to take advantage of future technology implementation, such as cloud computing and video conferencing to reduce travel time and expenses.

RECOMMENDATION: That the City Council approve the purchase of Vast Network Fiber Service at a cost of \$14,400 annually for 5 years.

ATTACHMENTS:

1. Charter COP FIA Proposal 200 M FIA 07-10-2018
2. OACYS COP Fiber Proposal 2018v2
3. Telepacific COP Fiber Quote
4. VAST FIBER QUOTE20180817141136

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

FIBER OPTIC CONNECTIVITY PROPOSAL

AND INSTALLATION PLAN



PREPARED BY

Tony Rivas
Major Account Executive
Tony.Rivas@charter.com
(661) 395-3376

*Subject to disclaimers included herein.

07-10-2018

City of Porterville
291 N Main Street
Porterville CA, 93257

Dear Ted ,

Thanks for your interest in Spectrum Enterprise ® services. We have already helped power the success of businesses across the U.S. and are confident that our solutions will help you maximize the potential of your business.

As we've discussed, this proposal details the Spectrum Enterprise services designed to meet the needs of your business.

BUSINESS GOALS

- ▶ Reduce Risk to the Business
- ▶ Increase efficiency
- ▶ Receive Enterprise level support

NETWORK GOALS

- ▶ Increase bandwidth and scalability
- ▶ Increase reliability with dedicated bandwidth
- ▶ Pass large files with minimal wait time

SUMMARY OF GOALS

Spectrum Enterprise goal in our partnership with City of Porterville is to create a broadband and voice services network that can scale and grow to meet the needs and demands of your business.

The following is a price estimate for Spectrum Enterprise® services that takes into account the conversations we've had around the specific solutions that are best suited to meet your needs. Please review and let me know if you have any questions or concerns.

One-Time Charges

- Installation \$250.00 per site
- Equipment \$0.00

Service Period: 36 Month Term Agreement

PERSONALIZED QUOTE FOR City of Porterville

Service	Location	Service Breakdown	Monthly Service Fee	One-Time Charges
Fiber Internet	291 N Main Street Porterville CA 93257	200M FIA	\$1169.00	\$250.00
Fiber Internet	980 S Jaye St. Porterville CA 93257	200M FIA	\$1169.00	\$250.00
Fiber Internet	555 N Prospect St. Porterville CA 93257	200M FIA	\$1169.00	\$250.00
IP address	5 IP scope included with service		0.00	

¹ Includes Standard Class of Service (unless otherwise specified)

² Includes 24/7 Circuit Monitoring & NOC Support

³ Does not include applicable taxes, fees, applicable frost charges, or surcharges

Additional options available upon request. There is no change in electronics required until we exceed 1 Gig. Upgraded levels of service may be requested at any time during the term of the contract. The one-time charge quoted herein only applies to the initial installation.

This offer is valid for 90 days, is based on a 36 month term, and is subject to these contingencies:

- Final engineering, design, and site visits
- Spectrum Enterprise® Commercial Terms of Service as provided in our Service Agreement/Order

I appreciate the opportunity to provide this proposal for FIA fiber services for City of Porterville. Please feel free to contact me with any questions.

Sincerely,

Tony Rivas | Major Account Executive

661-395-3376

California Market | Nevada Market



The benefits of switching to Spectrum Business couldn't be more compelling. Here's what you can expect when you work with us:

Better value

Get the bandwidth your business needs without paying more than you should with powerful, cost-efficient services that help your business connect with customers and vendors more easily than ever.

Greater flexibility

No matter how quickly your networking needs change, we can accommodate your request with bandwidth changes that are quickly implemented.

More reliability

Our best-in-class network is physically diverse from the phone company routes and proactively monitored 24/7/365 to enable your business to work faster, more securely and with fewer interruptions.

Optical Ethernet	Provides optical private line Ethernet service with speeds ranging from 10Mbps to 10Gbs. Supports point-to-point, point to multipoint, or multipoint configurations as well as Layer 3 VPN	Spectrum Business® Layer 3 VPN Offers the high-speed capacity and flexibility to handle large amounts of traffic. Securely connect multiple business locations with speeds ranging from 10Mbps to 10Gbps
Fiber Internet	Provides dedicated optical Internet access with scalable speeds ranging from 5Mbps to 1Gbps	Choose from a full suite of add-ons: Cloud services: email services, Website hosting, Domain name hosting, Backup, Microsoft® Exchange E-Mail Managed services: Static IP Addresses, Managed Security, Spectrum Business Managed Internet Router
PRI	High capacity calling service that connects to existing PBX/Key systems and offers scalable telephone service ranging from single to multiple T1s combined with DIDs and flexible long-distance options.	
SIP Trunking	Provides the ability to maximize your IP-PBX through one connection for voice, data and Internet traffic. This converged approach saves money and time by using bandwidth efficiently, reducing hardware costs and simplifying network management.	

Disclaimers:

The terms of this proposal are confidential and should not be disclosed directly or indirectly to any third party, except as may be required by law. If you and/or your agents or representative makes any unauthorized disclosure, Charter shall be entitled to revoke this proposal, terminate any associated agreement without liability and to seek damages and/or injunctive relief arising from such unauthorized disclosure. This proposal is an estimate for discussion purposes only and is not intended to give rise to binding obligations for either party. The offer herein proposed by Charter is contingent upon acceptance of Charter's applicable commercial terms of service. Any contractual relationship between us will be effective only upon execution of a binding contract by representatives of the parties authorized to enter into such agreements. Fiber may not be available to all service areas.

©2016 Charter Communications. All trademarks belong to their respective owners. Services not available in all areas. Other restrictions and limitations may apply.

July 27, 2018

City of Porterville (COP)
Attn: Ted Williams
291 North Main Street
Porterville, CA 93257

Re: Fiber Internet Service Proposal

Overview

This proposal provides multiple options for Dedicated Internet Access from OACYS served by a new fiber-optic path. Each option below has a 5-year contract term as requested, and installation fees are waived. A commitment to one of these circuit options will help OACYS to reach several other business and residential customers in Porterville with fiber-based Internet, benefiting many in the community.

Fiber Service Options	Monthly Price	Install Fee
300Mbps Dedicated Internet	\$1,225	\$0
500Mbps Dedicated Internet	\$1,495	\$0
1Gbps Dedicated Internet	\$1,995	\$0

Backup Connection Options	Monthly Price	Install Fee
30Mbps backup via shared wireless link	\$179	\$0
100Mbps backup via licensed wireless PtP	\$469	\$0
300Mbps backup via licensed wireless PtP	\$559	\$0

Advantages

- OACYS leverages 3-tier redundancy to connect upstream to nearby California datacenters in the Bay Area and Los Angeles, providing best path routing with low latency and optimal redundancy.
- A fiber strand will be dedicated to the COP to connect back to the OACYS head-end in Porterville. The short 2-mile fiber path provides low risk for circuit outages ahead of reaching the redundant OACYS head-end.
- Service options listed above are dedicated Internet, with no bandwidth usage limitations. Speeds are symmetrical and synchronous, therefore 1Gbps provides 1000Mbps download and 1000Mbps upload at the same time.
- Service can be upgraded, with options available up to 4Gbps at this time. Future serving capacity on the fiber can be 100Gbps and higher.
- OACYS is locally owned and operated, and has been providing Internet to residents and businesses for over 20 years. Support is provided by experienced local staff.



Services Included

Standard business web hosting services are included with the fiber Internet options above. COP is currently using a custom ColdFusion web hosting package with OACYS, that package can be discounted by \$100 if one of the Internet options above is chosen.

Backup Connection Options

OACYS can also provide secondary / backup Internet connectivity. Pricing for backup options shown above are based on commitment to a OACYS primary Internet service plan also, and pricing would need to be revised if used as a backup connection for a alternate Internet provider. These wireless options will require installation of a roof-top or tower mount, similar to the existing wireless backup connection provided.

These backup options provide redundancy/diversity for the primary connection, so that it would be extremely unlikely for both to be down at the same time. In the future it will also be possible to utilize a diverse/redundant fiber path back to the OACYS head-end to ensure that a fiber cut along the 2-mile path does not take down the circuit.

Contract Term

Fiber Internet services and Backup Connections listed above are priced with a 5-year contract to keep monthly cost low, other options are available upon request. Costs to install fiber to the COP blockhouse are included in the contract term, and also for backup wireless radios if that option is chosen.

Prepared by – Ryan Walker
President & CEO
OACYS Technology
(559) 781-4123
ryanw@oacys.com



Quote/Order ID: 123823

Service Agreement

City of Porterville

TPx Communications will provide Customer with the specified type and amount of Services at the rates, and terms and conditions listed below and on the Rate Schedule(s) that follow, and Customer shall accept and pay for Services under the Terms and Conditions to which Customer agreed on the Telecommunications Account Agreement (TAA)/Master Service Agreement (MSA) and any related Addendums that follow that govern this Service Agreement. For any Access, ITx, and/or UCx Service listed below that is being added to Services currently provided to Customer at the below referenced Service Location, a new Service Term (as provided in the Term Length below) shall apply to any such Service.

Federal, State and Local Taxes and Other Charges will be applied in accordance with the definitions stated at www.tpx.com/rates.

The term for service(s) being ordered is 36 months. ("Term")

RS ID	Title	Address	Non-Recurring	Recurring
234295	291 N Main St, Porterville CA	291 N Main St, Porterville, CA 93257	\$0.00	\$1,100.00
Totals			\$0.00	\$1,100.00

Agreed by: Customer Signature

Date

Customer Name (Print)

Title

Sales Representative Name

Phone

Agreed by: Sales Manager Signature

Date

v040117



Rate Schedule #234295

Quote ID: 123823

291 N Main St, Porterville CA

4/5/2018

City of Porterville

Good through: 5/4/2018*Address:* 291 N Main St, Porterville, CA 93257

The term for Service(s) being ordered is 36 months ("Term").

▼ TelePacific Data Only Service (Install)	Description	Qty	Each	Usage	Type	NRC	MRC
Data Only Service		1	\$0.0000	-	xNet	-	\$0.0000
100M Port		1	\$1,100.0000	-	xNet	-	\$1,100.0000
Solution Discount		1	(\$74.1700)	-	-	-	(\$74.1700)
100M Tier 2 Access (ICB Code: SQ_LO)		1	\$2,159.6200	-	xNet	-	\$2,159.6200
Non-Standard Discount		1	(\$500.0000)	-	-	-	(\$500.0000)
Solution Discount		1	(\$1,685.4500)	-	-	-	(\$1,685.4500)
Charter		1	\$0.0000	-	xNet	-	\$0.0000
Internet		1	\$100.0000	-	xNet	-	\$100.0000
IPv4 - IP Address - 4 (Included)		1	\$0.0000	-	xNet	-	\$0.0000
Data Only Service - One-time Charge		1	\$500.0000	-	xNet	\$500.0000	-
Solution Discount		1	(\$500.0000)	-	-	(\$500.0000)	-
				\$0.00		\$0.00	\$1,100.00



Telecommunications Account Agreement

Must include Service Agreement

This Telecommunications Account Agreement (referred to as "Agreement" or "TAA") is made by and between U.S. TelePacific Corp. and/or its affiliated companies ("TPx Communications", also referred to as "our, us, we"), and the Customer described below ("Customer" also referred to as "you, I"), pursuant to the TPx Terms and Conditions, to which you agree and which are included in summary herein (available in full at www.tpx.com/terms).

City of Porterville

Company Legal Name (Individual if Sole Proprietorship)

Doing Business As (DBA) _____

Legal Composition: ☐ Corporation ☐ General Partnership ☐ LLP ☐ LLC ☐ Sole Proprietorship

State Organized _____

_____ Federal Tax ID (do not enter personal Social Security Number)

291 N Main St Porterville, CA

93257

Billing Address

Section 2 Terms and Conditions Summary

This Agreement you are signing with TPx includes the Terms and Conditions set forth on our website at www.tpx.com/terms, which are incorporated by this reference into the Agreement. Please refer to our website for the full statement of the Terms and Conditions to which you are agreeing. The summary below is only a reference guide and is not meant to change any of the Terms and Conditions.

- 1. General** – This section defines the Services for which you are contracting, how the prices for those Services are determined, special conditions for rates and fees, such as expedite fees, how the rates, terms and conditions may be changed during the contract Term and any rights you have if those changes occur.
- 2. Term, Billing and Payment** – This section covers when the Agreement becomes effective, when the Term starts and renews, how additional Services, if any, are handled, how billing will occur and what is included, how a deposit may be required, what happens if you delay acceptance of the Services, when payment of Invoices is due, how Invoice disputes are handled, late payment fees, actions that may result from late payment or non-payment and the charge for returned checks.
- 3. Customer Obligations** – This section covers your responsibility for any of our property on your premises, for use of our Service and your message content, for compliance with our Acceptable Use Policy (which may change during the Term), for securing your own network against unauthorized use and access and that you have no right to rely on any oral or written statements of our employees contrary to the Customer Obligations Terms and Conditions. Also included is your responsibility to pay any 3rd party vendor charges and to arrange for disconnection and payment of charges related to the disconnection of any related services with your current carrier (s).
- 4. Termination** – This section states the rights and duties related to termination of Services or the Agreement, the renewal of the Term, the fees charged for cancellation of an order for Services before the commencement of a Term, how a "material breach" of the Agreement is handled, and whether a fee is incurred for termination of Services or the Agreement before the end of a Term and how it is calculated.
- 5. Warranty, Disclaimer, Limitation of Liability and Indemnity** – This section limits your rights to impose liability for certain damages on us, disclaims certain implied representations and warranties, provides credit allowances under certain conditions for interruptions of Service and outages that you may claim, and defines your obligations, and ours, with regard to indemnity and defense of certain claims.
- 6. Resolution of Disputes** – This section REQUIRES THE BINDING ARBITRATION OF ANY AND ALL DISPUTES AND WAIVES CERTAIN RIGHTS TO JURY TRIALS AND/OR CLASS ACTIONS.

v100617 Continued on page 2

Section 2 Terms and Conditions Summary, continued

7. Miscellaneous Provisions – This section controls assignment and transfer of the Agreement and Services under it, the law applicable to the Agreement, the exclusion of any understanding or other agreements from what is contained in the Agreement and its exhibits, and any changes not signed by both you and us, what happens if any provision of the Agreement is found to be invalid or unenforceable, whether the headings of the sections and paragraphs are part of the Agreement, the effect of non-enforcement of any provision of the Agreement, how we will give notice under the Agreement to each other, and a time limitation for the bringing of an action under the Agreement.

8. Service Guarantee – This section provides you with an alternative to continuing with our Services under the Agreement under certain conditions.

Section 3 Acceptance

BY PLACING YOUR INITIALS IN THE SPACE(S) PROVIDED, YOU ACKNOWLEDGE THAT YOU HAVE REVIEWED AND AGREED TO THE FOLLOWING ON THE DATE ENTERED BY YOU BELOW:

✓	<i>Initial</i>	FULL TERMS AND CONDITIONS SET FORTH AT www.tpx.com/terms
	<i>Initial</i>	911 FOR SMARTVOICE ADDENDUM SET FORTH AT www.tpx.com/wp-content/uploads/2017/03/911-for-SmartVoice-Addendum.pdf
	<i>Initial</i>	E911 FOR VoIP SERVICES ADDENDUM SET FORTH AT www.tpx.com/E911-VOIP-Addendum.pdf
	<i>Initial</i>	ITx FIREWALL ADDENDUM SET FORTH AT www.tpx.com/OneSecure-Addendum.pdf
	<i>Initial</i>	ITx FOR OFFICE 365 ADDENDUM SET FORTH AT www.tpx.com/ITx-Office365-Addendum.pdf
	<i>Initial</i>	ITx FOR WAN ADDENDUM SET FORTH AT www.tpx.com/ITx-WAN-Addendum.pdf
	<i>Initial</i>	ITx SERVICES ADDENDUM SET FORTH AT www.tpx.com/ITx-Services-Addendum.pdf
	<i>Initial</i>	UCx CUSTOMER PROVIDED SIP DEVICES ADDENDUM SET FORTH AT www.tpx.com/UCx-Customer-Provided-SIP-Device-Addendum.pdf
	<i>Initial</i>	UCx EQUIPMENT PURCHASE ADDENDUM SET FORTH AT www.tpx.com/UCx-Equipment-Purchase-Addendum.pdf
	<i>Initial</i>	UCx EQUIPMENT RENTAL ADDENDUM SET FORTH AT www.tpx.com/UCx-Rental-Addendum.pdf
✓	<i>Initial</i>	SERVICE LEVEL AGREEMENTS (SLA) SET FORTH AT www.tpx.com/sla
<i>Check if applies</i>	<i>Initial</i>	YOU CONSENT TO RECEIVING ELECTRONIC COMMUNICATIONS FROM TPx VIA THE EMAIL ADDRESS PROVIDED IN SECTION 1.

By signing below, the person signing on behalf of Customer personally represents and warrants to TPx that he or she has the authority and power to sign on behalf of Customer and bind Customer to this Agreement (and the Terms and Conditions incorporated by reference). TPx agrees to provide, and the Customer agrees to receive and pay for, those services at locations set forth on the Service Agreement (attached), including any services on subsequent Service Agreements and subsequent changes as long as those changes meet TPx's minimum requirements. **THIS AGREEMENT INCLUDES AN ARBITRATION PROVISION WHICH REQUIRES THE BINDING ARBITRATION OF ANY AND ALL DISPUTES AND WAIVES CERTAIN RIGHTS TO JURY TRIALS AND/OR CLASS ACTIONS.** This Agreement shall become a binding contract upon execution by Customer and acceptance by TPx.

X _____		_____
Agreed by: Customer Signature		Date
_____		_____
Customer Name (Print)		Title
_____		_____
Sales Representative Name		Phone

v011918 2



Service Order

CVIN / Vast Networks

7447 N. Plam Bluffs Ave. Suite #105

Fresno, Ca 93711

Office: (559) 554-9100

Fax: (559) 442-6047

CONTRACT# 965543

DATE August 10, 2018

CUSTOMER ID COP291

Customer City of Porterville
291 N. Main St.
Porterville, CA 93257

Qty	Item#	Address	Description	Non-Recurring Charge (NRC)	Monthly Recurring Charge (MRC)
1.00	500MINT	Data Center 40 W Cleveland Ave Porterville, CA 9325	500 Mbps Internet	\$ 500.00	\$ 600.00
1.00	500MINT	Police HQ 350 N. D Street Porterville, CA 93257	500 Mbps Internet	\$ 500.00	\$ 600.00
Total Non-Recurring Charge (NRC)				\$ 1,000.00	
Total Monthly Recurring Charge (MRC)					\$ 1,200.00
Customer Initials acknowledging Term					
Term (mo)	60				

This service order is entered into by CVIN,LLC / Vast Networks ("CVIN") and City of Porterville ("Customer"). It is effective upon execution by both parties ("Effective Date"). The services described herein are governed by CVIN's Master Agreement executed by Customer

The following pricing is good for 30 days from the date above. If term discount pricing is selected early disconnect penalties wil apply. This quote does not reflect billable government taxes, surcharges are subject to change by Govenmental Authority.

