



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
OCTOBER 1, 2019, 5:30 PM**

Call to Order

Roll Call

ORAL COMMUNICATIONS

This is the opportunity to address the City Council on any matter scheduled for Closed Session. Unless additional time is authorized by the Council, all commentary shall be limited to three minutes.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 302-110-076 and 302-110-079. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Sky Dive Elsinore LLC. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Che Johnson. Employee Organization: Porterville City Firefighters Association.
- 3** - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two (2) cases in which facts are not yet known to potential plaintiff.
- 4** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two (2) cases.

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

Pledge of Allegiance Led by Council Member Stowe.

Invocation

PROCLAMATIONS

Domestic Violence Awareness Month

AB 1234 REPORTS

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

1. One Water Summit in Austin, Texas - September 18-20, 2019
2. San Joaquin Valley Air Pollution Control District (SJVAPCD) Governing Board - September 19, 2019
3. SCE Hispanic Heritage Month Celebration - September 20, 2019
4. Joint City/School Committee - September 23, 2019
5. City Council Ad Hoc Committee - Provision of Local Water Services - September 24, 2019
6. Tulare County Association of Governments (TCAG)- Annual Member Meeting - September 25, 2019
7. Tulare County Economic Development Corp. (TCEDC) - September 25, 2019
8. City Council Ad Hoc Committee - Cannabis - September 25, 2019
9. Sierra View Foundation 13th Annual Gala Event - September 28, 2019
10. Tulare County 2020 Census Complete Count Committee - October 1, 2019

REPORTS

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

II. Staff Informational Reports

1. Status of City Restroom Projects at the Library and Airway Cafe

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. Authorization for Roof Coating and Repairs

Re: Consideration of award of contract to Jake's Roofing and Coatings in an amount not to exceed \$94,170.00, for the roofing repair to the City Field Service Office located at 555 N. Prospect, and the City Laboratory located at 1333 W. Grand Ave.

2. Purchase of NetClock for Porterville Police Department Communications Center

Re: Considering approval of the purchase of Orolia Spectracom NetClock in the amount of \$7,400.23.

3. OHV Grant Approval Resolution

Re: Consideration of adoption of draft Resolution accepting the State of California Off-Highway Vehicle Grant Funds.

4. Acceptance of Project - Sewer Annexation Area 456A, 456B, & 456C

Re: Considering acceptance of project from Floyd Johnston Const. Co., and authorizing the filing of the Notice of Completion for the project consisting of the installation of sewer main and laterals for the Sewer Annexation Area 455, 456B, 456C and east Henderson.

5. Acceptance of Project - Plano Water Replacement and Concrete Curb Ramp Project

Re: Considering acceptance of the Plano Water Replacement and Concrete Curb Ramp Project consisting of replacing a water line along Plano Street from Date Avenue to Vandalia Avenue, replacing all curb ramps, and replacing distressed asphalt from Henderson Avenue to Vandalia Avenue along Plano Street, in preparation for a micro-surface treatment to the asphalt.

6. Acceptance of Project - Orange Avenue and Henderson Avenue Rehabilitation Project

Re: Acceptance of project for the Orange Avenue and Henderson Avenue Rehabilitation Project, which consisted of removing and replacing asphalt, ramps and a signal upgrade at Main Street and Wallace along Orange Avenue.

7. Acceptance of Project - Various Concrete and ADA Improvements Project

Re: Acceptance of the Various Concrete and ADA Improvements Project which replaced existing concrete with new ADA compliant improvements.

8. Acceptance of Project - Household Water Tanks Removal Project

Re: Acceptance of the Household Water Tanks Removal Project as complete, which consisted of installing water mains and services throughout the city to homes affected by the drought.

9. Communications Center Network Cable Project

Re: Considering approval of the re-wiring of data/network cables in the Porterville Police Department's Communications Center for \$13,468.00 by ITC.

10. Consideration of a Service Agreement for the Consolidation of the Beverly Grand Mutual Water Company

Re: Consideration to approve the Beverly Grand Mutual Water Company and City of Porterville Water Service Agreement and Resolution.

11. Authorization to Request for Qualifications for Prop 68 Recreation Center Design Services

Re: Considering authorization to distribute a Request for Qualifications for Prop 68 Recreation Center Design Services.

12. Annual Library Food For Fines Campaign

Re: Consideration to authorize the approval of the Annual Food for Fines Campaign.

13. Amendment to Employee Pay & Benefit Plan - Porterville City Firefighters Association

Re: Considering approval of a Resolution amending the Employee Pay and Benefit Plan

pertaining to the Porterville City Firefighters Association employees.

14. Set a Public Hearing for the Adoption of the California Building Codes

Re: Considering approval to schedule a Public Hearing for October 15, 2019, for the first reading and to receive input regarding the adoption of the 2019 Editions of the California Building, Plumbing, Mechanical, Electrical, Green Building Standards, Residential, Administrative, Reference Standards, and Energy Codes.

15. Authorization to Conduct Work Zone Safety Training

Re: Consideration of authorization to schedule local Work Zone Safety Training for Water Division staff at a cost of approximately \$8,338.53, which includes registration and literature, to be funded out of the Water Operating Budget.

16. Request for Proclamation - National Friends of The Library Week - October 15-21, 2019

Re: Considering approval of a request to proclaim October 15-21, 2019, as "National Friends of The Library Week" in the City of Porterville.

17. Request for Proclamation - Zonta International's Centennial Anniversary Recognition Week - October 20-26, 2019

Re: Considering approval of a request to proclaim October 20-26, 2019, as "Zonta International's Centennial Anniversary Recognition Week" in the City of Porterville.

18. Approval for Community Civic Event - Central California Family Crisis Center - 21st Annual Domestic Violence Candlelight Vigil - October 17, 2019

Re: Considering approval of an event to take place at Centennial Park on Thursday, October 17, 2019, from 6:00 p.m. to 8:00 p.m.

19. Status and Review of Declaration of Local Emergency

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

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

PUBLIC HEARINGS

20. Consideration of a Conditional Use Permit for 917C West North Grand Avenue (PRC 2019-030-C)

Re: Consideration of a Resolution to allow the sale of beer and wine under a Type 41 on-sale license in conjunction with the serving of meals at 917C W. North Grand Ave. in the CG (General and Service Commercial) Zone District; and authorizing execution of a Letter of Public Convenience or Necessity.

21. Consideration of the Porter's Crossing Phase II Commercial Development

Re: Consideration to adopt draft Resolution approving a Negative Declaration of Environmental Impact; adopt draft Resolution approving a General Plan Amendment to change land use designation from Medium Density Residential to Retail Center; and approve draft Ordinance approving Zone Change from RM-3 Zone to CR Zone.

SCHEDULED MATTERS

22. Continued Consideration of Appointment to Transactions and Use Tax Oversight

Committee

Re: Continued consideration of an appointment of an individual to serve on the Transactions and Use Tax Oversight Committee for a term to expire in May 2020.

23. Grant Application Options for SB2 Funds

Re: Consideration of options for eligibility of funding from Senate Bill 2, the Building Homes and Jobs Act.

24. Consideration of Methods to Accommodate Future Consolidation of the Central Mutual Water Company

Re: Consideration to affirm support of the consolidation of the Central Mutual Water Company into the City's municipal system; and consider options for the possibility of annexations.

25. Modifications to the Porterville Chamber of Commerce Agreement

Re: Consideration of proposed modifications to the Porterville Chamber of Commerce Agreement to allow quarterly reports and payments, as well as minor clarifications and updates.

26. Consideration of Commencing Proceedings in the Issuance and Sale of Revenue Bonds for Sewer System Improvements

Re: Considering approval of a draft Resolution to commence proceedings in the issuance and sale of revenue bonds for sewer system improvements, including retaining a municipal advisor, a placement agent/underwriter, and a bond and disclosure counsel.

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 15, 2019.

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 – OCTOBER 1, 2019

SUBJECT: 1. Status of City Restroom Projects at the Library and Airway Cafe

SOURCE: Public Works

COMMENT: For the City Council meeting of September 3, 2019, staff prepared an agenda item to accept the project for the abatement of asbestos and hazardous materials at the Library, Airway Cafe, and Fire Station #1 in preparation for future remodeling and painting. At the meeting, Council inquired about the status of the remodeling of the Library and Airway Cafe restrooms and requested that an update be provided within a month.

The proposed remodel project includes construction elements for both the Library and the Airway Cafe that will create access compliant restroom spaces. The work for the Library includes the remodel of the upstairs restrooms and the creation of two (2) downstairs family restrooms. The Airway Cafe restroom remodel is substantial, as meeting specifications for access compliance will affect the lobby area within the cafe building. Both projects were designed by a local architectural firm, but due to the increased amount of remediation at each location, revisions to the plans were going to be necessary to capture the expanded work areas.

Staff prepared an agenda item to request authorization to advertise for bids for the restroom remodel projects at the April 16, 2019 Council meeting. The remodel projects were to begin construction as soon as the remediation work at the Library and Airway Cafe was completed. The Library remediation was completed on May 14, 2019, and staff met onsite with the firm on May 17, 2019, to evaluate how the remediation area affected the original plans. The Airway Cafe remediation was completed on May 24, 2019, and staff met onsite with the firm on July 1, 2019, the delay caused by scheduling issues. A number of changes were needed at each location and the firm was tasked with creating new project scopes and proposals for the redesigns.

Staff had several follow-ups with the firm to check on the status of each project, but no responses were received until a list of questions was submitted to the City on August 23, 2019 for the Airway Cafe restroom and still at a point where scoping and costs were to be determined. Due to the length of time it has taken from the site visits until now, staff plans to seek another architect to redesign each project. Recently, staff contracted with another local architectural firm for the design of two (2) new storage buildings for the Police Department at the Public Safety Building. They were able to complete the design of that project in six (6) weeks from the time of contract acceptance to plan submittal. They

Item No.

estimate that the redesign for each of the restrooms would take four (4) to six (6) weeks at a combined cost of between \$16,000-\$20,000. With this estimate, staff intends to negotiate and execute a new design contract with the second firm in order to allow for the construction of each restroom project to begin as soon as possible.

RECOMMENDATION: Information Only

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Authorization for Roof Coating and Repairs

SOURCE: Public Works

COMMENT : The City of Porterville Field Services Office located at 555 N. Prospect Street is an aging building with a flat roof which has become susceptible to leaking during rain events. In addition, the City Laboratory located at 1333 W. Grand Avenue, constructed in 1994, is also aging and has developed leaks in the roof which has been dripping water onto the Laboratory's specialized testing and computer equipment. Attempts to repair the leaks with City forces have not been successful; these City facilities are still subject to permanent damages without immediate repairs.

Three (3) quotes have been obtained for repairs of the two (2) roofs by applying a foam roof coating, three (3) quotes were requested and three (3) quotes were received:

Contractor	Total Cost
J.F. George Enterprises, Inc.	\$ 116,300
Protec Roofing Inc.	\$ 97,500
Jake's Roofing and Coatings	\$ 86,000

Jake's Roofing and Coatings has been identified as the lowest bidder, therefore securing the bid for the City facilities roof repairs. The expenditure for the repairs, in the amount not to exceed is \$94,170, which includes prevailing wage labor, repair materials, taxes and a ten percent (10%) contingency, to be funded by the Operating Budget of the City's Enterprise Funds and the City Laboratory's Operating Budget.

RECOMMENDATION: That the City Council:

1. Award the Coating and Repair of City facilities to Jake's Roofing and Coatings for a do not exceed amount of \$94,170 which includes prevailing wage labor, repair materials, taxes and a ten percent (10%) contingency;
2. Direct the Finance Director to initiate a Purchase Order to Jake's Roofing and Coatings in an amount not to exceed \$94,170; and
3. Direct the Finance Director to make payment to Jake's Roofing and Coatings receipt of invoice approved by the Public Works Director.

ATTACHMENTS:

1. Protec Roofing Inc
2. J.F. George Enterprises Inc.
3. Jake's Roofing and Coating

Appropriated/Funded: MB

Review By:

Department Director:

Michael Knight, Deputy Public Works Director/Field Services Manager

Final Approver: John Lollis, City Manager

Protec Roofing Inc
4259 Judd St
Bakersfield , CA 93314
Phone:6612821867
Contact:Lic# 1012224
Email:protecroofinc@gmail.com



Residential & Commercial

Customer Address

City Of Porterville Office And Lab
555 N. Prospect
Porterville , CA 93257
dmaddox@ci.porterville.ca.us

Quote #: 98641
Date: Aug 15, 2019

Description	Total
1.) Clean roofs	
Clean all debris off roofs	
2.) Primer	
Install lapolla primer 1/3 gallon	
3.) Foam	
Apply new lapolla foam roof at 1.5 inches	
4.)Coatings	
Apply lapolla roof coatings 3 gallons	
5) clean	
Clean up all waste	
6.) Warranty	
5 year warranty	
7.) Prevailing wage	
This price includes prevailing wage	
8.)Cost	
Total job cost	
Total	\$97,500.00

Notes

Office building is \$54,000

Lab roof is \$43,500

Terms and Conditions

Scope of Work: Company will provide services as described in the attached quote. Company will provide all services, materials, labor, tools, and equipment needed for completion of services.

The balance of the contract is due the day of project completion.

Change Order: Any deviation from the above quote involving a change in the scope of work or any additional costs will be executed only with a written change order signed and dated by both the Company and Customer.

Warranty: Company warrants all work will be performed in a good and workmanlike manner. Any warranties for parts or materials are subject to manufacturer terms on such products.

Conditions: This proposal is valid for 30 days. Company reserves the right to withdraw this proposal or re-quote the project if contract acceptance is beyond 30 days.

NOTICE TO CANCEL

A buyer can cancel a home improvement contract without giving a reason or showing any legal cause, and, without penalty or obligation, by giving the seller written notice of cancellation within 3 business days after the buyer signs the contract.

Name

Date

J. F. GEORGE ENTERPRISES, INC.
ROOFING – GENERAL CONTRACTOR
315 E. TULARE AVE. VISALIA, CA 93277
559-651-1788 / FAX 559-651-3368
LICENSE # 376884

TO:	CITY OF PORTERVILLE	DATE	8/15/19
ADDRESS:	555 N. PROSPECT, PORTERVILLE, CA 93257		
We propose to furnish all materials, labor, and equipment for the completion of the work described below, as per the following specifications.			
FOR THE SUM OF	ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED DOLLARS AND NO/100.		
	(\$ 116,300.00)		

OFFICE & LABORATORY FOAM ROOFING

SPECIFICATIONS

- 1. Prep roofs for new foam.
- 2. Install new foam roofing on two buildings.
- 3. Install new roof coatings on two buildings.
- 4. Seal all roof penetrations.
- 5. Labor to be paid at prevailing wage rates.
- 6. Three year labor warranty.
- 7. Final clean up.

OFFICE: \$ 60,000.00
WATER LABORATORY: \$ 56,300.00

TERMS: Net cash upon completion unless otherwise indicated. WHEN ACCEPTED this quotation becomes a contract, which is contingent upon strikes, accidents, fire or other causes beyond our control, and subject to our approval, contractor's liability limited to the installed roofing. Under no circumstances shall JF George Enterprises, Inc. be liable for damages to the interior of building, for consequential damage, for loss of profits or rents, for contents of building, for roof deck. Or other base over which they install roofing.

Of it becomes necessary for vendors to take legal action either in the recovery of the above goods or for the purposes of collection, vendee agrees to assume liability for all court costs, attorney's fees and/or any charges resulting from such action. Owner assumes responsibility for deliveries made inside curb line.

NOTICE
Under the Mechanic's Lien Law (California Code of Civil Procedure, Section 1181 et seq.), any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has the right to enforce a claim against your property. This means that, after a court hearing, your property could be sold by a court officer and the proceeds of the sale be used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer or supplier remains unpaid.

THIS QUOTATION HAS BEEN ACCEPTED

*BY _____	/ /	*BY 
DATE		J F GEORGE ENTERPRISES, INC.

Jake's Roofing and Coatings

1279 W Henderson Ave, #297, Porterville, CA, 93257

559-310-3564: jakesroofingandcoatings@gmail.com

Serving Los Angeles-Orange County- Northern California- Central Valley- Nevada

CALIFORNIA STATE CONTRACTORS LICENSE #592620: NEVADA LICENSE #0081259

29 YEARS OF BUSINESS

August 15, 2019

Customer: City of Porterville

Address: 555 N. Prospect St. Porterville, CA 93257

Email: dmaddox@ci.porterville.ca.us

Job: Front Office Building

Proposal includes the following work:

- Pressure wash existing roof clean.
- Repair gutters by 3 coursing and silicone
- Spray apply a new Uniseal primer over metal roof deck.
- Spray apply a new B.A.S.F. polyurethane foam roof system over existing metal roof deck 1.5" thick.
- Spray apply a gray Acryl 40 base coat over new polyurethane foam roof at the rate of 1.5gal. per every 100sq. ft.
- Spray apply a new Acryl 40 top coat over base coating at the rate of 1.5gal. per every 100sq. ft.
- Apply a new C93 granule at the rate of 30lbs. per every 100sq. ft.
- Seal roof penetrations.
- Clean all debris from job site.
- This roof system complies with title 24 laws.
- This roof will give you a R10 value of insulation per square inch sprayed.
- 10yr. Labor warranty (Includes bird damage) issued through Jake's Roofing and Coatings.
- Will supply all workman comp and liability insurance certificates.
- Includes prevailing wage.

Total Cost: **\$47,000**

Quote is contingent on pricing of material the day the estimate was prepared a

Engineering is not included in this price if required by your city or county. The above described work shall be performed in accordance with all local and state building code

standards. All materials are warranted as specified This proposal contract as described above includes all necessary materials labor and clean up. Signature of contractor indicates agreement to complete work for above slated scope of work and price.



8-15-19

Signature of customer/home-owner indicates agreement to above stated scope of work and price and gives Jakes Roofing permission to perform work at above stated address. Customer/home-owner agrees to pay balance owed at the completion of said work

Authorized Signature

Contractors are required by law to be licensed and regulated by the contractor state license board. The contractors board has jurisdiction to investigate complaints against contractors if a complaint regarding a partner or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects may be filed within 10 years of the alleged violation. Any question concerning a contractor may be referred to the registered Contractor State License Board: P.O. BOX 2600, Sacramento CA, 95826. A 10 percent nonrefundable amount of the proposal is due at the time of signing for restocking and other costs to Jakes Roofing and Coatings. The balance of this proposal is due upon completion of the working project. In the event the customer refuses to pay, a lien will be placed on the property and 22% annual interest rate will be adjusted. Customer will be responsible for attorney fees.

B.B.B. Accredited – A Rating

References:

Venice High School – Alvonzo (626) 261-9676

Rio Grande Packing Shed – Ugol (559) 788-6509

Harvey's and Harrahs Casino South Lake Tahoe – Sam Adam- 775-790-2439

Jake's Roofing and Coatings

1279 W Henderson Ave, #297, Porterville, CA, 93257

559-310-3564: jakesroofingandcoatings@gmail.com

Serving Los Angeles-Orange County- Northern California- Central Valley- Nevada

CALIFORNIA STATE CONTRACTORS LICENSE #592620: NEVADA LICENSE #0081259

29 YEARS OF BUSINESS

August 15, 2019

Customer: City of Porterville

Address: 555 N. Prospect St. Porterville, CA 93257

Email: dmaddox@ci.porterville.ca.us

Job: Water Testing Lab

Proposal includes the following work:

- Remove all loose existing rock and power broom roof clean.
- Spray apply a new Uniseal primer over existing rock roof deck.
- Spray apply a new B.A.S.F. polyurethane foam roof system over existing rock roof deck 1.5" thick.
- Spray apply a gray Acryl 40 base coat over new polyurethane foam roof at the rate of 1.5gal. per every 100sq. ft.
- Spray apply a new Acryl 40 top coat over base coating at the rate of 1.5gal. per every 100sq. ft.
- Apply a new C93 granule at the rate of 30lbs. per every 100sq. ft.
- Seal roof penetrations.
- Clean all debris from job site.
- This roof system complies with title 24 laws.
- This roof will give you a R10 value of insulation per square inch sprayed.
- 10yr. Labor warranty (Includes bird damage) issued through Jake's Roofing and Coatings.
- Will supply all workman comp and liability insurance certificates.
- Includes prevailing wage.

Total Cost: **\$39,000**

Quote is contingent on pricing of material the day the estimate was prepared a

Engineering is not included in this price if required by your city or county. The above described work shall be performed in accordance with all local and state building code standards. All materials are warranted as specified This proposal contract as described

above includes all necessary materials labor and clean up. Signature of contractor indicates agreement to complete work for above slated scope of work and price.



8-15-19

Signature of customer/home-owner indicates agreement to above stated scope of work and price and gives Jakes Roofing permission to perform work at above stated address. Customer/home-owner agrees to pay balance owed at the completion of said work

Authorized Signature

Contractors are required by law to be licensed and regulated by the contractor state license board. The contractors board has jurisdiction to investigate complaints against contractors if a complaint regarding a partner or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects may be filed within 10 years of the alleged violation. Any question concerning a contractor may be referred to the registered Contractor State License Board: P.O. BOX 2600, Sacramento CA, 95826. A 10 percent nonrefundable amount of the proposal is due at the time of signing for restocking and other costs to Jakes Roofing and Coatings. The balance of this proposal is due upon completion of the working project. In the event the customer refuses to pay, a lien will be placed on the property and 22% annual interest rate will be adjusted. Customer will be responsible for attorney fees.

B.B.B. Accredited – A Rating

References:

Venice High School – Alvonzo (626) 261-9676

Rio Grande Packing Shed – Ugol (559) 788-6509

Harvey's and Harrahs Casino South Lake Tahoe – Sam Adam- 775-790-2439



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Purchase of NetClock for Porterville Police Department Communications Center

SOURCE: Police

COMMENT: Accurate time-of-day is necessary in Communications Centers and Public Safety Answering Points (PSAPs) for time stamping events, along with accurately documenting emergency response times. It is also critical that the network and multiple operating systems within these locations are properly synchronized to each other. Without an accurate and properly synchronized time-of-day, the network and operating systems can display and record different times. Time synchronization is critical for records accuracy and to support legal evidence in court and without it, disparities in start/end times for incidents can occur, potentially resulting in time discrepancies that need to be explained in court, and possibly could create a vulnerability in potential litigation. These issues are addressed by the use of a NetClock, which is a satellite-based clock that continually receives accurate time information. The NetClock is then connected to the network and each operating system within the Communication's Center, ensuring accurate time and synchronization across all network and operating systems.

The Police Department Communication Center's current NetClock has become antiquated and has begun to become intermittently inoperable, requiring it to be replaced. Staff obtained bids from three (3) companies for the purchase of a NetClock, which are as follows:

StrictlyTech

Amount: \$7,659 (with added estimated tax which was not included in quote)

Shi International Corp

Amount: \$7,400.23

Masterclock, Inc.

Amount: \$1490.00

Staff is recommending the purchase of the Orolia brand Spectracom Model 9483 NENA-compliant GPS master clock from Shi International Corp. Orolia is the brand of our current NetClock system and can be integrated with our current and future 911 systems.

While the quote from Masterclock, Inc. is significantly lower, their product is

Item No. 2.

not National Emergency Number Association (NENA) compliant, which is required for the Department's system.

Funding is available for this purchase in the Police Department's General Fund operating budget.

RECOMMENDATION: That the City Council:

1. Authorize staff to negotiate the purchase of Orolia Spectracom NetClock for \$7400.23: and,
2. Authorize staff to complete all documents necessary for this purchase.

ATTACHMENTS:

1. Masterclock
2. StrictlyTech
3. SHI Quote-17652570

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager

Masterclock, Inc.
2484 West Clay Street
St. Charles, MO 63301
USA

Phone # 636-724-3666

Fax # 636-724-3776

E-mail sales@masterclock.com



NAME / ADDRESS		SHIP TO		DATE		NUMBER	
Porterville Police Department Robin Rapp rrapp@ci.porterville.ca.us				9/11/2019		28400	
				QUOTATION ONLY			
				To Make A Payment Submit a PO and / or Request a ProForma Invoice			
		Credit Application on File	TERMS	REP	FOB		
			Prepay	AP			
QNTY	ITEM	DESCRIPTION		COST		TOTAL	
1	NTDS46	4-inch (10.2cm) Character., 6 Digit, NTP Driven, Wall-Mountable, Clock Display		595.00		595.00T	
1	- Chassis-Black Configuration	All Metal Black Powder Coat Chassis		0.00		0.00T	
		Please specify (if applicable) LED color, power type, mounting preference when ordering.		0.00		0.00T	
		Subtotal				595.00	
1	NTDS86	7 inch (18cm) Character, 6 Digit, NTP Driven, Wall Mountable, Clock Display		895.00		895.00T	
1	- Chassis-Black Configuration	All Metal Black Powder Coat Chassis		0.00		0.00T	
		Please specify (if applicable) LED color, power type, mounting preference when ordering.		0.00		0.00T	
		Subtotal				895.00	
	DELIVERY	Expected shipment of your order will be: 7-10 business days after acceptance of Purchase Order or Advance Payment				0.00	
	Freight	Prepay and add to invoice or use your shipping account.		0.00		0.00	
		Can provide a quotation if needed.					
Thank you for the opportunity to provide you with an estimate. Quote valid for 30 days.				TOTAL			

Masterclock, Inc.
2484 West Clay Street
St. Charles, MO 63301
USA

Phone # 636-724-3666

Fax # 636-724-3776

E-mail sales@masterclock.com



NAME / ADDRESS	SHIP TO	DATE	NUMBER
Porterville Police Department Robin Rapp rrapp@ci.porterville.ca.us		9/11/2019	28400
QUOTATION ONLY			
To Make A Payment Submit a PO and / or Request a ProForma Invoice			

Credit Application on File	TERMS	REP	FOB
	Prepay	AP	

QNTY	ITEM	DESCRIPTION	COST	TOTAL
	Payments	Masterclock accepts credit cards, checks, ACH/EFT, and wire transfers as forms of payment. (A 3.0% service charge applies to credit card purchases over \$5000 USD). Remittance instructions will be included with your invoice. Please provide a contact name and e-mail address in your ACCOUNTS PAYABLE department. We will e-mail your invoice upon shipment of your order. If you have any questions regarding payment terms/submission, please contact our accounting department at accounting@masterclock.com	0.00	0.00
	Warranty Information	All products designed and manufactured by Masterclock carry a 5-year limited parts and labor warranty. All third-party accessories carry the original manufacturer's warranty. Returns for credit are allowed within the first 30 days of invoice date less shipping costs. Visit www.masterclock.com/support/warranty for more details.	0.00	0.00T
		Out-of-state sale, exempt from sales tax	0.00%	0.00

Thank you for the opportunity to provide you with an estimate.
Quote valid for 30 days.

TOTAL \$1,490.00



5381 NW 33rd Avenue, Suite 101
Fort Lauderdale, FL 33309
strictlytech.com · (954)606-5440

Customer

City of Porterville CA (13-750)
Nino, Renzi
291 North Main Street
Porterville, CA 93257
United States
(P) 559-782-7777

Bill To

City of Porterville CA
Payable, Accounts
291 North Main Street
Porterville, CA 93257
United States
(P) 559-782-7777

Ship To

City of Porterville CA
Nino, Renzi
291 North Main Street
Porterville, CA 93257
United States
(P) 559-782-7777

Quotation (Open)

Date

Aug 28, 2019 04:19 PM
EDT

Modified Date

Aug 28, 2019 04:23 PM
EDT

Doc

64237 - rev 1 of 1

Description

NetClock

SalesRep

McLeod, Ethan
(P) 954.541.8559
(F) 954.606.5441

Customer Contact

Nino, Renzi
(P) 559-782-7777
nrenzi@ci.porterville.ca.us

Payment Method

Terms: Undefined

Shipping Info

Delivery Method: FedEx Ground
Carrier Account:
Shipping Instructions:

#	Image Description	Part #	Tax	Qty	Unit Price	Total
1	NetClock Time Server NetClock/GPS Stratum 1 time source with built-in Ethernet connectivity and NT P server with web browser interface. MIL-ST D-810F tested chassis includes front panel displays, 19" width (1U high) and rack mounting ears with handles. NENA-compliant. RoHS an	ORO-483	Yes	1	\$5,016.30	\$5,016.30
2	OCXO (1U) Option for GPS Back-Up Oven controlled Crystal Oscillator (OCXO) option replaces T CXO for 9483. Delivered in 19" wide 1U NetClock unit. Includes rack mounting ears. Provides up to 1 month of holdover in the event the GPS signal is unavailable.	NetClock Opt 05	Yes	1	\$815.22	\$815.22
3	GNSS Outdoor Antenna GPS/GNSS Outdoor Antenna supporting GPS L1, GLONASS L1, BeiDou B1, Galileo E1, and QZSS L1, with L-bracket for vent pipe/pole mounting via metal straps (included). Compatible with CA01-0N0N, CAL7XXX or CALP7XXX cables.	ORO-230	Yes	1	\$277.17	\$277.17
4	4 Inch Green 6-Digit IP Clock, PoE 4 Inch Green 6-Digit IP Clock, Power over Ethernet (PoE)	ORO-315-406-0G	Yes	1	\$885.87	\$885.87

CAGE: 70BA0
DUNS: 078817964
FEIN: 46-2619818
Woman-Owned Small Business (WOSB)
Primary NAICS: 423430

Subtotal: \$6,994.56
Tax (0.000%): \$0.00
Shipping: \$0.00
Total: \$6,994.56





Pricing Proposal
Quotation #: 17652570
Created On: 8/28/2019
Valid Until: 10/11/2019

City of Porterville

Josh Maniss

305 N. D St
Porterville, CA 93257
United States
Phone: (559) 782-7499
Fax:
Email: jmaniss@ci.porterville.ca.us

Inside Account Executive

Michael Klotz

300 Davidson Ave
Somerset, NJ 08873
Phone: 732-652-7670
Fax: 732-652-3099
Email: Michael_Klotz@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 NetClock Time Server OROLIA SAS - Part#: NPN-OROL-NETC Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02	1	\$4,857.89	\$4,857.89
2 OCXO (1U) Option for GPS Back-Up OROLIA SAS - Part#: NPN-OROL-OCXO Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02	1	\$789.47	\$789.47
3 GNSS Outdoor Antenna OROLIA SAS - Part#: NPN-OROL-GNSS Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02	1	\$268.42	\$268.42
4 4 Inch Green 6-Digit IPClock, PoE OROLIA SAS - Part#: NPN-OROL-CLOC Contract Name: Omnia Partners - IT Solutions Contract #: 2018011-02	1	\$857.89	\$857.89
Subtotal			\$6,773.67
Shipping			\$0.00
*Tax			\$626.56
Total			\$7,400.23

*Tax is estimated. Invoice will include the full and final tax due.

Additional Comments

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: OHV Grant Approval Resolution

SOURCE: Parks and Leisure Services

COMMENT: Staff prepared a State Off-Highway Vehicle Grant application for Ground Operations for the 2018/2019 grant cycle. The process entailed an on-line preliminary application for public review and comment. The review and comment period on the preliminary application opened on March 5 and closed on May 6, 2019. In addition to the public comment opportunity, State OHV personnel reviewed the preliminary application and provided comments on its completeness and accuracy. Staff was then given the opportunity to revise the preliminary application, only for purposes of responding to public and State comments, prior to confirming the submission of the final application.

The Ground Operations application was successful and the City of Porterville was awarded \$122,936, the local match for the grant is \$43,195 making the total project cost \$166,130. The local match for the proposed grant is comprised of volunteer efforts, administrative services, gate revenues, and the Parks & Leisure Services General Fund operating budget.

The Ground Operations activities are for the annual ongoing maintenance and operational enterprise including contractual services, equipment maintenance, materials and supplies. The Ground Operations activities are for one (1) year commencing September 2019.

RECOMMENDATION: That the City Council adopt the draft Resolution Accepting the State of California Off-Highway Vehicle Grant Funds.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2019

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING THE APPLICATION
FOR THE STATE OF CALIFORNIA, DEPARTMENT OF
PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS**

WHEREAS, The people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval to receive grant funding from the Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this Project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the Project;

NOW, THEREFORE, BE IT RESOLVED that the City of Porterville hereby:

1. Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; and
4. Certifies that the Project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds; and
7. Certifies that the public and adjacent property owners have been notified of this Project (as applicable); and

8. Appoints the Director of Parks & Leisure Services as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.

Passed, approved and adopted this 1st day of October, 2019.

By: _____
Martha A. Flores, Mayor

ATTEST:

John D. Lollis, City Clerk

Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Acceptance of Project - Sewer Annexation Area 456A, 456B, & 456C

SOURCE: Public Works

COMMENT: Floyd Johnston Const. Co., has completed the Sewer Annexation 456A, 456B, 456C Project per plans and specifications. The project consisted of installing 1.21 miles of sewer main and 207 sewer laterals in the Annexation 456A, 456B, 456C areas and also included sewer main and laterals in the east Henderson area, which was an Add Alternate to the project.

Staff tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On April 17, 2018, City Council authorized an expenditure of \$1,604,000.00 for construction, construction management, quality control and inspection services for this project. The following itemizes the construction related costs in two (2) categories: 1) the construction contract, and 2) a combination of construction management and quality control.

1. Final Construction cost is: \$1,347,389.00
2. Construction management, quality control and inspection service costs are: \$127,621.10

Total project construction costs equate to \$1,475,010.10, which is less than the \$1,604,000.00 overall budget approved by Council at time of award. Funding for this project is from refinancing of the Sewer Revenue Bonds.

Floyd Johnston, Const. Co., requests that the City Council accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENTS:

1. Locator Map 456A
2. Locator Map 456B
3. Locator Map 456C
4. Locator Map E Henderson

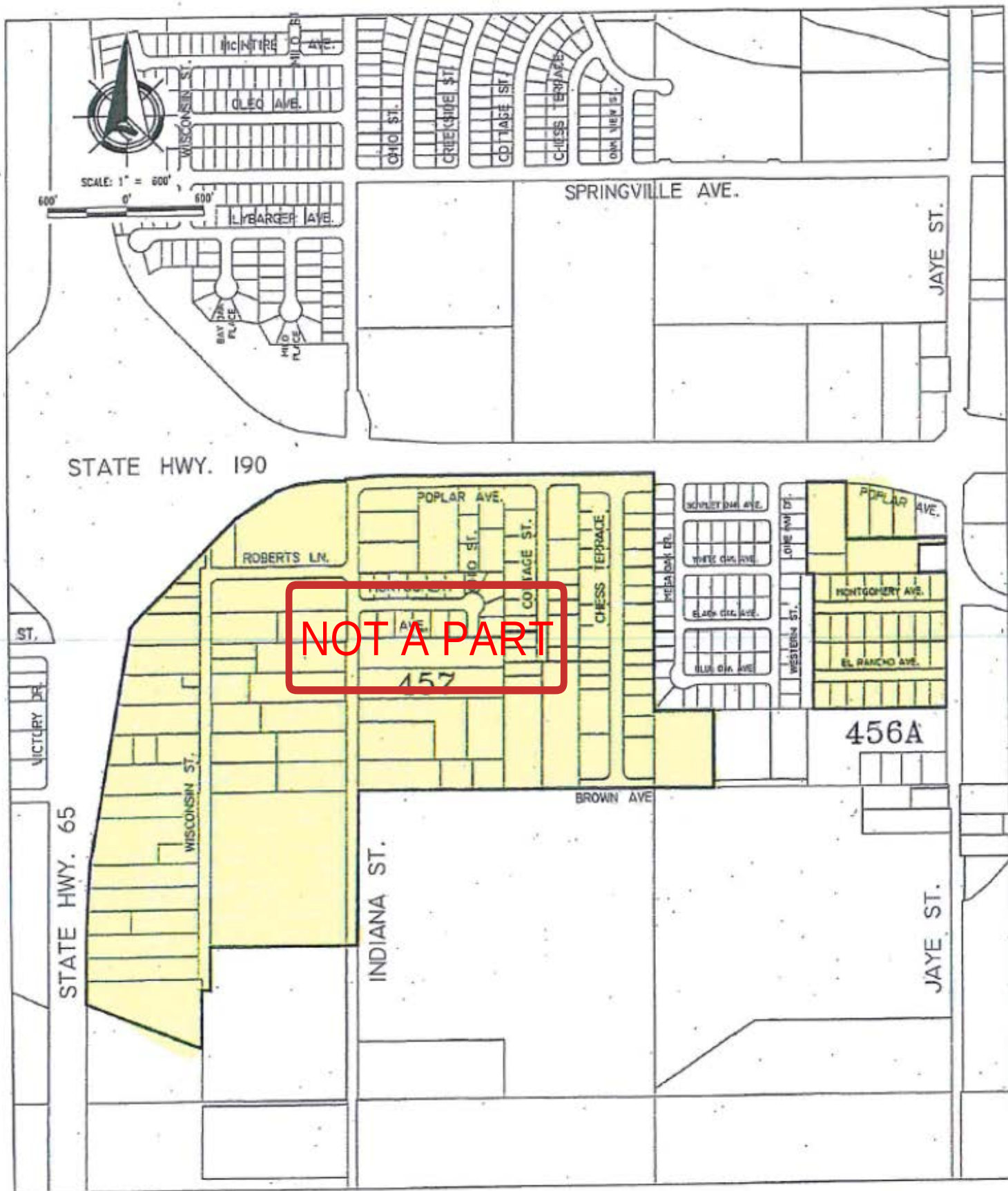
Appropriated/Funded: MB

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

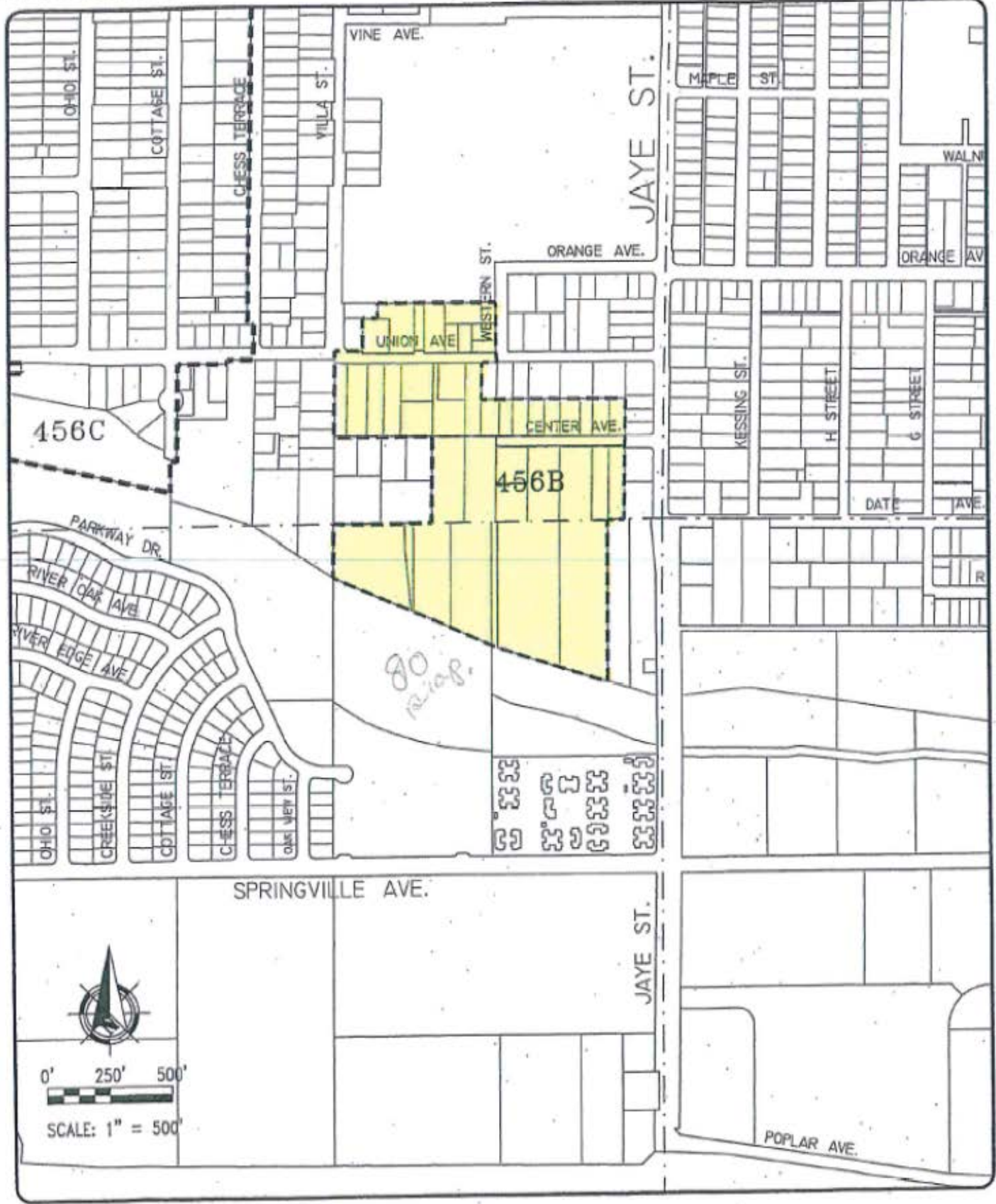
Final Approver: John Lollis, City Manager



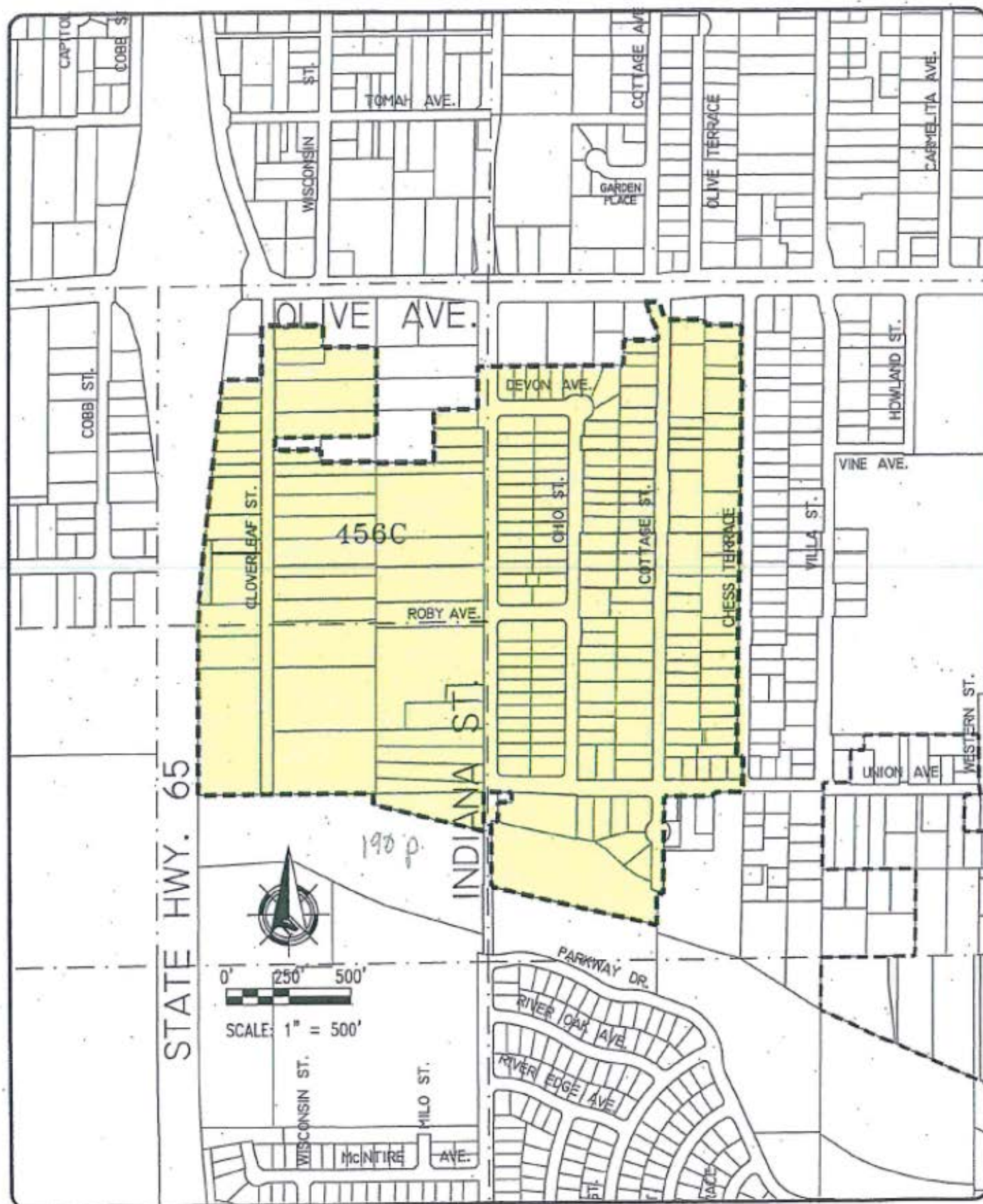
□ PROJECT BOUNDARIES

ISLAND ANNEX. 456A & 457

ISLAND ANNEXATION 456B



ISLAND ANNEXATION 456C



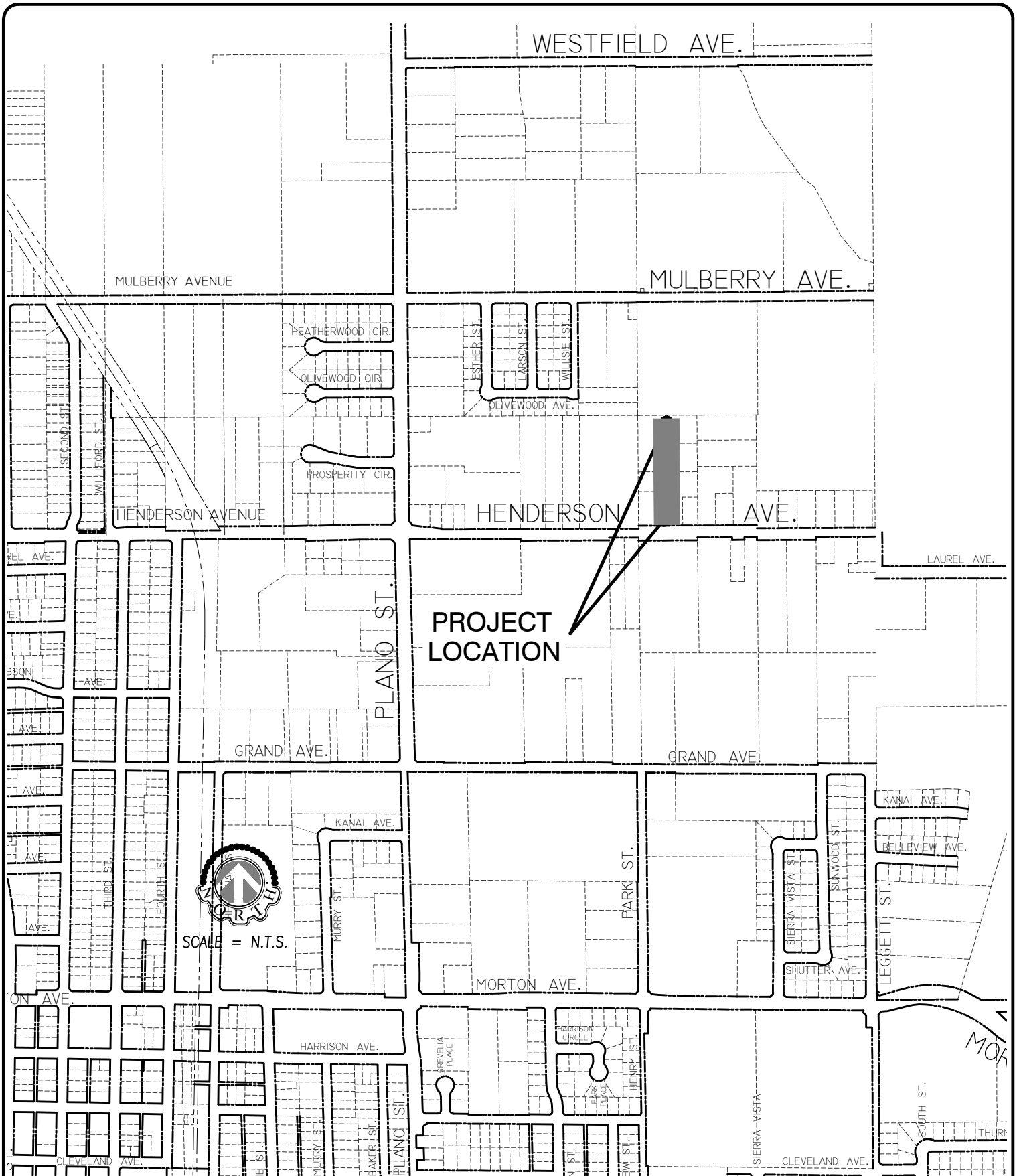


EXHIBIT "B"

CITY OF PORTERVILLE

ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

**EAST HENDERSON
SEWER ANNEXATION
PROJECT**

OWNER	-
APN	-
AREA	-
ACRES	-
SCALE	N.T.S.
DATE	-
DRAWN BY	-
CHECKED BY	-



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Acceptance of Project - Plano Water Replacement and Concrete Curb Ramp Project

SOURCE: Public Works

COMMENT: MAC General Engineering, Inc., has completed the Plano Water Replacement Project and Concrete Curb Ramp Project per plans and specifications. The project consisted of installing water main pipe along Plano Street from Date Avenue to Vandalia Avenue, replacing all concrete curb ramps and replacing distressed asphalt from Henderson Avenue to Vandalia Avenue. This project was completed prior to and in preparation for a micro-surfacing treatment.

Staff tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On October 3, 2017, City Council authorized an expenditure of \$1,541,454.24 for construction, construction management, quality control and inspection services for this project. During the project's construction, staff resurveyed the distressed asphalt areas and found that they had nearly doubled due to wet winters in the 16/17 and 17/18 seasons. On August 21, 2018, City Council authorized additional funding in the amount of \$250,000.00 for increased quantities of distressed asphalt. After the additional funding was authorized, the contractor continued with the additional asphalt work, however, the asphalt continued to deteriorate creating even more distressed areas. The deteriorated asphalt, if left in place, would not be sealed correctly by the proposed micro-surface treatment and would further deteriorate both the micro-surface treatment and asphalt underneath. The additional distressed asphalt had to be repaired prior to the micro-surfacing treatment and has led to additional costs. The following itemizes the construction related costs in two categories: 1) the construction contract, and 2) a combination of construction management and quality control.

1. Final Construction cost is: \$1,849,454.24.
2. Construction management, quality control and inspection service costs are: \$160,697.58.

Total project construction cost equates to \$2,010,151.82, which is more than the \$1,791,454.24 overall budget approved by Council at time of award, leaving the project underfunded by \$218,697.58. When the two parts of the Plano Street Pavement Rehabilitation project are taken together, this project and the micro-surface, there is an overall savings of \$169,724.92 since the micro-surface project was awarded on June 4, 2019 at \$388,422.50 under the Engineer's Estimate. Staff requests additional funding be appropriated to cover costs associated with the additional asphalt repair through Local Transportation Funds.

The funding sources for this project is from the General Fund Carry Over, Local Measure R Funds, and the Water Replacement Fund.

MAC General Engineering, Inc., requests that the City Council accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Approve funding in the amount of \$218,697.58 for the additional asphalt work and staff time needed to complete the project;
3. Authorize the filing of the Notice of Completion; and
4. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENTS: 1. LOCATOR MAP - Plano

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

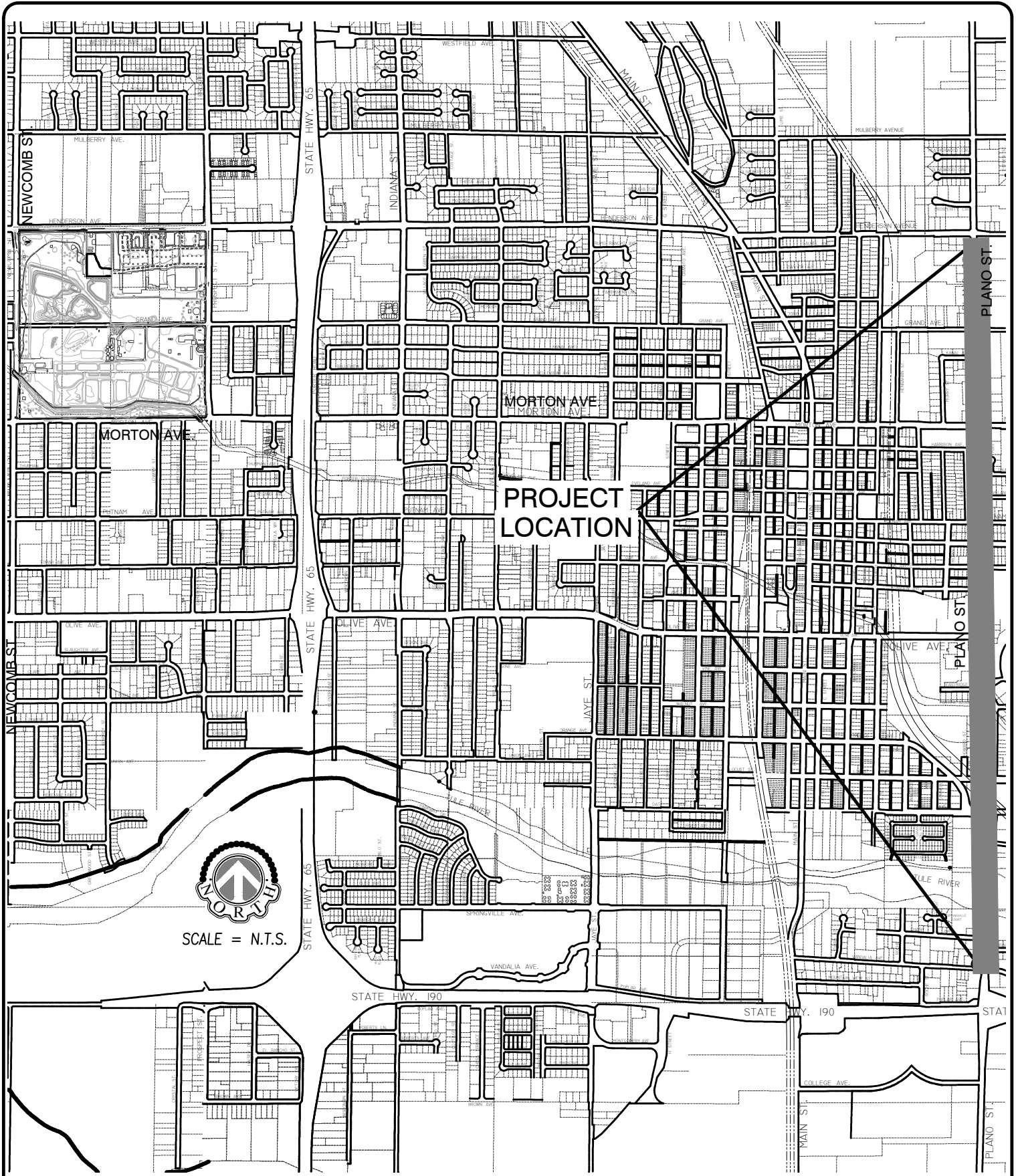


EXHIBIT "B"

CITY OF PORTERVILLE
ENGINEERING DIVISION
291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

PLANO STREET MICRO
SURFACING AND WATER
PROJECT HENDERSON
TO HIGHWAY 190

OWNER	-
APN	-
AREA	-
ACRES	-
SCALE	N.T.S.
DATE	-
DRAWN BY	-
CHECKED BY	-



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Acceptance of Project - Orange Avenue and Henderson Avenue Rehabilitation Project

SOURCE: Public Works

COMMENT: MAC General Engineering, Inc., has completed the Orange Avenue and Henderson Avenue Rehabilitation Project per plans and specifications. The project consisted of removing and replacing asphalt, ramps, alley approaches on Orange Avenue from Plano Street to Main Street as well as on Henderson Avenue from Newcomb Street to Patsy Street. The project also included upgrading the traffic signals at the Main Street and Wallace Street intersections along Orange Avenue.

Staff carefully tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On May 1, 2018, City Council authorized an expenditure of \$1,671,526.82 for construction, construction management, quality control and inspection services for this project. The following itemizes the construction related costs in two (2) categories: 1) the construction contract, and 2) a combination of construction management and quality control.

1. Final Construction cost is: \$1,544,824.61.
2. Construction management, quality control and inspection service costs are: \$72,764.75.

Total project construction costs equate to \$1,617,589.36, which is less than the \$1,671,526.82 overall budget approved by Council at time of award. Funding for this project is from Local Transportation Funds and the Road Maintenance and Rehabilitation Account.