Customer and the individual below represent that named individual has the authority to bind Customer to this Contract.

CVIN, LLC

Signature: _____

Print Name: _____

Title: _____

Date: _____

Salesperson: _____

Customer:

City of Porterville

Signature: _____

Print Name: _____

Title: _____

Date: _____



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Authorization to Purchase Specialized Equipment

SOURCE: Police

COMMENT: On July 17, 2018, City Council authorized the purchase of specialized equipment by negotiation for equipment to be replaced in FY 2018-2019, including the purchase of seven (7) police vehicles and their associated equipment. Negotiations were made with regard to the vehicles, however, it is necessary to obtain separate Council approval for the purchase of police radios and mobile data terminals to outfit these vehicles due to these items being provided by separate vendors.

Police Department staff have obtained quotes from our current vendors for police radios and mobile data terminals.

All seven (7) police vehicles are required to be outfitted with police radios. Motorola is the sole source provider for all of the Department's vehicle radios and provided a quote \$37,077.19. This pricing is available in conjunction with Motorola's Los Angeles County contract.

Because two (2) of the police vehicles will be assigned to the Investigations/Services Division, only five (5) of the police vehicles are required to be outfitted with mobile data terminals. Dell is the sole source provider for the Department's vehicle mobile data terminals and provided a quote of \$11,089.85. With tax, the estimated cost will be \$12,005.36.

Funding for the police radios and mobile data terminals are incorporated into the depreciation of Department vehicles and is currently available through the Department's equipment replacement accounts.

RECOMMENDATION: That the City Council authorize the Police Department to:
1) Purchase seven (7) Motorola radios and five (5) Dell mobile data terminals; and
2) Authorize payment upon receipt of the radios and mobile data terminals.

ATTACHMENTS:

1. Motorola Quote
2. Dell Mdt Quotes

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager



Quote Number: QU0000439648

Effective: 03 MAY 2018

Effective To: 02 JUL 2018

Bill-To:

PORTERVILLE, CITY OF
350 NORTH D ST
PORTERVILLE, CA 93257
United States

Ultimate Destination:

PORTERVILLE, CITY OF
350 NORTH D ST
PORTERVILLE, CA 93257
United States

Attention:

Name: SGT. Ronald Moore
Email: rmoore@ci.porterville.ca.us
Phone: (559) 782-7400

Sales Contact:

Name: Eugene Orta
Email: geneo@j-scommunications.com
Phone: 5594356619

Contract Number: LA COUNTY (CA)**Freight terms:** FOB Destination**Payment terms:** Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	7	M25QSS9PW1AN	APX6500 UHF R1 MID POWER	\$2,438.00	\$1,779.74	\$12,458.18
1a	7	W22BA	ADD: STD PALM MICROPHONE APEX	\$72.00	\$52.56	\$367.92
1b	7	GA00245AA	ADD: O9 CONTROL HEAD	\$1,200.00	\$876.00	\$6,132.00
1c	7	G67BK	ADD: REMOTE MOUNT MID POWER	\$297.00	\$216.81	\$1,517.67
1d	7	GA05100AA	ENH: STD WARRANTY APPLIES-NO SFS	-	-	-
1e	7	G322AA	ADD: REMOTE MOUNT VIP CBL APX	\$35.00	\$25.55	\$178.85
1f	7	G628AC	ADD: REMOTE MOUNT CBL 17 FEET	\$15.00	\$10.95	\$76.65
1g	7	G806BE	ADD: ASTRO DIGITAL CAI OPERATION	\$515.00	\$375.95	\$2,631.65
1h	7	G444AE	ADD: APX CONTROL HEAD SOFTWARE	-	-	-
1i	7	G426AD	ADD: ANT 1/4 WAVE WHIP 450-470 MHZ	\$25.00	\$18.25	\$127.75
1j	7	G832AD	ADD: SPKR 7.5W WATER RESISANT	\$60.50	\$44.17	\$309.19
1k	7	GA00235AA	ADD: NO GPS ANTENNA NEEDED	-	-	-
1l	7	G48BD	ENH: CONVENTIONAL OPERATION APX6500	\$500.00	\$365.00	\$2,555.00
1m	7	GA00259AA	ADD: UNIVERSAL RELAY CONTROLLER	\$250.00	\$182.50	\$1,277.50
1n	7	GA00260AA	ADD: CABLE URC TO TRANSCEIVER	\$15.00	\$10.95	\$76.65
1o	7	W116AQ	ADD: EXTERNAL ALARM RELAY AND CABLE	\$75.00	\$54.75	\$383.25
2	7	TT2592A	WHELEN/MOTOROLA SIREN	\$618.00	\$525.30	\$3,677.10
2a	7	TT05707AA	SIREN HARDWARE INSTALL KIT	\$20.00	\$17.00	\$119.00
2b	7	TT05900AA	ADD: SIREN TO RADIO CABLE (21-PIN D	\$65.00	\$55.25	\$386.75
2c	7	TT05799AA	OPTION, WHELEN SIREN SPEAKER, SA315P	\$280.00	\$238.00	\$1,666.00
2d	7	TT05811AA	OPTION, BRACKET DODGE CHARGER, 2011-2013	\$28.75	\$24.44	\$171.08

Estimated Tax Amount

\$2,815.00

Estimated Freight Amount

\$150.00

Total Quote in USD**\$37,077.19**

26,483.71

10,593.48

PO Issued to Motorola Solutions Inc. must:

>Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted

>Have a PO Number/Contract Number & Date

- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

18134



A quote for your consideration!

Total: \$11,089.85

Based on your business needs, we put the following quote together to help with your purchase decision. Please review your quote details below, then contact your sales rep when you're ready to place your order.

Quote number:	Quote date:	Quote expiration:	Deal ID:
3000026260855.1	Jun. 22, 2018	Jul. 22, 2018	16060809

Company name:	Customer number:	Phone:
CITY OF PORTERVILLE	4023319	(559) 782-7454

Sales rep information:	Billing Information:
Aribel De Luna	CITY OF PORTERVILLE
Aribel_De_Luna@Dell.com	291 N MAIN ST
(800) 456-3355	PORTERVILLE
Ext: 7250654	CA 93257-3737
	US
	(559) 782-7454

Pricing Summary

Item	Qty	Unit Price	Subtotal
Dell Latitude 7212	5	\$2,212.97	\$11,064.85
Subtotal:			\$11,064.85
Shipping:			\$0.00
Environmental Fees:			\$25.00
Non-Taxable Amount:			\$11,089.85
Taxable Amount:			\$0.00
Estimated Tax:			\$0.00
Total:			\$11,089.85

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Dear Customer,

Your Quote is detailed below; please review the quote for product and information accuracy. If you find errors or desire certain changes please contact me as soon as possible.

Regards,

Aribel De Luna

Order this quote easily online through your [Premier page](#), or if you do not have Premier, using [Quote to Order](#)

Shipping Group 1

Shipping Contact:	Shipping phone:	Shipping via:	Shipping Address:
TED WILLIAMS	(559) 782-7439	DELL Standard Delivery	291 N MAIN ST PORTERVILLE CA 93257-3737 US

SKU	Description	Qty	Unit Price	Subtotal
	Dell Latitude 7212	5	\$2,212.97	\$11,064.85
	Estimated delivery date: Jul. 13, 2018 Contract No: WN03AGW Customer Agreement No: MNWNC-108/7157034003			
210-AMTI	Dell Latitude 7212 Rugged Extreme, XCTO	5	-	-
379-BCWQ	7th Generation Intel Core i5-7300U	5	-	-
619-AHKN	Win 10 Pro 64 English, French, Spanish	5	-	-
630-AAPK	No Productivity Software	5	-	-
338-BMMY	Intel Core i5-7300U with u-blox NEO-M8 GPS card and 8GB Memory	5	-	-
631-ABLD	No Out-of-Band Systems Management	5	-	-
370-ADVY	8GB 1866MHz LPDDR3 Memory	5	-	-
400-ASJL	M.2 128GB SATA Class 20 Solid State Drive	5	-	-
570-AADK	No Mouse	5	-	-
555-BDQQ	Qualcomm QCA61x4A 802.11ac Dual Band(2x2) Wireless Adapter+ Bluetooth 4.1 Driver	5	-	-
555-BDHZ	Qualcomm QCA61x4A 802.11ac Dual Band(2x2) Wireless Adapter+ Bluetooth 4.1	5	-	-
575-BBOR	Bracket for Wireless card	5	-	-

556-BBUU	Qualcomm Snapdragon X7 LTE-A for Win 10 (DW5811 Gobi5000) for Verizon, for Windows 8.1/10	5	-	-
575-BBOR	Bracket for Wireless card	5	-	-
319-BBEQ	5MP HD Webcam / 8MP Rear Camera with Flash and Dual Microphone for Win 8.1/10	5	-	-
520-AAMZ	Dual Microphones	5	-	-
321-BCWV	WLAN/WWAN Chassis 11.6 FHD (1920X1080) Outdoor-Readable Glove-Capable Touchscreen w/Gorilla Glass	5	-	-
389-CFVW	System Regulatory Label	5	-	-
451-BCCD	2-cell 34wH) Lithium Ion Primary Battery	5	-	-
450-AEHK	45W AC Adapter, 4.5mm Barrel	5	-	-
451-BBSG	No Secondary Battery	5	-	-
470-ACKF	Micro Serial Port	5	-	-
325-BCOH	No Smart Card Reader	5	-	-
325-BCOI	No Fingerprint Reader	5	-	-
620-AAOH	No Media	5	-	-
750-AAXB	Connector for I/O Expansion	5	-	-
429-AATO	No Removable CD/DVD Drive	5	-	-
817-BBBB	No FGA	5	-	-
525-0131	Dell Command Power Manager (DCPM)	5	-	-
525-BBCL	SupportAssist	5	-	-
640-BBLW	Dell(TM) Digital Delivery Cirrus Client	5	-	-
658-BBMR	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	5	-	-
658-BBNF	Waves Maxx Audio Royalty	5	-	-
658-BCUV	Dell Developed Recovery Environment	5	-	-
658-BDPH	System Driver, Dell Rugged 12	5	-	-
658-BDQY	System Utilities, ISS3P0	5	-	-
537-BBBD	E5 Power Cord (US)	5	-	-
340-AASE	No Setup and Features Guide	5	-	-
340-AGIK	Safety/Environment and Regulatory Guide (English/French	5	-	-

	Multi-language)			
332-1286	US Order	5	-	-
340-AAFC	System Shipment	5	-	-
340-AQMD	Shipping Material, Shuttle	5	-	-
389-CGCH	Regulatory Label (WLAN & WWAN)	5	-	-
340-ACQQ	No Option Included	5	-	-
460-BBEX	No Carrying Case	5	-	-
340-ACQQ	No Option Included	5	-	-
389-BDCE	No UPC Label	5	-	-
387-BBJZ	ENERGY STAR 6.0	5	-	-
800-BBGF	BTO Standard shipment Air	5	-	-
804-0500	ProSupport: Next Business Day Onsite, 3 Years	5	-	-
989-3449	Thank you choosing Dell ProSupport. For tech support, visit //support.dell.com/ProSupport or call 1-866-516-3115	5	-	-
997-6988	Dell Limited Hardware Warranty Initial Year	5	-	-
997-6995	ProSupport: 7x24 Technical Support, 3 Years	5	-	-
			Subtotal:	\$11,064.85
			Shipping:	\$0.00
			Environmental Fees:	\$25.00
			Estimated Tax:	\$0.00
			Total:	\$11,089.85

Unless you have a separate written agreement that specifically applies to this order, your order is subject to [Dell's Terms of Sale](#) (for consumers the terms include a binding arbitration provision). Please see the legal disclaimers below for further information.

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: Dell's Terms of Sale (www.dell.com/learn/us/en/uscorp1/terms-of-sale), which include a binding consumer arbitration provision and incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (for [Consumer warranties](#) ; for [Commercial warranties](#)).

If this purchase includes services: in addition to the foregoing applicable terms, the terms of your service contract will apply ([Consumer](#); [Commercial](#)). If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

If your purchase is for Mozy, in addition to the foregoing applicable terms, your use of the Mozy service is subject to the terms and conditions located at <https://mozy.com/about/legal/terms>.

If this purchase is for (a) a storage product identified in the DELL EMC Satisfaction Guarantee Terms and Conditions located at

http://www.emc.com/collateral/sales/dellemc-satisfaction-guarantee-terms-and-conditions_ex-gc.pdf ("Satisfaction Guarantee") and (ii) three (3) years of a ProSupport Service for such storage product, in addition to the foregoing applicable terms, such storage product is subject to the Satisfaction Guarantee.

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

Note: All tax quoted above is an estimate; final taxes will be listed on the invoice.

If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Amendment to Employee Pay and Benefit Plan - Management & Confidential Series

SOURCE: Administrative Services

COMMENT: Within the scope of the Meyers-Milias-Brown Act, City representatives have concluded labor negotiations with the Management and Confidential Series ("MCS"). City representatives and MCS have reached an agreement, and a written Memorandum of Understanding ("MOU") has been executed restating current benefits as well as amendments pertaining to wages, benefits and working conditions.

City Council acceptance and approval of an executed MOU is most commonly demonstrated by Council authorization to change or amend, when applicable, those documents that are necessary to implement the points of agreement contained in the MOU.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the negotiated changes within Management and Confidential Series' MOU; and
2. Direct HR staff to amend all other documentation as may be necessary to document and implement said negotiated changes.

ATTACHMENTS: 1. Draft Resolution_MCS

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
PERTAINING TO MANAGEMENT AND CONFIDENTIAL SERIES EMPLOYEES

WHEREAS, the City Council has determined and reiterated that an Employee Pay and Benefit Plan, Classification Plan, Personnel System Rules and Regulations, Health Plan and Retirement Plan are essential for the proper administration of the City's affairs, including employee recruitment and retention, and for proper supervision of City Employees; and

WHEREAS, the City Council recognizes the necessity of amending and/or changing the contents of such plans and regulations from time to time, and of executing instruments to implement and to keep the provisions thereof current, and to maintain the relevancy of the same; and

WHEREAS, there has been concurrence on a Memorandum of Understanding with the Management and Confidential Series ("MCS") for the period from July 1, 2018, until June 30, 2020, covering provisions to amend the Employee Pay and Benefit Plan, as they relate to employees holding positions represented by such recognized employee organization.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Employee Pay and Benefit Plan for employees holding positions represented by the aforementioned recognized employee organization, is hereby amended as follows:

I. TERM OF MEMORANDUM OF UNDERSTANDING

Two (2) years, from July 1, 2018 through June 30, 2020.

II. SALARY

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, MCS employees shall receive a one percent (1%) salary increase.

III. CALPERS COST SHARING

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, or as soon thereafter as possible, MCS employees shall pay an additional one percent (1%), for a total of four percent (4%) of the employer's contribution rate based on the employee's annual base salary.

IV. OFF-SCHEDULE PAYMENT

Effective December 1, 2018, MCS employees shall receive a one-time payment equivalent to one percent (1%) of the employee's annual base salary.

V. ADJUSTMENTS TO POSITION PAY PLAN

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, or as soon thereafter as possible, the following salary ranges shall be adjusted as follows:

Water Systems Specialist: From Range 178 to Range 189
Field Services Supervisor-Water: From Range 178 to Range 189
Water Utility Superintendent: From Range 206 to Range 214
Field Service Superintendent-WWTF: From Range 206 to Range 214
Principal Civil Engineer: From Range 219 to Range 224
Chief Building Inspector: From Range 209 to Range 214

VI. CERTIFICATE PAY

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, MCS employees that possess and maintain the following certifications shall receive the certificate pay identified below, calculated as a percentage of the employee's base salary. This item is intended to compensate employees for the extra training, education and work associated with said certificate/designation and is only compensable if a determination is made by the applicable department head in concurrence with HR that the certificate is beneficial to the City in its operations. Education pay (identified below) and certificate pay shall have a combined cap of 10% per employee.

- 2% Notary Pay
 Compensation to MCS employees who obtain and maintain a notary public certificate from the State of California.
- 2% Passport Acceptance Facility Agent Pay
 Compensation to MCS employees who obtain and maintain certificate through the U.S. State Department.

- 2% Certified Municipal Clerk (CMC) Pay
Master Municipal Clerk (MMC) Pay
Compensation to MCS employees who obtain and maintain the designation.
- 2% IPMA-HR Certified Professional Certificate Pay
IPMA-HR Senior Professional Certificate Pay
Compensation to MCS employees who obtain and maintain the designation.
- 2% Microsoft Certified Solutions Expert Certificate (MCSE) Pay
Microsoft Certified Solutions Associate Certificate (MSCA) Pay
Cisco Certified Network Associate Certificate (CCNA) Pay
AWS Solutions Architect Certificate Pay
Compensation to MCS employees who obtain and maintain the certificate.
- 2% American Institute of Certified Planners (AICP) Pay
Compensation to MCS employees who obtain and maintain the designation.
- 2% Certified Access Specialist (CASp) Pay
Compensation to MCS employees who obtain and maintain the designation.
- 2% Qual. Stormwater Pollution Prev. Plan (SWPPP) Practitioner (QSP) Pay
Qualified SWPPP Developer (QSD) Pay
Compensation to MCS employees who obtain and maintain the designation.

VII. EDUCATION PAY

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, MCS employees that possess or earn one of the following degrees shall be eligible to receive education pay identified below, calculated as a percentage of the employee's base salary. This item is intended to compensate employees for degrees which enhance the employees' ability to perform their jobs and is only compensable if a determination is made by the applicable department head in concurrence with HR that the degree is beneficial to the City in its operations. Education pay is not stackable. Education pay and certificate pay shall have a combined cap of 10% per employee.

- 2.5% Associate's Degree; or
- 5% Bachelor's Degree

VIII. FITNESS INCENTIVE PROGRAM LANGUAGE

Item No. 4 of the Fitness Incentive Program language shall be amended to read, "Employees who knowingly sign and/or submit inaccurate/fraudulent sign in/out sheets or workout logs may become ineligible from further participation in the program and may face discipline up to and including termination. The Risk Manager maintains the right to determine eligibility of proposed workouts."

IX. 2020/2021 NEGOTIATIONS

Labor Negotiations for the 2020/2021 fiscal year shall begin no later than March 1, 2020.

X. STATEMENT OF CONTINUING BENEFITS AND WORKING CONDITIONS

All other terms and conditions previously negotiated and subsequently approved and implemented by appropriate authority shall, unless herein expressly modified or eliminated, remain in full force and effect until such time as they are subsequently modified or eliminated through the meet and confer process and mutually agreed upon by the City and MCS.

BE IT FURTHER RESOLVED that the Mayor of the City of Porterville is hereby authorized to execute those documents as are necessary to implement the provisions hereof.

PASSED, APPROVED AND ADOPTED this 18th day of September, 2018.

Milt Stowe, Mayor

ATTEST:
John Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Approval for Community Civic Event - Palabra de Victoria Church - Community Outreach - September 29, 2018

SOURCE: Finance

COMMENT: The Palabra de Victoria Church is requesting approval to hold their annual Community Outreach event. This event, with carnival games and live music, will be held in the church parking lot and in front of the church on 'E' Street, Saturday, September 29, 2018, from 3:00 p.m. to 8:00 p.m. The applicant has requested the closure of 'E' Street from Orange Street to the end of their church building.

This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended and has been routed according to the ordinance regulations and reviewed by all the departments involved. All requirements are listed on the attached copy of the Application and Agreement and Exhibit A and Exhibit B.

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from the Palabra de Victoria Church, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

ATTACHMENTS:

1. Community Civic Event Application and Agreement, Exhibit A, Exhibit B, Map, Outside Amplifier Permit and Certificate of Liability Insurance.

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(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: 8-16-18 Event date: 9-29-18
Event time: 3PM - 8PM

Name of Event: Palabra De Victoria Church Community Outreach

Sponsoring organization: Palabra De Victoria Church Phone # (559) 782-1573
Address: 163 W. ORANGE Porterville, Ca

Authorized representative: JOSE A. SEGURA Phone # (559) 782-1573
Address: 1184 W. BROWN AVE

Event chairperson: JANE Phone # JANE

Location of event 163 W. ORANGE Porterville, Ca
Church (Location map must be attached)

Type of event: COMMUNITY OUTREACH

Non-profit organization status: BL# 001885

(IRS Determination)

City services requested (fees associated with these services will be billed separately):

Barricades (quantity): 14 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.

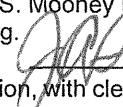
Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise 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 Initial

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

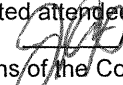
Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health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

 Authorized Representative Initials

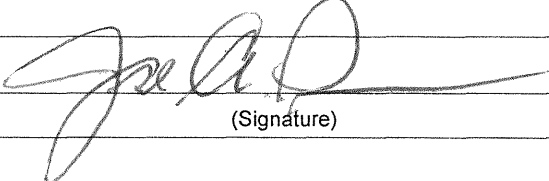
First aid station: Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

____ Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

 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. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

		8-16-18
(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: 16.3 W. Orange Event date: 9-29-18 Event time: 3 PM-8 PM

<u>Vendor name</u>	<u>Address/Telephone</u>	<u>Business License required?</u>	<u>Type of Activity</u>
No Vendors			

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: Palabra De Victoria Church Community Outreach

Sponsoring organization: Palabra De Victoria Church

Event date: 9-29-18 Hours: 3 PM - 8 PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity
EST	END of church building	End of church Building	CARNIVAL
	↓	↑	TYPE: GAMES
	ORANGE	ORANGE	FOR CHILDREN THAT
			REQUIRE NO MECH.
		SMALL PRIZES	EQUIPMENT (EX. BALL
			TOSS/RING TOSS/B BALL
			- NO RIDES O CARNIVAL
Sidewalks	From	To	Activity
			- NO DUNKING MACHINE
			- LIVE CHRISTIAN BAND
			- NO D.J.
			- NO VENDERS
			NO OTHER PARTICIPAN
Parking lots and spaces	Location		Activity
			EXCEPT FOR CHURCH
			MEMBERS, BAND +
			PATRONS of Community

Requirements for Community Civic Event
Palabra de Victoria Church
Community Outreach
September 29, 2018

Finance Director:
M. Bemis

Public Works Director:
M. Reed

Community Development Manager: No comments.
J. Phillips

Field Services Manager:
M. Knight

Fire Marshall: Approved.
M. Sandoval

Parks and Leisure Services Director: No comments.
D. Moore

Police Lieutenant: Please see proposed conditions and
R. Standridge requirements in Exhibit B.

Administrative Services Director: Please see Exhibit A, page 2.
P. Hildreth

Requirements for Community Civic Event

Sponsor: Palabra de Victoria Church
Event: Community Outreach
Event Chairman: Angel Segura
Location: Palabra de Victoria Church parking lot/front of church
Date of Event: September 29, 2018
Time of Event: 3:00 p.m. to 8:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Palabra de Victoria Church 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, City of Porterville Redevelopment Agency and 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 Community Civic Event Application

Proposed Event: Palabra De Victoria Community Outreach

Date of Event: September 29th, 2018 / 3:00pm – 8:00pm

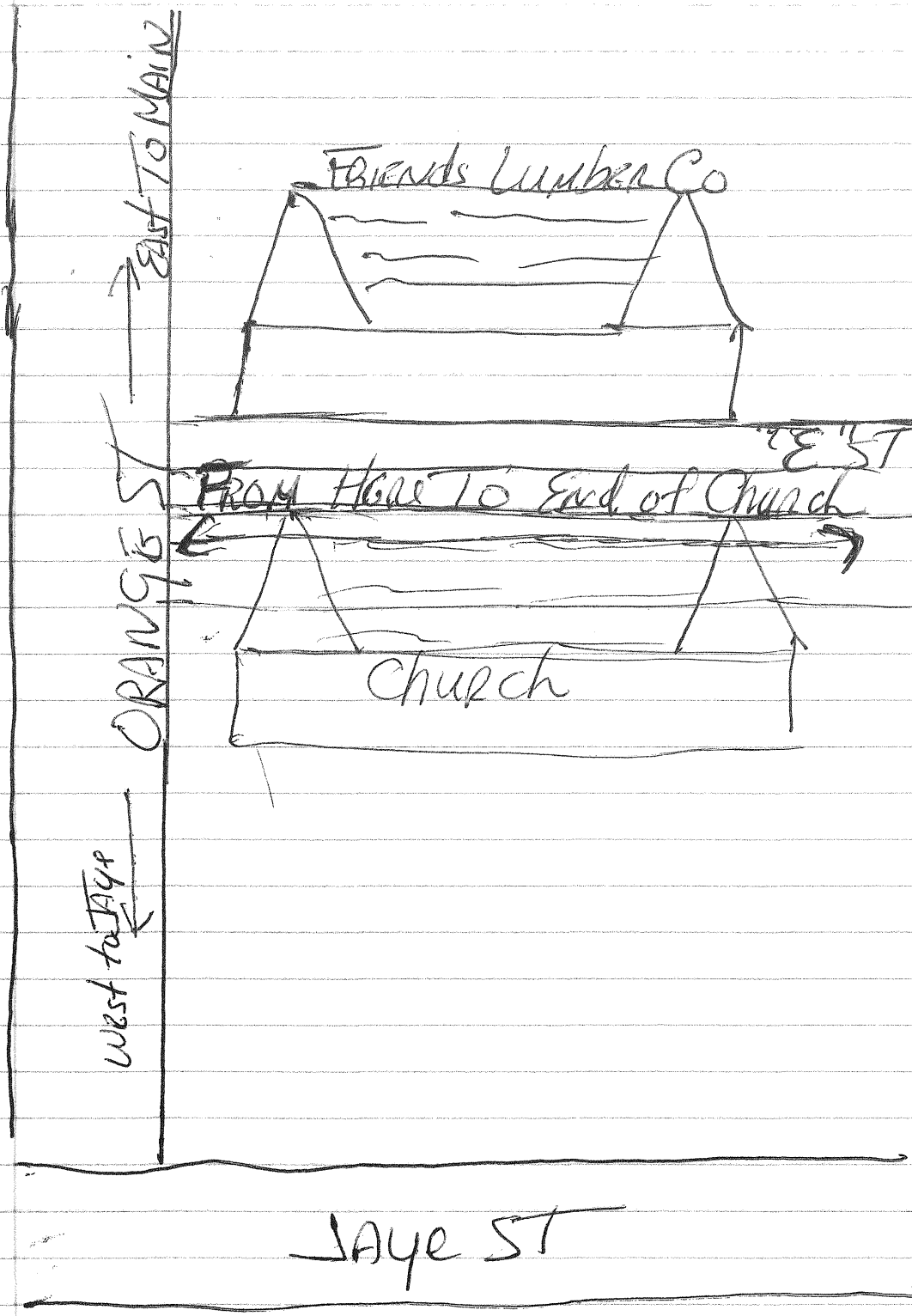
Location of Event: Palabra De Victoria Church, 163 West Orange Avenue

Recommendations/Requirements:

- All street closures in the city require City Council approval.
- If event organizers anticipate the need to have vehicles removed from the associated streets and alleys, the streets in question must be properly posted, in accordance with the California Vehicle Code, well in advance of the event. Event organizers **shall** contact Lt. Brian Nix or Lt. Josh Maniss of the Porterville Police Department no less than 30 days prior to the event if vehicle removal is to be authorized. Either can be contacted at 559-782-7410 or 559-782-7400.
- No food vendors have been listed.
- There has been no application to consume alcohol; therefore alcoholic consumption is prohibited.
- An Outside Amplifier Permit has been requested and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- Amplified music shall not continue after 10:00 p.m.

Rich Standridge, 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: JOSE A. SEGURA
1184 W. BROWN AVE PORTVILLE CA 93257
- 2 Address where amplification equipment is to be used: 163 W. ORANGE PORTVILLE CA
- 3 Names and addresses of all persons who will use or operate the amplification equipment: RICARDO STUBBINS
- 4 Type of event for which amplification equipment will be used: Church Community Outreach
- 5 Dates and hours of operation of amplification equipment: 9-29-18 3PM - 8PM
- 6 A general description of the sound amplifying equipment to be used: RA SYSTEMS
AMPLIFIERS, MICROPHONES, SPEAKERS

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 of the occupants of nearby residences.

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 § 6311)

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 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 maybe 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 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 § 6312)

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.

Jose A. Segura
Signature of Applicant

8-16-18
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.

RAS 98
City of Porterville, Chief of Police/Designee

9-10-18
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/16/2018

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 have ADDITIONAL INSURED provisions or 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 Church & Casualty Ins Agency Inc 3440 Irvine Ave Newport Beach CA 92660		CONTACT NAME: Jennifer Nguyen PHONE (A/C, No, Ext): (800) 995-7525 FAX (A/C, No): (800) 995-7521 E-MAIL ADDRESS: jennifer@churchandcasualty.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Church Mutual Insurance Co	
		NAIC # 18767	
INSURED PALABRA DE VICTORIA CHURCH DBA WORD OF VICTORY 163 W ORANGE AVE PORTERVILLE CA 93257-4650		INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL1881682651 **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	Y		0255275-02-920933	08/03/2016	08/03/2019	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
							MED EXP (Any one person) \$ 15,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 3,000,000
							PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	SCHEDULED AUTOS						
	NON-OWNED AUTOS ONLY						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				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 (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of insurance for Street Closure Permit--Community Outreach located at the corner of Orange & E St (163 W Orange Ave), Porterville, CA on September 29, 2018. Certificate holder is named additional insured but only with respect to the activities of the Named Insured on the above described premises. All activities/operations not specifically ran/or conducted by the Named Insured are excluded. **Refer to attached A2014 endorsement.

CERTIFICATE HOLDER**CANCELLATION**

City of Porterville & The City of Porterville Redevelopment Agency 291 N Main St 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 
---	--

© 1988-2015 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED DESIGNATED PERSON OR ORGANIZATION
FOR SPECIFIC ACTIVITY**

This endorsement modifies insurance provided under the General Liability Coverage Part.

The following is added to the General Liability Additional Provisions Form.

Additional Insured Person(s) or Organization(s):

Name: City of Porterville & The City of Porterville Redevelopment Agency

Address: 291 N Main St

Porterville
City

CA
State

93257
Zip

Activity: Street Closure Permit--Community Outreach located at the corner of Orange & E St
(163 W Orange Ave), Porterville, CA
Policy #0255275-02-920933

Date(s): September 29, 2018

A. ADDITIONAL INSURED DESIGNATED PERSON OR ORGANIZATION FOR SPECIFIC ACTIVITY

1. Paragraph C., Who is An Insured, is amended to include the person(s) or organization(s) shown above, but only with respect to "bodily injury," "property damage," "personal injury," and "advertising injury" liability, and only with respect to operations of the Named Insured that are directly related to the activity shown above during the dates shown above.



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Approval for Community Civic Event - Central California Family Crisis Center
- 20th Annual Domestic Violence Candlelight Vigil - October 11, 2018

SOURCE: Finance

COMMENT: The Central California Family Crisis Center is requesting approval to hold their annual candlelight vigil at Centennial Park on Thursday, October 11, 2018, from 6:00 p.m. to 8:00 p.m. This vigil is held as a remembrance for those who have lost their lives to domestic violence. The event consists of speakers and information booths. No street closures have been requested.

This request is made under the Community Civic Events Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and 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 approve the attached Community Civic Event Application and Agreement submitted by the Central California Family Crisis Center, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

1. Community Civic Event Application, Agreement, Exhibit A, Exhibit B, Map, Outside Amplifier Permit and Certificate of Liability Insurance.

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: Patrice Hildreth, Administrative Services Dir

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(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? Yes E-mail address? Yes Website? Yes

Application date: 8/30/2018 Event date: 10/11/2018

Event time: 6:00pm - 8:00pm

Name of Event: 20th Annual Domestic Violence Candlelight Vigil

Central California

Sponsoring organization: Family Crisis Center Phone # 559-781-7462

Address: 211 N. Main St. Porterville, CA 93257

Authorized representative: Andrea Morales Phone # 559-781-7462

Address: 211 N. Main St. Porterville, CA 93257

Event chairperson: Andrea Morales Phone # 559-781-7462

Location of event Centennial Park - 296 N. Main St. Porterville, CA

(Location map must be attached)

Type of event: Candlelight Vigil to commemorate Domestic Violence
Awareness Month October 2018

Non-profit organization status: 501(c)(3) BL # 4815

(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 pd.

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)

AM Authorized Representative Initial

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.**

AM 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 559-733-6932; or visit their website: www.tularehhsa.org.

AM 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.

AM Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

AM 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. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

Central California
Family Crisis Center

(Name of Organization)

Andrea M...

(Signature)

8/30/2018

(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: 296 N. Main St. Porterville Event date: 10/11/2018 Event time: 6:00pm

[illegible]

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: 20th Annual Domestic Violence Candlelight Vigil

Sponsoring organization: Central California Family Crisis Center

Event date: 10/11/2018 Hours: 6:00pm - 8:00pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
None			
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Parking lots and spaces</u>	<u>Location</u>		<u>Activity</u>

Requirements for Community Civic Event
Central California Family Crisis Center
20th Annual Candlelight Vigil for Domestic Violence
October 11, 2018

Finance Director:
M. Bemis

Public Works Director:
M. Reed

Community Development Manager: No comments.
J. Phillips

Field Services Manager:
M. Knight

Fire Marshall:
M. Sandoval

Parks and Leisure Services Director: Vehicles to remain off the grass. Planter outlet
D. Moore must be requested if going to use.

Police Lieutenant: Please see proposed recommendations
R. Standridge and requirements in Exhibit B.

Administrative Services Director: See Exhibit A, Page 2.
P. Hildreth

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Central California Family Crisis Center
Event: Candlelight Vigil for Domestic Violence
Event Chairman: Andrea Morales
Location: Centennial Park
Date of Event: October 11, 2018

RISK MANAGEMENT: Conditions of Approval

That the Central California Family Crisis Center 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 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 Permitted operation and sponsorship of the aforementioned Community Civic Event. If the event is located in the City of Porterville's Redevelopment Agency area, the same conditions apply.

- 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.
- B. 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.
- C. The sponsoring organization/applicant's insurance coverage shall apply primary to, and on a non-contributory basis with, any other available coverage of the City.

CITY OF PORTERVILLE - POLICE DEPARTMENT

Community Civic Event Application

Proposed Event: 20th Annual Domestic Violence Candle Light Vigil

Date of Event: October 11, 2018 / 5:30 pm to 8:30 pm

Location of Event: Centennial Park

Recommendations/Requirements:

Your application to conduct/hold a community civic event has been received by the Porterville Police Department. The following conditions are necessary to ensure a safe and orderly event in the Porterville community.

- City Council approval is required for all street/sidewalk closures.
- Participants must not interfere with the normal flow of pedestrian/vehicular traffic.
- Food vendors, if any, should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- An Outside Amplifier Permit has been requested and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of event, event organizers shall ensure that affected parks/streets/sidewalks are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling in the area, as well as any other related materials such as signs, pamphlets and fliers.

Rich Standridge, 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: Albert Duran 1513 N. York St. Porterville
- 2 Address where amplification equipment is to be used: 2916 N. Main St. Porterville
- 3 Names and addresses of all persons who will use or operate the amplification equipment Albert Duran
1513 N. York St. Porterville
- 4 Type of event for which amplification equipment will be used: 20th Annual Domestic Violence
Candlelight Vigil
- 5 Dates and hours of operation of amplification equipment: 10/11/2018 5:30pm - 8:30pm
- 6 A general description of the sound amplifying equipment to be used: 2 speaker sound system,
12 channel audio mixer, Handheld wireless microphone

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 of the occupants of nearby residences.

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 § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or opened, 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 maybe 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 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 § 6312)

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.