MAC General Engineering, Inc., requests that the City Council accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENTS: 1. Locator Map - Orange and Henderson Avenues

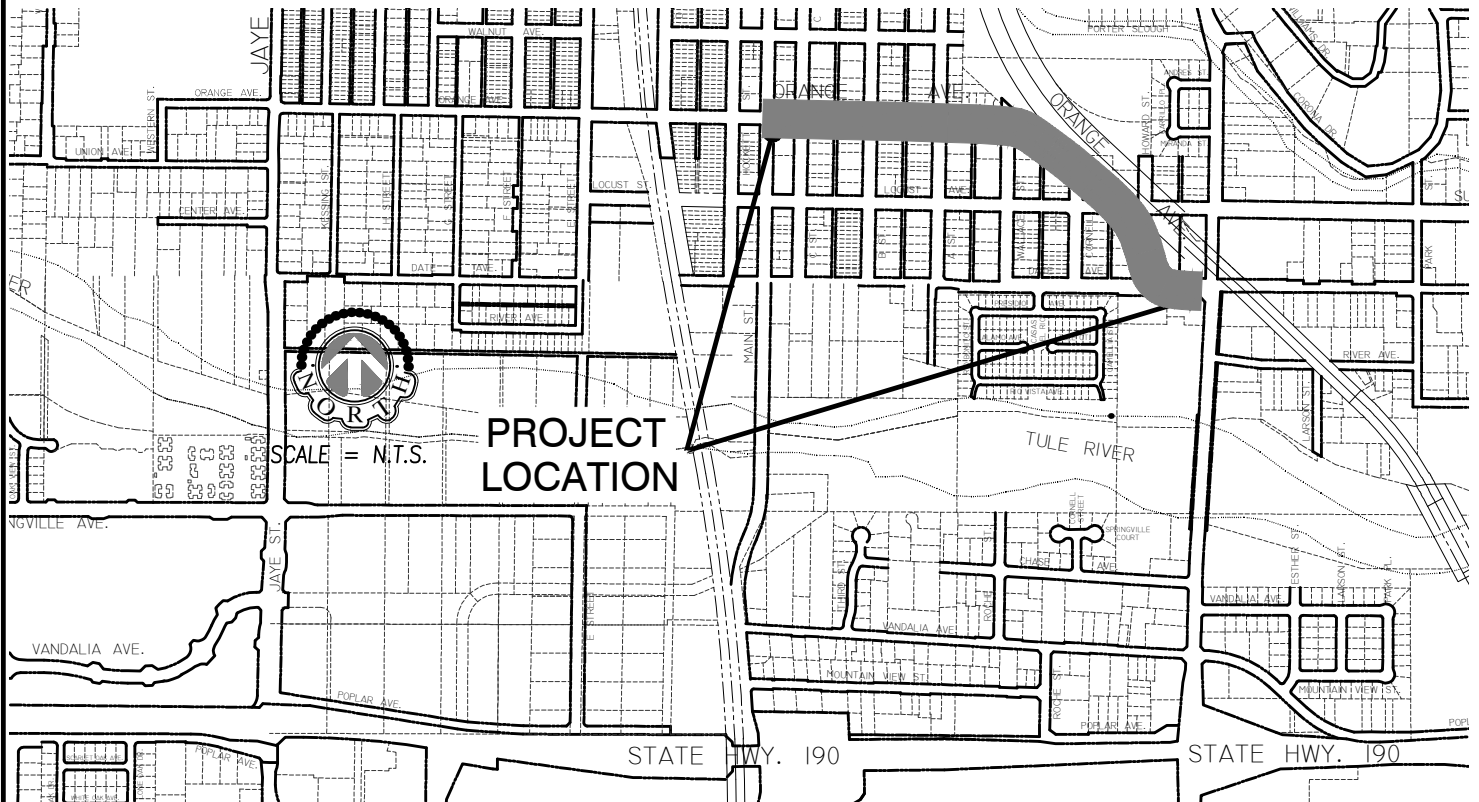
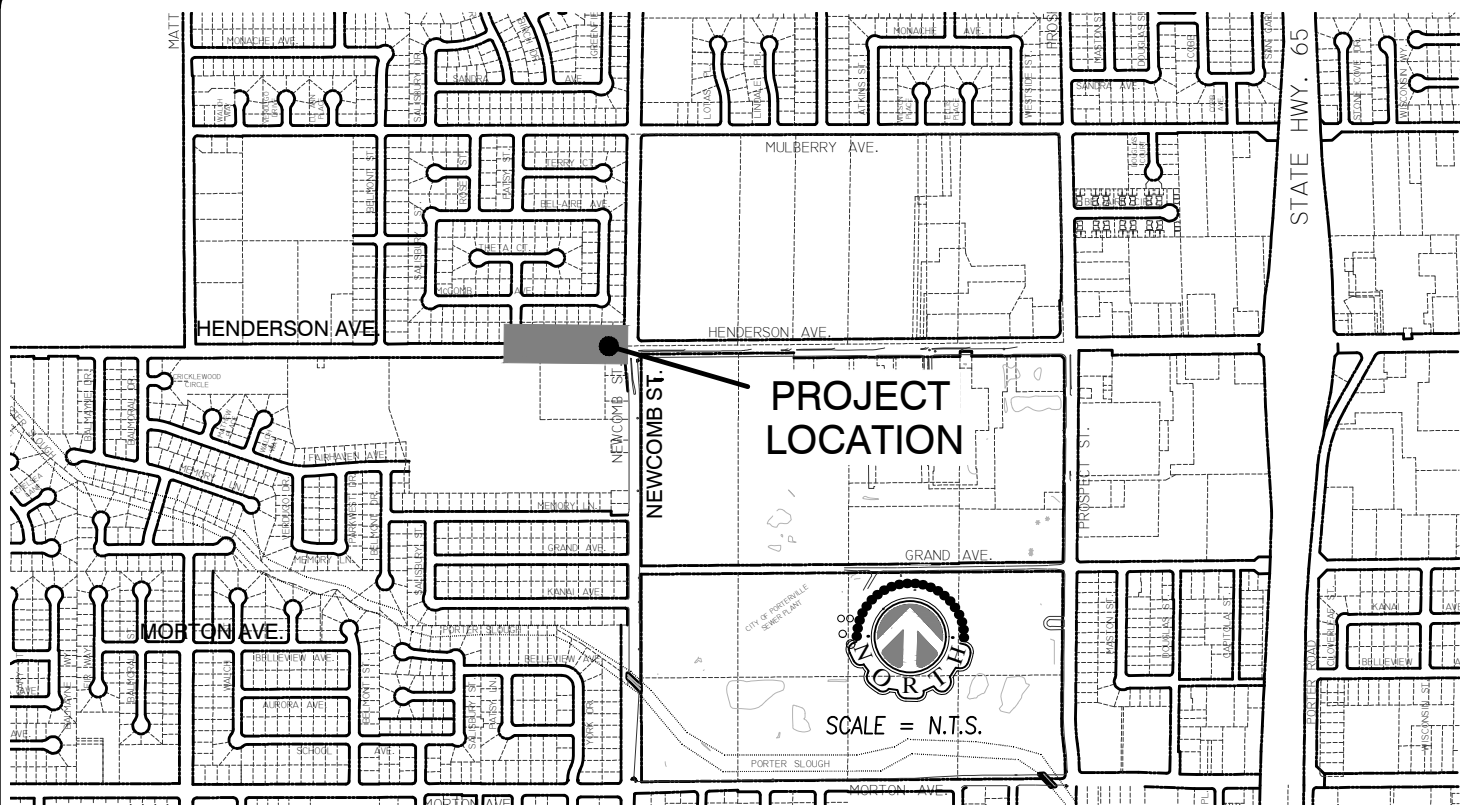
Appropriated/Funded: MB

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
 PORTERVILLE, CA. 93257
 (559) 782-7462

**ORANGE AVENUE AND
 HENDERSON AVENUE
 REHABILITATION
 PROJECT**

OWNER	-
APN	-
AREA	-
ACRES	-
SCALE	N.T.S.
DATE	-
DRAWN BY	-
CHECKED BY	-



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Acceptance of Project - Various Concrete and ADA Improvements Project

SOURCE: Public Works

COMMENT: MAC General Engineering, Inc., has completed the Various Concrete and ADA Improvements Project per plans and specifications. The project consisted of removing and installing portions of concrete improvements at City Hall, Centennial Plaza building, Second Street, Third Street and Porterville Police Shooting Range to comply with ADA policies.

Staff tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On September 4, 2018, City Council authorized an expenditure of \$396,700.80 for construction, construction management, quality control and inspection services for this project. The following itemizes the construction related costs in two (2) categories: 1) the construction contract, and 2) a combination of construction management and quality control.

1. Final Construction cost is: \$362,342.69.
2. Construction management, quality control and inspection services costs are: \$33,151.01.

Total project construction costs equate to \$395,493.70, which is less than the \$396,700.80 overall budget approved by Council at time of award. Funding for this project is from the Asset Forfeiture Fund, Local Transportation Funds and Surface Transportation Funds.

MAC General Engineering, Inc., requests that the City Council accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENTS: 1. Locator Map - ADA and Concrete

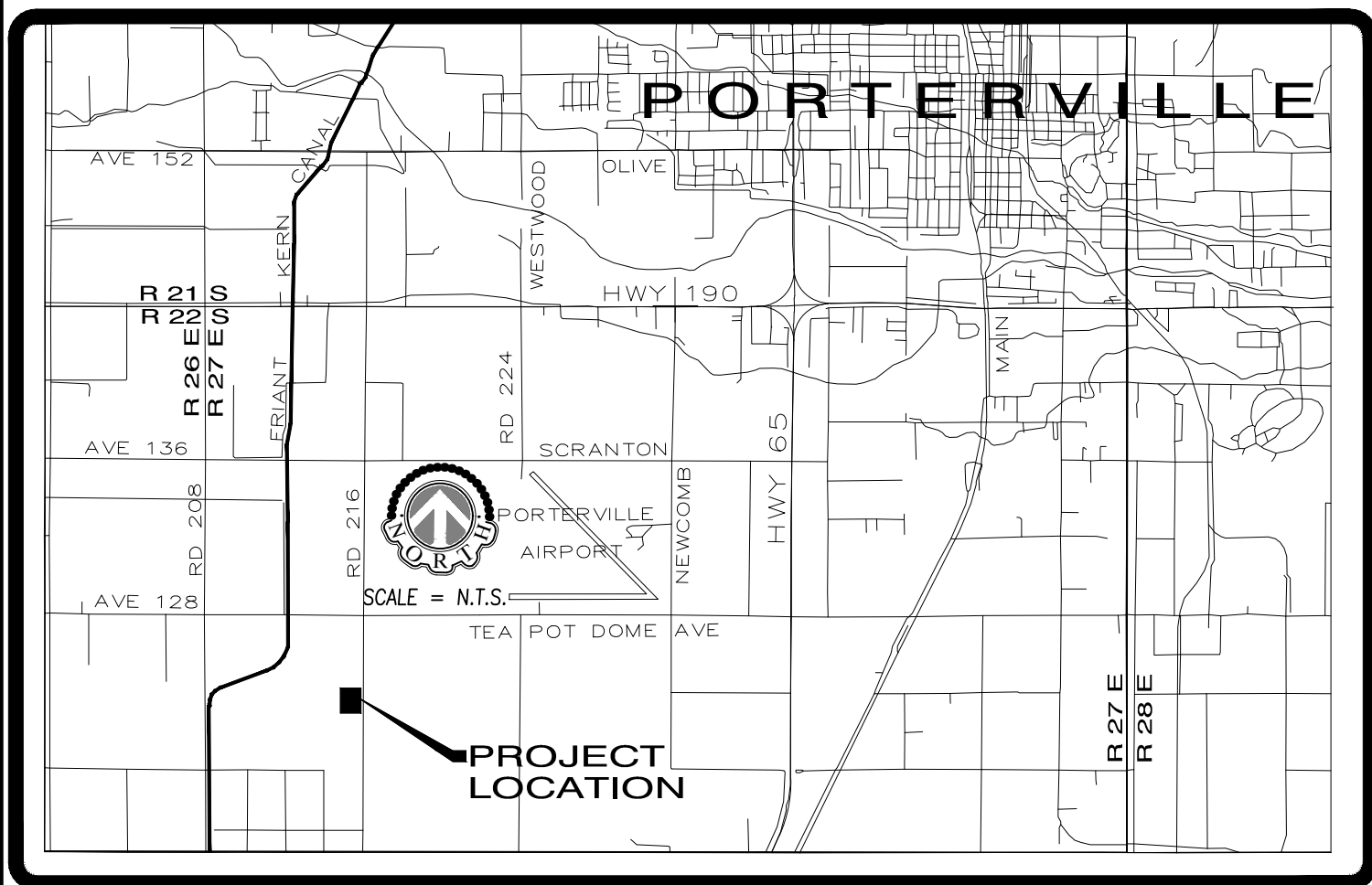
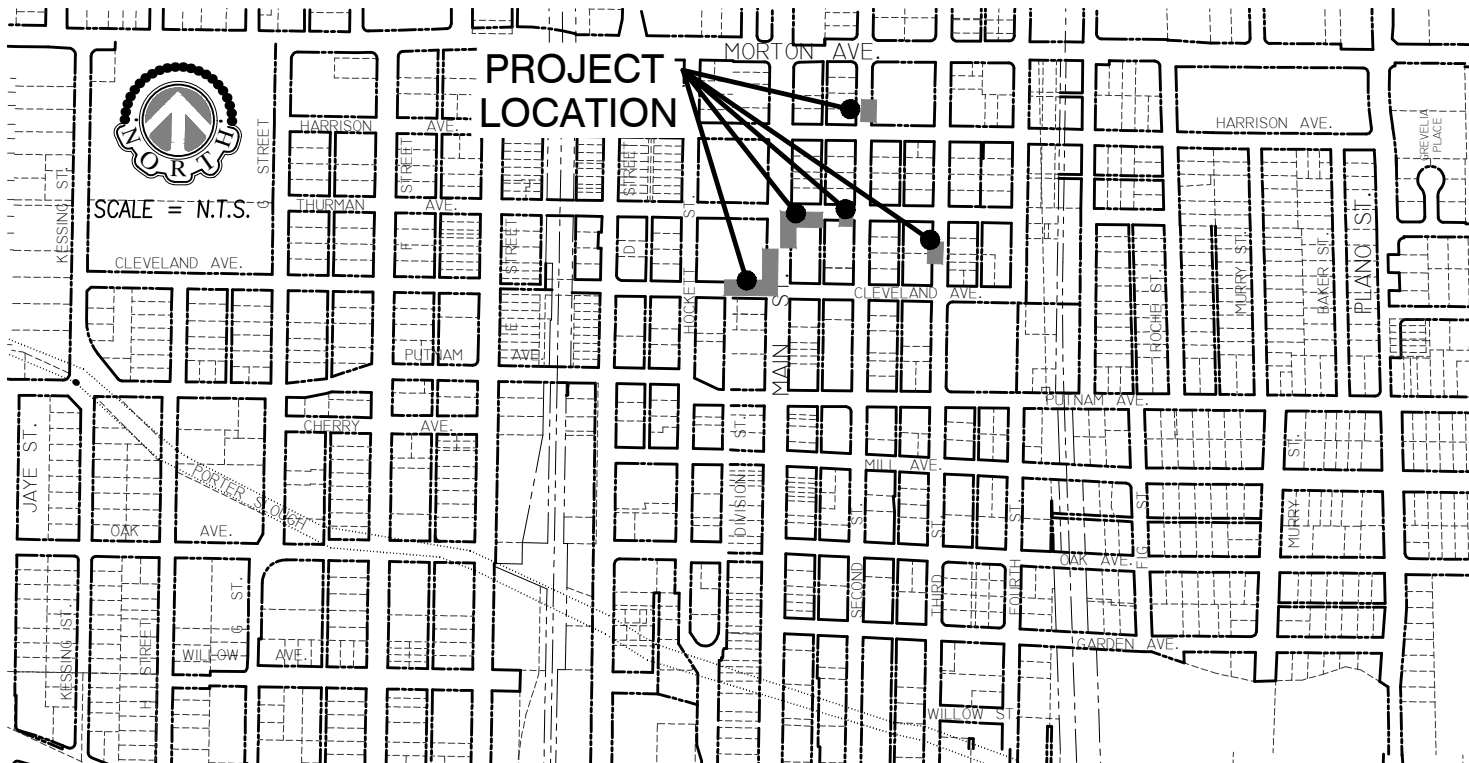
Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

**VARIOUS CONCRETE
AND ADA IMPROVEMENT
PROJECT**

OWNER	-
APN	-
AREA	-
ACRES	-
SCALE	N.T.S.
DATE	-
DRAWN BY	-
CHECKED BY	-



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Acceptance of Project - Household Water Tanks Removal Project

SOURCE: Public Works

COMMENT: West Valley Const. Co., Inc., has completed the Household Water Tank Removal Project per plans and specifications. The project consisted of installing water mains and water services throughout the City to homes affected by the severe drought and which had household tanks installed by Tulare County via mutual agreement with the City. The locations of the water main extensions and water services are:

Beverly Street north of W. North Grand Avenue
Gibbons Avenue between Fourth Street to 226 E. Gibbons Avenue
Fourth Street between Gibbons Avenue and Lincoln Road
Third Street between Yates Avenue and 1313 S Third Street
Lime Street between 1112 N. Lime Street and the railroad right-of-way
Villa Street between La Vida Avenue and 1261 N. Villa Street
Pioneer Avenue between 1092 Pioneer Avenue and State Route 65
Frontage Road between Pioneer Avenue and 1006 Pioneer Avenue
Cloverleaf Street from Olive Avenue to north of the Tule River

Staff tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On January 15, 2019, City Council authorized an expenditure of \$1,823,916.00 for construction, construction management, quality control and inspection services for this project. The following itemizes the construction related costs in two (2) categories: 1) the construction contract, and 2) a combination of construction management and quality control.

1. Final Construction cost is: \$1,561,118.50.
2. Construction management, quality control and inspection service costs are: \$116,177.13

Total project construction costs equate to \$1,677,295.63, which is less than the \$1,823,916.00 overall budget approved by Council at time of award. The funding source for this project is from the Department of Water Resources.

West Valley Const. Co., Inc., requests that the City Council accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

1. Accept the project as complete;
2. Authorize the filing of the Notice of Completion; and
3. Authorize the release of the 5% retention thirty-five (35) days after recordation, provided no stop notices have been filed.

ATTACHMENTS: 1. Locator Map

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

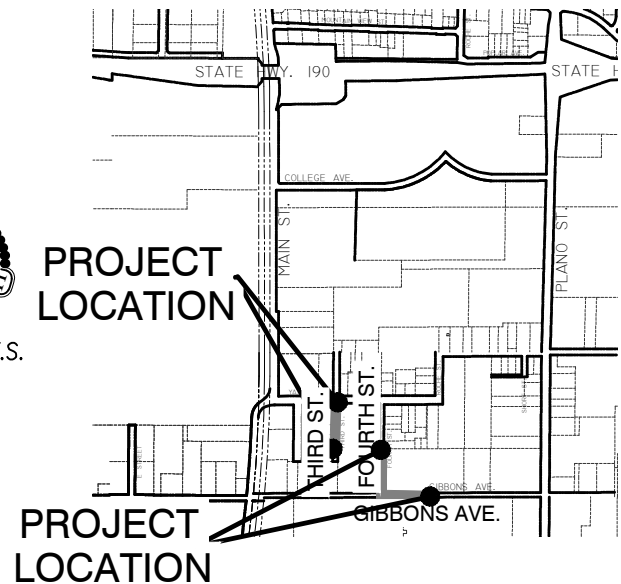
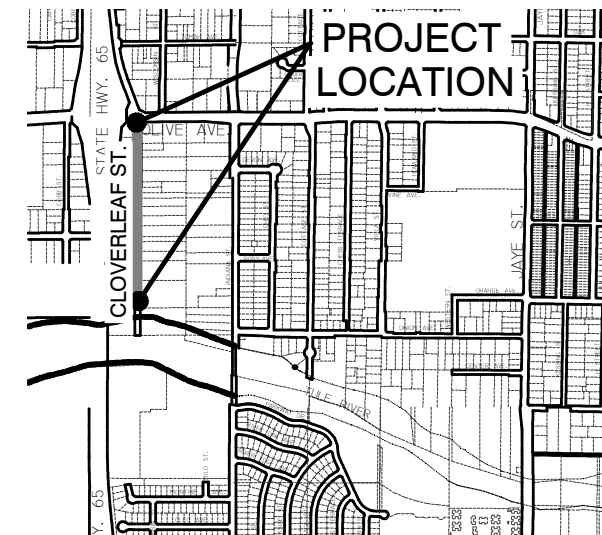
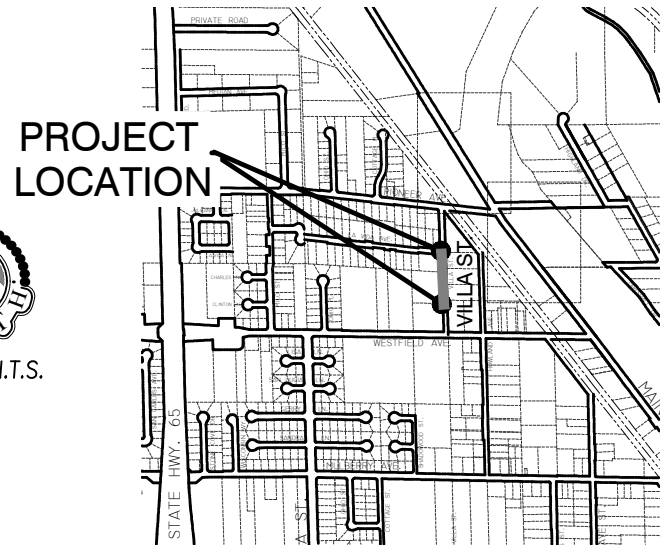
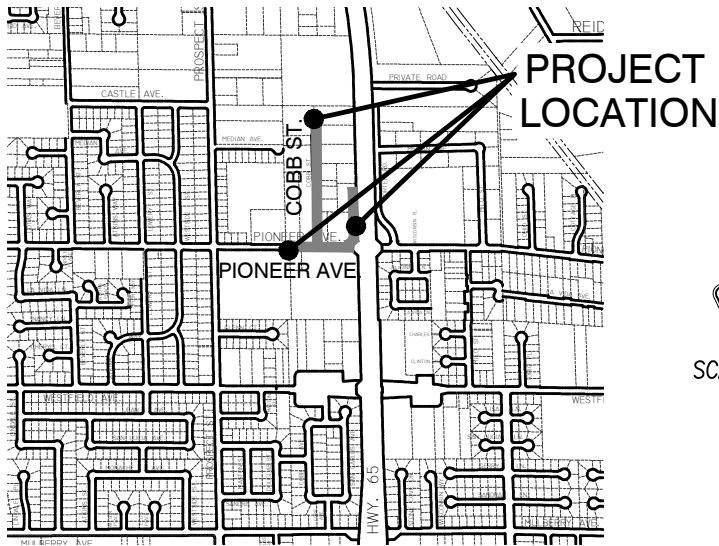
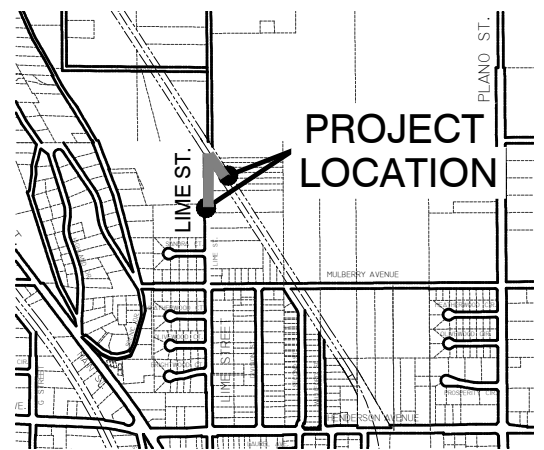
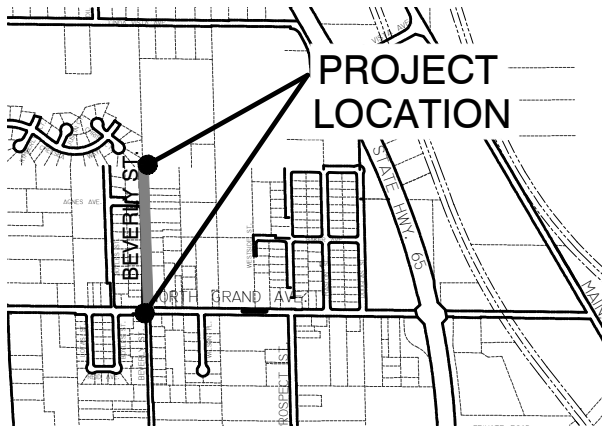


EXHIBIT "B"

CITY OF PORTERVILLE
ENGINEERING DIVISION
291 NORTH MAIN STREET
PORTERVILLE, CA. 93257
(559) 782-7462

REMOVAL OF THE HOUSEHOLD WATER TANKS PROJECT

OWNER	-
APN	-
AREA	-
ACRES	-
SCALE	N.T.S.
DATE	-
DRAWN BY	-
CHECKED BY	-



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Communications Center Network Cable Project

SOURCE: Police

COMMENT: The Police Department is in the process of upgrading and expanding the current Communications Center to continue to provide a high level of service to the residents of Porterville. A component of this upgrade is to clean up old wiring which has been spliced, as well as remove wiring that has been made redundant over the years with technology changes. This will make troubleshooting and maintenance of the network cables more efficient with no breaks between the starting and ending points of the cabling.

This project will include running data and network cables to all of the new dispatch positions in the Communication Center.

Staff is requesting ITC be the vendor to perform this project. Staff obtained bids from three (3) companies to complete the clean up and data/network cable run, which are as follow:

Global CTI
Amount: \$26,391.12

ITC
Amount: \$13,468.00

A-C Electric
Amount: \$28,725.00

Staff is recommending using ITC as the vendor for this project. ITC has been involved in this project during different phases including working with CallWorks for the 9-1-1 phone system installation.

In addition, ITC is a locally owned and operated company in the city of Porterville and their quote is significantly lower than the other two (2) competitive bids.

Funding is available for this purchase in the Police Department's Asset Forfeiture account.

The cost for the clean up and cabling project is \$13,468.00. As unforeseen costs can occur during projects of this type, staff is also requesting authorization of a

Item No. 9.

ten percent (10%) contingency in the amount of \$1,347 should an unforeseen cost arise.

RECOMMENDATION: That the City Council:

1. Authorize staff to negotiate the purchase of wiring and network cabling runs by ITC and,
2. Authorize a ten percent (10%) contingency of \$1,347 in the event of unforeseen costs discovered during project; and,
3. Authorize staff to complete all documents necessary for this purchase.

ATTACHMENTS:

1. Dispatch Center Cabling & Cleanup (ITC)
2. Dispatch Center Cabling & Cleanup (GCTI)
3. Dispatch Center Cabling & Cleanup (A-C Electric).lpdf

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

Description	Qty
Dispatch Remodel Scope of work: Provide and install forty two new LAN network drops from Dispatch to server room. Install six customer radio vendor provided cables. Provide and install one new data rack, rack cable tray, and additional sleeve conduit in the server room. Provide and install raised floor cable tray system. Provide and install two ceiling to floor sleeve conduit in Dispatch; remove unused cable and blocks in Dispatch to accommodate new conduit. Provide and install one wall mounted rack in Dispatch for NVR systems. Provide and install three HDMI cables from CCTV NVR cabinet to three wall mounted displays Install three wall mounted customer provided CCTV monitors. Provide and install one HDMI cable from the Maps computer to one wall mounted display. Install one wall mounted customer provided Maps monitor. Install the Maps computer in the server room rack. Provide and install one server shelf, KVM and HDMI controls from Dispatch desk to Maps computer. * Excludes E911 cable installation	
	Total \$13,468.00

City of Porterville

Schedule A - Structured Cabling

Dispatch Center Cabling & Clean Up

Line #	Part #	Qty.	Description	Total	Unit	List
1			Cabling Hardware Components			
2			Cabling			
3	CAT-6-CMP	3000	CAT 6 cable – Plenum Blue (per foot)			
4	3210491G-20 SR2	1	25 Pin - 20' Cable			
5	HDMI-50	3	HDMI Cable - 50 ft.			
6	MISC-CABLE	12	Misc. Cabling Hardware (25 Pin Connectors)			
7			Surface Mount Box			
8	SMB-2WHT	10	2 port white surface mount box			
9			Racks and Cabinets			
10	SWE570BLK	1	7' X 19" Equipment Rack			
11	SWE2138-25BLK	1	2' X 2' Wall Mount Cabinet - Swing Gate - Open			
12	AFF-FT4X12X48	50	Raised Floor Cable Tray - 4 ft.			
13	AFF-MISC	1	Raised Floor Cable Tray Hardware			
14			Jack Inserts			
15	CJ68TGRD	40	Panduit CAT 6 Jack Insert - Red			
16			CAT6 Patch Panels - Wire Management			
17	CP48BLY	1	Panduit 48 Port Patch Panel Keystone			
18	PR2VD06	2	Panduit Vertical Wire Manager			
19	WMP1E	4	Panduit Horizontal Wire Manager			
20	GCTI-MISC	1	Rack and Cabling Hardware			
21			KVM Switch			
22	KVM-2	1	KVM Switch for PC to Monitor connectivity			
23			Specific Notes			
24			Scope of Work for Dispatch Center Redesign			
25			Clean up and remove all unused and abandoned cable and equipment			
26			Install new Racks and Cabinets			
27			Re-route and reterminate cabling			
28			QUOTE IS BASED ON WALKTHROUGH			
29						

Equipment Material Total	\$9,187.12
Equipment Handling	\$564.00
Subtotal	\$9,751.12
Sales Tax will be applied at time of invoice. Estimated Sales Tax Rate: 9.250%	\$0.00
Installation / Pro-Services	\$16,640.00
Total Price	\$26,391.12

Proposal Date: September 20, 2019.

This price includes material, installation labor, with 1 year parts warranty

This quote will remain valid until October 20, 2019. Applicable state and district sales taxes will be applied at time of invoice.

As of October 20, 2019 this quote will be taxed at a rate of 9.250% which equates to an estimated sales tax of \$901.98

Buyer = City of Porterville, This Schedule A is an Agreement between Global CTI and Buyer.

Payment Terms:

50% due upon signing, 40% due upon equipment delivery, and 10% due upon final acceptance

\$13,646.55

\$10,917.24

\$2,729.31

Unless quoted above, this quote does not include cabling for IDFs, MDFs, or Structured Cabling.

Unless quoted above, this quote does not include PoE data switches that are required to power Access Points.

Buyer's signature below indicates that you have read, understand, and agree with the Terms and Conditions stated on this Schedule A as well as Global CTI's General Terms and Conditions found on the Global CTI's Master Services Agreement.

If you need a signed copy of your signed Master Services Agreement please send a request to info@gcti.com.

Authorized Contact: Ted Willaims

Authorized Signature: X _____

Normal system shipping is 10 business days from time of contract signature. Additional shipping fees will apply for expedite orders.

Account Manager: ~ Account Managers ~



A-C Electric Company

PROPOSAL - CONFIRMATION - CONTRACT

September 25, 2019

Porterville Police Department
350 N D St.
Porterville, CA 93257
Attention: Nino Renzi

SUBJECT: Data & Electrical Install

A-C Electric Company is pleased to provide the following proposal.

SCOPE OF WORK:

1. Furnish Labor to tone out Patch Panel
2. Furnish and Install Cable tray under raised floor.
3. Furnish and Install (3) Cat 6 Cables and (1) pull string ran from Data room to each work station location.
4. Furnish and Install blue keystones, RJ-45's, and face plates to each workstation. Terminate Keystones, RJ-45's, and put on face plates. Clean up all wires on cable tray
5. Furnish and Install a data drop with pull string from data room to each TV location.
6. Furnish and Install electrical from existing Flex cables to their specified workstation locations in cubical walls, and terminate all connections. Zip Tie flex cable up off the ground.
7. Furnish and Install Hinged DVR Cabinet
8. Furnish and Install 2-post rack
9. Furnish and Install Black Panduit on backboard
10. Furnish Labor to clean up all wires on backboard, underneath floor, and above T-Bar ceiling.
11. Furnish and Install (3) new HDMI cables to be ran from Data room to DVR's
12. Furnish and Install (1) new 25-PIN Cable ran from data room to backboard
13. Furnish and Install (6) new 25-pin cable ends
14. Furnish and Install span of cable tray in Data Room over head from one server rack to the other.

CLARIFICATIONS:

1. This proposal is subject to the attached A-C/AC&TS Standard Terms & Conditions.

EXCLUSIONS:

1. Overtime & shift work. This proposal is based on all work being performed 7:00 a.m. to 3:30 p.m. Monday - Friday.
2. All permits and fees.
3. All Utility Company fees.
4. Any PE stamped permit drawings.
5. Bond - our bond rate is 0.816%.
6. Liquidated damages due to events not under our control.
7. Temporary power and lighting.
8. All painting and patching.
9. Structural backing within walls and ceiling for electrical equipment.
10. Troubleshooting and/or repairing existing electrical equipment, devices and circuitry.

PRICING INFORMATION

Total Lump Sum Price:	\$28,725.00
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PAYMENT TERMS: Semi-Monthly, Net-15

Acceptance may be made by signing and returning one copy of this proposal letter or forwarding an acceptable form of your purchase order or subcontract document by 10/25/2019.

Thank you for allowing A-C Electric Company the opportunity to provide you with this proposal. If you should have any questions or comments, please feel free to contact me at .

OFFERED BY:
A-C Electric Company

ACCEPTED BY:
Porterville Police Department

SIGNED

SIGNED

Justin McIntyre
Project Engineer

NAME, TITLE

Nino Renzi

NAME, TITLE

9/25/2019

DATE

DATE

STANDARD TERMS & CONDITIONS

WARRANTY:

All equipment & instrumentation supplied by A-C Electric Company is limited to the manufacturer's warranty and workmanship is warranted for (1) year from the date of installation. Warranty does not extend to preexisting conditions, damage or wear caused by misuse, negligence, accident, corrosion, modification by Client, loss of product, or tampering in any manner.

In no event shall A-C Electric Company be responsible for consequential or special damages which may arise in connection with such equipment, parts or programming.

The foregoing warranty terms are expressly made in lieu of any and all other warranties, expressed or implied, including warranties of merchantability and of fitness for any purpose.

ALTERNATE CONTRACT LANGUAGE:

Should Client choose to accept this proposal by providing a purchase order or alternate contract document, this proposal is conditioned on such document being mutually acceptable to both parties.

Some clauses of importance to us are realistic payment clauses which protect both parties, guarantee us that we get paid promptly for our work and eliminate unnecessary paperwork; indemnification clauses which equitably allocate risk to the parties, insuring that you are indemnified for the negligent acts of A-C Electric Company, without A-C Electric Company indemnifying or defending you for your negligence; scheduling clauses which give us adequate time to perform our work efficiently and safely, compensate us for acceleration required for reasons outside our control, and limits any requirement for us to accelerate without compensation to our failure to perform in meeting a reasonable schedule.

In the event that we are unable to reach a mutually acceptable contract utilizing Contractor's proposed document, this proposal is conditioned on the use of Consensus DOCS 750 or 751, documents drafted and agreed to by the various construction trade associations with the intent to be fair to the contractor, subcontractor and owner.

As an interim measure, while we are working on a mutually acceptable contract document, we will perform work and supply material upon receipt of a written authorization to do so with the assurances that we will be paid timely for the work done.

INTELLECTUAL PROPERTY:

A-C Electric Company shall retain all right, title and interest in all Intellectual Property (as defined herein) used, made or arising in connection with the Contract or otherwise provided or communicated to Client by or on behalf of A-C Electric Company. Without limiting the foregoing, Client shall not use any drawings or specifications prepared by A-C Electric Company, except for the purpose of confirming the quality of design and manufacturing of the products set forth in the attached proposal; and Client shall not photocopy, duplicate or in any way reproduce in whole or in part any drawings, specifications, or software which may be supplied by A-C Electric Company; provided, however, that the Client may make copies of and use such software for Client's internal purposes only, and not for rendering services or selling products to third persons. The Client shall not sell, license, sublicense, assign or otherwise transfer the Intellectual Property or any interest therein to anyone. As used herein, "Intellectual Property" means and includes any and all software, specifications, designs, processes, techniques, concepts, improvements, discoveries, ideas, and inventions, whether or not patentable, and all patents, copyrights, trade secrets and other intellectual property rights therein or related thereto.

Title to any application software provided to Client by A-C Electric Company under the Contract remains with A-C Electric Company, and Client is subject to any third party licenses. A-C Electric Company grants to the Client a personal, paid-up, perpetual, nonexclusive, non-assignable and non-transferable license, without right of sub-license, to use said application software in the application for which the software was designed in conjunction with the specified equipment.



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Consideration of a Service Agreement for the Consolidation of the Beverly Grand Mutual Water Company

SOURCE: Public Works

COMMENT: Beginning in 2008 as a result of water contamination violations, the Beverly Grand Mutual Water Company (BGMWC) has been working with various state and local agencies to consolidate the 31 homes in that private system to the City's municipal water system. In the early years, the area served by BGMWC (attached) was outside of the city limits, however, this area was annexed to the City in 2015 for the purpose of assisting in water extension to residences that were on individual wells that had failed during the drought. Although the BGMWC well did not fail during this period, the contamination has remained, and the residents in these homes are not able to drink or cook with their water.

Funding for this project has been complicated, with multiple grants having been awarded, but none being fully-utilized, due to challenging negotiations regarding the terms and conditions of consolidation and difficulty securing a well site. The City Council previously agreed to move ahead with the consolidation using the expected potential of excess capacity from a well to be provided by the State for the Akin Water Company consolidation, which the Council is aware the State ultimately did not fund. In lieu of a well to meet system capacity impacts, the State has agreed to pay a pro rata share of the capacity of a new well. Self-Help Enterprises has prepared an application to receive a grant to install necessary infrastructure to facilitate the consolidation and fund various project-required activities. Staff from the Engineering and Planning divisions, as well as the City Attorney's office, have reviewed grant application materials including project design, environmental review, and the format of the consolidation agreement.

Staff requests that in order to complete the consolidation as planned and negotiated, that the Council adopt a Resolution formalizing the agreement. This agreement will also be signed by the owner of the BGMWC, and the agreement will be shared with State Water Resources Control Board staff to supplement the grant application.

RECOMMENDATION: That the City Council:

- 1) Approve and authorize the Mayor to execute the Beverly Grand Mutual Water Company and City of Porterville Water Service Agreement and Resolution; and

2) Direct the City Clerk to notarize and transmit the Agreement to the State Water Resources Control Board.

ATTACHMENTS:

1. Draft Agreement
2. Beverly Grand Mutual Water Company Map

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

**AGREEMENT BETWEEN THE CITY OF PORTERVILLE
AND THE BEVERLY GRAND MUTUAL WATER COMPANY
FOR POTABLE WATER SERVICE AND SYSTEM MAINTENANCE**

RESOLUTION NO. _____ - 2019

A RESOLUTION OF THE CITY OF PORTERVILLE

THIS AGREEMENT, made and entered into by and between the CITY OF PORTERVILLE, a California Charter City, hereinafter referred to as City, and the BEVERLY GRAND MUTUAL WATER COMPANY, a private water company located in Tulare County, hereinafter referred to as Water Company.

W I T N E S S E T H:

WHEREAS, Water Company exists for the purpose of providing water to certain residents of those parcels between Boyles Street and Beverly Drive north of North Grand Avenue, located in northern Porterville, California; and

WHEREAS, Water Company is unable to provide safe drinking water to its residents; and

WHEREAS, Water Company's service territory is located within the city limit of City; and

WHEREAS, City has agreed to serve the residents presently served by Water Company with potable water, per City Council Resolution Number _____ - 2019, adopted by the Porterville City Council on October 1, 2019; and

WHEREAS, City has the capacity to serve the Water Company's customers with potable water; and

WHEREAS, Water Company has received AB 72 funds from the California State Water Resources Control Board (WaterBoards) for the purposes of planning and designing the replacement distribution system and infrastructure necessary to connect Water Company's water system to City's water system, as well as construction of said improvements; and

WHEREAS, the funding agreements for the aforementioned AB 72 funds require an agreement

between City and Water Company that commits the City to providing potable water supply after construction of the new system is complete; identifies the party responsible for operation and maintenance of the new water distribution system within Water Company's service territory after construction and is conditioned on Water Company's surrender of its water supply permit after the Consolidation is complete and prior to connecting Water Company to city's water system.

NOW THEREFORE BE IT RESOLVED, that City shall supply with potable water the properties currently served by Water Company, subject to the following terms and conditions:

1. **Consolidation.** City agrees to serve with potable water the properties currently served by Water Company, including all twenty-nine (29) subdivision lots and existing homes located thereon. All drinking water connections shall comply with all applicable local, state and federal requirements, and shall be made under the supervision of City and City's agents. The area to be served includes roads internal to the subdivision, specifically Boyles Street and Beverly Drive as depicted on the attached map, incorporated as Exhibit A to this Agreement. Water mains will be constructed in Boyles Street and Beverly Drive to provide water service to customers of the Water Company. The reconstructed water distribution system shall be integrated into and made part of the City's water distribution network, and City shall supply water to the residents currently served by Water Company who will become individual customers of the City.
2. **Ownership of Pipeline.** Upon completion of construction of the reconstructed water system, ownership of the water distribution system within Water Company's service territory shall transfer from Water Company to City. The new system shall be owned, operated and maintained by City as part of its reconstructed municipal water system.
3. **User Fees.** When Water Company's customers become City's customers, they shall pay the current rates for water services charged to other City customers, as set by the City Council.

4. **Other Fees.** The Water Company agrees to pay capacity and connection charges on behalf of its existing customers construction fund obtained for the purposes of installing new water mains and making water system upgrades as described below. Future development in need of new water service may be subject to regular City fees at the time of connection. If construction funding does not materialize or does not cover such charges and other funding sources cannot be found, this agreement shall be deemed null and void.

5. **Water System Upgrades.** Water Company agrees that prior to the consolidation with the City's system, its water distribution system shall be fully functional, constructed in accordance with City standards and specifications and system improvements accepted by the City Council. Specific conditions to be completed prior to the consolidation are as follows:

A. The Water Company shall reconstruct the existing water distribution system to meet City Standards, including but not limited to the installation of residential water services and meters of a size and type specified by the City, and pay all applicable water related fees. The reconstruction is subject to plan approval and inspection by City.

B. The existing well owned by Water Company will be abandoned in accordance with local, state and federal requirements after the expiration of a mutually agreed-upon period of time to allow residents to connect to the reconstructed water distribution system.

C. By this Agreement, maintenance of the reconstructed water system shall be performed by City commencing with the transfer of ownership as provided for in Item 2 of this Agreement.

6. **Project Funding.** It is mutually understood that the planning, design and construction of improvements described herein is contingent upon the receipt of anticipated funding from the State of California. Should project funding fail to materialize, or if it is insufficient to accomplish the necessary improvements, then neither party is obligated to the terms of this Agreement.

7. **Inspection.** City inspect the reconstruction of the drinking water system as construction of the water system progresses on an inspection schedule established by the City. Fees for inspection required

by the Consolidation process shall be paid by Water Company.

8. **Permits.** Water Company agrees to obtain all permits necessary for construction. City agrees to submit a Water Supply Permit Amendment Application to the State Water Resources Control Board, Division of Drinking Water, reflecting the change in service area.

9. **Dissolution.** Upon final execution of the consolidation described herein, the Water Company, Beverly Grand Mutual Water Company, shall cease operation and dissolve its organizational structure, and shall voluntarily surrender its existing water permit for Public Water System ID number 5400651.

10. **Liability.** Upon consolidation of the reconstructed water distribution system and acceptance of the new water source (well), City will assume responsibility for the delivery of safe, potable drinking water to the residents formerly served by Water Company.

11. **Indemnification.** Prior to consolidation/connection of the reconstructed water distribution system, Water Company assumes all responsibility for the control, distribution and disposal of water delivered under this agreement. Water Company shall, to the fullest extent permitted by law, hold harmless, and indemnify City and its officers, officials, employees and volunteers from and against all claims arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the Water Company and its employees, agents and subconsultants, except where and to the extent caused by the negligence or willful misconduct of the City. Upon connection of the reconstructed water distribution system, City assumes all responsibility for the control, distribution and disposal of water delivered under this agreement. City shall, to the fullest extent permitted by law, hold harmless, and indemnify Water Company and its officers, officials, employees and volunteers from and against all claims arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the City and its employees, agents and subconsultants, except where and to the extent caused by the negligence or willful misconduct of the Water Company. The provisions of this section survive completion of the services or the termination of this Agreement.

12. **Attorney's Fees.** Should any litigation be commenced between the parties concerning this

Agreement, or the rights and duties of either party under this Agreement, the party prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for attorneys' fees in such litigation, which shall be determined by the court in such litigation or in a separate action brought for that purpose.

13. **Term.** This agreement shall become effective upon its execution, and shall remain in effect until such time as all conditions described herein are met and the consolidation can be consummated or until October 1, 2023, whichever occurs first.

14. **Notices.** Any and all notices or other matters required or permitted by this Agreement or by law to be served on, given to, or delivered to either party by the other party to this Agreement shall be in writing and shall be deemed duly served, given, or delivered when personally delivered to the party to whom it is directed or to a supervisory employee of that party, or, in lieu of personal service, when deposited in the United States mail, first-class postage prepaid, addressed to City at 291 N Main St, Porterville CA 93257 (Attn: John Lollis, City Manager), or to Water Company at 1301 Poplar St, Arroyo Grande, CA 93420 (Attn: Beverly Grand Mutual Water Company Secretary). Either party may change its address for purposes of this Paragraph by giving written notice of this change to the other party in the manner prescribed by this Paragraph.

15. **Sole and Only Agreement.** This instrument constitutes the sole and only agreement of the parties, City and Water Company, relating to water system consolidation and correctly sets forth the rights, duties, and obligations of each to the other as of its date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect.

16. **Binding on Heirs and Successors.** This Contract shall inure to the benefit of and be binding on the heirs, executors, administrators, successors, and assigns of each party to this Agreement.

17. **Subject to Valid Laws.** This Agreement is subject at all times to any and all valid laws, ordinances, and governmental regulations whether federal, state, county, or city, and any modification made to this Agreement by any such law or ordinance or regulation or to the conduct of the parties under

this Agreement shall not impose liability on either party for breach of their duties under this Agreement.

PASSED, APPROVED and ADOPTED this 1st day of October, 2019.

EXECUTED on _____, 2019

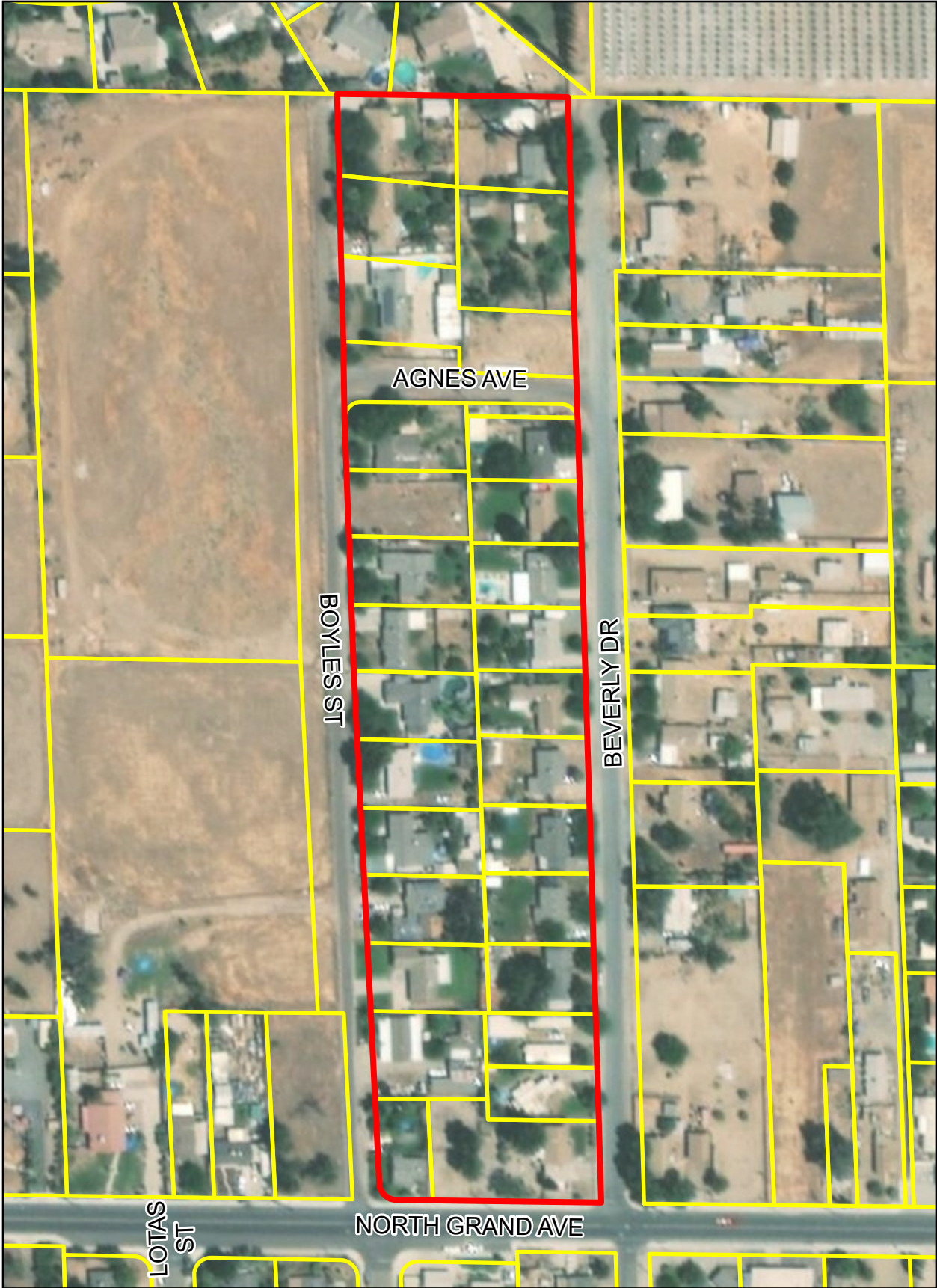
City of Porterville:

By: _____
Mayor of Porterville

WATER COMPANY:

By: _____
President, Beverly Grand Mutual Water Company

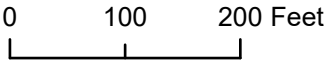
Beverly Grand Mutual Water Company



 Proposed Service Area

 Parcels

 CityLimits





CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Authorization to Request for Qualifications for Prop 68 Recreation Center Design Services

SOURCE: Parks and Leisure Services

COMMENT: The City of Porterville is requesting authorization to issue a Request for Qualifications (RFQ) seeking qualified architectural and engineering firms for the purpose of developing plans and specifications for the design of the City's new recreation center. The City submitted a State of California Department of Parks and Recreation Statewide Park Development and Community Revitalization Program of 2018 grant application. If awarded, the City's project would be to construct a recreation center and other amenities along the Rails to Trails just south of Henderson Avenue.

The RFQ would be contingent upon the City receiving the grant award. The grant possesses an extremely tight timeline in which awards are announced in January 2020 and the opening of the facility must take place by March 2022. The estimated total project cost is \$10,000,000, of which the City applied for the maximum grant award request of \$8,500,000. The City would be required to provide the remaining 15% of the project cost. A recreation center was the recreation feature that the community felt was most needed from the public outreach that was conducted prior to the grant submittal.

RECOMMENDATION: That the City Council approve the draft Request for Qualifications for Prop 68 Recreation Center Design Services and authorize staff to distribute the RFQ.

ATTACHMENTS:

1. SOQ Rec Center
2. Location Map Prop 68 Grant

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

October 1, 2019

Subject: Statement of Qualifications for Recreation Center Design

The City of Porterville seeks "Statements of Qualification" (SOQ) from qualified architectural and engineering firms for the purpose of developing plans and specifications for the design of the City's Recreation Center. A locator map identifying the proposed location of the Recreation Center is attached as Exhibit 'C' for the consultant's use. The project will be funded by "Prop 68" funds should the City of Porterville be awarded the grant, therefore, this project will be contingent on the grant award.

The City has developed a project program (available upon request) outlining the project specifics, and has design/construction budget of \$10 million. The City would like to design and construct a 34,400 square foot facility utilizing sustainable construction materials and methods. The City wishes to receive full construction documents within 6 months of contractual agreement.

The City seeks a professional design firm that has specific experience in design and construction administration of similar facilities and who will act as the City's representative on the project. The "design team" should be comprised of professionals with the requisite design expertise to prepare complete "construction ready" plans, specifications, legal descriptions, plats, shop drawing review and construction assistance. The "design team" should include the proper mix of professionals (architectural, engineering, interior designer, acoustical, landscape architectural and cost estimation) to ensure the successful preparation of these documents.

Maintaining strict adherence to the budget and schedule are priorities for the City and therefore, the selected firm will be contractually responsible for designing to a fixed construction budget and schedule. All interested firms should submit 5 copies of their SOQ to the City, no later than 5:00 p.m., November 15, 2019 to the address and contact person noted below. Statements shall not exceed 20 sheets, including cover letter and table of contents. Resumes on the firm's principals will not be counted towards the 20 sheet limitation. Further, a two sided page is considered one sheet.

Mail to:

*City of Porterville Parks and Leisure Services Department
Recreation Center – Statement of Qualifications
291 North Main Street
Porterville, CA 93257
Attn: Donnie Moore, Director*

The consultant's SOQ should be formatted as described in Exhibit 'A' - "Proposal Content Requirements and Insurance Requirements," should address items 'a' through 'p' as shown in the City's Consultant Selection Rating Form" attached as Exhibit 'B.' It is the City's intent to invite the top four rated firms to participate in oral interviews at a future date to be determined by the Parks and Leisure Services Director. Please call this office if you have any questions regarding this invitation.

Sincerely,

Donnie Moore
*Parks and Leisure Services Director
City of Porterville*

REQUEST FOR QUALIFICATIONS

Consulting Services Agreement

Recreation Center

Architectural Design and Engineering Services

Issue Date: October 4, 2019

Due Date: November 15, 2019

Subject: **REQUEST FOR QUALIFICATIONS (RFQ) – Recreation Center:
ARCHITECTURAL/ENGINEERING SERVICES**

The City of Porterville is seeking qualified Architectural/Engineering firms to provide consultant services for the purpose of developing complete plans & specifications for the City's new Recreation Center. Interested firms are asked to submit Statements of Qualifications that clearly demonstrate the firm's ability to perform all tasks described in the "Scope of Services" included herein.

This document identifies the general project scope and procedures for Consultant involvement in his process. Responding Consultants must have relevant experience and the ability to provide the requisite professional services.

PROJECT

The City desires to enter into a **Consulting Services Agreement (CSA)**. This will serve as the instrument authorizing consulting professional services to commence. Services performed under CSA are identified below under "Scope of Services". The "Scope of Services" does not list all of the professional services that may be required under this contract. A detailed project program prepared by the Parks and Leisure Services department is available upon request.

CONSULTANT SELECTION

For the purposes of this solicitation, the Screening Panel shall determine the top four (4) ranked candidates to be interviewed. The highest rated consultant at the conducted interview will be invited to participate in a "face to face" meeting with City staff to discuss the project in greater detail.

Based on the "face to face" meeting, the consultant will summarize in writing his understanding of the project requirements and prepare a thorough Scope of Services. Said "scope" shall be submitted to the City for City concurrence within 15 working days from the date of the "face to face" meeting. The City reserves the right to negotiate with the 2nd rated firm and the 3rd rated firm if the City is unable to successfully negotiate a service agreement with the highest rated consulting firm.

SCREENING PANEL SELECTION CRITERIA

The information requested within this RFQ will be scored by the Screening Panel Board. The four (4) highest ranked firms selected by the Screening Panel Board may be interviewed by the Interview Board. The Screening Panel Board evaluation will consist of a matrix totaling 100 points.

- a. Capability to perform all or most aspects of the project – 10 pts.**
- b. Recent experience in projects comparable to the proposed project – 10 pts.**
- c. Recent experience in "green" projects or LEED classification – 5 pts.**
- d. Key personnel's professional background and caliber – 7 pts.**
- e. Adequate qualified personnel available for assignment to the project – 5 pts.**
- f. Recent experience in specialized areas associated with the project – 8 pts.**
- g. Demonstrated ability to meet schedules or dead lines – 6 pts.**
- h. Demonstrated ability to complete projects within budget – 7 pts.**
- i. Qualifications & experience of sub-consultants used by consultant – 10 pts.**
- j. Quality of previously undertaken projects – 10 pts.**
- k. Familiarity with and proximity to the project location – 5 pts.**
- l. Capability of branch office to perform independent of the home office, or conversely, capability to obtain support from the home office – 5 pts.**
- m. Demonstration and understanding of the project's special concerns – 5 pts.**
- n. Degree of interest shown in undertaking the project – 2 pts.**
- o. Evidence that consultant is an equal opportunity employer – 2 pts.**
- p. Proximity of firm's head quarters to the project – 3 pts.**

RFQ SCHEDULE

The schedule for the release of the RFQ, the receipt of qualifications consistent with the requirements of this RFQ from firms, the interviews of proposing consultants and the proposed start date are defined below:

Release of RFQ:	October 4, 2019
Proposals Due:	November 15, 2019
Interview of Firms/Selection:	December 5, 2019
City Council Authorization to negotiate:	December 17, 2019
City Council Award of Contract:	January 21, 2020

Architect/Engineer's Fee

A-E fees are not expected as part of the SOQ. The top rated consultant shall provide his firm's fee after the final "scope of services" has been drafted and approved by the City. Based on the assumption of expected design services, the City of Porterville has budgeted \$1,500,000 in anticipated consultant fees. The City recognizes that the attached "Scope of Services" is not 100% complete. However, the City states clearly herein that the services required of the Consultant are for the purpose of developing complete "shovel ready" plans & specifications. The scope of services describes the various general categories of work that the City believes are necessary to develop the plans & specs as described herein. Based on the Consultant's review of the scope of services described herein, the consultant shall comment within the SOQ on the adequacy of the \$1,500,000 budgeted amount.

TYPICAL CONSULTANT SCOPE OF SERVICES

Phase 1: Meet with City staff to ascertain the full scope of design work and determine the level and amount of information and drawings available to the consultant to assist in the preparation of the formal "scope of services". Said scope shall be prepared and transmitted to the City for review and concurrence. The consultant shall include his or her "fee" for all work described in the scope of services and if acceptable to the City, the scope of services and associated fee shall form the basis for the Consulting Services agreement. Services to consider in developing the consultant's fee include but are not limited to:

1. Environmental assessment leading to the development of signature ready CEQA documents. The services performed must include all necessary studies, analysis and field work to satisfy state and local requirements.
2. Boundary and topography survey to establish property corners and design Grades. Prepare legal descriptions and plat maps.
3. Complete plans & specifications for foundation, plumbing, mechanical, building structure, roof, landscape & irrigation and external concrete/asphalt improvements. Plans shall reflect latest "Green" technology and shall be certified of same.