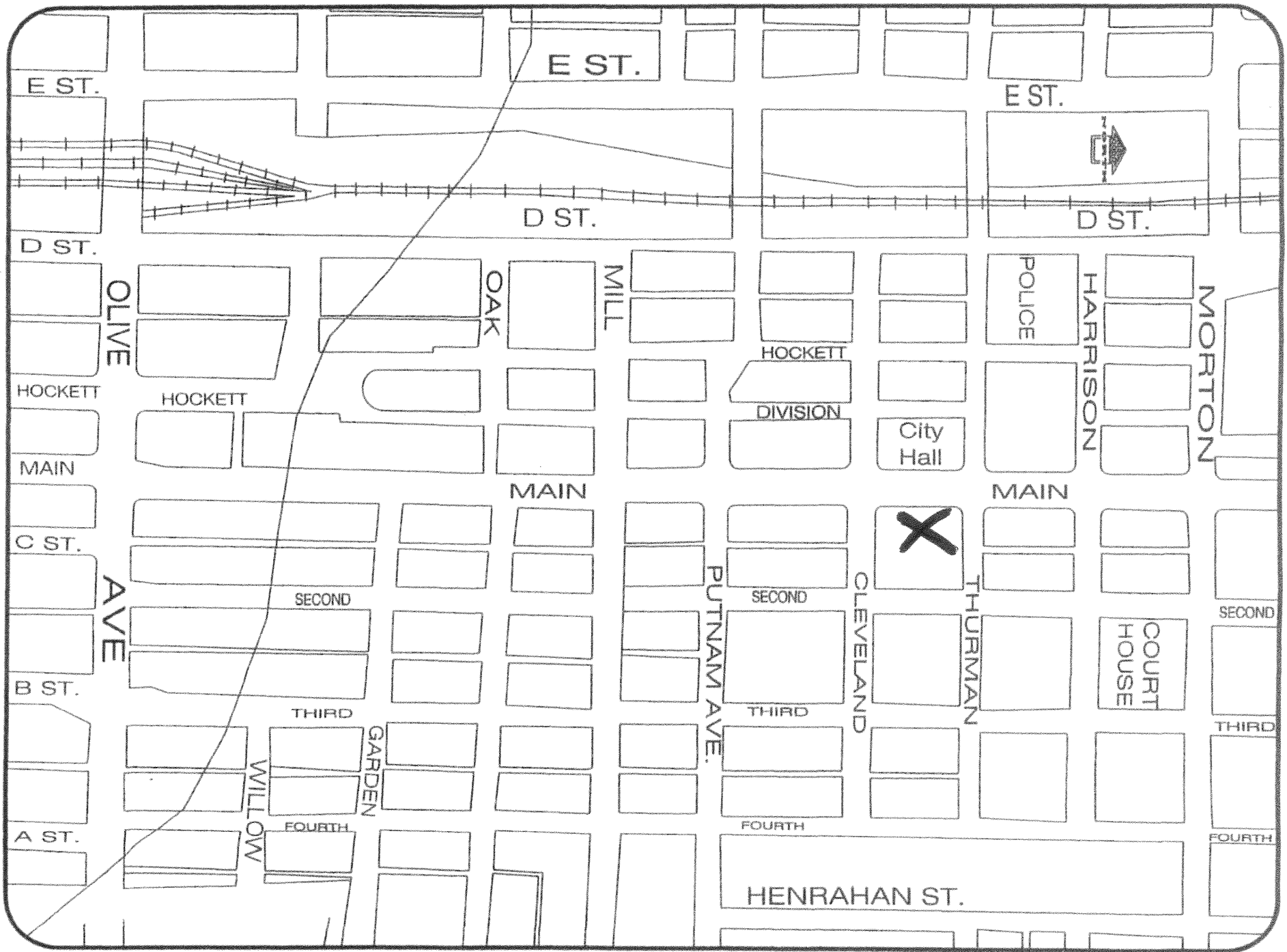
Albert Duran
Signature of Applicant

8/30/2018
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] 98
City of Porterville, Chief of Police/Designee

9-10-18
Date





CERTIFICATE OF LIABILITY INSURANCE

CENTR-1

OP ID: DC

DATE (MM/DD/YYYY)

08/30/2018

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 DLL Insurance Agency II 1843 E Fir Ave Ste 102 Fresno, CA 93720 Greg Anderson	CONTACT NAME: Rebecca A. Bejarano PHONE (A/C, No, Ext): 559-451-3411 FAX (A/C, No): 559-451-3415 E-MAIL ADDRESS: rbejarano@dllinsurance.com
INSURED Central California Family Crisis Center, Inc. 211 N Main St Porterville, CA 93257	INSURER(S) AFFORDING COVERAGE INSURER A: Nonprofits' Insurance Alliance INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES**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 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 ☐ PRO-JECT ☐ LOC OTHER:	X	201800631	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS		201800631	01/01/2018	01/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☒ DED ☒ RETENTION \$ 10,000		201800631UMB	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
	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 \$
A	Professional Liab		201800631	01/01/2018	01/01/2019	Each Occ 1,000,000 Aggregate 2,000,000

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

RE: Candlelight Vigil, Septemeber 9, 2018 at Centennial Park, 296 N. Main St., Porterville, CA 93257. The City of Porterville, Successor Agency to the Porterville Redevelopment Agency are named as Additional Insured.

CERTIFICATE HOLDER

THECITP

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

CANCELLATION

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

© 1988-2014 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

Any person or organization that you are required to add as an additional insured on this policy, under a written contract or agreement currently in effect, or becoming effective during the term of this policy. The additional insured status will not be afforded with respect to liability arising out of or related to your activities as a real estate manager for that person or organization.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

- A. Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:
1. In the performance of your ongoing operations; or
 2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

- B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Approval for Community Civic Event - Veterans Homecoming Committee - Veterans Day Parade - November 12, 2018

SOURCE: Finance

COMMENT: The Veterans Homecoming Committee is requesting approval to hold its annual Veterans Day Parade on Monday, November 12, 2018, from 5:00 a.m. to 12:00 p.m. They are requesting the closure of Main Street from Doris Avenue to Orange Avenue and also the side streets indicated on the attached map.

This request is made under the Community Civic Events Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. The requirements are listed on the attached copy of the application, agreement, Exhibit A and Exhibit B. A map showing the desired street closures is included.

RECOMMENDATION: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Veterans Homecoming Committee, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

1. Community Civic Event Application, Agreement, Exhibit A, Exhibit B, Map, Outside Amplifier Permit and Certificate of Liability Insurance.

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569 www.ci.porterville.ca.us



(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: Aug 21 2018 Event date: MONDAY NOV 12, 2018
Event time: 0500-1200

Name of Event: Vets Day Parade

Sponsoring organization: Vets Homecoming Committee Phone # 920-2659

Address: 1900 W. OLIVE

Authorized representative: DON R. DOWLING Phone # 920-2659

Address: 1438 LINDA VISTA

Event chairperson: ED. FLORY Phone # 260-05-85

* dondowling@sbccglobal.net
Location of event MAIN STREET PORTERVILLE

(Location map must be attached)

Type of event: PARADE

Non-profit organization status: NON PROFIT BL# 7536

(IRS Determination)

City services requested (fees associated with these services will be billed separately):

Barricades (quantity): 80 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 Initial

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 559-733-6932; or visit their website: www.tularehhsa.org.

 Authorized Representative Initials

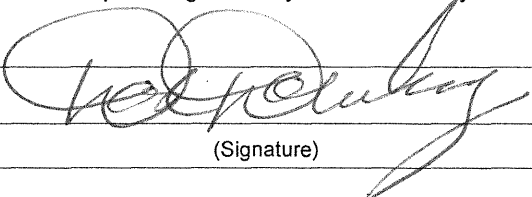
First aid station: Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

 Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

 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. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

VETERANS HOMEcoming COMMITTEE		1-8-18
(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: MAW ST Event date: 11/12/18 Event time: 0500-1200

3 of 4

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

Sponsoring organization: Veterans Homecoming Committee

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

[illegible]

Requirements for Community Civic Event
Veterans Homecoming Committee
Veterans Day Parade
November 12, 2018

Finance Director:

M. Bemis

Assistant City Engineer:

J. Sanchez

Community Development Manager:

J. Phillips

No comments.

Field Services Manager:

M. Knight

No comment.

Fire Marshall:

M. Sandoval

Approved. No comment.

Parks and Leisure Services Director:

D. Moore

Public to remain out of Main Street planters.

Police Lieutenant:

R. Standridge

Please see proposed conditions and requirements on Exhibit B.

Administrative Services Director:

P. Hildreth

Please see attached Exhibit A, page 2.

Requirements for Community Civic Event

Sponsor: Veterans Homecoming Committee
Event: Veterans Day Parade
Event Chairman: Don Dowling
Location: Main Street from Doris Ave. to Orange Ave.
Date of Event: November 12, 2018

RISK MANAGEMENT: Conditions of Approval

1. The following street sections are not authorized for closure and shall remain open to vehicular traffic.
 - a. Division Street and Hockett Street between Oak Avenue and Olive Avenue
 - b. Oak Avenue from Division Street to 'D' Street
 - c. Streets adjacent to the Police Station and Fire Station No.1
 - d. Orange Avenue, east and west traffic flow.
2. That the Veterans Homecoming Committee 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, its Officers, Employees, Agents and Volunteers and the Successor Agency to the Porterville Redevelopment Agency as Additional Insured against all claims arising from, or in connection with, the Sponsoring Organization'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.
 - b. 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.
3. The use of sidewalks, during this event, for any purpose other than normal pedestrian traffic, e.g., food booths, sales booths, displays, bleachers, etc., is prohibited within a ten-foot radius of all walk-up Versa-Teller operations.

CITY OF PORTERVILLE - POLICE DEPARTMENT

Community Civic Event Application

Proposed Event: Veteran's Day Parade

Date of Event: 11-12-18

Location of Event: Main Street

Recommendations/Requirements:

- City Council approval is required for all street closures.
- Ensure adequate barricades/barriers are used to warn motorists of non-access and prevent vehicle access to those designated areas.
- Veteran's Homecoming Committee should meet with street vendors to coordinate rules regarding their activities, such as:
 - Staying off the parade route and 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 minimally block the sidewalk.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the Veteran's Homecoming 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 granted. However, event organizers shall not allow music or other amplifications to be played so loud as to unreasonably disturb the peace and good order of the business establishments or neighborhoods in the area.
- Event organizers shall coordinate all policing/traffic/parking/posting concerns with Lt. Brian Nix or Lt. Josh Maniss well in advance of the event. They can be contacted at 559-782-7410/559-782-7400.

Lieutenant Rich Standridge, 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: DON R. DOWLING
1238 LINDA VISTA
- 2 Address where amplification equipment is to be used: MAIN ST. PORTERVILLE
- 3 Names and addresses of all persons who will use or operate the amplification equipment: VETS HOME
COUNCIL 1900 W. OLIVE
- 4 Type of event for which amplification equipment will be used: PARADE
- 5 Dates and hours of operation of amplification equipment: 0800 - 1200 11/12/18
- 6 A general description of the sound amplifying equipment to be used: _____

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 of the occupants of nearby residences.

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 § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, 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 maybe 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 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 § 6312)

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.

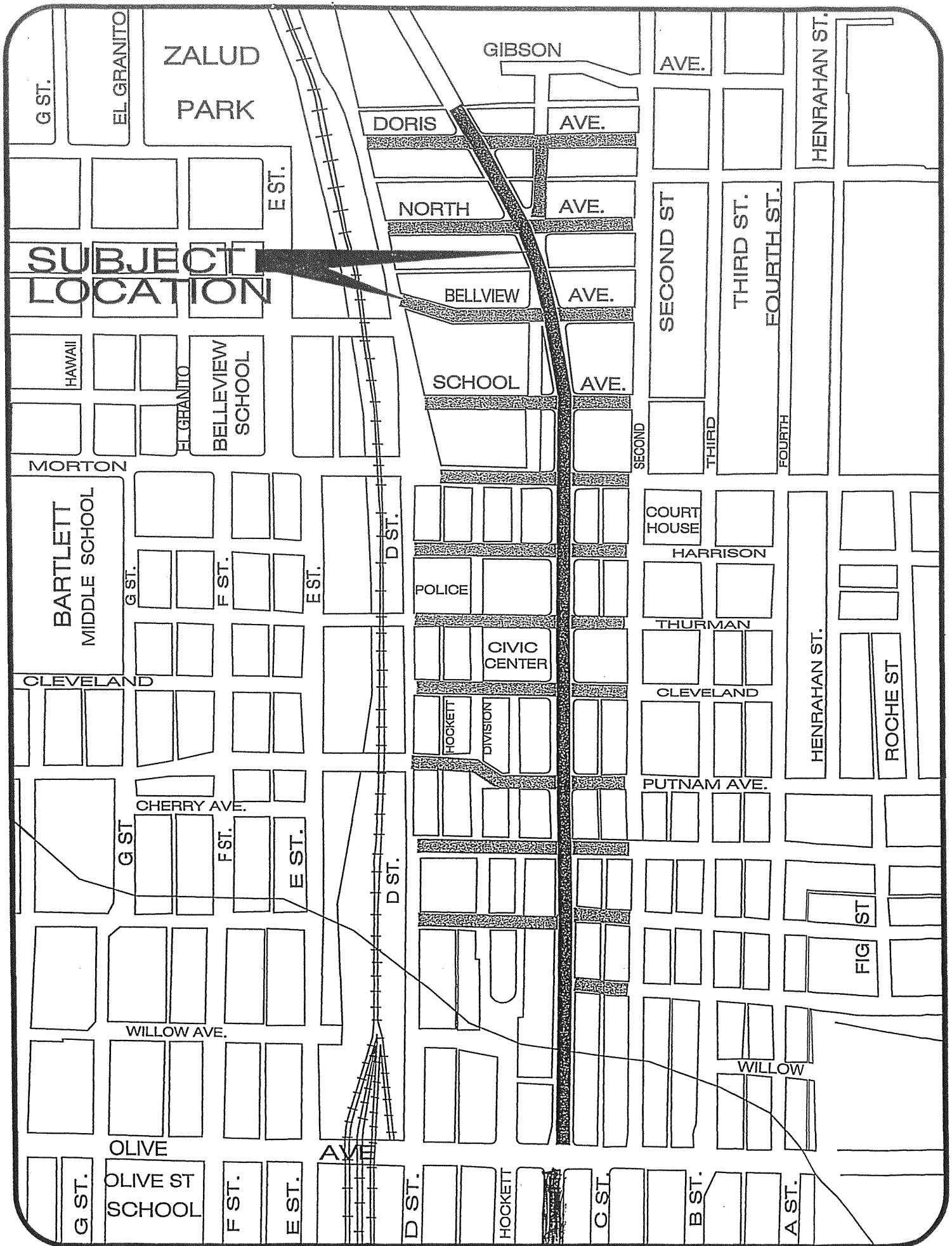
Don R. Dowling
Signature of Applicant

1-8-18
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.

Paul J. [Signature]
City of Porterville, Chief of Police/Designee

9-10-18
Date



ORANGE ST.



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Status and Review of Declaration of Local 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 was directed to prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

On November 13, 2015, Governor Brown issued Executive Order B-36-15, which extends emergency conservation regulations through October 2016, if drought conditions persist through January 2016. On February 2, 2016, the State Water Resources Control Board adopted extended emergency water conservation regulations, to be in effect March 1 through October 31, 2016. The City of Porterville benefited somewhat from the extended regulations as the City's water conservation rate has been reduced from 32% to 26%, due to new water connections that have been made and population served (4%), as well as a new climate adjustment factor that was considered (2%).

On May 9, 2016, Governor Brown issued Executive Order B-37-16 ("Making Water Conservation a California Way of Life"), which directs the State Water Resources Control Board to establish new regulations making permanent the emergency conservation regulations. On May 18, 2016, the State Water Resources Control Board adopted a statewide water conservation approach that replaces the percentage reduction-based water conservation standard with a localized "stress test" approach that mandates urban water suppliers act immediately to ensure at least a three-year supply of water to their customers under continued drought conditions.

On April 7, 2017, Governor Brown issued Executive Order B-40-17, which ended the drought state of emergency in most of California, with the exception of Fresno, Kings, Tulare and Tuolumne counties where emergency water supply

and reliability projects are continuing toward addressing diminishing groundwater supplies. The Order maintains monthly reporting requirements and prohibitions on wasteful practices. It is anticipated that the Governor will end the drought state of emergency in the four remaining counties in the near future.

On May 31, 2018, Governor Brown signed both AB 1668 (Friedman) and SB 606 (Hertzberg), which set permanent overall targets for indoor and outdoor water consumption. The legislation sets an initial limit for indoor water use of 55 gallons per-person per-day in 2022, reducing to 52.5 gallons per-person per-day in 2025, and finally to 50 gallons per-person per-day in 2030. The amount of residential outdoor use is yet-to-be determined, but will allow for varying regional climates. In addition, a standard for water loss due to leak rates in water system pipes will be established. As an urban water provider, the City of Porterville will need to submit its plan for compliance for approval by the State Water Resources Control Board.

At its last meeting on September 4, 2018, 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. Twenty-six (26) residences within the city have been determined to have dry wells, for which City staff 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 and challenged for permanent connection. City, County, State and non-profit partner representatives have continued to discuss solutions toward addressing these challenged residences given the State is expected to end its drought emergency funding. The State had committed funding through June 30, 2018 for non-profit agencies to continue drought-related activities, which Self-Help Enterprises has continued the household tank program locally. Although a new appropriation of State funding has not yet been made, there are sufficient residual funds from the original appropriation to fund the continuance of the program through September 30, 2018. Assemblyman Joaquin Arambula (Fresno) had requested of the Assembly Budget Committee the appropriation of \$3.5 million in the State's 2018-2019 fiscal year budget to continue to support the approximate 300 residences in the Central Valley that still have dry wells and receive temporary water deliveries, however, that appropriation request has not been granted. Should continued funding not be appropriated by the State, representatives for the State Water Resources Control Board have indicated that they will attempt to secure continued funding through Cleanup and Abatement Account (CAA) emergency funds. City staff remains concerned about the lack of continued support for the affected City residences while the extension of water mains and permanent connections will likely not be completed for approximately one year. The authorization to advertise for bids for the water connection project was approved by the Council at its July 17th meeting.

Representatives for the City, County, State (CalOES, DDW, DWR, and SWB) and non-profit partners have continued to meet in support of the long-term permanent water connection project for the entire East Porterville area and the estimated 1,800 expected future connections. DWR identified 423 residential

units in the East Porterville area (381 of which are in the City's Urban Development Boundary), that were served by the County's Household Tank Program and desired by the State to be connected to the City's water distribution system as soon as possible. DWR has completed a significant City waterline extension project to permanently connect those 423 residential units to the City's water system (considered Phase I of the project). To provide source water for the DWR extension project, CalOES desired to expeditiously connect the new well on Olive Avenue to the City's water system instead of being first equipped as a filling station. Given the new well has an estimated water production value of 800 gallons per minute, as well as a SWB assumed 1.5 gallons per minute per residence, the new well could effectively serve up to 500 single-family residential units. The City indicated its significant interest that the E. Vandalia Avenue area and its 80 residential units be included in the water connection project, to which the State was agreeable.

Given CalOES has paid for the development of the new well, and its connection to the City's water system, the City will be required under "Drought Redundancy and Resiliency Provisions" to make available to the State up to three million gallons of water per month without charge for emergency purposes.

To proceed with the connection of the new well to the City's water system and the 500 East Porterville and E. Vandalia Avenue residential units, the City Council approved modifications to the Draft Agreement between the City and County at its meeting on April 5, 2016, which the County Board of Supervisors subsequently approved at their meeting on May 10, 2016.