Phase 2: Perform design services which include, but are not limited to:

A. Field surveys necessary for the establishment of property corners including all descriptions and recording of said property corner establishment. Topography survey as needed to properly establish building foundation and floor elevations cognizant of the surrounding topography. Said topography survey shall be provided in such detail that the information will be used to establish landscape, hardscape and irrigation systems.

B. Perform services required to prepare plans, specifications, contract documents, special provisions and special details needed for a complete and thorough project.

C. Prepare an Engineer's Estimate of Probable Cost Report.

- D. All technical and advisory services such as but not limited to attendance at the Pre-Bid meeting, respond in writing to contractor questions, attend the bid opening and assist in the review of bid proposals. and awarding the construction contracts as required.
- E. Attend and chair the preconstruction conferences for the project.
- F. Review shop drawings and respond in writing on the acceptability of shop drawing submittals.

Phase 3: The third phase of the agreement relates to construction engineering and contract administration. If the City elects to engage the services of the consultant for this phase of work, the following is a fairly accurate representation of expected tasks:

- A. All field staking necessary for the construction of the improvements. Such staking shall be in accordance with common industry practice or as directed by the Public Works Director.
- B. Inspect all work and notify the City of any failure by the Contractor to comply with the plans and specifications.
- C. Administer the construction contract and general review of the progress of the work.
- D. Review and recommend to the City relative to approval of periodic requests for payments to the Contractor.
- E. Prepare any change orders for the Public Works Director's signature should they be required.
- F. Attend the final inspection.
- G. Prepare the Final Engineer's Report.
- H. Prepare the "Drawings of Record" and furnish the City with one set of reproducible drawings for the project

ATTACHMENTS

Exhibit 'A' – Proposal Content Requirements

Exhibit 'B' – General Scope of Work

Exhibit 'C' – Project Location Map

Exhibit 'A'

PROPOSAL CONTENT REQUIREMENTS

IN ORDER TO BE CONSIDERED COMPLETE, EACH PROPOSAL MUST INCLUDE, AT A MINIMUM, THE FOLLOWING:

- A. TRANSMITTAL LETTER
- B. PROJECT UNDERSTANDING/QUALIFICATION STATEMENT
- C. PROJECT TEAM TABLE OF ORGANIZATION
- D. PROJECT SCHEDULE
- E. EXPERIENCE OF ASSIGNED PERSONNEL

F. FIRM'S RELATED EXPERIENCE AND REFERENCES

G. EFFORTS TO ASSURE EQUAL EMPLOYMENT OPPORTUNITY

CONSULTANT SELECTION PROCESS

The top four rated consulting firms will be invited to participate in oral interviews. The oral interviews will determine the top rated firm. The Public Works Director or City Engineer shall make a recommendation to the City Council to award a contract to the top rated firm. The City Council, at its sole discretion, may choose to accept staff's recommendation or, may choose to award a contract to another consulting firm or, may choose not to award a contract at this time. The Contract will be a written Service Agreement between the Consultant and the City, setting forth the scope of work, responsibilities, deliverables, schedule, ownership of work, insurance requirements, compensation, method of payment, and other points. A sample Service Agreement is attached. Please indicate, on the cover letter, the firm's ability to comply with the Service Agreement provisions, including insurance coverage.

Exhibit 'B'

CITY OF PORTERVILLE

Recreation Center

City of Porterville Project No.

GENERAL SCOPE OF WORK

The City of Porterville seeks architectural, engineering, CEQA documentation, right of way description/legal plats, final design construction plans and specifications for the City's proposed Recreation Center. The successful consultant shall prepare an "in depth" scope of work and fee

schedule after meeting with City staff to discuss the City's vision and requirements for the Recreation Center. The meeting with staff will allow the consultant to determine the amount of data available to the consultant and allow staff to comment on those items of work that must be incorporated into the plans and specifications for a complete project.

After the initial meeting, the consultant shall complete and present his "scope of services" expressing the consultant's understanding of the City's requirements within 15 working days of the "scoping" session. The City will review the consultant's scope of work, red-line, modify and/or change as necessary and return for the consultant's action. The consultant shall return the corrected/modified "scope of work" to the City within 10 working days along with the consultant's fee.

As noted above, the consultant shall prepare a complete scope of services for construction ready plans & specifications for the Recreation Center. It is the City's opinion that a complete scope of services must include, as a minimum, the 10 tasks listed below. These tasks are a guide should be included in the consultant's "scope of services" either as a separate task or incorporated as a sub-task.

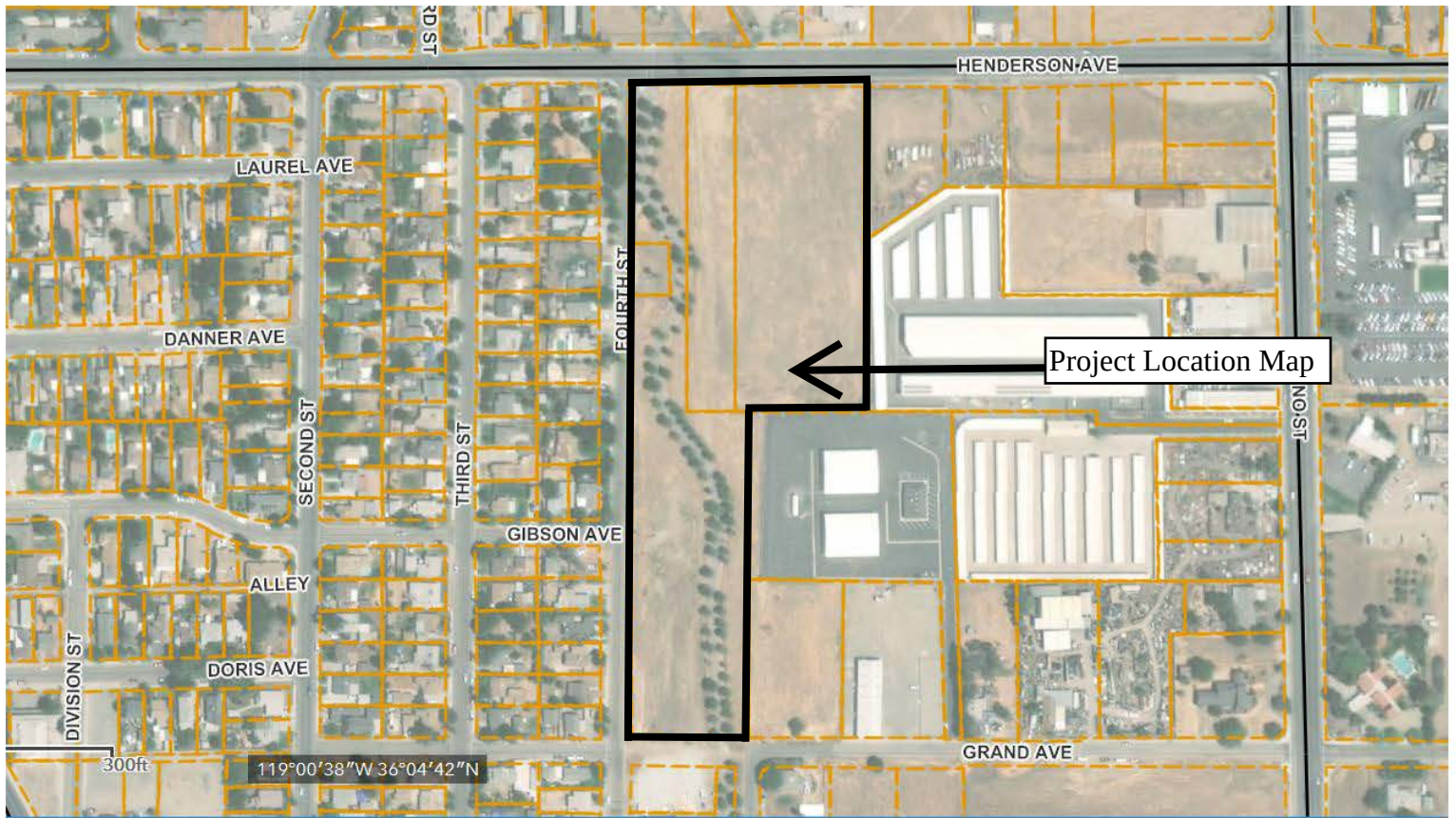
With regard to the task identified as "Environmental Clearance Documents," the consultant is advised herein that this task must include all necessary environmental documentation completed in accordance with Caltrans guidelines to obtain NEPA and CEQA clearances and the securing of all necessary permits such as, but not limited to, Corps of Engineers, Reclamation, US Fish & Game and Stream Alteration permits.

TASKS:

1. Field Review
2. Topography Survey and Mapping of existing site
3. Agency & Utility Company Coordination
4. Recreation Center Preliminary Plans, & Street Profile
5. Preliminary Construction Estimates
6. Geotechnical Investigation
7. Traffic Control Plan
8. Title 24 Compliance Testing and applicable forms
9. Complete Construction Plans and Specifications
10. Construction Bid Assistance

In closing, the consultant shall submit to the City for review and approval, a detailed 24" x 36" "Gantt" chart identifying each task, milestone and targeted dates for the completion of each task. The Gantt chart must be submitted to the City prior to the first progress payment request. At each payment request, the consultant shall also provide a ½ page summary describing work performed to date that coincides with the payment request.

End of General Scope of Work



City of Porterville-Prop.68



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Annual Library Food For Fines Campaign

SOURCE: Parks and Leisure Services

COMMENT: The Library and Literacy Commission and staff propose to conduct the Annual Food for Fines Campaign from October 7 through December 31, 2019. The library benefits from this program by recovering lost library materials and from the clearing of fines on patron accounts.

During the implementation of this campaign last year the library collected 2,256 non-perishable food items and waived \$1,078.50 in fines. Staff will once again coordinate with the local Kiwanis Club who distribute food through their family food basket program.

Program Outline:

1. For every can of food submitted during the drive, \$1 of overdue fees will be waived, up to \$10 per account.
2. The cans of food and other non-perishable must not be damaged or expired.
3. Staff will track transactions by how many food items were collected and the total fines waived.

RECOMMENDATION: That the City Council authorize the Annual Food for Fines Campaign to run October 7 through December 31, 2019.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Amendment to Employee Pay & Benefit Plan - Porterville City Firefighters Association

SOURCE: Administrative Services

COMMENT: Within the scope of the Meyers-Milius-Brown Act, City representatives have concluded labor negotiations with the Porterville City Firefighters Association (PCFA). City representatives and PCFA 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 approve the draft Resolution amending the Employee Pay and Benefit Plan pertaining to the Porterville City Firefighters Association employees.

ATTACHMENTS: 1. PCFA Resolution

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
PERTAINING TO PORTERVILLE CITY FIREFIGHTERS ASSOCIATION 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 Porterville City Firefighters Association ("PCFA") for the period from July 1, 2019, through June 30, 2021, 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
July 1, 2019 through June 30, 2021

II. SALARY
Two percent (2%) salary increase effective upon ratification and adoption by the City Council.

Off schedule payment equivalent to two percent (2%) of the employees' annual base salary effective July 1, 2020.

III. LEAD INVESTIGATOR INCENTIVE
Effective the first full pay period following both ratification and adoption of this agreement all lead investigators will receive a two percent (2%) incentive based on the employee's annual base salary.

IV. UNIFORM ALLOWANCE
Uniform allowance to be increased from \$1,000.00 to \$1,100.00 annually.

V. DEFERRED COMP

The City will provide a deferred compensation match for tier two and three unit members only, up to a maximum match by the City of \$600.00 per year, effective upon both ratification and adoption by the City Council.

VI. DEPARTMENT TRAINING ALLOWANCE

Effective July 1, 2019, or following the adoption by the City Council (whichever is later), the training allowance for PCFA employees shall be \$800.00 per year for fire-related training approved by the Department Head. (No training expenses will be paid for classes taken to attain an A.A. or A.S. degree to be eligible for educational incentive compensation).

VII. ANNUAL PHYSICALS

Employees are eligible for reimbursement of up to \$250.00 dollars of the coinsurance cost of an annual physical. The following criteria must be met in order to be eligible for reimbursement:

- Only one physical will be covered by reimbursement within a fiscal year.
- Each physical must be six months or greater from the prior year's physical.
- At a minimum, the physical must meet the same standards as a pre-employment physical required by the City of Porterville Fire Department.
- The physical must be conducted by an in-network physician.
- Any and all additional expenses related to the annual physical will not be covered by the employer (i.e. travel, lodging, etc.).

Effective upon both ratification and adoption by the City Council.

VIII. VACATION SCHEDULING

Each October, all personnel shall have the opportunity to select vacations for the next calendar year. Selections will be made one at a time, up to four per person, in order of seniority with the Department, on a per shift basis, regardless of rank. Not more than two shift members can select to be out on vacation during the same time with these four vacation selections. A vacation selection can be any length of concurrent shifts or hours. If shift members are not present on duty to make selections when it is their turn, shift command will attempt to call them to ask what dates they would like to reserve. If they do not respond within 8 hours, shift command will mark "pass" and continue the vacation calendar to the next senior member. All selections will be presented to the Chief not later than December 15th for review and approval.

Subsequent, supplemental vacation requests may be made throughout the year. Subsequent, supplemental vacation requests will not be approved if they would cause a functional position shift deficiency or otherwise cause a need for overtime. An exception for subsequent, supplemental vacation for one member shall be granted when the shift is at minimum draw down and no personnel are on vacation. At least one shift member may take vacation so long as functional positions or the shift deficiency can be filled with overtime. Such requests shall be submitted not more than 30 days, and not less than 48

hours, prior to the date of requested vacation. Emergency vacations may be granted on a case-by-case basis, with approval of the Chief or his designee.

IX. 2021/2022 NEGOTIATIONS

Labor Negotiations for the 2021/2022 fiscal year shall begin no later than March 1, 2021.

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 PCFA.

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 1st day of October, 2019.

Martha A. Flores, Mayor

ATTEST:

John Lollis, City Clerk

By:

Fernando Gabriel-Moraga
Deputy City Clerk



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Set a Public Hearing for the Adoption of the California Building Codes

SOURCE: Public Works

COMMENT: The various building codes in use by most jurisdictions in California are updated periodically to reflect the latest materials and construction techniques available to the construction industry.

The last published building codes, specifically the California Building Codes, were updated in 2016. The State of California has since adopted the 2019 International Codes as the State Codes for Building, Plumbing, Mechanical, Electrical, and Energy.

In addition to these Codes, the State of California has also mandated the adoption of the 2019 Green Building Standards Code, the 2019 Fire Code, the 2019 Residential Code, the 2019 Administrative Code, and the 2019 Reference Standards Code. The 2019 Codes become State mandated as of January 1, 2020. The adoption process of the 2019 Fire Code will be handled separately by the Fire Department.

Each California Code will be adopted by Ordinance, and shall repeal the State Code previously in effect.

RECOMMENDATION: That the City Council set the Public Hearing for October 15, 2019, to receive input and give first reading to draft Ordinances for the adoption of the 2019 Editions of the California Building, Plumbing, Mechanical, Electrical, Green Building Standards, Residential, Administrative, Reference Standards, and Energy Codes.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Authorization to Conduct Work Zone Safety Training

SOURCE: Public Works

COMMENT: International Municipal Signal Association (IMSA) - Far Western Section conducts classroom style training and workshops to individuals seeking certification who are involved in various public safety activities. Moderated programs are held at various locations throughout the year and upon request, IMSA also presents at preferred locations.

It is beneficial for City employees to have current certification in Work Zone Safety. Due to economical savings and minimizing staff shortages throughout the work week, staff recommends that IMSA be authorized to conduct Work Zone Safety training in Porterville. Staff estimates training costs to be approximately \$8,338.53, which includes registration and literature. Funding is available in the Water Operating Budget.

RECOMMENDATION: That City Council authorize International Municipal Signal Association (IMSA) to conduct Work Zone Safety Training in the City of Porterville for education of City Staff.

ATTACHMENTS:

1. IMSA Work Zone Safety Training Registration
2. IMSA Work Zone Safety Training Manuals

Appropriated/Funded:

Review By:

Department Director:

Michael Knight, Deputy Public Works Director/Field Services Manager

Final Approver: John Lollis, City Manager



INVOICE 0000111

Date of Issue: Sep 20, 2019
Due Date: Oct 20, 2019

IMSAFWS Certification, P.O. BOX
401666 Hesperia, Ca. 92345

Email: terry.gentry.ca@gmail.com
Phone: 760-488-1356

To: City of Porterville/ Field Services
Division

555 N Prospect St,
Porterville, CA 93257, United States

Email: rjose@ci.porterville.ca.us
Phone: (559) 782-7590

Product or Service	Price	Qty	Line Total
Work Zone Safety Tech Certification Class/Porterville, Ca. November 20-21, 2019 or December 4-5, 2019/Minimum cost for 13 people.	\$5,005.00	1	\$5,005.00
Work Zone Safety Tech Certification Class/Porterville, Ca. November 20-21, 2019 or December 4-5, 2019/additional people	\$350.00	3	\$1,050.00
Subtotal:			\$6,055.00
Invoice Total:			\$6,055.00
Amount Paid:			\$0.00
Balance:			\$6,055.00

Notes:

Make check Payable to: IMSA Certification, P.O. BOX 401666 Hesperia, Ca. 92345
Contact Person: Rowena Jose (559) 782-7590

Legal Terms:



Your Partner in PUBLIC SAFETY

International Municipal Signal Association

597 Haverty Court, Suite 100, Rockledge, FL 32955

Phone: 321-392-0500 • Toll Free: 800-723-IMSA(4672) • Fax: 321-806-1400

Email: orders@IMSAsafety.org • Website: www.IMSAsafety.org

20 September 2019

City of Porterville
Attn: Rowena Jose
555 N. Prospect
Porterville, CA 93257
(559) 782-7590 or rjose@ci.porterville.ca.us

Dear Rowena,
You recently requested pricing information from our company. Below is our quote:

Description of item	Qty.	Price per unit	Price
Work Zone Temp. Traffic Control manual	15	\$145	\$2,175.00
Shipping & Handling (FedEx – Ground)	1	\$108.53	\$ 108.53
Totals= 15 manuals, 2 boxes / ~70lbs			Total \$2,283.53

Please help efficiency and inform us if you will be sending a PO or check. If you will be providing a Purchase Order, please be sure to include both a billing and shipping address. When sending a check, please insure it is made payable to 'IMSA' and mailed to the address below. We cannot ship material without an official signed copy of the PO. For quicker order completion and shipment, feel free to call with Purchase or Credit Card information.

Please note: Non-Government/Municipality Agencies or Companies: Whether paying by check or credit card, manuals cannot be shipped until payment is received.

Mail any paperwork or payment to:

597 Haverty Court, Suite 100
Rockledge, FL 32955

Thank you,

Travis K. Furst
Print Production and Fulfillment Specialist
(321)392-0500 Ext. 4
orders@IMSAsafety.org



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Request for Proclamation - National Friends of The Library Week - October 15-21, 2019

SOURCE: Administrative Services

COMMENT: At its meeting of October 1, 2013, the Council amended the process by which Proclamations are approved, and affirmed the process at its meeting on February 21, 2017. The process requires that all Proclamations must be sponsored by one Council Member, after which the request is then placed on the Council's agenda for consideration and approval by a majority of the Council.

The Porterville City Library has requested that the Council consider approval of a Proclamation to proclaim October 15 - 21, 2019, as "National Friends of The Library Week" in Porterville. Council Member Gurrola is sponsoring this Proclamation request. If approved, the Proclamation will be presented at the October 15, 2019, City Council meeting.

RECOMMENDATION: That the City Council consider approval of the request to proclaim October 15-21, 2019, as "National Friends of The Library Week" in the city of Porterville.

ATTACHMENTS: 1. Proclamation Request -National Friends of the Library Week

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Deputy City Manager

Final Approver: John Lollis, City Manager



City of Porterville
REQUEST FOR PROCLAMATION

Date of Request: 9/17/19
 Name of Event/Individual: National Friends of the Library week
i.e. "Porterville Tourism Week", "Mr. John Doe"
 Name of Sponsoring Organization: Porterville City Library
 Name of Contact Person: Vikki Cervantes
 Address: 41 West Thurman Ave
 Phone: Ext 7495 FAX: _____
 E-mail: _____

I would like the proclamation: ☒ presented at a Council Mtg. ☐ mailed ☐ call for pick-up

Date(s) of Event: Oct 15 - 31

Date of Council Meeting to be presented, if applicable: Oct. 15
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

The Friends of the Library Board members

Please attach a sample of your proclamation, or the pertinent information needed to formulate your proclamation. If assistance is needed, or if you need a sample provided, or to return this form, contact:

Office of City Clerk
 291 North Main Street
 Porterville, CA 93257
 (559) 782-7464 / Fax (559) 782-7452

All requests require a sponsorship by a member of the Council prior to being placed on a City Council Agenda for consideration, and are subject to approval by a majority of the Council. Please see the attached language regarding the process and timelines for submittal.

City Clerk's Section

Request Received: 9-17-19 Sponsored by: _____ Date: _____

Approved by Council: yes ☐ no ☐ Date: _____

Notification to Contact person done (date): _____ in writing ☐ by phone ☐

Items (s) ☐ mailed _____ ☐ faxed _____ ☐ picked up _____

Comment: _____

Excerpt from the CITY COUNCIL PROCEDURAL HANDBOOK

F. Proclamation Approval Process

All Proclamations must be submitted at least 72 hours before noon on the Thursday before the next City Council Meeting to be considered for approval by the City Council. All received proclamations are to be scanned and emailed to all Council Members within one business day of being received. Each Council Member will have until noon on the Thursday before the next Council Meeting to contact the City Manager's Office to sponsor submitted proclamations. Proclamations receiving one sponsor will be placed on the next Council agenda as a Consent Calendar item. Those not receiving a sponsor will be disregarded. If multiple sponsors are received, the first Council Member to respond will be deemed the proclamation's sponsor. (*M.O. 13-100113, October 1, 2013.*)

National Friends of Libraries Week

Whereas, Friends of the Porterville City Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that I, Martha A. Flores, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim October 15-21, 2019, as Friends of Libraries week in the City of Porterville and urges everyone to become a member of the Friends of the Library and thank them for all they do to make our library and community so much better.



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Request for Proclamation - Zonta International's Centennial Anniversary Recognition Week - October 20-26, 2019

SOURCE: Administrative Services

COMMENT: At its meeting of October 1, 2013, the Council amended the process by which Proclamations are approved, and affirmed the process at its meeting on February 21, 2017. The process requires that all Proclamations must be sponsored by one Council Member, after which the request is then placed on the Council's agenda for consideration and approval by a majority of the Council.

The Zonta Club of Porterville has requested that the Council consider approval of a Proclamation to proclaim October 20 - 26, 2019, as "Zonta International's Centennial Anniversary Recognition Week" in Porterville. Council Member Gurrola is sponsoring this Proclamation request. If approved, the Proclamation will be presented at the October 15, 2019, City Council meeting.

RECOMMENDATION: That the City Council consider approval of the request to proclaim October 20-26, 2019, as "Zonta International's Centennial Anniversary Recognition Week" in the City of Porterville.

ATTACHMENTS: 1. Proclamation Request - Zonta International's Centennial Anniversary

Appropriated/Funded: N/A

Review By:

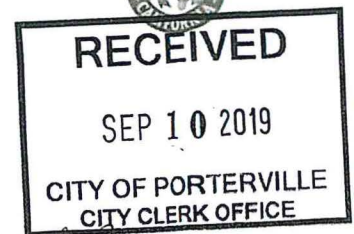
Department Director:

Patrice Hildreth, Deputy City Manager

Final Approver: John Lollis, City Manager



City of Porterville
REQUEST FOR PROCLAMATION



Date of Request: Sept. 9, 2019

Name of Event/Individual: Zonta International's Centennial Anniversary
i.e. "Porterville Tourism Week", "Mr. John Doe" Recognition Week

Name of Sponsoring Organization: Zonta Club of Porterville

Name of Contact Person: Denise Marchant

Address: [REDACTED]

Phone: [REDACTED] FAX: -

E-mail: denylou55@hotmail.com

I would like the proclamation: ☒ presented at a Council Mtg. ☐ mailed ☐ call for pick-up

Date(s) of Event: Oct. 26, 2019 (Centennial luncheon)

Date of Council Meeting to be presented, if applicable: Oct. 15, 2019
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

Lynn Trice - President Zonta Club of Porterville

Please attach a sample of your proclamation, or the pertinent information needed to formulate your proclamation. If assistance is needed, or if you need a sample provided, or to return this form, contact:

Office of City Clerk
291 North Main Street
Porterville, CA 93257
(559) 782-7464 / Fax (559) 782-7452

All requests require a sponsorship by a member of the Council prior to being placed on a City Council Agenda for consideration, and are subject to approval by a majority of the Council. Please see the attached language regarding the process and timelines for submittal.

City Clerk's Section

Request Received: 9-10-19 Sponsored by: _____ Date: _____

Approved by Council: yes ☐ no ☐ Date: _____

Notification to Contact person done (date): _____ in writing ☐ by phone ☐

Items (s) ☐ mailed _____ ☐ faxed _____ ☐ picked up _____

Comment: _____

Zonta International Centennial Anniversary

P R O C L A M A T I O N

Whereas, Zonta International is a worldwide organization that has empowered women and girls through service and advocacy for 100 years; and

Whereas Zonta International was founded in 1919 in Buffalo, New York, by a group of forward-thinking women who were not satisfied with the predominantly social nature of many women's organizations; and

Whereas, Zonta's founders envisioned a women's service organization that would advocate for laws and policies that ensure gender equality and help every woman and girl realize her full potential; and

Whereas, Zonta International is a non-governmental organization which has attained prestigious general consultative status with the Economic and Social Council of the United Nations; and

Whereas, Zonta International promotes and strives to protect the human rights of all women and girls and reduce the incidences of violence against them; and

Whereas, since 1923, Zonta has provided more than \$40.9 million to empower women and expand their access to education, health care, economic opportunities and safe living conditions and Zonta's nearly 1,200 clubs support local and regional initiatives in 63 countries worldwide;

Whereas, Established in 1948, the Zonta Club of Porterville has worked diligently over the past 70 years to promote the Zonta Ideals of Service, both locally and worldwide. Most notably, local projects include over 30 years of support for the Central California Family Crisis Center, 55 years of sponsoring Z Clubs at the high schools, and long term support of educational efforts through assistance to AVID and STEM programs, and scholarships at both the high school and college level. Members of the Zonta Club of Porterville have given thousands of dollars and immeasurable hours of service to this community.

NOW THEREFORE, I, Martha Flores, Mayor of the City of Porterville do hereby proclaim the week of October 20 – 26, 2019 as Zonta International's Centennial Anniversary Recognition Week in Porterville, California.



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Approval for Community Civic Event - Central California Family Crisis Center
- 21st Annual Domestic Violence Candlelight Vigil - October 17, 2019

SOURCE: Finance

COMMENT: The Central California Family Crisis Center is requesting approval to hold their 21st Annual Domestic Violence Candlelight Vigil at Centennial Park on Thursday, October 17, 2019, 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, Deputy City Manager

10/1/19

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: 9/13/2019 Event date: Oct. 17th, 2019
Event time: 4:00pm to 8:00pm
Name of Event: 21st Annual Domestic Violence Candlelight Vigil
Sponsoring organization: Central California Family Crisis Center Phone # 559-781-7468 ext. 206
Address: 211 N. Main St. Porterville Ca 93257
Authorized representative: Bandi Kestner Phone # 559-781-7468 ext. 206
Address: P.O. Box 2033 Porterville Ca 93258
Event chairperson: Bandi Kestner Phone # 781-7468 ext. 206
email = rkestner@cc-familycrisis.org
Location of event Centennial Park on Main St.

(Location map must be attached)

Type of event: Domestic Violence Awareness Vigil

Non-profit organization status: Fed ID # 94-2632969
(IRS Determination) BUS LIC # 4815

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

Barricades (quantity): _____ Street sweeping Yes _____ No XPolice protection Yes _____ No X Refuse pickup Yes _____ No XOther: Electricity for Sound System • Public restrooms unlockedParks facility application required: Yes ✓ No _____ Attached pdAssembly 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)

PR 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.

PR 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.

PR 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.

PR 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.

PR 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.