A Memorandum of Understanding between the State, County, and City on the East Porterville permanent water connection project was approved by the Council during a Special Meeting on Tuesday, June 21, 2016, and approved by the Board of Supervisors on Tuesday, June 28, 2016. With the approval of the MOU, the State began the permanent connection of approximately 40 homes that are located along existing City water mains. Subsequently, the State officially requested that the City approve the connection of an additional 30 residences as part of the first immediate connections, for up to a total of 70, which the Council approved at its meeting on August 2, 2016.

In regards to the new well's development and connection to the City's water distribution system, the Board of Supervisors awarded the contract for equipping and connecting the new well at their meeting of Tuesday, August 16, 2016, and construction activities commenced the week of October 10, 2016. County staff had previously indicated that the well would be in service and connected to the City's system no later than December 2016, however, the well was operational and connected to the City's water distribution as of Friday, February 17, 2017. Given the delay in the well's completion and connection, DWR requested that the City Council consider allowing the connection of residences as they become prepared for connection, to which the Council was receptive, and a Draft MOU Amendment was approved by the Council at its meeting on December 6, 2016, and subsequently approved by the Board of

Supervisors at is meeting on December 20, 2016. City staff is currently working with County staff toward the transfer of the well's ownership from the County to the City.

As of Friday, March 31, 2017, the date the State established as the final day for property owners to complete the registration process to participate in the State-funded connection program opportunity, of the 1,017 eligible developed residential properties identified by the State for connection, 722 completed the required Extra-Territorial Services Agreement, leaving 295 developed residential properties non-responsive to this unique connection program, 23 of which were reported as having either dry or diminishing capacity wells. On February 6, 2018, the final residential connection was made of the approximate eligible 800 residences in East Porterville to the City's water system.

County OES and the State Division of Drinking Water (DDW) have reported to the City that the Central Mutual Water Company, located south of the city and south of Gibbons Avenue, has had its well run dry and desires an immediate emergency connection to the City's water system to serve the 41 connections currently without water. DDW is wishing to support a financial application to upgrade the small water system to City standards (new water lines, meters ,etc.), and to sponsor an Urban Development Boundary (UDB) Amendment application to Tulare County Local Agency Formation Commission (LAFCO), given this area is currently outside the City's UDB but within the City's Urban Area Boundary (UAB). Given several private wells have run dry in this area, DDW is also attempting to sponsor their connection to the City's water system. For source water capacity for the connections, DWR will include these new connections within the East Porterville water connection capacity development projects. At its Special meeting on August 30th, the City Council directed staff to proceed with the immediate emergency connection of the Central water system, with the permanent connection of the system contingent upon an Agreement with DDW to the sponsorship conditions they have offered.

State Division of Drinking Water (DDW) has also reported to the City that the Del Oro East Plano water system, located on Paul Street (southeast of the intersection of Plano Street and Worth Avenue), is experiencing problems with its existing well and have implemented severe water restrictions. The East Plano water system serves 14 residences and approximately 45 people. DDW is wishing to provide financial support to upgrade the small water system to City standards (new water lines, meters ,etc.), and for source water capacity for the connections, DDW would need to either pay appropriate fees and/or develop a capacity development project. The Council is aware that the Del Oro Grandview Gardens water system (north of W. North Grand Avenue) is also experiencing significant issues, and DDW may seek their future consolidation with the City's water system as well.

City staff continues to coordinate with Self-Help Enterprises and State representatives toward the extension of water mains to serve all residential properties within City limits and the city's periphery that are currently participating in the County's Household Tank Program. The two main areas of

focus are N. Cobb Street (northwest of State Route 65 and Pioneer Avenue), and S. Cloverleaf Street (southeast of State Route 65 and Olive Avenue). The State has maintained its commitment to grant-fund the necessary infrastructure and connection fees, providing an official funding letter to the City on January 18, 2018, which commits up to \$2.81 million in funding until December 31, 2019.

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. City-County Well Agreement
3. Memorandum of Understanding
4. Memorandum of Understanding Draft Amendment
5. SWRCB Letter Dated November 29, 2017
6. DWR Letter Dated January 18, 2018
7. Governor Brown 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

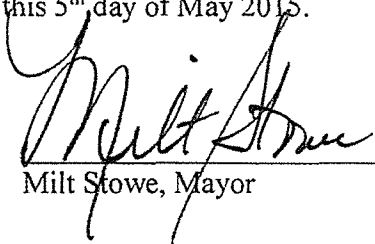
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

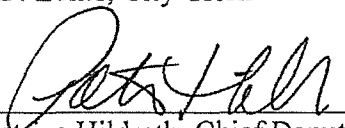
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, 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

TULARE COUNTY – CITY OF PORTERVILLE WELL AGREEMENT

THIS AGREEMENT is entered into this day of, May 10, 2016, between the COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, with reference to the following:

- A. WHEREAS, East Porterville/Doyle Colony area properties within the COUNTY's jurisdiction and within the CITY's Urban Development Boundary are experiencing serious water shortages due to the historical drought conditions. Attached hereto as Exhibit 'A' is a map defining the East Porterville/Doyle Colony and Vandalia areas; and
- B. WHEREAS, CITY and COUNTY have been and are collaborating to jointly develop a new municipal water well; and
- C. WHEREAS, COUNTY shall secure complete funding for a new well to be solely owned, operated and maintained by the CITY for the purpose of providing long-term capacity to enable permanent water connections to properties that comply with CITY'S Annexation and Extension of Municipal Services policy, with certain exceptions for specific properties in excess of the maximum lot size. These procedures are defined by two Resolutions, 74-2014 and 19-2016, which are attached hereto as Exhibit 'B'; and
- D. WHEREAS, the COUNTY owns a parcel at the southeast corner of the Tule River and Olive Avenue (APN 240-120-017), represented in Exhibit 'C', and has drilled a municipal supply well, and will equip said well utilizing CITY standards, after which the COUNTY shall convey the land to CITY at a cost of \$1; and
- E. WHEREAS, CITY operates an existing municipal water system, with limited infrastructure already established in the East Porterville/Doyle Colony and Vandalia areas, and has experience and qualifications necessary to provide such services; and
- F. WHEREAS, CITY and COUNTY mutually agree that a regional, collaborative solution to leverage and expand CITY'S municipal water system into the East Porterville/Doyle Colony and Vandalia areas is the most feasible means to address the area's water needs; and
- G. WHEREAS, CITY is willing to enter into this Agreement with COUNTY upon terms and conditions set forth herein; and
- H. WHEREAS, CITY and COUNTY mutually understand that due to the limited resources of the CITY's municipal water system, all future connections must comply with the CITY's Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size, attached hereto and made a part thereof as Exhibit 'B'.

ACCORDINGLY, IT IS AGREED:

- 1. **TERM:** This agreement shall become effective as of the date the agreement is fully executed by both agencies.
- 2. **SERVICES TO BE PERFORMED & PAYMENT FOR SERVICES – EQUIPPING MUNICIPAL WELL FACILITY:** Refer to attached Exhibit 'D'.

TULARE COUNTY AGREEMENT NO. 27596

3. **SERVICE TO BE PERFORMED IN PERPETUITY:** The services described below shall be performed in perpetuity upon completion of all tasks enumerated in Exhibit 'D' and upon COUNTY securing the funds for equipping the well to CITY standards and requirements:
- A. CITY shall provide to STATE and/or COUNTY, upon STATE and COUNTY's request, a maximum of three million (3,000,000) gallons of water per month upon integration of the well provided under this Agreement, for the purposes of meeting emergency water needs in COUNTY's jurisdiction. CITY shall not charge COUNTY or STATE for said water.
 - B. CITY shall utilize water produced by the well provided under this Agreement as source capacity for new service connections and agreements in East Porterville/Doyle Colony and Vandalia areas. CITY agrees to provide source water for up to four hundred twenty-three (423) new connections in the East Porterville/Doyle Colony area subject to the CITY'S Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size, and up to 80 new connections in the Vandalia area. The 423 new connections noted above are inclusive of those properties immediately adjacent to an existing water main, estimated at 40 parcels, which can be connected to the City's water system immediately upon execution of this agreement and the Memorandum(a) of Understanding between CITY, COUNTY, and STATE. Upon connection to CITY services, the listed properties will be exempt from payment of CITY water impact fees, but will be subject to standard fees, such as, but not limited to, water service and meter installation, unless otherwise financed by STATE or other funding sources, and associated monthly fees. This section shall not be construed to limit additional connections beyond the above referenced 503 properties provided for herein, where CITY provides consumption documentation that determines additional source capacity is available as a result of the connection of this well to CITY's system.
 - C. CITY expressly agrees to own, operate, maintain, repair and otherwise care for the well provided under this Agreement, in order to maintain it in proper working order and to the highest standard, for the duration of the well's useful life.
 - D. COUNTY shall grant the parcel on which the well is located to the CITY by Grant Deed at a cost of \$1 upon formal acceptance of the project. A 50-foot control zone around the well site is a requirement of the State Water Resources Control Board, Drinking Water Program, therefore establishing the minimum parcel size to be conveyed to the CITY. Existing COUNTY infrastructure may encroach through or conflict with the subject parcel and if so, ownership, maintenance, repair and replacement of these facilities shall transition to the City's responsibility by separate maintenance agreement upon acceptance of the project.
 - E. CITY shall not be entitled to compensation by COUNTY, or any State or Federal agency providing funding for the activities enumerated in Exhibit 'D', for any ongoing costs related to owning, operating, maintaining, repairing, or replacing this well. CITY and COUNTY expressly agree that CITY's ongoing compensation for such ongoing costs shall be the use of the well for CITY's use within its water system, unrestricted except as noted in "A"

above. No part of this paragraph shall be construed to limit or restrict in any way CITY's ability to seek any grant funding or collect rates and fees from users of CITY's water system.

- F. All recipients of water are subject to CITY water policies, such as, but not limited to, water conservation and watering schedules. Connections made as noted in "B" above may be subject to further water conservation thresholds as required by the STATE.

4. This Agreement represents the entire agreement between CITY and COUNTY as to its subject matter and no prior oral or written understanding shall be of any force or effect. No part of this Agreement may be modified without the written consent of both parties.

5. Except as may be otherwise required by law, any notice to be given shall be written and shall be either personally delivered, sent by facsimile transmission or sent by first class mail, postage prepaid and addressed as follows:

COUNTY: County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare
Administrative Building
2800 W. Burrell Avenue
Visalia, CA 93291

(Fax No.: (559) 733-6318 / Phone No. (559) 636-5005)

CITY: City Manager
291 N. Main St.
Porterville, CA 93257

(Fax No.: (559) 715-4013/ Phone No. (559) 782-7466)

Notice delivered personally or sent by facsimile transmission is deemed to be received upon receipt. Notice sent by first class mail shall be deemed received on the fourth day after the date of mailing. Either party may change the above address by giving written notice pursuant to this paragraph.

6. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.
7. Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.
8. This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. This Agreement is entered into and shall be performed in Tulare County, California. CITY waives the removal provisions of California Code of Civil Procedure Section 394.
9. The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party or either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.
10. The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.
12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.
13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.
14. Insurance
15. Permit
16. Dispute Resolution: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.
17. Indemnification: CITY shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CITY or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CITY under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CITY's failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

///

///

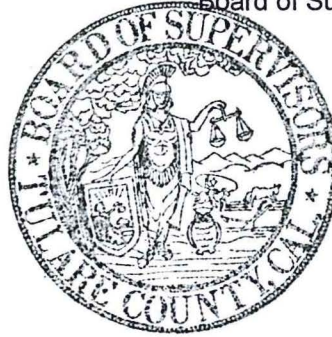
///

///

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

BY Mike Ennis
Mike Ennis Chairman,
Board of Supervisors



ATTEST: Michael C. Spata,
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By Danisa A. Ybana
Deputy Clerk

Approved as to Form
County Counsel

By M. Guille for LMT
Deputy 20151902

CITY OF PORTERVILLE

BY Milt Stowe
Milt Stowe, Mayor

ATTEST:
City Clerk of the City of Porterville

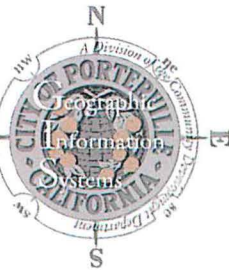
BY J. L. Lolis
John Lolis, City Manager

Approved as to Form

BY [Signature]
City Attorney

EXHIBIT 'A'

East Porterville Project Boundary



Legend

-  East Porterville Project Boundary
 Parcels Within Project Boundary Area (1,776)
 City Limits
 UDB

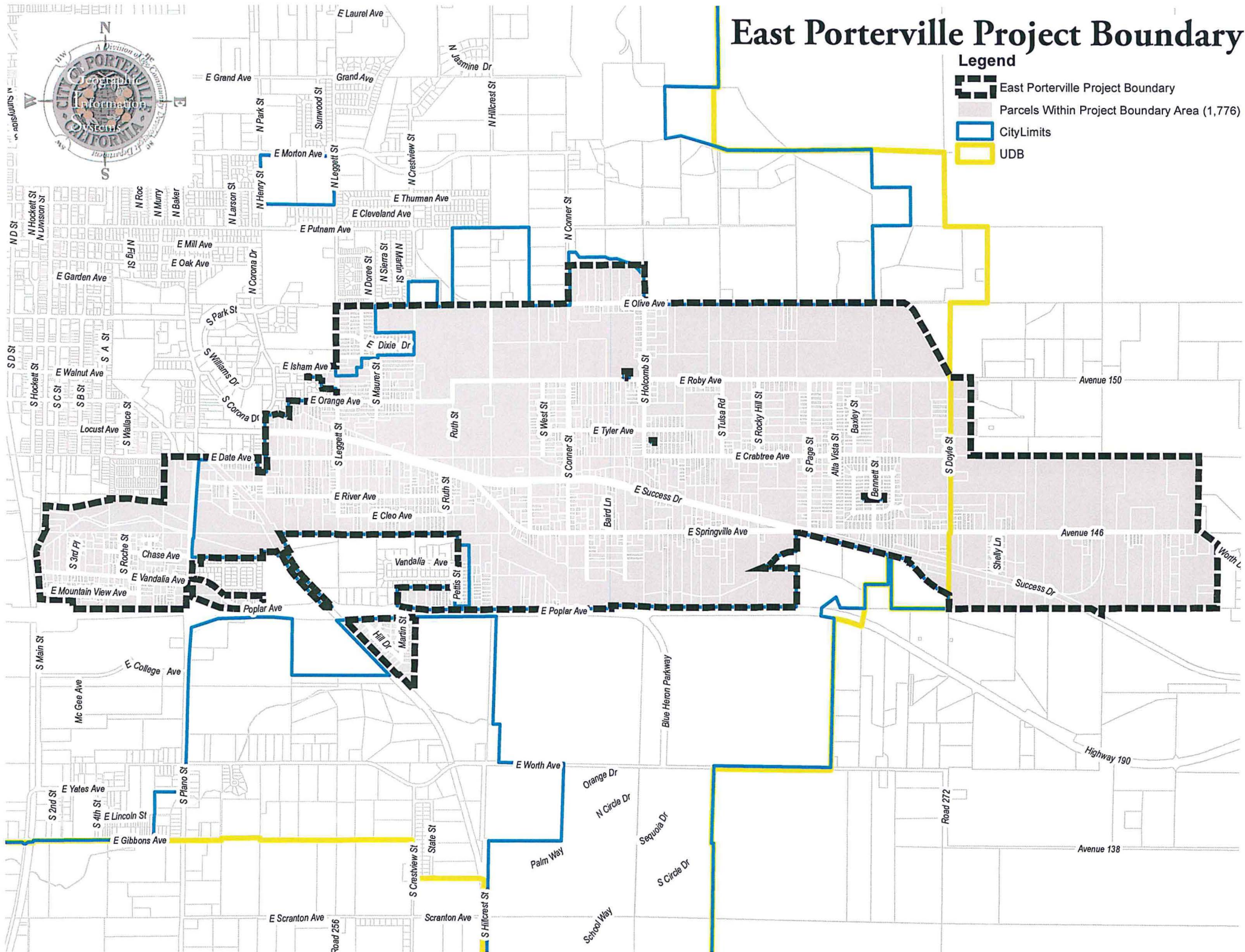


EXHIBIT 'B'

RESOLUTION NO. 74 -2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE DEFINING OBJECTIVES AND POLICIES FOR ANNEXATIONS AND MUNICIPAL SERVICES

WHEREAS: The City of Porterville established a policy concerning annexation and provision of municipal services in 1986, noting that “the City, in order to grow for reasons of economies of scale and quality of services must expand its boundaries within reason, generally encourages the owners of properties contiguous to the city of Porterville to annex to said City of Porterville”; and

WHEREAS: Since 1990, the population of the city of Porterville has increased 53% according to the California Department of Finance, and the land area of the city proper has increased by 38% according to City annexation records; and

WHEREAS: The City of Porterville accepts its responsibility to provide municipal services to those residents, businesses, and other land uses within the limits of the city. The City of Porterville has taken the position that the costs of all physical improvements within the city have been paid by property owners, and other taxes derived in the city, and, therefore, these same people should not be required to bear the expense of additional physical improvements needed to serve newly annexed areas.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby define the following objectives related to annexations and municipal services:

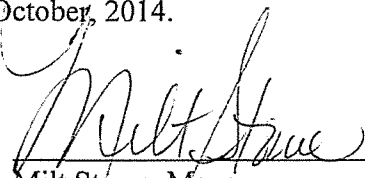
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, and where appropriate, to provide those services beyond the limits of the city within the Urban Development Boundary, and only in extreme cases to those properties beyond the Urban Development Boundary within the Urban Area Boundary.
3. To provide for land development and growth in a manner consistent with the General Plan, particularly as it relates to land use and circulation.
4. To consider an application upon its own merits, and identify what benefits would accrue to the City as an agency and service provider, to the residents of the city of Porterville, and to the applicant.
5. To identify the problems involved in any proposal considered for annexation or request for extra-territorial services and resolve them in the manner most beneficial to the properties within the city of Porterville.
6. To develop factual information to permit informed discussion between City representatives and property owners/residents of unincorporated territories.

BE IT FURTHER RESOLVED, that the City Council of the City of Porterville does hereby establish the following policies for consideration of annexations and municipal services:

1. It shall be the policy of the City of Porterville to consider annexation proposals only within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County Local Area Formation Commission (LAFCo).