Family Crisis Center	<i>Carroll</i>	9/13/2019
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Central California Family Crisis Center 21st Annual Domestic Violence
 Name of event: Family Crisis Center 21st Annual Domestic Violence
 Central California Candlelight Vigil
 Sponsoring organization: Family Crisis Center

Location: Centennial Park Main St. Event date: 10/17/19 Event time: 4:00pm-8:00pm

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

Vendor name	Address/Telephone	Business License required?	Type of Activity
Sierra View Medical Center	4165 W Putnam 784-1110		
Proteus	54 N Main St. 781-1852	NO	informational Booths
CASA	93 N Main St 625-4001	NO	
Parenting Network	770 N Main St. 793-2527	NO	
DA. office	87 E Morton Ave 782-9600	NO	
Police Department	350 N D St. Porterville 782-7400	NO	
Wellness Center	353 W. Henderson Ave. 256-1183	NO	
Porterville College	100 E College Ave 791-2200	NO	
GSET	1061 W. Henderson Ave 788-1441	NO	
United Way of TC	1601 E. Prosperity Tulare 685-1766	NO	
Ola Raza	180 N Main St Porterville 784-1121	NO	
Family Health Care Network	65 N. Hockett St. 781-7242	NO	
TC Suicide Prevention Task Force	5957 S. Mendenhall ^{Visalia} 624-7471	NO	
Boys & Girls Club	344 E Morton Ave 793-2511	NO	
Zonta Club	Zontacubofporterville.org 791-8836	NO	
Helping Hands	135 E. Olive Ave 788-0812	NO	
Kings View One Stop	409 N Main St. 687-0929	NO	✓

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

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

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: FCC 21st Annual Domestic Violence Candlelight Vigil

Sponsoring organization: Family Crisis Center

Event date: Oct. 17TH 2019 Hours: 4:00pm to 8:00pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

[illegible]

Requirements for Community Civic Event
Central California Family Crisis Center
21st Annual Candlelight Vigil for Domestic Violence
October 17, 2019

Finance Director:
M. Bemis

Engineering/Project Mgmt. Director:
J. Sanchez

Community Development Manager: No comments.
J. Phillips

Public Works Director: No comment.
M. Knight

Fire Marshal: No comment.
C. Dignam

Parks and Leisure Services Director: Vehicles to remain off the grass.
D. Moore

Police Lieutenant: Please see proposed recommendations
J. Maniss 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: Randi Kestner
Location: Centennial Park
Date of Event: October 17, 2019

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: 21st Annual Domestic Violence Candlelight Vigil

Date of Event: October 17, 2019 / 5:00 pm

Location of Event: Centennial Park

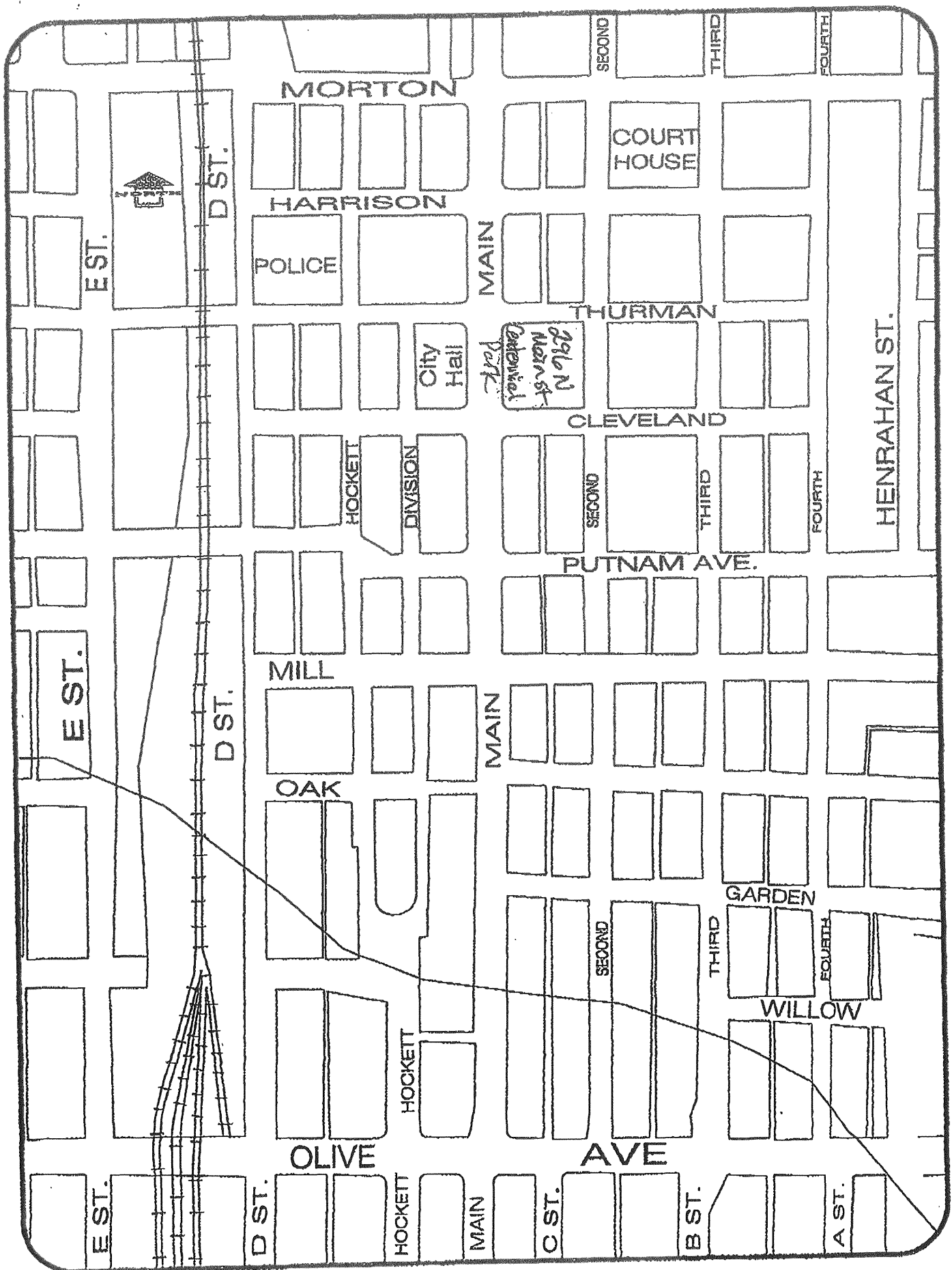
Recommendations/Requirements:

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.

Josh Maniss, 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:

Central California

Family Crisis Center

211 N. Main St. Porterville, Ca. 93257

2 Address where amplification equipment is to be used:

296 N. Main St. Porterville Ca 93257

3 Names and addresses of all persons who will use or operate the amplification equipment:

Randi Kestner,
Aracely Recendez, Aron Hernandez, Kimberly Rivera 211 N Main St.
Porterville Ca 93257

4 Type of event for which amplification equipment will be used:

music for the event,
microphone for speakers

5 Dates and hours of operation of amplification equipment:

5:00pm to 8:00pm

6 A general description of the sound amplifying equipment to be used:

small, amplified
sound system w/ cd player & 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 operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or 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.

[Signature]
Signature of Applicant

9/13/2019
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] # 6121
City of Porterville, Chief of Police/Designee

9/17/19
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/13/2019

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: Katie Sherbon, CISR Elite PHONE (A/C No., Ext.): 559-721-4714 FAX (A/C No.): 559-451-3415 E-MAIL ADDRESS: KSherbon@dllinsurance.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: Nonprofits' Insurance Alliance	
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED Central California Family
Crisis Center, Inc.
211 N Main St
Porterville, CA 93257

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	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC OTHER:	X	201900631	01/01/2019	01/01/2020	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 Emp Ben. \$ Included
A	☒ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS		201900631	01/01/2019	01/01/2020	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 ☐ DEP ☒ RETENTION \$ 10,000		201900631UMB	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$ PER STATUTE ☐ OTH-ER ☐
	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			E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liab		201900631	01/01/2019	01/01/2020	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, October 17, 2019 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**CANCELLATION**

THECITP The City of Porterville Successor Agency to the Porterville Redevelopment Agen 291 N. Main Street Porterville, CA 93257	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

POLICY NUMBER: 2019-00631

COMMERCIAL GENERAL LIABILITY

Named Insured: Central California Family Crisis Center, Inc.

CG 20 26 04 13

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:**

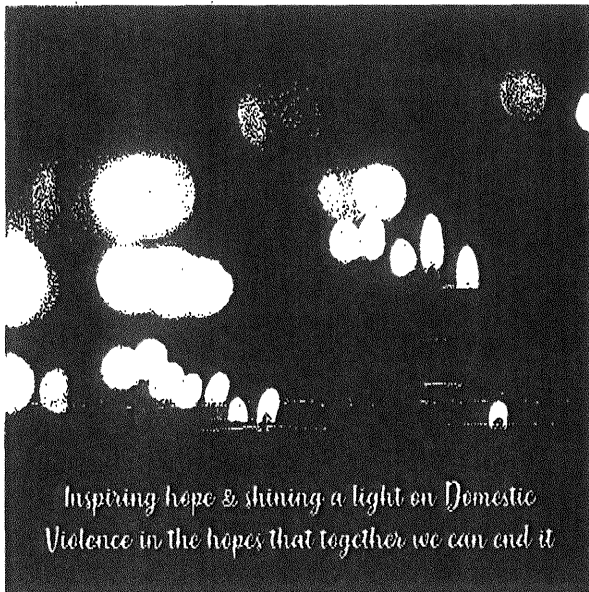
If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

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.

Inspiring Hope

TOGETHER WE STAND TO END DOMESTIC VIOLENCE



Inspiring hope & shining a light on Domestic Violence in the hopes that together we can end it

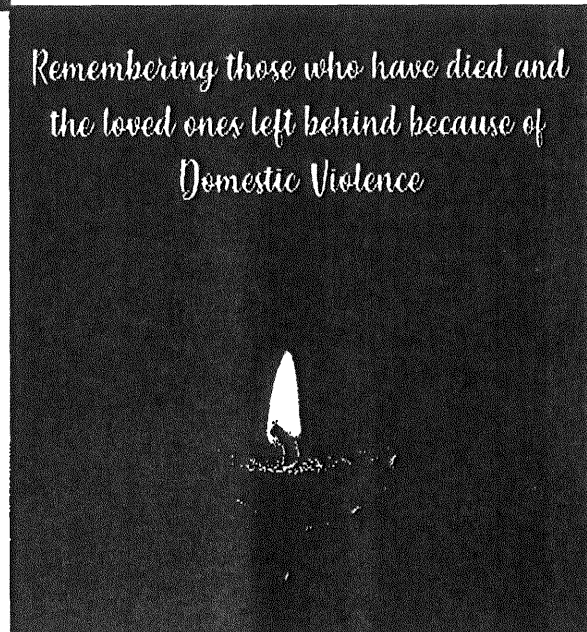
*Please join the
Family Crisis Center
for the 21st Annual
Domestic Violence
Candlelight Vigil.*

Date: October 17, 2019
Location: Centennial Park
296 N Main St.
(Across from City Hall)
Time: 6:00pm



Rebuilding Lives

*Remembering those who have died and
the loved ones left behind because of
Domestic Violence*



*For more information about this event email Randi Kestner at rkestner@ccfamilycrisis.org or
Aracely Arreola Recendez at aarecendez@ccfamilycrisis.org. With the subject line: Candlelight Vigil 2019.*



CITY COUNCIL AGENDA – OCTOBER 1, 2019

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 17, 2019, 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. The State has committed funding for non-profit agencies to continue drought-related activities, which Self-Help Enterprises has continued the household tank program locally, through State Cleanup and Abatement Account (CAA) emergency funds.

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 its 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. The authorization to advertise for bids for the water connection project was approved by the Council at its July 17th meeting, after which DWR reviewed the bid package for compliance and approved in December the package for advertisement. Council authorized award of the construction contract for approximately \$1.82 million at its meeting on January 15, 2019. City staff conducted a pre-construction public outreach meeting with the affected residents on the status of the project on Thursday, April 4, 2019. Council authorized the agreement with Self-Help Enterprises Inc. to provide the private residential connections at its meeting on July 2, 2019, and construction work began on the project. The installation of water mains has been completed, with Self-Help and CSET continuing to collaborate on the completion of the individual private connections.

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

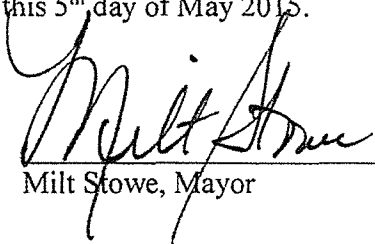
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

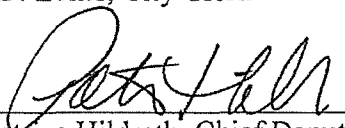
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance,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

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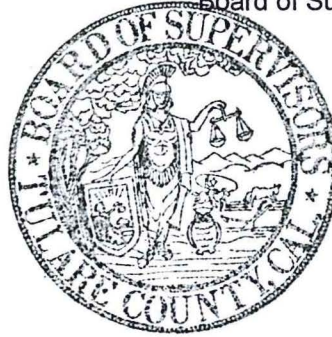
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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

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. G. Ennis for LMT
Deputy 20151902

CITY OF PORTERVILLE

BY Milt Stowe
Milt Stowe, Mayor

ATTEST:
City Clerk of the City of Porterville

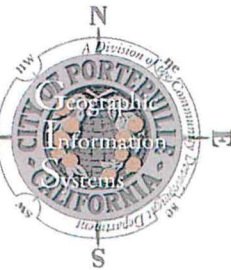
BY John Lollis
John Lollis, City Manager

Approved as to Form

BY John Lollis
City Attorney

EXHIBIT 'A'

East Porterville Project Boundary



Legend

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

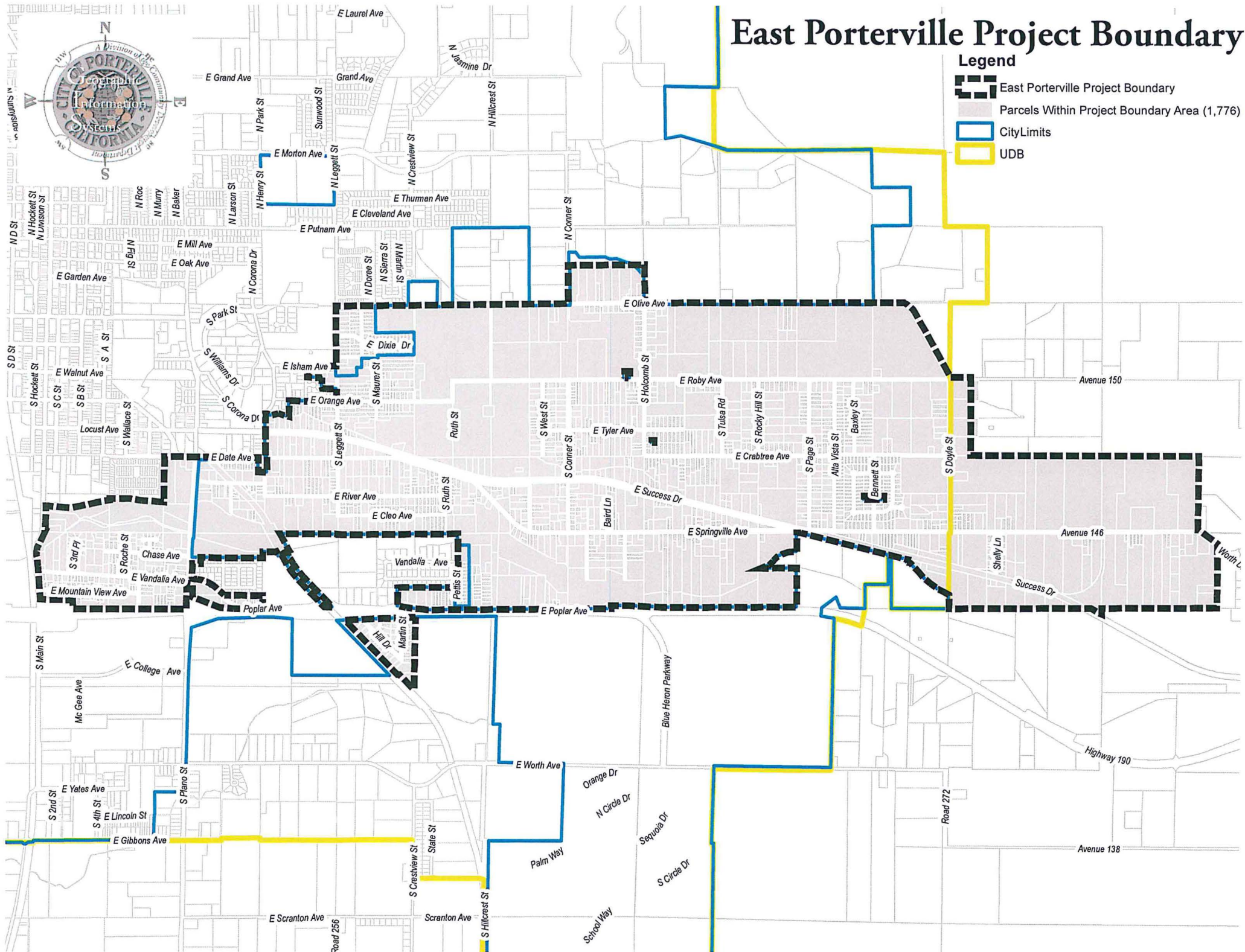


EXHIBIT 'B'

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:

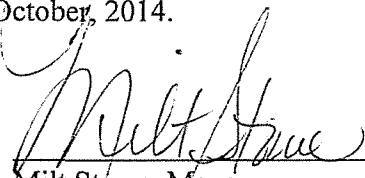
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, 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).

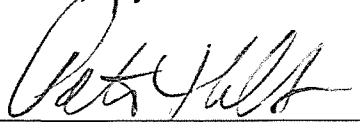
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, 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".

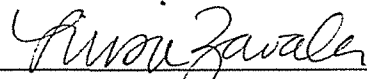
PASSED, APPROVED AND ADOPTED this 19th day of April, 2016.



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.

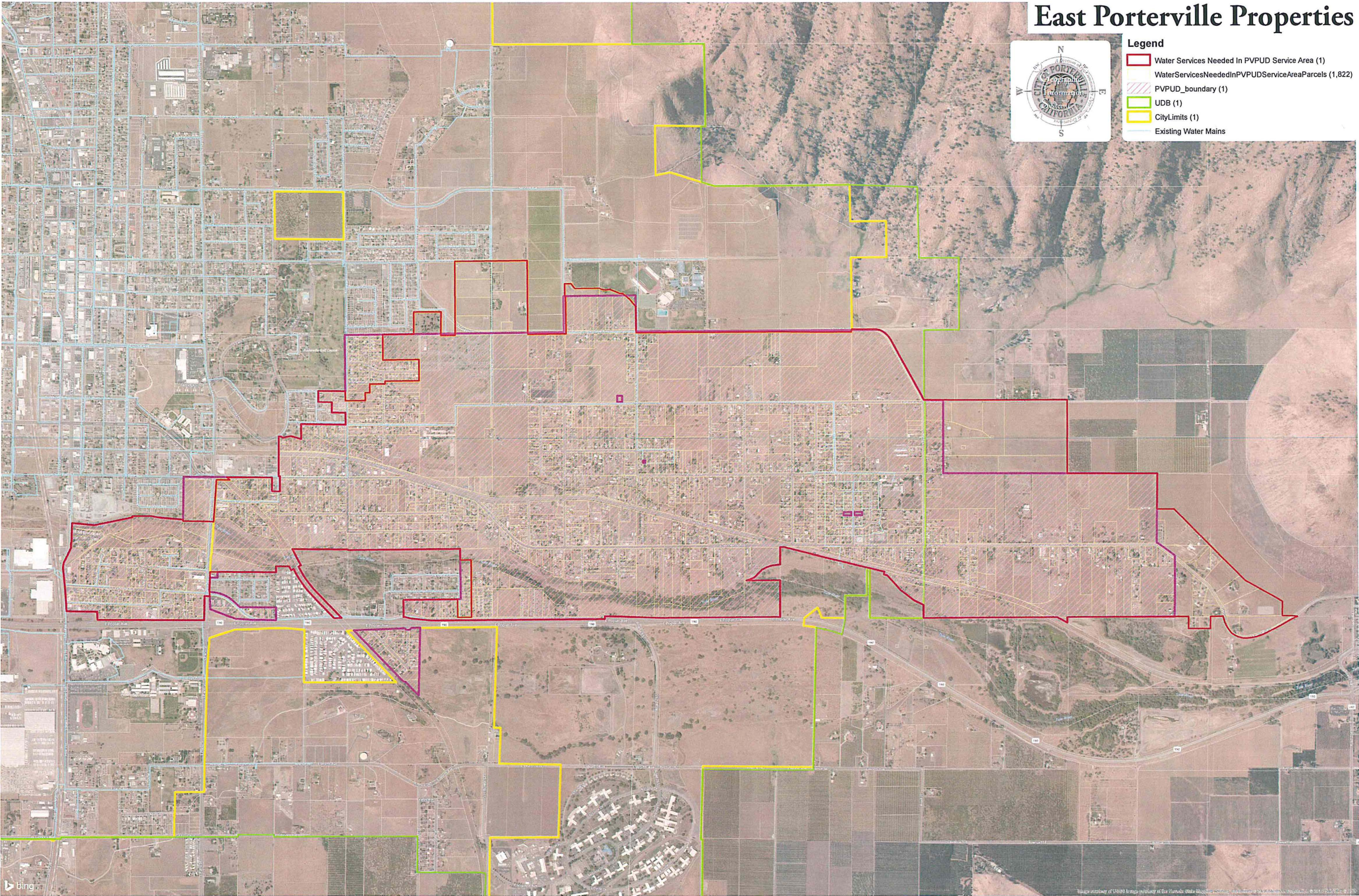
3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues 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

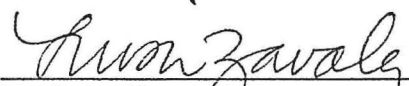

By: Luisa Zavala, Deputy City Clerk

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~~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

City of Porterville

County of Tulare



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 – OCTOBER 1, 2019

SUBJECT: Consideration of a Conditional Use Permit for 917C West North Grand Avenue (PRC 2019-030-C)

SOURCE: Community Development

COMMENT: The applicant is requesting approval of a Conditional Use Permit (CUP) to allow the sale of beer and wine under a Type 41 on-sale license. The sale of alcohol will be in conjunction with the serving of meals in association with a new restaurant (The Vault Bar & Grill #2), within an existing tenant space at 917C W. North Grand Ave. in the CG (General and Service Commercial) Zone District. Section 301.03 of the Porterville Development Ordinance requires approval of a CUP for any use involving the sale of alcoholic beverages.

The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined to exist. The subject site is located within Census Tract 37; this tract contains 19 licenses for alcohol sales; eleven (11) on-sale and eight (8) off-sale. In Census tract 37, four (4) on-sale and five (5) off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the twelfth (12) on-sale license, eight (8) above the allowable as determined by ABC. Due to the over-concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required.

The restaurant will serve lunch and dinner and may be open up to seven (7) days per week, between 11:00 a.m. and 8:00 p.m. Staff has included in the draft Resolution proposed conditions for the facility to operate and be maintained so as not to be detrimental to the public health, safety, or welfare to properties or improvements in the vicinity. No alcohol may be sold in conjunction with drive thru sales. Any changes to operation of business would require a modification of the conditional use permit.

The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for CG (General and Service Commercial). The CG designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant also supports the general plan economic development guiding policies to retain, improve and promote businesses in Porterville. The restaurant is a permitted use in the CG Zone, and alcohol sales are permitted in that zone with a Conditional Use Permit.

The subject site has identified an outdoor seating area and shall comply with Section 300.08 (c), Outdoor Seating, of the Porterville Development Ordinance.

Barriers are required for uses involving the sale of alcoholic beverages as approved with a Conditional Use Permit. The barrier around the seating area shall be acceptable to the City and the design shall be approved by the Zoning Administrator at the time of building permit issuance.

On September 18, 2019, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to Section 15061(b), (3) of the California Code of Regulation (CEQA Guidelines), under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

RECOMMENDATION: That the City Council:

1. Adopt the draft Resolution approving Conditional Use Permit (PRC 2019-030-C) subject to conditions of approval; and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

ATTACHMENTS:

1. Locator Map
2. Site plan
3. ABC Map
4. Draft Resolution
5. Draft Letter of Public Convenience and Necessity

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

**Locator Map
PRC 2019-030**

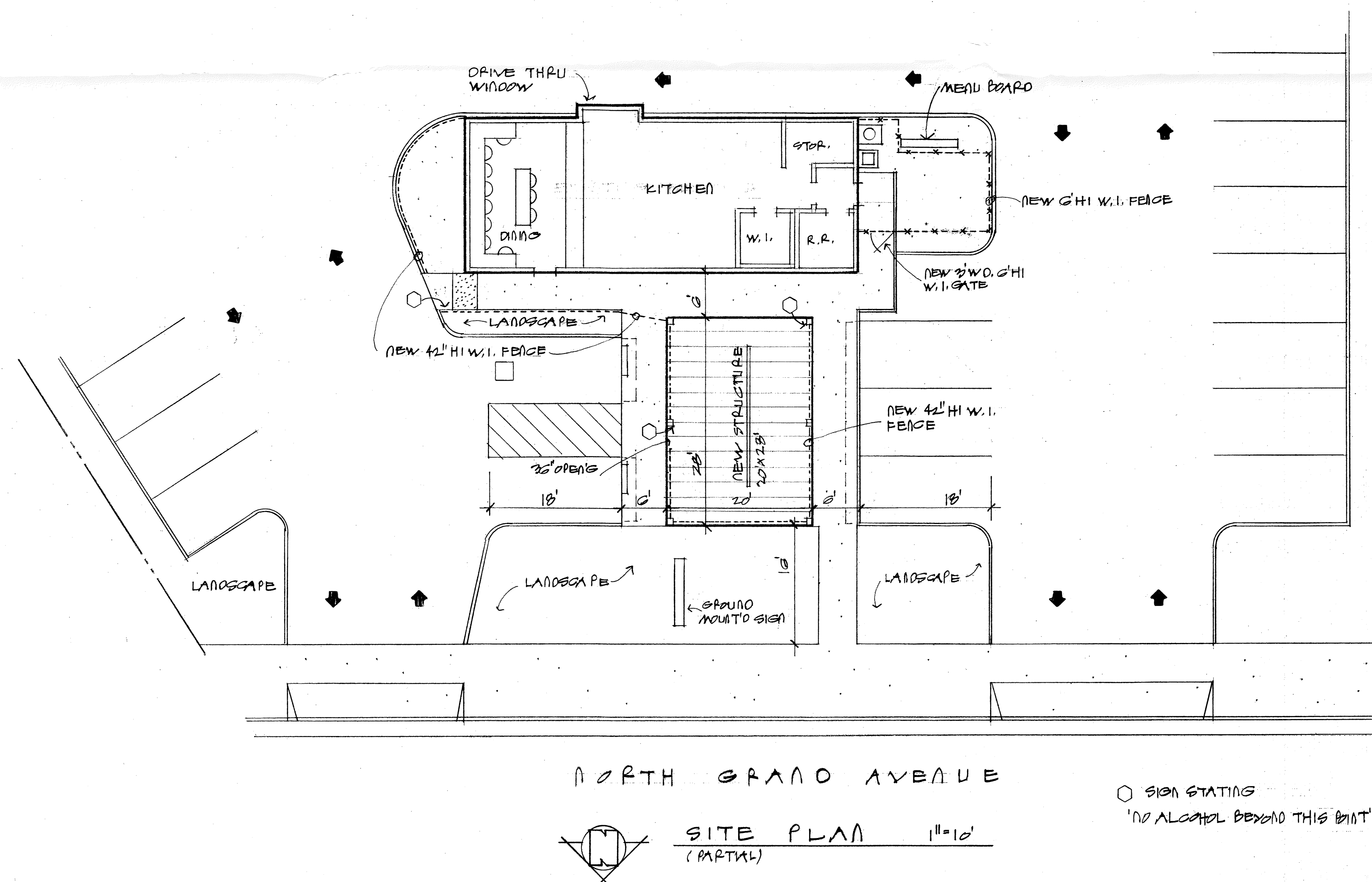
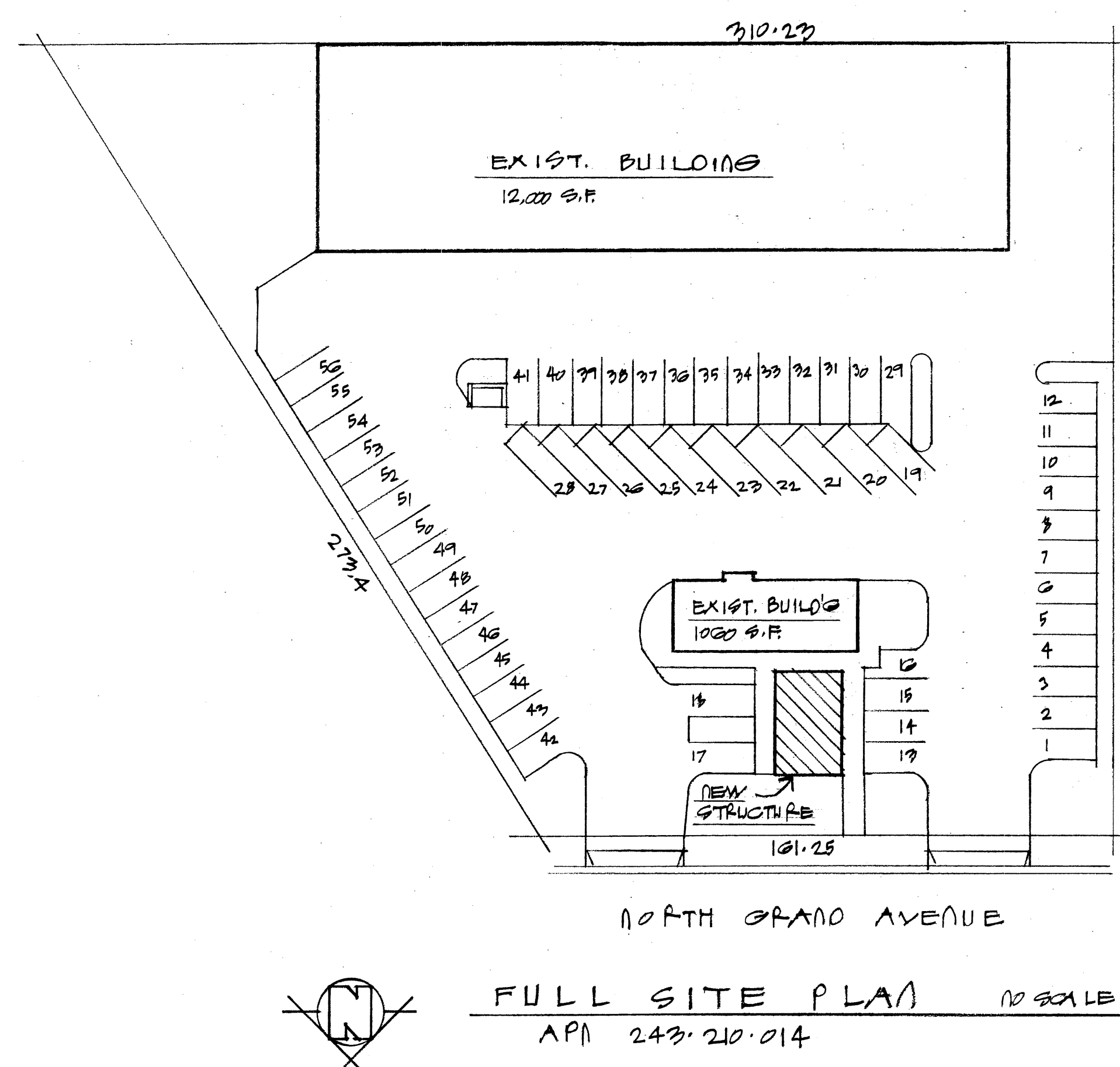
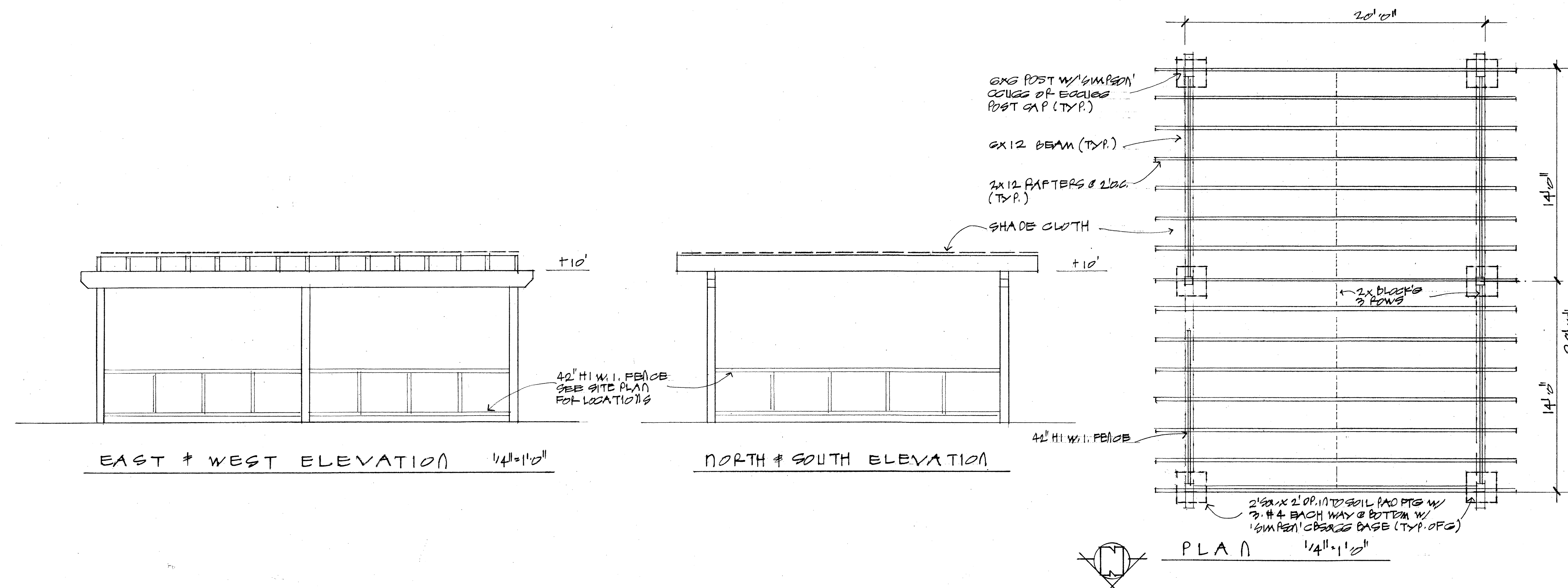


**CUP for Vault #2
@ 917C W. Northgrand Ave**

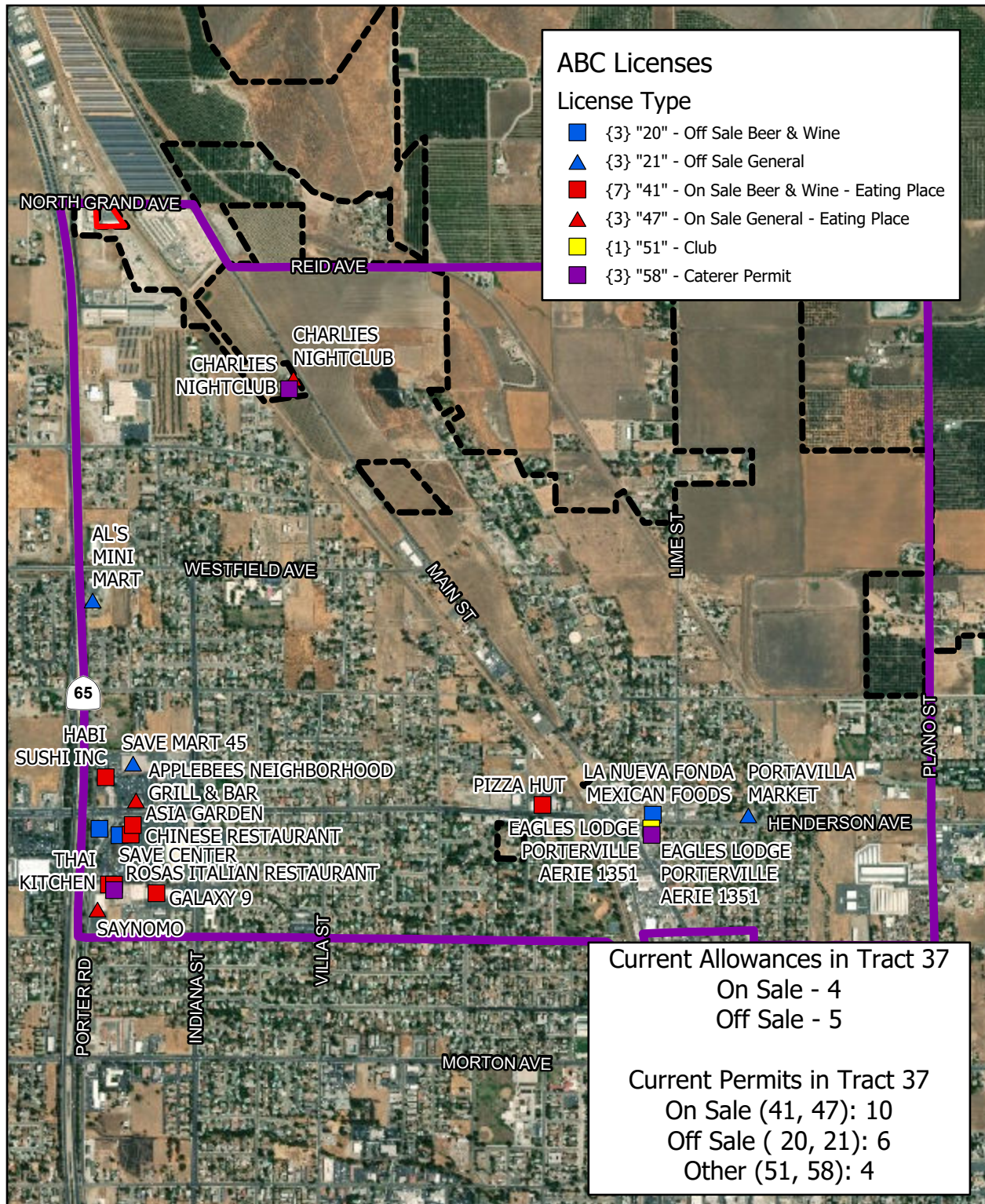
 Project Location
 City Limits

1 in = 300 feet





ABC Map PRC 2019-030



**CUP for Vault #2
@ 917C W. Northgrand Ave**

- Census Tract 37
- Project Location
- City Limits

1 in = 1,600 feet



RESOLUTION NO. ____-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF CONDITIONAL USE
PERMIT (PRC 2019-030-C) TO ALLOW THE SALE OF ALCOHOL UNDER A TYPE 41
ON-SALE (BEER AND WINE) ALCOHOL LICENSE FOR THE VAULT BAR & GRILL NO.
2, A BONA-FIDE PUBLIC EATING PLACE LOCATED AT 917C W. NORTH GRAND
AVENUE.

WHEREAS: The City Council of the City of Porterville, at its regular scheduled meeting of October 1, 2019, conducted a public hearing to consider Conditional Use Permit (PRC 2019-030-C) to allow the sale of alcohol under a Type 41 On-Sale (Beer and Wine) alcohol license for a restaurant located at 917C W. North Grand Avenue; and

WHEREAS: On September 18, 2019, the Environmental Coordinator made a preliminary determination that the project is exempt from California Environmental Quality Act pursuant to the "General Rule" exemption §15061(b)(3), that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and

WHEREAS: The City Council of the City of Porterville authorized the Mayor to sign the Letter of Public Convenience or Necessity due to the over concentration of alcohol licenses within Census Tract 37; and

WHEREAS: The City Council of the City of Porterville received testimony from all interested parties related to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

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

The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for CG (General and Service Commercial). The CG designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant also supports the general plan economic development guiding policies to retain, improve and promote businesses in Porterville. The restaurant is a permitted use in the CG Zone, and alcohol sales are permitted in that zone with a Conditional Use Permit.

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

Conditions of approval are included herein to ensure adequate operational standards are met. The project is located within an existing building with an outdoor seating area and is conditioned that all activities associated with the consumption of alcohol on premises, in

association with the Type 41 on-sale license shall be exclusively confined to the interior of the building and inside the gated outdoor seating area.

Additionally, the project is conditioned to preserve the public safety, health and welfare to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit.

3. This project is exempt from CEQA pursuant to §15061(b)(3) that CEQA only applies to projects which have the potential for causing a significant effect on the environment.
4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined to exist. The subject site is located within Census Tract 37; this tract contains 19 licenses for alcohol sales; eleven on-sale and eight off-sale. In Census tract 37, four on-sale and five off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would be the twelfth on-sale license, eight above the allowable as determined by ABC. Due to the over-concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit (PRC 2019-030-C) subject to the following conditions:

1. No alcohol advertising shall be displayed and/or viewed from the outside of the building.
2. Alcohol may not be sold in conjunction with drive thru sales.
3. The consumption of alcohol on premises, in association with the Type 41 on-sale license shall be exclusively confined to the interior of the building and inside the gated outdoor seating area shown on the site plan, incorporated hereto as Exhibit A.
4. The hours of operation during which alcoholic beverages may be sold shall be limited to 6:00 a.m. to 2:00 a.m., seven days a week. Any amendment to business hours that would modify this condition will be subject to a modification of this permit.
5. Live entertainment or dancing is not permitted; if in the future the license holder seeks to pursue such associated activities, a modification to this permit would be considered by the City Council.
6. Upon approval of the conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council. Further, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department

resulting from the sales of alcohol may result in revocation of the Conditional Use Permit.

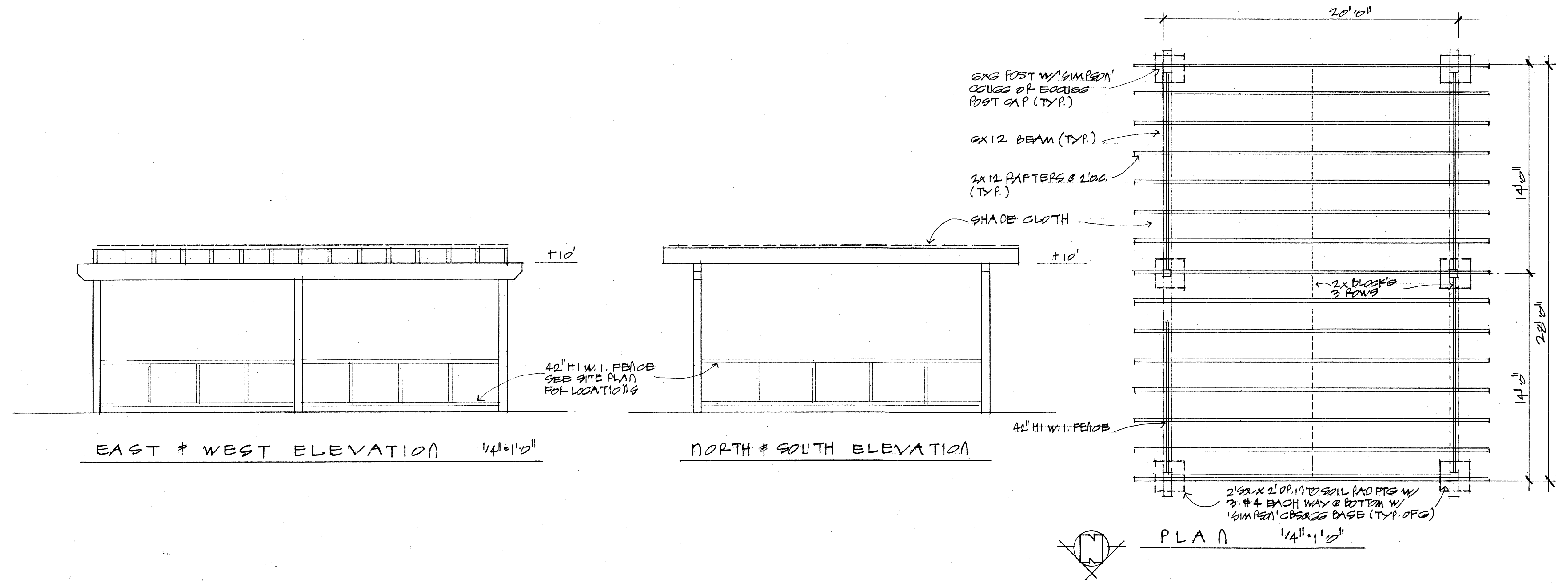
7. Unless an extension of time is granted by the City Council, the conditional use permit shall expire two years after the date of approval if the on-sale alcohol license is not active or actively pursued. The City Council may approve a one year extension of any permit or approval granted under this ordinance upon receipt of a written application with the required fee before the permit expires.
8. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in Section 601.10 of the Porterville Development Ordinance.
9. Pursuant to Section 601.10(d) the City Council may revoke the permit if it makes any of the following findings:
 - That approval was obtained by means of fraud or misrepresentation of a material fact;
 - That the use in question has ceased to exist or has been suspended for one year or more;
 - That there is or has been a violation of or failure to observe the terms or conditions of the permit or variance, or the use has been conducted in violation of the provisions of this ordinance, law or regulation; or
 - That the use to which the permit or variance applies has been conducted in a manner detrimental to the public safety, health and welfare or so as to be a nuisance.

PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

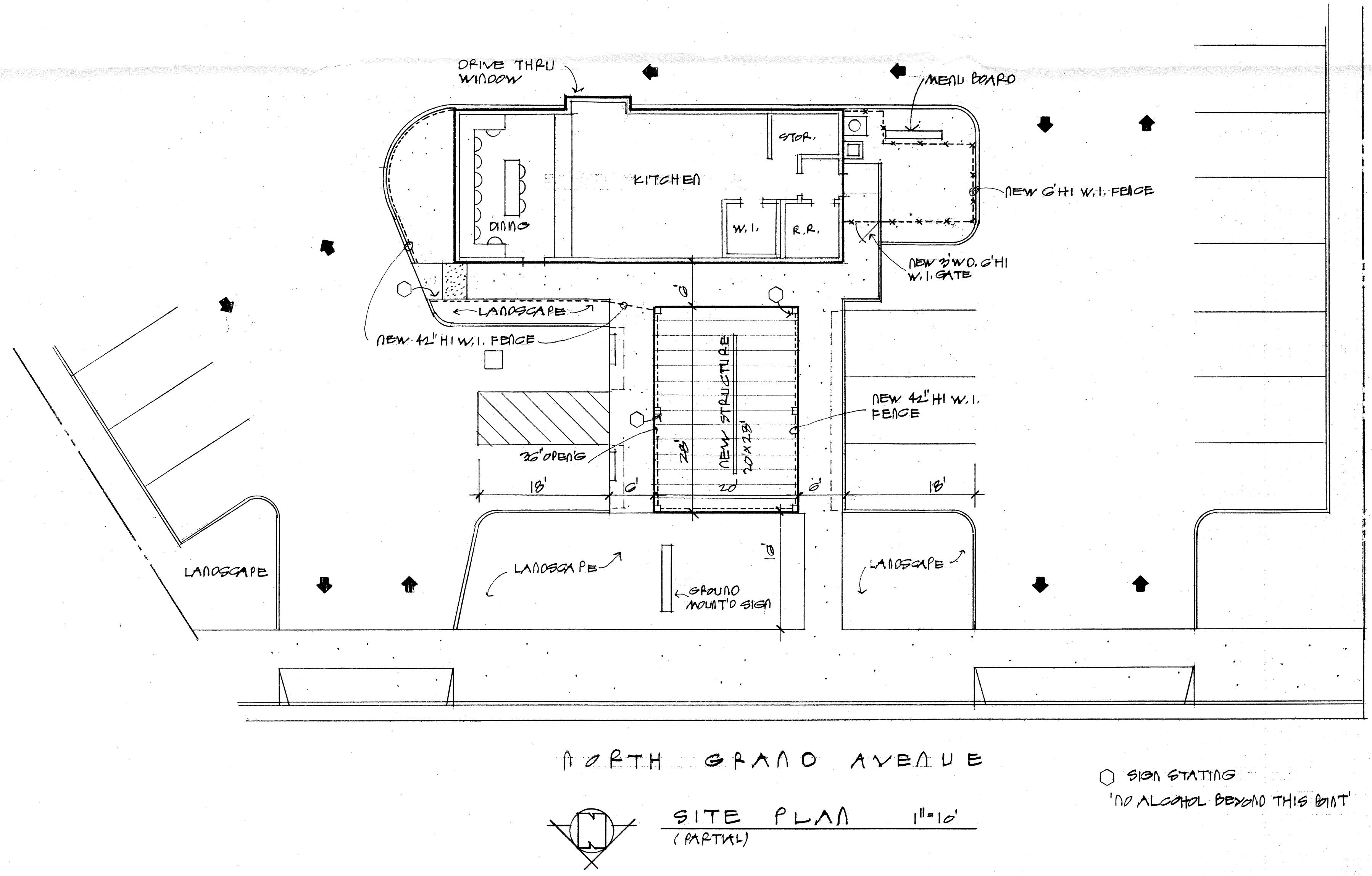
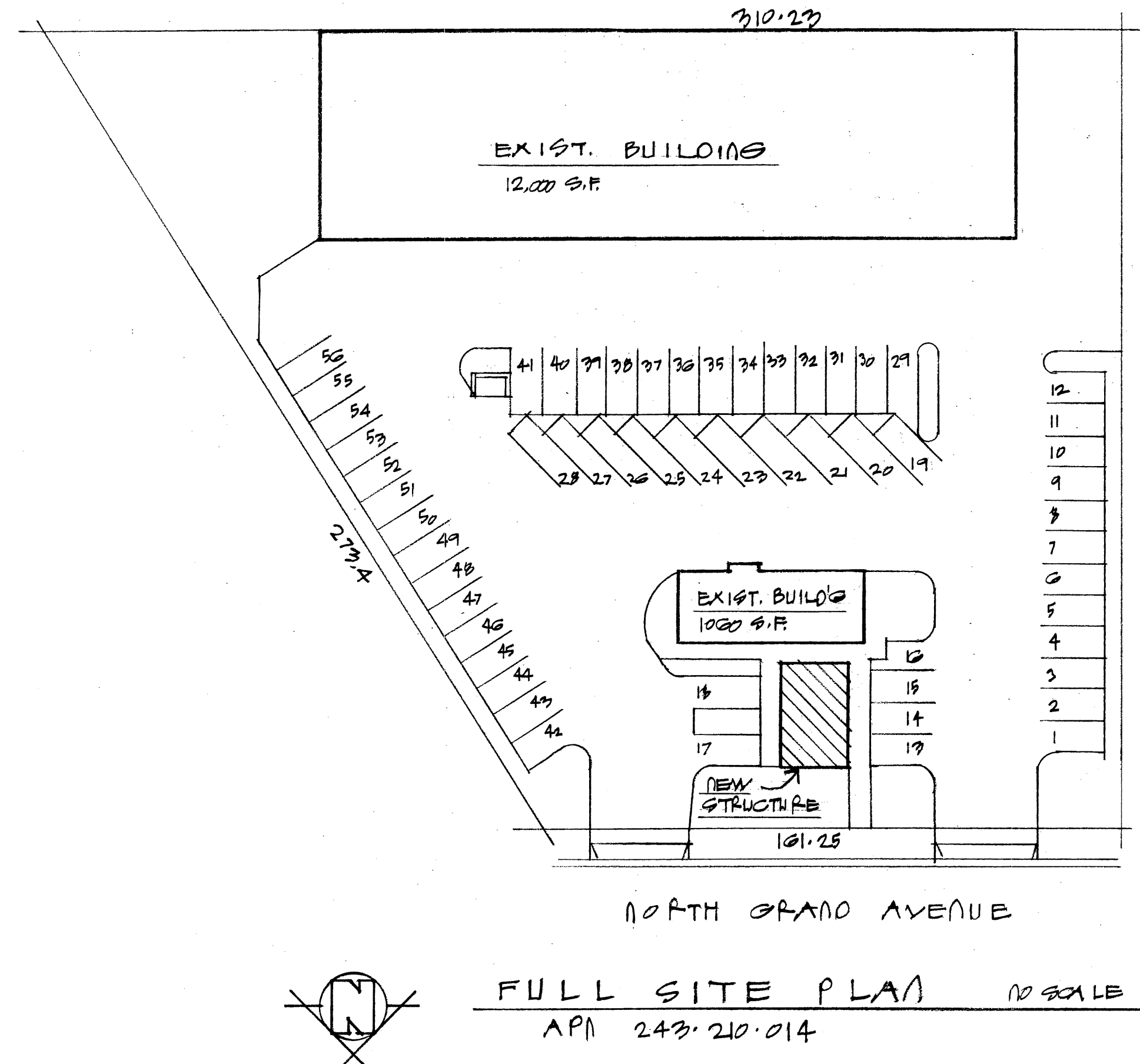
Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk



3/1/19
 GARY WEAVER DRAFTING
 1210 LODAS WAY PORTERVILLE
 784-4789



NEW SHADE STRUCTURE FOR:
 THE VAULT BAR & GRILL
 917 'C' W. NORTH GRAND AVENUE

○ SIGN STATING
 'NO ALCOHOL BEYOND THIS POINT'

October 2, 2019

California Department of Alcoholic Beverage Control
Fresno District Office
1330 B East Shaw Ave
Fresno, CA 93710
ATTN: Jason Montgomery

RE: The Vault Bar & Grill #2, 917C W. North Grand Avenue, Porterville, CA

Dear Mr. Montgomery:

The City Council of the City of Porterville has elected to approve submittal of this letter regarding the public convenience or necessity to be served through issuance of a Type 41 On-Sale Beer and Wine alcohol license for The Vault Bar and Grill #2 located at 917C W. North Grand Avenue

Approval of this letter was based on the following:

1. Per Section 23958.4 of the "Business and Professions Code," the subject site is located within Census Tract 7 which allows four (4) on-sale licenses. With the approval of this license, twelve (12) on-sale licenses will exist in this tract. Due to the over concentration of on-sale licenses a Letter of Public Convenience or Necessity was required.
2. On October 1, 2019, the City Council conditionally approved Conditional Use Permit (PRC 2019-030-C), review attached resolution, to allow the on-sale of beer and wine for a bona fide restaurant at 917C W. North Grand Avenue. As a condition of approval, a Letter of Public Convenience or Necessity was required to be approved by the City Council.
3. In consideration of the above, the City Council determined that public convenience or necessity would be served by the issuance of a Type 41 On-Sale Beer and Wine alcohol license.

Further issuance of an on-sale license allowing beer and wine sales represents a viable economic asset to the community which will contribute tax revenues to the local economy. The subject site is consistent with the General Plan Land Use Designation and Zoning Standards for CG (General and Service Commercial). The CG designation is intended to provide for retail and service uses that meet local and regional demand. The proposed restaurant with alcohol sales would suit the purpose of the zone designation. The restaurant also supports the general plan economic development guiding policies to retain, improve and promote businesses in Porterville.

For these reasons, the City Council of the City of Porterville supports issuance of a Type 41 On-Sale Beer and Wine license for The Vault Bar and Grill #2 located at 917C W. North Grand Avenue, Porterville, CA.

Sincerely,

Martha A. Flores, Mayor

Attachment: Resolution



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Consideration of the Porter's Crossing Phase II Commercial Development

SOURCE: Community Development

BACKGROUND: The applicant is requesting approval of a General Plan Amendment and Zone Change to facilitate the development of Phase II of the recently opened Porter's Crossing Commercial Center, just north of Henderson Avenue on the east side of Prospect Street. The project site encompasses 1.82± acres, and plans for the development of 3,100± square feet of retail development in two (2) structures (Attachments 1, 2, and 3).

COMMENT: The present land use designation for the subject site is medium density residential, and zoning is RM-3 (High Density Residential). The project would include the entire site being changed to CR (Retail Centers) as a General Plan Land Use designation as well as the Zoning district. The proposed General Plan Amendment and Zone Change are supported by staff due to the logical pattern continued by the proposed action. The intersection of Henderson Avenue and Prospect Street has long been a major commercial corner in the city, and commercial uses extend north and south of the intersection on all other corners at dimensions consistent with what is now proposed.

Land uses surrounding the project area are primarily commercial to the south, east, and west, with medium-density residential to the north of the project. The subject site currently includes three (3) parcels, and the project application would include a merger of those parcels into a single one. As was anticipated through approval of Phase I, the development of this project would adjust the circulation of the property to the south, and would instead route traffic seeking an exit onto Prospect Street to route through Phase II. Prior to building permit submittal, a reciprocal ingress/egress agreement shall be recorded with the properties to the south and to the east of the subject site.

The proposed site plan meets City parking standards, and the building design, as proposed, is consistent with Section 203.04 for commercial centers, and provides a fresh and modern look that aesthetically improves the site as well as maintains the design style of Porter's Crossing Phase I.

ANALYSIS: The colors and finish of the proposed development will be consistent with

the recently developed commercial center immediately south of the project in color tones and materials. The concrete masonry building, framed pilasters and pop-outs will have a variety of finishes, including wood siding, stone tile, metal, and plaster (Attachment 3). Sign faces will be channel letters and complement the building. Additionally, landscaping in accordance with the General Plan and Development Ordinance will be installed along Prospect Street and throughout the parking lot.

The proposed configuration of the site provides for future access to the commercial properties to the east, which, at such time as those areas develop, will ensure a circulation pattern that can alleviate some of the congestion that would result on Henderson Avenue. This connectivity to Prospect Street was a major interest of the Council when a specific plan was considered in 2016. Ultimately, the specific plan did not move forward due to lack of consensus among property owners, but staff has been following Council's direction to work with individual developers to achieve some of those large scale interests.

Council will recall that a deceleration lane has been identified for this northeast corner of Henderson Avenue and Prospect Street; upon receipt of a building permit, such construction of those improvements would also begin. As an aside, because the concern was noted during consideration of Phase I, there are no Class I bike lanes associated with the street improvements. Prospect Street is not identified as a bike route and Henderson Avenue is a Class III bike route. Class III bike routes share the road with pedestrians and motor vehicle traffic and is marked only by signs.

Lastly, the Council had conditioned Phase I to construct a block wall at the northern extent of that project (the southern extent of this project) should this project not come to fruition. Should the Council choose to approve the proposed project, construction of that block wall would not be required, and instead the shared access point would be developed. In the event the Council chooses not to approve the project, recorded documents are already in place between the two (2) property owners to require development of that wall. A block wall will be required at the northern extent of the subject project, to separate the proposed commercial use from existing residential use.