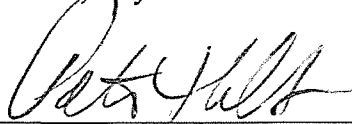
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, only where necessary in order to respond to an existing or impending threat to public health or safety of affected residents, to consider extra-territorial service requests within the Urban Area Boundary, as adopted by City Council and identified on the City of Porterville Zoning Map.
4. It shall be the policy of the City of Porterville to consider annexation proposals and extra-territorial service requests in a manner consistent with the policies and regulations adopted by the Tulare County LAFCo and the State of California, as applicable.
5. It shall be the policy of the City of Porterville to discourage single-family one (1) lot annexation proposals that may have an adverse fiscal impact on the City of Porterville.
6. It shall be the policy of the City Council that territory shall not be annexed to the city of Porterville, which as a result of such annexation, unincorporated territory is completely surrounded, or substantially surrounded by the city of Porterville.
7. It shall be the policy of the City of Porterville that annexation proposals shall be in conformance with the Cortese-Knox-Hertzberg Act of 2000, as amended.
8. It shall be the policy of the City Council to consider each petition/consent for annexation upon its relationship to what economic benefits will accrue to the City of Porterville, and to the area residents/property owners.
9. It shall be the policy of the City Council that the costs of all physical improvements will be borne by the property owners/resident or developer.
10. It shall be the policy of the City of Porterville to maintain the viability of agricultural productivity; i.e. protecting and conserving as much agricultural land as possible in the area surrounding the Porterville community.
11. It shall be the policy of the City of Porterville that the applicant for annexation present proposals to the Project Review Committee and explain the particulars of the area under consideration for possible annexation, including a plan for services.
12. It shall be the policy of the City of Porterville to consider any requests for annexation or extra-territorial services in a manner consistent with the procedures adopted by resolution of the City Council.

PASSED, APPROVED AND ADOPTED this 21st day of October, 2014.


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 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 regular meeting of the Porterville City Council duly called and held on the 21st day of October, 2014.

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

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

JOHN D. LOLLIS, City Clerk


By: Luisa M. Zavala, Deputy City Clerk

RESOLUTION 19-2016

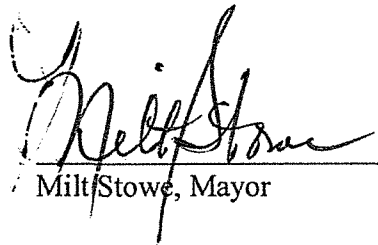
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ESTABLISHING PROCEDURES FOR ANNEXATIONS AND EXTENSION OF
MUNICIPAL SERVICES

WHEREAS: On October 21, 2014, the City Council of the City of Porterville adopted two resolutions that defined objectives and policies, and established procedures for annexations and municipal services, respectively; and

WHEREAS: The on-going, severe drought of the past few years has created a situation where hundreds of parcels in the East Porterville area are experiencing dry wells, or wells of substandard water quality. State and regional agencies have come together with the City to identify and develop a long-term solution to this crisis, which will involve a significant infrastructure project to allow extension of municipal water services to the area. Not all parcels within the subject area meet the mandatory findings for extra-territorial service agreements as identified in the City's current procedures.

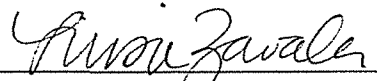
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby amend existing procedures to submit application for municipal services, and to have said application(s) processed as outlined in Exhibit "A", attached. The exemption identified for the East Porterville Feasibility Study Project Area will apply to the area represented in Exhibit "B".

PASSED, APPROVED AND ADOPTED this 19th day of April, 2016.


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

BY 
Luisa Zavala, Deputy City Clerk

All properties requesting annexation or extraterritorial services are subject to the procedures established below unless otherwise stated. Compliance with City of Porterville procedures does not guarantee approval by LAFCo of annexations or extra-territorial service agreements. Upon request for an annexation or extraterritorial services request, staff will evaluate whether the applicant's property is within the City's Urban Development Boundary or Urban Area Boundary and explain the process.

ANNEXATION APPLICATION PROCEDURE

1. A complete annexation application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, Application for Annexation, and other materials as required with those applications respectively.
2. On receipt of an application as outlined above, all materials will be considered by the Project Review Committee, who will coordinate in a pre-consultation process with LAFCO staff and the County Public Works Department for review and recommendation.
3. During review by the Project Review Committee of the necessary application and data, staff will prepare a report and findings on all aspects of the proposed action(s).
4. An environmental document will be prepared pursuant to the California Environmental Quality Act (CEQA), reviewing the potential environmental effect of the proposed activities. The Zoning Administrator will make an initial determination of the level of environmental review required.
5. After proper noticing, a public hearing will be held for the City Council to hear comments related to the project at a regularly scheduled meeting. The Council will authorize staff to initiate the application with LAFCo. Documents will be filed in accordance with the Cortese-Knox-Hertzberg Act of 2000, as amended, and submitted to the Local Agency Formation Commission for its review, recommendation and action.
6. On consummation by the City Council, the City Clerk shall submit the necessary materials to the State Board of Equalization with the appropriate acreage fees, which are paid by the Applicant.
7. In the event the annexation fails, either by dissenting votes of the City Council or at hearing at LAFCo, the City Council may approve an extraterritorial service agreement within the Urban Development Boundary, subject to conditions identified in the deed restriction.

ANNEXATION EXEMPTION PROCEDURE

Where a certain property meets all of the following criteria, they may proceed with an Extraterritorial Service Agreement for water or storm-water drainage without first attempting annexation, subject to the conditions of Extraterritorial Service Agreements as defined below.

1. Previously developed single family residences on parcels 24,999 square feet or smaller, OR a school developed by a State funded school district.
2. The parcel requesting services must be immediately adjacent to a municipal main providing the requested service, or the property owner shall provide for the extension of the main line to City standards at their expense.

EXTRATERRITORIAL SERVICES APPLICATION PROCEDURE

Extraterritorial Service connections may be made subject to the following conditions. Note specific parameters and the required findings for connections in the Urban Development Boundary and the Urban Area Boundary.

1. Application: A complete extraterritorial services application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, and other materials as required with those applications respectively.
2. General Plan Consistency:
 - a. Proposed Uses and Improvements: Service connections are to be withheld from proposed uses and improvements that would not be consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan.
 - b. Existing Uses and Improvements: Service connections to existing uses and improvements which are not consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan shall be considered at the discretion of the City Council, and may be subject to other restrictions.
3. Agreements and covenants:
 - a. A deed restriction specific to land use and zoning must be approved by the property owner and the City Council, and recorded with the County of Tulare upon the property, at the applicant's cost.
 - b. An irrevocable agreement to annex must be signed by the property owner and recorded with the County of Tulare upon the property, at the applicant's cost.
4. Time limitations: The City Manager or his designee, or the City Council may condition the approval of applications for service connections by establishing a time frame within which connections must be made to avoid re-application.
5. Improvement Plans: Applications for service connections, which necessitate the extension of one or more municipal facilities to property in order to make such connections, shall be conditioned by the City Manager or his designee, or the City Council to require that Construction Drawings of the intended public improvements be submitted to the City Engineer for plan check and approval. Costs incurred for the preparation of improvement plans, and certain off-site construction and/or installation costs related to extending facilities, shall be the responsibility of the applicant.
6. Fees: Prior to the issuance of a Connection Permit, payment must be made to the City of Porterville of all fees pertinent to the respective service connection, or connections, approved by the City Manager or his designee, or the City Council.

Within the Urban Development Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.
- That the subject property is not within an island as defined by Tulare LAFCo.
- That an attempt to annex the subject site is not realistic given current city limit boundaries. Specifically, the parcel is too far removed from the city limit, and/or the number and valuation of adjacent parcels would result in a failed annexation effort.

Within the Urban Area Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.

EXEMPTIONS AND EXCEPTIONS

1. PVPUD: Connections to Porterville Regional Sewage Treatment Facilities serving uses and improvements to property within the boundaries and jurisdiction of the Porter Vista Public Utility District (PVPUD) are exempted from application to the City of Porterville. Interested parties should contact the PVPUD for information on connection requirements and fees pertaining

to sewer services. This exemption does not apply to requests for connection to Municipal Water and/or Master Storm Drain Facilities.

2. PRIOR APPROVALS: Porterville City Council approval of requests for connection to Regional Sewage Treatment, Municipal Water and/or Master Storm Drain Facilities as authorized prior to the adoption and effective date of the respective policies set forth herein shall remain valid and in force according to the terms and conditions initially specified at the time of approval, and re-application will not be required.

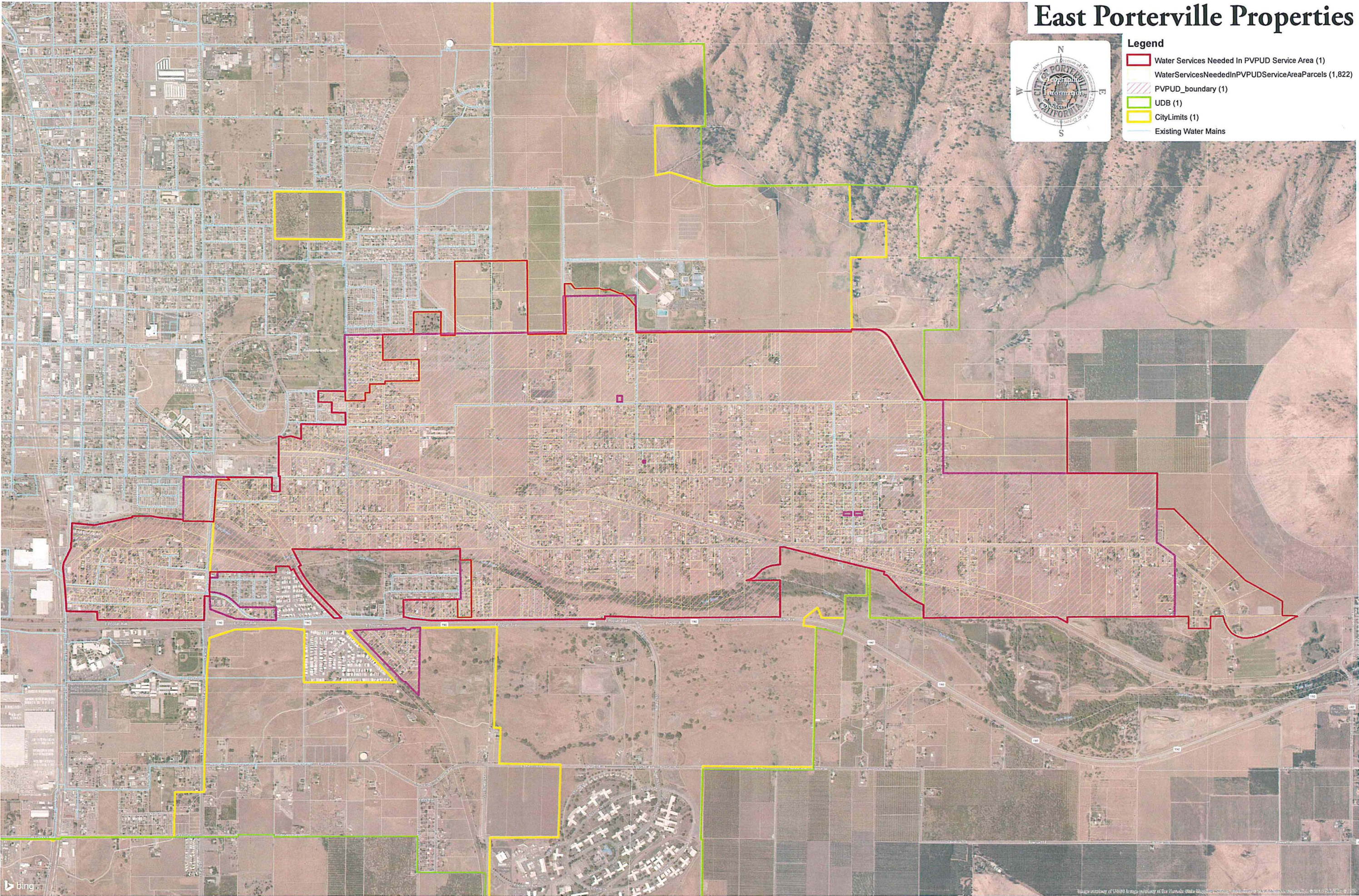
3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues in East Porterville. Properties within that boundary would be permitted to apply for connection, whether in association with DWR, SWRCB, or at a later date, on their own. Such connections would be subject to the mandatory findings as outlined in this procedure, with the following exceptions:

- Rather than require that the subject property be a developed single-family residence on a parcel 24,999 square feet or smaller, neither the land use nor the parcel size would be restricted neither the land use nor the parcel size would be restricted for legal and legal non-conforming structures and land uses existing as of April 29, 2016.
- Further, properties within certain islands in the EPFS Project Area would not be required to annex prior to connection. This exception does not limit the City of Porterville's authority to pursue annexation in the future, but rather waives the requirement that annexation must be approved prior to connection.

East Porterville Properties



- Legend**
- Water Services Needed In PVPUD Service Area (1)
 - WaterServicesNeededInPVPUDServiceAreaParcels (1,822)
 - PVPUD_boundary (1)
 - UDB (1)
 - CityLimits (1)
 - Existing Water Mains



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 regular meeting of the Porterville City Council duly called and held on the 19th day of April, 2016.

THAT said resolution was duly passed, approved, 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

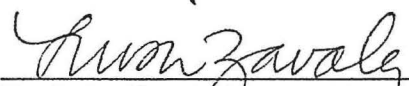

By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'



EXHIBIT 'D'

Scope of Work

Task	Description	Cost
1.2	Prepare Well Drilling Plans, Specifications, and Estimates	\$468.00
3.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$1,526.00
5	Ph. 1 Preconstruction Meeting	\$1,357.43
Total:		\$3,351.43

Consulting Engineering work will be reimbursed directly to Dee Jaspar & Associates under Tulare County Agreement No. 1276, including the following

Tasks:

Task 4.1	Project Evaluations and Field Surveying	\$58,326.00
Task 4.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$30,000.00
Task 4.3	Prepare and Assist with SCE Application & Telephone Service	\$5,000.00
Task 4.4	SCE Costs	\$15,000.00
Total:		\$108,326.00

Discussion Draft

Subject to Additional Review and Modification by the Parties

Porterville MOU
Draft 2
June 15, 2016
PortervilleEmergencyMOU061516



Memorandum of Understanding (MOU)

Regarding the Provisions of Emergency Water Supplies to East Porterville

by the California Department of Water Resources (DWR), California Office of Emergency

Service (OES), the State Water Resources Control Board (SWRCB),

the County of Tulare (County), and City of Porterville (Porterville),

which are collectively known as the “Parties”

Recitals

Whereas, some residents living in an unincorporated area of Tulare County, commonly known as “East Porterville,” have experienced loss of adequate water supply to their homes and properties as a result of severe drought conditions, which has caused significant hardship for the residents;

Whereas, Governor Edmund G. Brown Junior has directed all State agencies to assist these residents who are in need of water supplies with emergency and long-term assistance;

Whereas, Governor Edmund G. Brown Junior signed Assembly Bill 685 in 2012, adding Water Code section 106.3, which recognizes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes, and which requires all relevant state agencies to consider this right when revising, adopting, or establishing pertinent policies, regulations, and grant criteria;

Whereas, the Parties have provided emergency water supplies to some residents of East Porterville that are without an adequate household water supply;

Whereas, the Parties to this MOU seek an emergency and long-term solution to the lack of adequate household water supply by developing and providing continuous water supplies to these residents;

Whereas, East Porterville is located east and adjacent to Porterville, which has an existing municipal water system that serves residents within the incorporated area of Porterville;

Whereas, some of the residents of East Porterville without an adequate household water supply could be connected to Porterville's municipal water system provided certain arrangements and projects are carried out by the Parties;

Whereas, Vandalia is a neighborhood located within Porterville, and some Vandalia residents lack adequate household water supply and these households could be connected to Porterville's municipal water system;

Whereas, the Parties have met and have discussed alternative plans and projects that would provide an emergency water supply from Porterville to some residents of East Porterville and Vandalia in an expeditious manner;

Whereas, to advance these projects, DWR has provided funding, as reflected in the agreement between DWR and Tulare attached as Exhibit 1, for a municipal well designated as "Well C1" located in Tulare County that ultimately could be used to supply water to these residents of East Porterville;

Whereas, the SWRCB has also provided funding for Well C1, as reflected in the agreement between the SWRCB and the County attached as Exhibit 2;

Whereas, the County and Porterville intend to execute an agreement, a draft of which is attached as Exhibit 3, that will connect Well C1 to Porterville's municipal water system and that will provide for an adequate household water supply for some residents of East Porterville; and

Whereas, the Parties have reached an understanding on how best to implement the project alternative that will provide an adequate household water supply to some residents of East Porterville and Vandalia, and alleviate the hardships in an expeditious, cost-effective manner.

Understanding

A. Description of Emergency Project and Long-Term Plan

1. The purpose of this MOU is to set forth in writing the intentions of the Parties of how best to move forward with plans to complete an emergency water supply project (Project) to some residents in the East Porterville and Vandalia areas, which are represented in Exhibit 4. (Map showing East Porterville and Porterville). The goal of the Project is to provide an adequate household water supply to some of the residents and properties in these areas that do not have one presently, and to end the need of the Parties to provide temporary water supplies to those residents through tanks and bottles.

2. The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville that have dry wells and are adjacent to Porterville's existing municipal water distribution system. It is estimated that this phase will serve 40 properties with dry wells that are currently receiving temporary household water supplies.

3. The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 500 properties in East Porterville and in Vandalia that have dry wells or otherwise lack an adequate source of water and have not been connected by Phase 1. In order to complete Phase 2, the residents of these properties will likewise need to connect to Porterville's municipal water system.

4. As soon as possible, Porterville and DWR will undertake Phase 1 of the Project and connect the properties in East Porterville that are adjacent to Porterville's existing municipal water distribution system. These connections will be accomplished as described in Water Installation Diagram attached as Exhibit 5 and based on the cost estimate, which is attached as Exhibit 6. In order to make these connections, a property owner desiring to receive public water supply will need to execute the Extraterritorial Service Agreement, a sample of which is attached as Exhibit 7, and the SWRCB's Water Connection Agreement, a sample of which is attached as Exhibit 8. Necessary signatures and agreements with property owners will be sought through SWRCB's outreach carried out with the assistance of all Parties to this MOU.

5. The Parties intend that Well C1 will be used to provide the emergency water supply in Phase 2 to about 500 properties without adequate household water supplies. The Parties presently understand that there are about 423 properties in East Porterville and approximately 80 properties in Vandalia where connections may be needed to provide emergency water supplies.

6. The Parties have created a Technical Workgroup consisting of engineers and planners, which work cooperatively on the technical issues described in this MOU. Based on recommendations of the Technical Workgroup, the Parties intend to provide the emergency water supply contemplated by this MOU.

7. The Parties intend to develop a Long-Term Water System Plan (Long-Term Plan) for the East Porterville area, which will serve other residents in the area besides those served by the Project. The Parties intend that the Project will be designed consistent with the Long-Term Plan to ensure that all water facilities constructed as part of the Project will be incorporated into the facilities ultimately developed through the Long-Term Plan. The first work product produced by the Technical Workgroup will be a Feasibility Study for the Long-Term Plan. The outline of the Feasibility Study is attached as Exhibit 9.

8. The Parties intend to use best efforts to complete both phases of the Project by December 31, 2016. The completion date of the Long-Term Plan is dependent on the completion of the Feasibility Study carried out by Technical Workgroup and on Porterville and/or the County applying for and securing sufficient funding from the SWRCB or from other sources. The Parties desire to complete the Long-Term Plan as expeditiously as possible.

B. Project Contributions of the Parties

9. Working in cooperation with the other Parties and the Technical Workgroup, DWR will prepare all environmental compliance for the Project, and design and construct the Project, both Phases 1 and 2. DWR will provide funding for Phases 1 and 2 of the Project through Emergency Drought Funding. DWR intends to serve as California Environmental Quality Act (CEQA) lead agency for the Long-Term Plan and will prepare any necessary CEQA documentation and any other necessary environmental review documents, unless the Feasibility Study recommends another lead agency.

10. SWRCB will provide the community outreach to assist in obtaining necessary property owner acceptance before proceeding with Project. SWRCB will also work with Porterville and/or County to secure funding of the Long-Term Plan. SWRCB will provide certain reviews and approvals for the permitting of the Project and the Long-Term Plan.

11. OES will coordinate all of the State's efforts under the Governor's Drought Task Force in the Project area and will be provided at no cost by Porterville up to 3,000,000 gallons of emergency water per month as needed as a result of this MOU and the agreement that Porterville and the County are in the process of considering for execution, a draft of which is attached as Exhibit 3, with regard to the Well C1.

12. Porterville will provide the needed water service to the residents of East Porterville without an adequate household water supply after they are connected to Porterville's municipal water system as described in the Project. The water service will be accomplished per the Extraterritorial Service Agreement, which requires that property owners served pay the monthly water bill. DWR is funding the residents' connection to the Project, and as a result, some of the normal connection fees will be waived provided that connection is made during Phase 1 or Phase 2. Porterville will install the water meters for each connection, which will be paid for by DWR.

13. The County intends to execute an agreement with Porterville that is consistent with this MOU and Exhibit 3, which will allow Well C1 to serve as a water supply for the Project. The County will inspect the work of the Project and the property connections at no cost to the residents.

14. The Parties to the MOU will cause the removal of all temporary water tanks from the properties upon completion of the Project and the appurtenances necessary for the receipt of municipal water service. The work for removing the water tanks will be carried out by the County under an agreement between the County and OES.

C. General Provisions

15. The Parties intend to use their best efforts to carry out this MOU. This MOU is not a binding agreement, and is not intended to create contractual rights and remedies among the Parties. However, the Parties have entered into and intend to enter into certain binding agreements in the future necessary to develop and complete the Project and the Long-Term Plan.

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on December 31, 2016, unless extended by all of the Parties in writing.

[Signatures on following page]

This MOU has been executed by:

California Department of Water Resources

State Water Resources Control Board

California Office of Emergency Services

County of Tulare

City of Porterville

List of Exhibits

1. DWR and Tulare County Executed Well C1 Agreement
2. SWRCB and County Executed Well C1 Agreement (Water Board Grant #D-15-11-902)
3. County and Porterville Draft Well Agreement
4. Map of East Porterville
5. Household Water Service Installation Diagram
6. Household Water Service Cost Estimate
7. Sample Extraterritorial Service Agreement
8. Sample SWRCB Water Connection Agreement
9. Draft Emergency Project Feasibility Study



Amendment No. 1

To the East Porterville Water Supply Project

Memorandum of Understanding (MOU)

Regarding the Provisions of Emergency Water Supplies to East Porterville
by the California Department of Water Resources (DWR), California Office of
Emergency Service (OES), the State Water Resources Control Board (SWRCB),
the County of Tulare (County), and City of Porterville (Porterville),
which are collectively known as the "Parties"

This Amendment No.1 to the MOU is made this 7th day of November, 2016. As described below, this Amendment No.1 recognizes the MOU is still in effect, modifies certain sections of this MOU, and adds new sections to the MOU.

Recitals

Whereas, some residents living in an unincorporated area of Tulare County, commonly known as "East Porterville," have experienced loss of adequate water supply to their homes and properties as a result of severe drought conditions, which has caused significant hardship for the residents;

Whereas, Governor Edmund G. Brown Junior has directed all State agencies to assist these residents who are in need of water supplies with emergency and long-term assistance;

Whereas, the Parties to this MOU seek an emergency and long-term solution to the lack of adequate household water supply by developing and providing continuous water supplies to these residents;

Whereas, to advance these projects, DWR and the SWRCB have provided funding, as reflected in Exhibits 1 and 2, for a municipal well designated as "Well C1" located in Tulare County that ultimately could be used to supply water to these residents of East Porterville;

Whereas, the Parties have reached an understanding on how best to implement the project alternative that will provide an adequate household water supply to some residents of East Porterville and Vandalia, and alleviate the hardships in an expeditious, cost-effective manner:

Whereas, the purpose of this amendment is to clarify some sections of the MOU and to add several new sections.

NOW THEREFORE, IT IS MUTUALLY AGREED that the following changes are hereby made to the MOU:

1. Section A (2) is amended to read as follows:

The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville and Vandalia that have dry wells and/or water tanks. It is estimated that this phase will serve approximately 300 properties.

2. Section A (3) is amended to read as follows:

The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 800 properties in East Porterville by connecting them to the City of Porterville's water system. The total number of homes eligible for this Project is approximately 1,100.

3. Section A (5) is amended to read as follows:

The Parties intend that Well C1 will be used to provide the initial water supply. The Parties acknowledge the delay in Well C1 completion. To mitigate the effects of this on the residents of East Porterville, the City of Porterville will allow connections of homes as they become prepared for connection. These early connections will be beyond the initial 70 connections (previously 40 connections) agreed to, given the availability of capacity during the winter months. However, these additional connections to the City's water system will cease on March 1, 2017, if Well C1's connection to the City's water system is not completed by then.

4. Sections A (7) b-f shall be added and made part of this MOU:

7 (a). The Parties intend to develop a Long-Term Water System Plan (Long-Term Plan) for the East Porterville area, which will serve other residents in the area besides those served by the Project. The Parties intend that the Project will be designed consistent with the Long-Term Plan to ensure that all water facilities constructed as part of the Project will be incorporated into the facilities ultimately developed through the Long-Term Plan. The first work product produced by the Technical Workgroup will be a Feasibility Study for the Long-Term Plan. The outline of the Feasibility Study is attached as Exhibit 9.

(b). The East Porterville Water Supply Project Hydraulic Analysis Report ("Hydraulic Analysis Report," which is attached as Exhibit 10) determined that the water supply capacity required to serve all eligible residents of East Porterville is 1,435 gallons per minute (gpm). This capacity shall be based on the sustainable yield of the wells which is defined as 75 percent of the initial design capacity. Since Well C1 has a sustainable yield of 600 gpm, the Parties agree that the State will fund the construction and equipping of additional wells to provide the 835 gpm shortfall.

(c). Based on the Hydraulic Analysis, a 700,000 gallon water storage tank is required to serve the residents of East Porterville. However, based on Porterville's master plan recommendations, a 1.2 million-gallon storage tank is required for the City's buildout. The Parties therefore intend to construct a 1.2 million-gallon storage tank with cost sharing between the State and the City. The State will fund the cost of a 700,000 gallon tank required for the Project and the City of Porterville will fund the cost of the additional 500,000 gallons of storage required for the City's future use as contained in its master plan. The cost-sharing shall be proportional to the tank capacity being funded.

(d). The Parties intend to upgrade the existing Henderson-Plano Booster Pump Station and the Granite Hills Intertie which would facilitate water supply to the East Pressure Zone which serves East Porterville. The State will fund the construction of one booster pump rated at 2,100

gpm along with a variable frequency drive and the Granite Hills Intertie. The City will fund the replacement of its two existing pumps along with associated variable frequency drives as part of Phase 2 of the Project. These two pumps are more than 30-years old and their replacement will enable the City's water system to operate more efficiently and in a cost-saving manner.

(e). The Parties further agree that a booster pump station of capacity 1,670 gpm is required to convey water from the West Pressure Zone, where the new wells will be located, to the Central Pressure Zone for onward conveyance to East Porterville. The State will fund the construction of this booster pump station.

(f). Given that Well C1 has an estimated sustainable yield of 600 gpm, as well as a unit demand of 0.833 gpm per home connection based on the Hydraulic Analysis , Well C1 could effectively serve up to 720 households . The Parties agree that home connections for Phase 2 of the Project can begin as soon as Well C1 is connected to the City's water system, and the Henderson-Plano Booster Pump Station upgrade and the Granite Hills Intertie are completed. These home connections shall cease when the capacity of Well C1 is exceeded. Thereafter, additional home connections will be made after the construction of additional wells or if City staff determines that the water system can support additional home connections.

5. Section (C) 16 is amended to read as follows:

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on June 30, 2018, unless extended by all Parties in writing.

6. The list of the Exhibits at the end of MOU is amended to read as follows:

1. DWR and Tulare County Executed Well C1 Agreement
2. SWRCB and County Executed Well C1 Agreement (Water Board Grant #D-15-11-902)
3. County and Porterville Draft Well Agreement
4. Map of East Porterville
5. Household Water Service Installation Diagram
6. Household Water Service Cost Estimate
7. Sample Extraterritorial Service Agreement
8. Sample SWRCB Water Connection Agreement
9. Draft Feasibility Study for the Long-Term Plan
10. East Porterville Water Supply Project Hydraulic Analysis Report

This MOU has been executed by:

California Department of Water Resources

State Water Resources Control Board

California Office of Emergency Services

County of Tulare

City of Porterville



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOV 29 2017

The Honorable Milt Stowe
Mayor of City of Porterville
291 North Main Street
Porterville, CA 93257

RECEIVED

DEC 04

CITY OF PORTERVILLE
CITY MANAGER

Dear Mayor Stowe:

The Department of Water Resources and the State Water Resources Control Board are requesting an increase to the number of household connections from 720 to 800 to the City of Porterville (City) water system, prior to the completion of the East Porterville Emergency Water Supply Project – Phase 2 (Project). The construction of all facilities is estimated to be completed by June 2019.

According to Section A(7)(f) of Amendment No. 1 to the Project's Memorandum of Understanding (MOU), the estimated sustainable yield of Well C1 is 600 gallons per minute (gpm) and therefore will serve up to 720 households. Our current projections show that approximately 800 households will need to be connected by the end of 2017.

Our current plans are to drill two additional wells which would add more than 835 gpm of sustainable yield to the City's water supply, pending land acquisition by the City. Further, our calculations indicate that Well C1 is currently capable of producing 800 gpm in the interim, which can support a total of 960 households in the short term. It is our hope that the City will complete acquisition of the properties needed to drill the two additional wells in a timely manner to ensure that the City's water supply does not become stressed.

We look forward to hearing favorably from you and thank you for your continued support in providing safe drinking water to the residents of East Porterville.

Sincerely,



James Maughan, Assistant Deputy Director
Division of Financial Assistance

cc: See next page

DEPARTMENT OF WATER RESOURCES

SOUTH CENTRAL REGION OFFICE
3374 EAST SHIELDS AVENUE, ROOM 3
FRESNO, CA 93726-6913



January 18, 2018

Mr. Michael K. Reed
Public Works Director
City of Porterville
291 North Main Street
Porterville, California 93257

RECEIVED

JAN 22 2018

City of Porterville
Public Works Dept

Approval of Funding from Local Assistance Funds to the City of Porterville for the
County Areas Water Supply Project

Dear Mr. Reed:

Your request for funds to accomplish the city of Porterville's scope of work to connect drought-impacted households in seven Tulare County areas bounded by the city has been approved. The approved funding is not to exceed the amount of \$2,812,946.00. The term of the funding is from January 18, 2018, to December 31, 2019.

The purpose of this funding is for the city of Porterville to effectuate the connection of the drought-impacted homes in seven county areas to the city's water distribution system. The project comprises water main extensions, home connections, and well destructions. These homes have been identified as having private residential wells, and the homeowners have voluntarily elected to join the project. As part of their election to participate in the project, the homeowners have consented to having their groundwater wells destroyed.

A grant agreement is being developed and will be sent to you for approval. You are allowed to start incurring costs from January 18, 2018. No reimbursement will be issued until the contract agreement is executed.

If you have any questions or need additional information regarding the agreement, please contact Steve Doe by email at Steve.Doe@water.ca.gov or by phone at (559) 230-3348.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Faulkenberry".

Kevin Faulkenberry, Chief
South Central Region Office

Executive Department

State of California

EXECUTIVE ORDER B-40-17

WHEREAS California has endured a severe multi-year drought that has threatened the water supplies of communities and residents, devastated agricultural production in many areas, and harmed fish, animals and their environmental habitats; and

WHEREAS Californians responded to the drought by conserving water at unprecedented levels, reducing water use in communities by more than 22% between June 2015 and January 2017; and

WHEREAS the State Water Resources Control Board, the Department of Water Resources, the Department of Fish and Wildlife, the Office of Emergency Services, and many other state agencies worked cooperatively to manage and mitigate the effects of the drought on our communities, businesses, and the environment; and

WHEREAS the State provided 66,344,584 gallons of water to fill water tanks for communities suffering through drought-related water shortages, outages, or contamination, and provided emergency assistance to drill wells and connect communities to more robust water systems; and

WHEREAS the State took a number of important actions to preserve and protect fish and wildlife resources, including stream and species population monitoring, fish rescues and relocations, infrastructure improvements at trout and salmon hatcheries, and infrastructure to provide critical habitat for waterfowl and terrestrial animals; and

WHEREAS the State established a Statewide Water Efficiency and Enhancement Program for agricultural operations that provides financial assistance for the implementation of irrigation systems that save water; and

WHEREAS water content in California's mountain snowpack is 164 percent of the season average; and

WHEREAS Lake Oroville, the State Water Project's principal reservoir, is 101 percent of average, Lake Shasta, the federal Central Valley Project's largest reservoir, is at 110 percent of average, and the great majority of California's other major reservoirs are above normal storage levels; and

WHEREAS despite winter precipitation, the effects of the drought persist in areas of the Central Valley, including groundwater depletion and subsidence; and

WHEREAS our changing climate requires California to continue to adopt and adhere to permanent changes to use water more wisely and to prepare for more frequent and persistent periods of limited water supply; and

WHEREAS increasing long-term water conservation among Californians, improving water use efficiency within the State's communities and agricultural production, and strengthening local and regional drought planning are critical to California's resilience to drought and climate change.

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, do hereby **TERMINATE THE JANUARY 17, 2014 DROUGHT STATE OF EMERGENCY** for all counties in California except the Counties of Fresno, Kings, Tulare, and Tuolumne.

I FURTHER ORDER THAT:

1. The orders and provisions contained in my April 25, 2014 Emergency Proclamation, as well as Executive Orders B-26-14, B-28-14, B-29-15, and B-36-15 are rescinded.
2. The orders and provisions contained in Executive Order B-37-16, **Making Water Conservation a California Way of Life**, remain in full force and effect except as modified by this Executive Order.
3. As required by the State Emergency Plan and Government Code section 8607(f), the Office of Emergency Services, in coordination with other state agencies, shall produce an after-action report detailing the State's response to the drought and any lessons learned in carrying out that response.

MAINTAINING CONSERVATION AS A WAY OF LIFE

4. The State Water Resources Control Board (Water Board) shall continue development of permanent prohibitions on wasteful water use and requirements for reporting water use by urban water agencies, and to provide a bridge to those permanent requirements, shall maintain the existing emergency regulations until they expire as provided by the Water Code. Permanent restrictions shall prohibit wasteful practices such as:
 - Hosing off sidewalks, driveways and other hardscapes;
 - Washing automobiles with hoses not equipped with a shut-off nozzle;
 - Using non-recirculated water in a fountain or other decorative water feature;
 - Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
 - Irrigating ornamental turf on public street medians.
5. The Water Board shall rescind those portions of its existing emergency regulations that require a water supply stress test or mandatory conservation standard for urban water agencies.

6. The Department of Water Resources (Department) shall continue work with the Water Board to develop standards that urban water suppliers will use to set new urban water use efficiency targets as directed by Executive Order B-37-16. Upon enactment of legislation, the Water Board shall adopt urban water use efficiency standards that include indoor use, outdoor use, and leaks as well as performance measures for commercial, industrial, and institutional water use. The Department shall provide technical assistance and urban landscape area data to urban water suppliers for determining efficient outdoor use.
7. The Water Board and the Department shall continue to direct actions to minimize water system leaks that waste large amounts of water. The Water Board, after funding projects to address health and safety, shall use loans from the Drinking Water State Revolving Fund to prioritize local projects that reduce leaks and other water system losses.
8. The Water Board and the Department shall continue to take actions to direct urban and agricultural water suppliers to accelerate their data collection, improve water system management, and prioritize capital projects to reduce water waste. The California Public Utilities Commission is requested to work with investor-owned water utilities to accelerate work to minimize leaks.
9. 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.
10. All state agencies shall continue response activities that may be needed to manage the lingering drought impacts to people and wildlife. State agencies shall increase efforts at building drought resiliency for the future, including evaluating lessons learned from this current drought, completing efforts to modernize our infrastructure for drought and water supply reliability, and shall take actions to improve monitoring of native fish and wildlife populations using innovative science and technology.

CONTINUED DROUGHT RESPONSE IN FRESNO, KINGS, TULARE, AND TUOLUMNE COUNTIES

11. The Water Board will continue to prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages.
12. The Department and the Water Board will accelerate funding for local water supply enhancement projects and will continue to explore if any existing unspent funds can be repurposed to enable near-term water conservation projects.
13. The Water Board will continue to work with local agencies to identify communities that may run out of drinking water, and will provide technical and financial assistance to help these communities address drinking water

shortages. It will also identify emergency interconnections that exist among the State's public water systems that can help these threatened communities. The Department, the Water Board, the Office of Emergency Services, and the Office of Planning and Research will work with local agencies in implementing solutions to those water shortages.

14. For actions taken in the Counties of Fresno, Kings, Tulare, and Tuolumne pursuant to directives 11–13, 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, as well as Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, are hereby suspended. These suspensions apply 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.
15. California Disaster Assistance Act Funding is authorized until June 30, 2017 to provide emergency water to individuals and households who are currently enrolled in the emergency water tank program.
16. State departments shall commence all drought remediation projects in Fresno, Kings, Tulare, and Tuolumne Counties within one year of the date of this Executive Order.

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 of 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 7th day of April 2017.


EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Consideration of Police Department's Participation in Dispatch Consolidation Study

SOURCE: Police

COMMENT: Public safety communications centers are the backbone of every entity providing public safety services to their community. While historically operated by single agencies, operating local systems are generally not compatible with neighboring public safety agencies within each County and inhibit the ability of these agencies to benefit from economies of scale. For the last few decades, a trend has developed towards consolidation of communication centers to allow for the elimination of duplicate costs, the support of coordinated responses in large scale events, enhanced interoperability and more effective and efficient service.

For well over a decade, the County of Tulare law enforcement agencies have periodically evaluated the concept and feasibility of having a consolidated Communications Center. These evaluations generally resurface when any larger agency within the County is facing challenges with regard to their own communications centers. The most recent evaluation occurred in 2011 when the City of Visalia led an in-depth evaluation of the consolidated communication center concept. At that time, the City of Porterville was not involved in the study and ultimately, consolidation did not occur. Instead, the City of Visalia started the process to construct the Visalia Emergency Communications Center (VECC) and recently moved their communications center into the building. It should be noted that the VECC was completed with the idea that co-location or consolidation of other communications centers would always remain a possibility so it was constructed to a size that would accommodate that future growth.

In 2018, agency heads of various law enforcement agencies realized that three of the four larger agencies within the county were grappling with upgrade and expansion concerns with their communications centers. The Tulare County Sheriff's Department (who also dispatches for numerous smaller county agencies) is in need of re-locating the Tulare County Communications Center due to the looming shutdown of their current location, the Tulare Police Department is in need of upgrading and expansion of their communications center, and the Porterville Police Department is currently in the process of upgrading their communications center (and records management), with the need for expansion occurring within the next few years.

Based on the need for multiple agencies occurring at the same time, both immediate needs and needs occurring within the next few years, the topic of an updated feasibility study for a county consolidated dispatch was again raised. Due to the complexity of such a study, it was determined that this study could not be done with agency personnel, but would need to be completed by a consultant with experience in this area.

The Department believes that participation in this study is warranted. As mentioned above, the Department is in the process of upgrading their communications and records management system and will be in need of expansion of the center in the next few years. If a study in consolidated dispatching may show that consolidation is feasible, and will provide enhanced services to the residents of Porterville, it should be explored.

The cost for a consultant for this study is estimated to be between \$75,000-\$100,000, however it could be slightly higher. Agency heads determined that an appropriate cost sharing formula would be based on workloads for each communications center. Workload data was collected from interested agencies and this resulted in the Porterville Police Department being responsible for 9.45% of the cost for the study. The RFP for the study is being completed by the Visalia Police Department who will be the lead agency for the study.

Based on the above, the Department is requesting authorization to participate in the study, at a cost not to exceed \$15,000. If the cost is expected to exceed this amount, staff will return to Council with an updated cost for approval. Funds are available in current Police Department budgets.

RECOMMENDATION: That the City Council:

- 1) Authorize the Police Department to participate in the Dispatch Consolidation Study; and
- 2) Authorize an expenditure up to \$15,000 for the Police Department's contribution to funding for the study.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Consideration of Financing to Provide for the Refunding of the Outstanding Porterville Public Financing Authority Sewer Revenue Bonds, Series 2011

SOURCE: City Manager's Office

COMMENT: The City's municipal advisor, Wulff Hansen & Co., has advised the City that there is an opportunity to refinance the outstanding Porterville Public Financing Authority Sewer Revenue Bonds, Series 2011 ("2011 Bonds") for debt service savings.

The proceeds of the 2011 Bonds were used to finance and refinance certain improvements to the City's municipal sewer enterprise, including to refund certain certificates of participation issued in 1997.

The proposed Resolution will authorize the preparation of the necessary documents in connection with the refinancing and to retain a municipal advisor, a placement agent, and bond counsel to assist the City.

Based upon current interest rates, it is estimated that by refunding the 2011 Bonds, the payments currently made by the City would be reduced annually by approximately \$235,000, reflecting total cash flow savings over the remaining life of the issue of approximately \$4,200,000 with a net present value of savings of approximately \$1,200,000. The refunding bonds will be issued as Cinderella Bonds, which are issued at a taxable rate for the first three years, and then convert to tax exempt for the remainder of the term.

RECOMMENDATION: That the City Council approve proceeding with the refunding of the 2011 Sewer Revenue Bonds, and authorize the Mayor and City Manager to sign all draft resolutions, agreements, and documents as may be required.

ATTACHMENTS:

1. Draft Resolution
2. Porterville Sewer Ref Prelim Savings Analysis

Appropriated/Funded: MB

Review By:
Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AUTHORIZING THE COMMENCEMENT OF PROCEEDINGS IN CONNECTION
WITH THE ISSUANCE AND SALE OF REVENUE BONDS OR OTHER
SECURITIES TO PROVIDE FOR THE REFUNDING OF THE OUTSTANDING
PORTERVILLE PUBLIC FINANCING AUTHORITY SEWER REVENUE BONDS,
SERIES 2011, RETAINING A MUNICIPAL ADVISOR, A PLACEMENT AGENT
AND BOND COUNSEL AND DIRECTING CERTAIN ACTIONS WITH
RESPECT THERETO**

RESOLVED, by the City Council (the “Council”) of the City of Porterville (the “City”):

WHEREAS, the City has determined that is prudent at this time to issue and sell its revenue bonds or other securities to provide for the refunding of the outstanding Porterville Public Financing Authority Sewer Revenue Bonds, Series 2011, for debt service savings (the “Securities”);

WHEREAS, it is appropriate that the Council formally authorize the preparation of the necessary documents in connection with the issuance and sale of the Securities and to retain a municipal advisor, a placement agent and bond counsel to assist the City;

NOW, THEREFORE, it is hereby DECLARED and ORDERED, as follows:

Section 1. The City authorizes the Mayor, the City Manager, the Finance Director (the “Authorized Officers”) and other appropriate officers and officials of the City to proceed with the preparation of the necessary documents in connection with the issuance and sale of the Securities, subject to the final approval of the issuance and sale of the Securities by the Council at a subsequent meeting.

Section 2. Wulff Hansen & Co. is hereby retained as municipal advisor to the City in connection with the issuance of the Securities, the compensation for such services to be as set forth in the such firm’s agreement for municipal advisory services on file with the City Clerk.

Section 3. Brandis Tallman LLC is hereby retained as placement agent to the City in connection with the issuance of the Securities, the compensation for such services to be as set forth in the such firm’s agreement for placement agent services on file with the City Clerk.

Section 4. Quint & Thimmig LLP is hereby retained as bond counsel to the City in connection with the issuance of the Securities, the compensation for such services to be as set forth in the such firm’s agreement for legal services on file with the City Clerk.

Section 5. The Authorized Officers and other appropriate officers and officials of the City are hereby authorized and directed to take such action and to execute such documents as may be necessary or desirable to effectuate the intent of this Resolution.

Section 6. This Resolution shall be in full force and effect immediately upon its adoption.

* * * * *

PASSED, APPROVED, AND ADOPTED this 18th day of September, 2018.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

2018 Porterville Sewer Refunding (Series 2011 Sewer Revenue) Savings Analysis



September 18, 2018

Presented by:



WULFF, HANSEN & Co.

ESTABLISHED 1931

Debt Service Savings Analysis
Porterville Public Financing Authority
2018 Sewer Refunding Bonds (2011A Sewer Revenue Bonds)

Summary of Refunding Results (Cinderella Private Placement)

SOURCES & USES

Dated Date	12/19/2018
Delivery Date	12/19/2018
Sources	
Par Amount	19,573,000
Prior Reserve Fund	1,786,931
	21,359,931
Uses	
Refunding Escrow Deposits	21,159,286
Costs of Issuance	200,000
Additional Proceeds	645
	21,359,931

Prepared by Wulff, Hansen & Co. on 9/11/2018

All figures are preliminary, estimated, and subject to change

Debt Service Savings Analysis

Porterville Public Financing Authority

2011A Sewer Revenue Bonds

Existing Bond Debt Service

Period Ending	Principal	Interest	Debt Service
2019	223,587	1,177,221	1,400,808
2020	660,000	1,050,808	1,710,808
2021	765,000	1,021,768	1,786,768
2022	800,000	986,386	1,786,386
2023	835,000	947,586	1,782,586
2024	880,000	905,836	1,785,836
2025	925,000	860,956	1,785,956
2026	975,000	811,931	1,786,931
2027	1,030,000	755,869	1,785,869
2028	1,090,000	696,644	1,786,644
2029	1,150,000	633,969	1,783,969
2030	1,215,000	567,844	1,782,844
2031	1,285,000	499,500	1,784,500
2032	1,355,000	427,219	1,782,219
2033	1,435,000	351,000	1,786,000
2034	1,515,000	270,281	1,785,281
2035	1,600,000	185,063	1,785,063
2036	1,690,000	95,063	1,785,063
Total	19,428,587	12,244,942	31,673,529

All figures are rounded to the nearest dollar figure

Prepared by Wulff, Hansen & Co.

Debt Service Savings Analysis
Porterville Public Financing Authority
2018 Sewer Refunding Bonds (2011A Sewer Bonds)

New Bond Debt Service				
Period				
Ending	Principal	Coupon	Interest	Debt Service
2019	587,000	4.50%	689,948	1,276,948
2020	705,000	4.50%	854,370	1,559,370
2021	806,000	4.50%	822,645	1,628,645
2022	896,000	3.65%	637,838	1,533,838
2023	928,000	3.65%	605,134	1,533,134
2024	962,000	3.65%	571,262	1,533,262
2025	997,000	3.65%	536,149	1,533,149
2026	1,034,000	3.65%	499,758	1,533,758
2027	1,072,000	3.65%	462,017	1,534,017
2028	1,111,000	3.65%	422,889	1,533,889
2029	1,151,000	3.65%	382,338	1,533,338
2030	1,193,000	3.65%	340,326	1,533,326
2031	1,237,000	3.65%	296,782	1,533,782
2032	1,282,000	3.65%	251,631	1,533,631
2033	1,329,000	3.65%	204,838	1,533,838
2034	1,377,000	3.65%	156,330	1,533,330
2035	1,427,000	3.65%	106,069	1,533,069
2036	1,429,000	3.65%	103,984	1,532,984
Total	19,523,000		7,944,304	27,467,304

All figures are rounded to the nearest dollar figure

Prepared by Wulff, Hansen & Co.

All figures are preliminary, estimated, and subject to change

Debt Service Savings Analysis
Porterville Public Financing Authority
2018 Sewer Refunding Bonds (2011A Sewer Revenue Bonds)

Debt Service Savings

Date	Existing Debt Service	Refunding Debt Service	Debt Service Savings Cash Flow	Present Value to 12/01/2018 @ 4.500762%
2019	1,400,808	1,276,948	123,859	125,610
2020	1,710,808	1,559,370	151,438	141,924
2021	1,786,768	1,628,645	158,123	141,678
2022	1,786,386	1,533,838	252,549	223,022
2023	1,782,586	1,533,134	249,453	212,449
2024	1,785,836	1,533,262	252,575	207,376
2025	1,785,956	1,533,149	252,808	200,122
2026	1,786,931	1,533,758	253,173	193,201
2027	1,785,869	1,534,017	251,852	185,254
2028	1,786,644	1,533,889	252,755	179,178
2029	1,783,969	1,533,338	250,631	171,239
2030	1,782,844	1,533,326	249,518	164,285
2031	1,784,500	1,533,782	250,719	159,062
2032	1,782,219	1,533,631	248,588	151,967
2033	1,786,000	1,533,838	252,162	148,505
2034	1,785,281	1,533,330	251,952	142,945
2035	1,785,063	1,533,069	251,994	137,716
2036	1,785,063	1,532,984	252,079	132,686
Total	31,673,529	27,467,304	4,206,225	3,018,220

PV of savings from cash flow	3,018,220
Less: Prior funds on hand	(1,786,931)
Plus: Refunding funds on hand	645
Net Present Value Savings:	1,231,934

All figures are rounded to the nearest dollar figure

Prepared by Wulff, Hansen & Co.

All figures are preliminary, estimated, and subject to change



CITY COUNCIL AGENDA – SEPTEMBER 18, 2018

SUBJECT: Consider Requesting the Arts Commission to Begin Planning the 1st Annual Porterville Arts Expo or Festival

SOURCE: City Manager's Office

COMMENT: At its meeting on September 4th, the City Council approved Vice Mayor Ward's request to consider requesting the Arts Commission to begin planning the 1st Annual Porterville Arts Expo or Festival.

The Arts Commission was established in August 2012, with the primary duties of making recommendations to the City Council regarding development and promotion of practices and policies pertaining to the arts, and fostering the development and enjoyment of visual, cultural, performing, and other arts in the city of Porterville

In March 2013, the City Council approved the Commission's Short-Term Work Plan, and in February 2014, approved the Commission's Long-Term Work Plan. Both Plans are provided as an attachment. Also provided as an attachment for reference is a chronological summary of Commission activities since its inception. The concept of planning an arts festival has been discussed by the Commission, but has not come to fruition to date.

RECOMMENDATION: That the City Council consider requesting the Arts Commission to begin planning the 1st Annual Porterville Arts Expo or Festival.

ATTACHMENTS:

1. Short Term Work Plan
2. Long Term Work Plan
3. Arts Commission Notes

Appropriated/Funded:

Review By:
Department Director:

Final Approver: John Lollis, City Manager

Arts Commission Short-Term Work Plan Accomplishments

The Arts Commission Short-Term Work Plan and accomplishments are as follows:

Develop a Policy for Mural and Public Art Selection

- A policy has been set in place and approved by the Arts Commission.

Mail Request-For-Proposal (RFP) to artists to secure a contract to paint the mural at 134 E. Oak Avenue

- The Commission is awaiting word from Public Works department to proceed with RFP.

Develop Bylaws

- A procedure handbook has been written and approved by the Arts Commission.

Develop Website

- Staff has assisted in the development of the Arts Commission web-page which is up and running.

Develop Resource Directory (to be posted on website)

- A list of artists has been developed and it is posted on website for public use.

Develop a Long-Term Work Plan

- The plan is being presented to City Council on March 18, 2014.

ATTACHMENT 1

Draft
Arts Commission Long-Term Work Plan

One (1) year goals:

- Support local arts organizations and artists
 1. Continue to identify artists
 2. List events on Art Commission's Calendar
- Raise awareness of the arts in the community through communication and marketing
 1. Directory – set goal to ----- printed copy
 2. Insert in City of Porterville's utility bill
 3. Marketing on website
 4. Collaborate with Chamber of Commerce
- Assess existing arts facilities and encourage future facility development
 1. Use business license data information to identify facilities such as parks, schools, and venues where events can be held
- Liaison with other agencies (local, county, state, and national)
 2. Arts Consortium
 3. Quilters Guild
 4. Sub-committee will identify State & National groups

One (1) to Two (2) year goals:

- Create partnership with local businesses
 1. Share directory with local businesses
 2. Display art at different businesses
 3. Approach businesses to advertise in directory
- Facilitate partnerships between schools and the community;
Create arts and cultural events to involve participation from all schools; and
Partner with the local colleges to bring art into the community and to enhance arts students' education
 1. Organize a City of Porterville sponsored Arts Exhibit (Spring) targeting PUSD, BUSD, and Porterville City College
 2. Organize Art Showcase

Two (2) to Three (3) year goals:

- Conduct needs assessments of the community as it relates to arts and culture
 1. Map points of interest (i.e. Murals, Statues, Museums, etc.)
- Expand Arts opportunities and programming to increase economic impact
 1. Increase art appreciation and awareness in the community

Three (3) year goals:

- Develop a community-wide approach to funding and resources
 1. Request “specific event” grants from local businesses
 2. Seek monetary support from public and other agencies
 3. Request funds from City Council

Arts Commission Notes

❖ Arts Commission Timeline

- Ordinance No. 1767 Arts Commission Established
- Short-Term Work Plan – 2013-03-05 Approved M.O. 07-030513 (See attached)
- Public Hearing for Ordinance Amendment on 2013-08-06 Ordinance 1797
- Dinner & Arts on Main Street Sponsor Request on 2013-08-06 M.O. 31-080613
- Ordinance 1797 adopted on 2013-08-20
- Long-Term Work Plan – 2013-03-18 Approved M.O. 03-031814 (See attached)

❖ Short-Term Work Plan Summary (2013)

- Develop Policy for Mural and Public Art Selection
- Mail RFP to secure contracts for Oak Avenue Mural
- Develop bylaws
- Develop website
- Develop resource directory
- Develop Long-Term Work Plan

❖ Long-Term Work Plan Summary (2014)

- One year goal
 - Support Local Arts through marketing events on Commission's Calendar
 - Raise awareness of the arts in the community by putting info on City Utility bill and collaborating with Chamber
 - Assess existing arts facilities and encourage future facility development
 - Liaison with other Arts associated agencies
- One to Two year goals
 - Create partnership with local businesses by sharing director, displaying art, and advertising
 - Facilitate partnership between schools/community by creating arts/cultural events to involve participation from all schools
 - Mentions "Spring Arts Exhibit" and "Art Showcase"
- Two to Three year goals
 - Conduct needs assessment by mapping points of interest
 - Expand arts opportunities and programming to increase economic impact
- Three Year Goals
 - Develop a community-wide approach to funding and resources by requesting grants from local businesses, seeking monetary support from public agencies and requesting funds from Council.

❖ Past Meeting Ideas

- 2012
 - Renaissance Fair, Community/Youth Project, Art Walk, Dinner & Arts on Main Street, more downtown art (murals, benches, statues, and fountains)
- 2013
 - Dinner & Arts on Main Street, landscape photography for courthouse
- 2014
 - Galaxy Theaters Symphony & Opera, Community Art Showcase, bringing Military bands to perform
- 2015

- Art Walk, Arts Show for Children, Video Contest, Arts Exhibit from clients of the Crisis Center, Art Exhibit at City Hall, Stand-Up comedy show with children, Culinary Arts Event for children
- 2016
 - Open Mic Night at Barn Theater for youth, putting art work into vacant buildings, landscape art, Fire Hydrants
- 2017
 - Talent Show, Centennial Park Open Mic, Art Walk, signage at Tule River parkway, Chalk Art Contest, Electrical box Art, Art Display Event

Findings: Each year there have been brainstorming sessions in regards to some form of a display, exhibit, gallery, festival. By the narrative of the minutes, the topics are introduced and then memberships expire and quorum/recruitment then become priority over the long-term work plan items.

Currently, the arts commission can hold 6 members (5 seats and 1 youth seat). The youth commission seat just recently expired in July 2017 and the member plans to re-apply. Two of the seats have informed staff of resignation due to personal matters and two other seats have been absent for at least 8 of the last 13 meetings (one year).

Suggestion: Staff recruits for two of the resigned seats and once those seats are filled, the commission can begin event planning on behalf of Council's suggestions.