ENVIRONMENTAL REVIEW: On August 26, 2019, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the proposed project. The Initial Study was transmitted to interested agencies, groups and individuals for review and comment. The review period ran for thirty (30) days from August 28, 2019, through September 30, 2019. As of the writing of this report, no comments were received.

RECOMMENDATION: That the City Council:

1. Adopt the draft Resolution approving a Negative Declaration of environmental impact;

2. Adopt the draft Resolution approving a General Plan Amendment to change APNs 246-111-059, -060, and -061 land use designation from Medium Density Residential to Retail Center;
3. Approve the draft Ordinance approving Zone Change for APNs 246-111-059, -060, and -061 from RM-3 (High Density Residential) Zone to CR (Retail Center) Zone, contingent upon adoption of the General Plan Amendment; and
4. Waive further reading of the draft Ordinance, approving the Zone Change, and order it to print.

ATTACHMENTS:

1. Locator Map
2. Site Plan
3. Exterior Elevations
4. Draft Resolution - CEQA
5. Draft Resolution - GPA
6. Draft Ordinance - Zoning

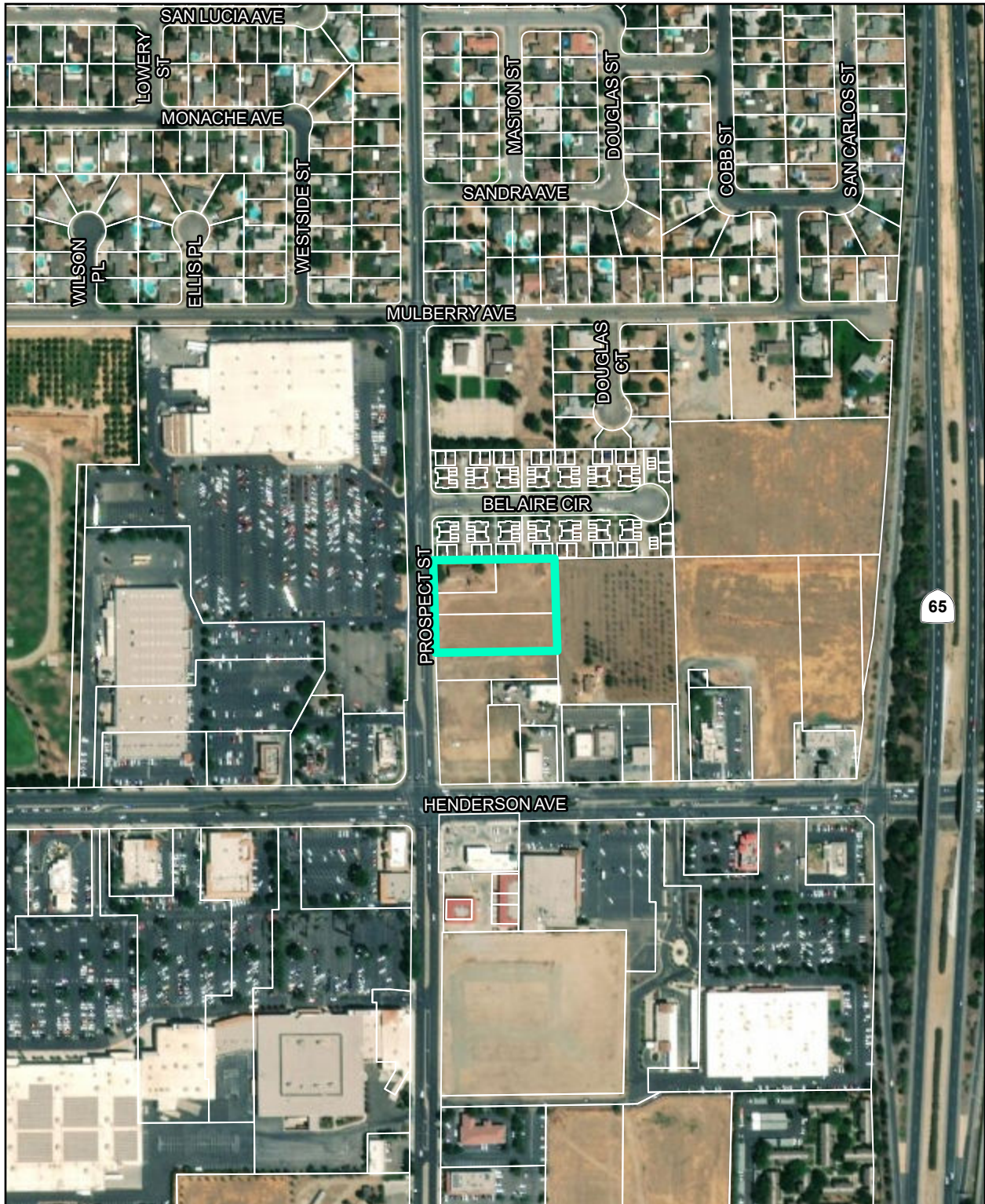
Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

Locator Map PRC 2018-022



**Porter's Crossing Phase 2
@ 894 N Prospect**

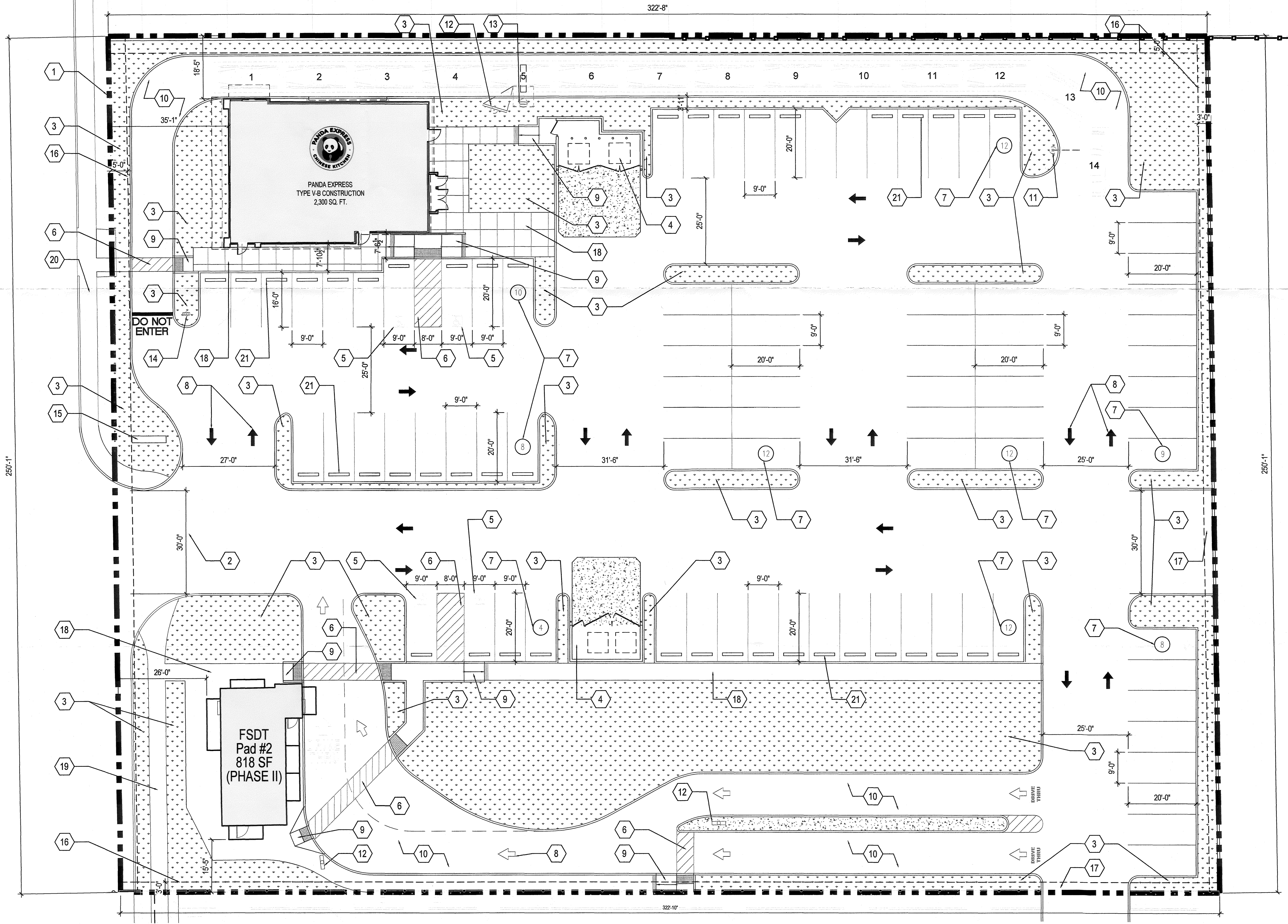
 Project Location

1 in = 400 feet



Date Printed: 9/26/2019 by the Community Development Department

N. PROSPECT ST.



- | | | | | | |
|---|-------------------------------------|----|-------------------------------|----|---|
| 1 | PARCEL LINE | 8 | DIRECTIONAL ARROW, TYP. | 15 | POLE SIGN |
| 2 | PROPOSED CURB CUT | 9 | CURB RAMP & SIDEWALK | 16 | LANDSCAPE SETBACK |
| 3 | LANDSCAPE AREA | 10 | DRIVE-THRU LANE | 17 | PROPOSED CROSS ACCESS WITH ADJACENT OR FUTURE DEVELOPMENT |
| 4 | TRASH ENCLOSURE | 11 | CLEARANCE BAR | 18 | WALKWAY |
| 5 | DESIGNATED ACCESSIBLE PARKING SPACE | 12 | DRIVE-THRU MENU BOARD | 19 | NEW SIDEWALK |
| 6 | ACCESSIBLE STRIPED PATH OF TRAVEL | 13 | DRIVE-THRU SPEAKER BOX | 20 | EXISTING SIDEWALK |
| 7 | NUMBER OF STALLS | 14 | THANK YOU / DO NOT ENTER SIGN | 21 | WHEEL STOP, TYP. |

SITE PLAN 1
Scale= 1/16" = 1'-0"

KEY NOTES D
Scale= NTS A-100

DEVELOPER
CFT DEVELOPMENT, LLC
1120 N. TOWN CENTER DR.,
LAS VEGAS, NV 89144
T: 626.799.9898

PROPERTY OWNER
WESTWOOD PLAZA, LLC
134 N. MAIN STREET, #8,
PORTERVILLE, CA 93257

APPLICANT
RUBEN RODELA, PROJECT MANAGER
GARY WANG, AIA
GARY WANG & ASSOCIATES
1000 CORPORATE CENTER DR., SUITE #550,
MONTEREY PARK, CA 91754
T: 626.288.6898
F: 626.788.7101

TEAM DIRECTORY A
Scale= NTS A-100

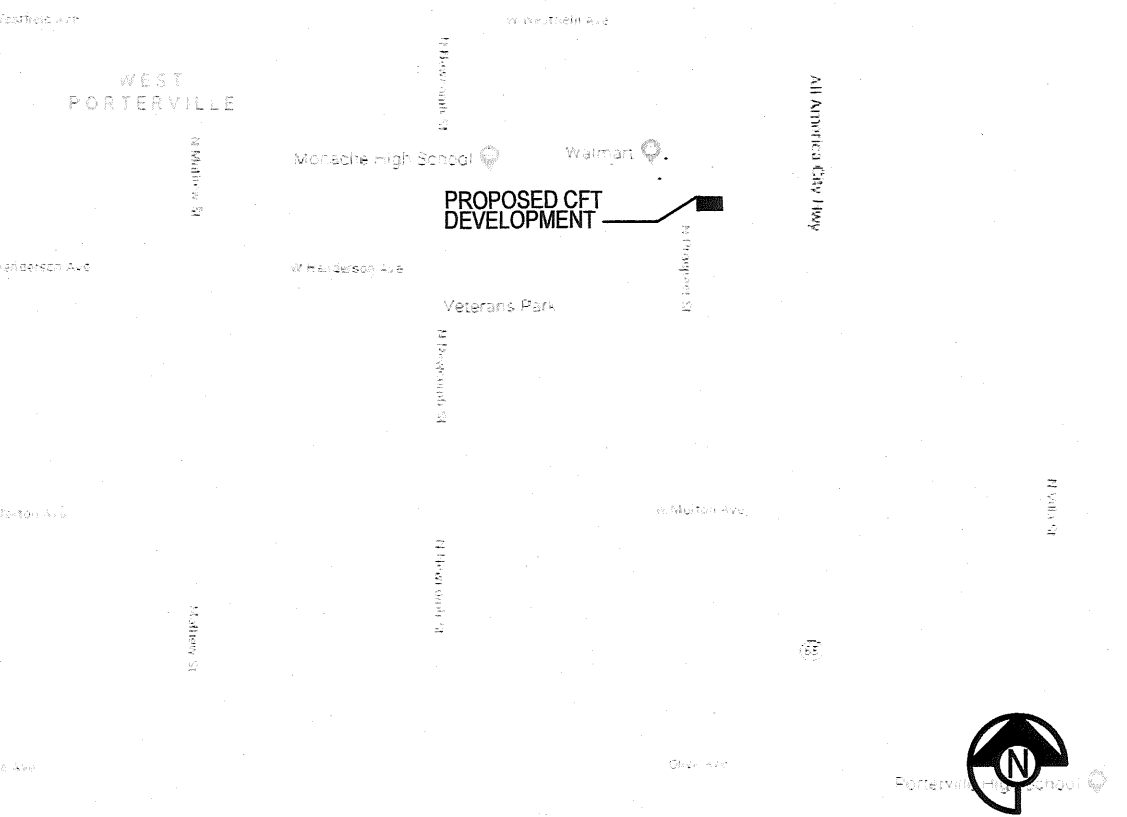
BUILDING CODE ANALYSIS (PAD #1 & PAD #2)	
OCCUPANCY CLASSIFICATION	GROUP A-2 (ASSEMBLY)
TYPE OF CONSTRUCTION	V-B
FIRE SPRINKLER	NO SPRINKLER

PANDA EXPRESS	
RESTAURANT AREA	2,300 S.F.
EMPLOYEES	3 EMPLOYEES / SHIFT (2 SHIFTS PER DAY)
APN #	246-111-059; 246-111-060; 246-111-061
HEIGHT	23'-6"
STORY	1
AREA	2,300 SQ. FT.
OCCUPANT LOAD	84

SITE INFORMATION	
LOT AREA	79,040 SQ. FT. (1.81 ACRE)
LOT COVERAGE (FLOOR AREA RATIO)	0.04
LANDSCAPE PROVIDED	15,875 SQ. FT.
PROPERTY ZONE / CLASSIFICATION	RM-3 (HIGH DENSITY RESIDENTIAL)
ADJACENT ZONING DISTRICTS	CR (RETAIL CENTER) & RM-3 (HIGH DENSITY RESIDENTIAL)
PROPERTY TYPE / UNIQUE CHARACTERISTICS	2 NEW CONSTRUCTION, FREESTANDING BUILDING WITH DRIVE-THRU

PARKING REQUIREMENTS:			
	SQ. FT.	PARKING RATIO	PARKING PROVIDED
PANDA EXPRESS	2,300 S.F.	1/75 S.F. OF DINING AREA	19
PAD #2	818 S.F.	1/75 S.F. OF DINING AREA	7
ADA		1 FOR EVERY 20 STALLS	4
COMPACT PARKING		10% MAX OF TOTAL STALLS	6
TOTAL	3,118 S.F.		26

PROJECT INFO B
Scale= NTS A-100



VICINITY MAP C
Scale= NTS A-100



THESE DRAWINGS AND SPECIFICATIONS AND IDEAS, DESIGN AND ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF GARY WANG & ASSOCIATES, AND NO PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHERS OR USED IN CONNECTION WITH ANY WORK OR PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE WRITTEN CONSENT OF GARY WANG & ASSOCIATES. VISUAL CONTACT WITH THESE DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THESE RESTRICTIONS. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB, AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SUCH NOTIFICATION MUST BE SUBMITTED TO THIS OFFICE FOR REVIEW BEFORE PROCEEDING WITH THE FABRICATION.

CONSULTANT
GARY WANG & ASSOCIATES, INC.
1000 Corporate Center Dr., Suite 550
Monterey Park, CA 91754
TEL: (626) 288-6898 FAX: (626) 788-7101
http://www.garywang.com

STAMP

PROJECT NAME/ADDRESS:
CFT DEVELOPMENT
DT-0058
S8-19-D6900
N. PROSPECT & W. HENDERSON
PORTERVILLE, CA 93257

REVISIONS:

ISSUE DATE:

1ST PRC SUBMITTAL 02-11-2019

JOB NUMBER

18-360

DRAWN BY
RR/JH/HD

SHEET CONTENT

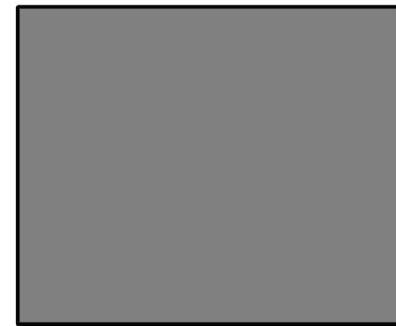
SITE PLAN
ARCHITECTURAL

SHEET NO

A-100



EFS **EFS-1**
MANUFACTURE: STO
PRODUCT: STOTHERM ESSENCE SYSTEM
COLOR: SW 6148 WOOL SKIN
FINISH: FINE



EIFS (EIFS-2)
MANUFACTURE: STO
PRODUCT: STOTHERM ESSENCE SYSTEM
COLOR: SW 7067 CITYSCAPE
FINISH: FINE



CD-1 **CD-1**
MANUFACTURE: FIBERON
PRODUCT: HORIZON
COLOR: IPE
FINISH: 60% MATERIAL COVERAGE-
RANDOM MIX (NON-GROOVE)



CD-2 **CD-2**
MANUFACTURE: FIBERON
PRODUCT: HORIZON
COLOR: TUDOR BROWN
FINISH: 40% MATERIAL COVERAGE-
RANDOM MIX (NON-GROOVE)



SILL **ST-18**
MANUFACTURE: CORONADO STONE PRODUCTS
PRODUCT: 900 SERIES
COLOR: #2 GRAY
FINISH: -



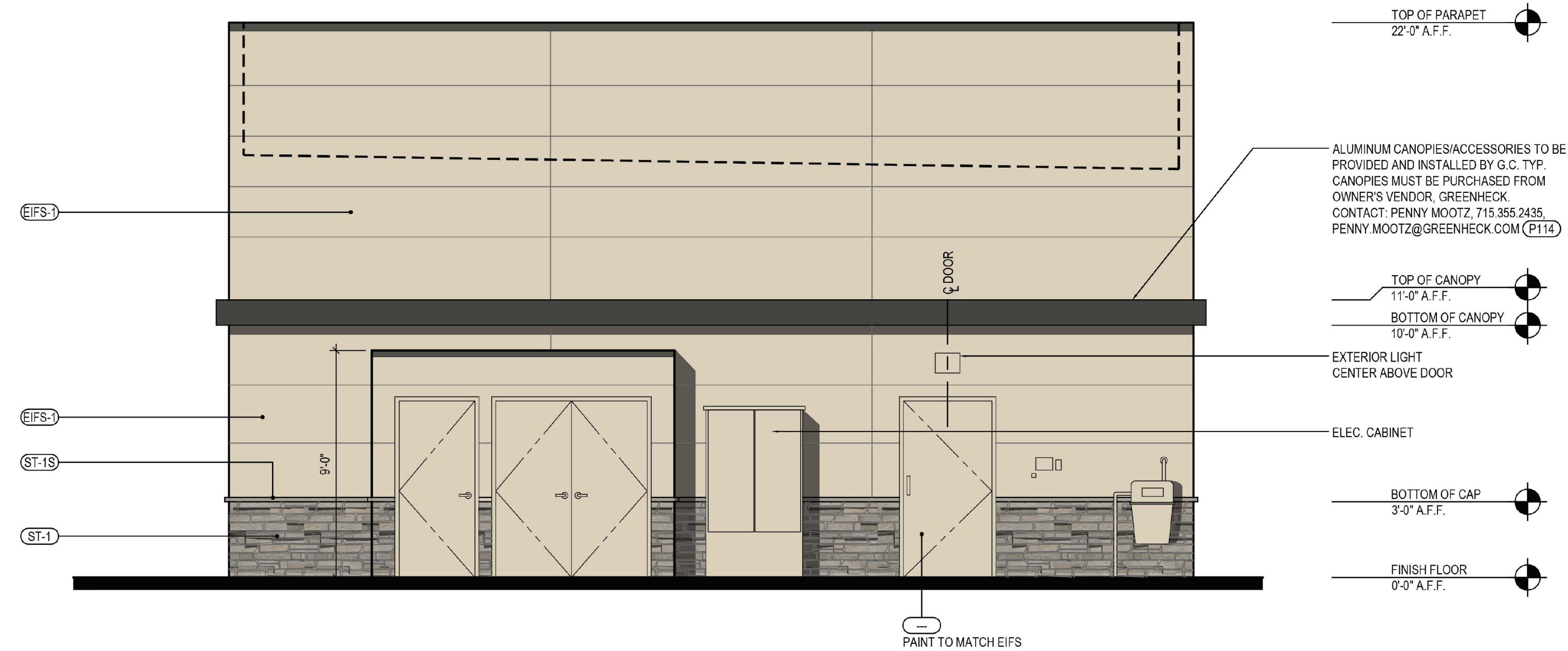
STONE VENEER **ST-1**
MANUFACTURE: CORONADO STONE PRODUCTS
PRODUCT: INDUSTRIAL LEDGE
COLOR: SHALE GREY
FINISH: -



METAL CAP (MTL-1)
MANUFACTURE: EXCEPTIONAL METALS
PRODUCT: -
COLOR: IRON ORE
FINISH: -



PAINT **P114**
MANUFACTURE: SHERWIN WILLIAMS
PRODUCT: SW 7069
COLOR: IRON ORE
FINISH: -



EAST ELEVATION	2
Scale= 1/4" = 1'-0"	A-200



WEST ELEVATION	1
Scale= 1/4" = 1'-0"	A-200



Developments, LLC

CHERNG FAMILY TRUST, INC.
1120 N. Town Center Dr.
Las Vegas, Nevada
89144

Telephone: 626.799.9898
Facsimile: 626.372.8288

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CONSULTANT



GARY WANG
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TEL: (626) 286-6898 FAX: (626) 766-7101
<http://www.garywang.com>

STAMP



PROJECT NAME/ADDRESS:

CFT
DEVELOPMENT

S8-19-D6900

N. PROSPECT & W. HENDERSON
PORTERVILLE, CA 93257

REVISIONS:

[illegible]

ISSUE DATE:

1ST	PRC SUBMITTAL	02-11-2019

JOB NUMBER

18-360

DRAWN BY

RR/JH/HD

SHEET CONTENT

EXTERIOR ELEVATION

SHEET NO

A-200

EIFS (EIFS-1)
MANUFACTURE: STO
PRODUCT: STOTHERM ESSENCE SYSTEM
COLOR: SW 6148 WOOL SKIN
FINISH: FINE

EIFS (EIFS-2)
MANUFACTURE: STO
PRODUCT: STOTHERM ESSENCE SYSTEM
COLOR: SW 7067 CITYSCAPE
FINISH: FINE

CD-1 (CD-1)
MANUFACTURE: FIBERON
PRODUCT: HORIZON
COLOR: IPE
FINISH: 60% MATERIAL COVERAGE-
RANDOM MIX (NON-GROOVE)

CD-2 (CD-2)
MANUFACTURE: FIBERON
PRODUCT: HORIZON
COLOR: TUDOR BROWN
FINISH: 40% MATERIAL COVERAGE-
RANDOM MIX (NON-GROOVE)

SILL (ST-1S)
MANUFACTURE: CORONADO STONE PRODUCTS
PRODUCT: 900 SERIES
COLOR: #2 GRAY
FINISH: -

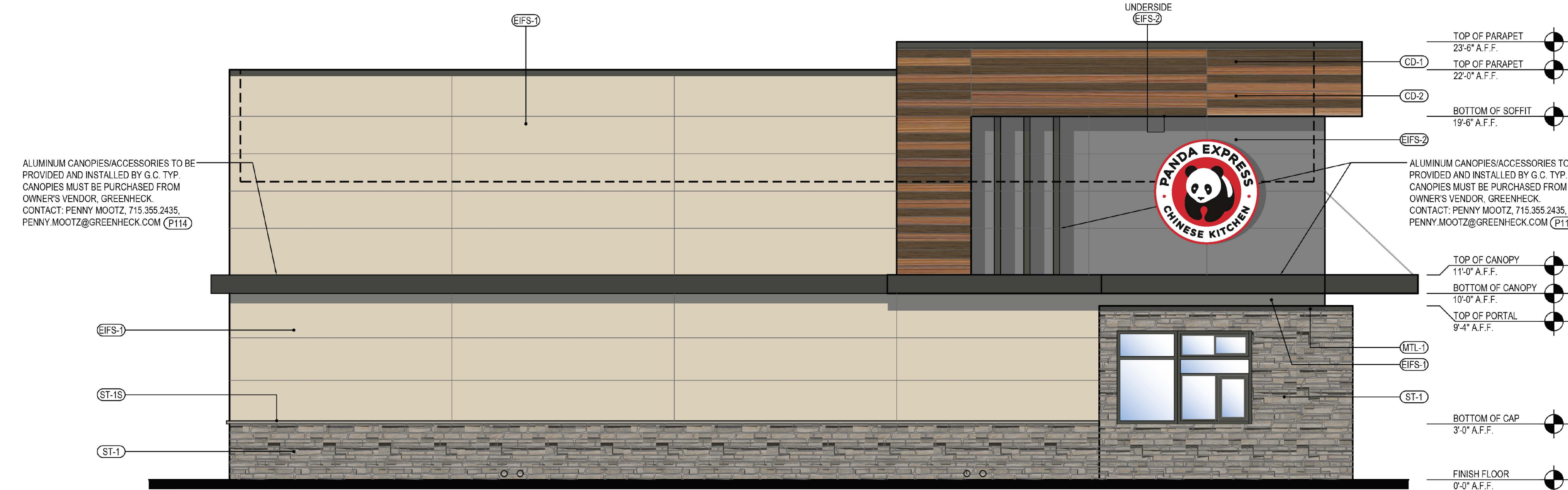
STONE VENEER (ST-1)
MANUFACTURE: CORONADO STONE PRODUCTS
PRODUCT: INDUSTRIAL LEDGE
COLOR: SHALE GREY
FINISH: -

METAL CAP (MTL-1)
MANUFACTURE: EXCEPTIONAL METALS
PRODUCT: -
COLOR: IRON ORE
FINISH: -

PAINT (P114)
MANUFACTURE: SHERWIN WILLIAMS
PRODUCT: SW 7069
COLOR: IRON ORE
FINISH: -



SOUTH ELEVATION 2
Scale= 1/4" = 1'-0" A-200



NORTH ELEVATION 1
Scale= 1/4" = 1'-0" A-200

ft
Developments, LLC
CHERNG FAMILY TRUST, INC.
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STAMP

PROJECT NAME/ADDRESS:
CFT DEVELOPMENT
DT-0058
S8-19-D6900
N. PROSPECT & W. HENDERSON
PORTERVILLE, CA 93257

REVISIONS:

ISSUE DATE:
1ST PRC SUBMITTAL 02-11-2019

JOB NUMBER
18-360

DRAWN BY
RR/JH/HD

SHEET CONTENT
EXTERIOR ELEVATION

SHEET NO
A-201

RESOLUTION NO. ____-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE
DECLARATION OF ENVIRONMENTAL IMPACT FOR THE GENERAL PLAN
AMENDMENT AND ZONE CHANGE FOR THE PROPOSED
PORTER'S CROSSING COMMERCIAL CENTER PHASE II

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of October 1, 2019, conducted a public meeting to consider approval of the Negative Declaration which evaluates the environmental impacts of a General Plan amendment from Medium Density Residential to Retail Centers for three parcels, totaling 1.82± acres, and a Zone Change from RM-3 (High Density Residential) to CR (Retail Centers) Zone for the same area, to support the project located on the east side of Prospect Street, north of Henderson Avenue; and

WHEREAS: The project proposes a General Plan amendment from Medium Density Residential to Retail Centers and a Zone Change from RM-3 (High Density Residential) to CR (Retail Centers). The subject site is being considered for development with the adjacent parcels to the south for development of Phase II of a commercial center; and

WHEREAS: The project parcels are developed as follows: APN 246-111-059 is occupied with a vacant single family residence, while APNs 246-111-060 and -061 are vacant, undeveloped parcels; and

WHEREAS: The subject parcels will be merged prior to building permit submittal. In addition, a reciprocal ingress/egress and parking agreement shall be recorded for parcels to the south and east which would help ensure that subsequent development will function with the surrounding developed area; and

WHEREAS: On August 26, 2019, the Environmental Coordinator made a preliminary determination that a Negative Declaration would be appropriate for the proposed project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby make the following findings:

1. That a Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran for thirty (30) days, from August 28 through September 30, 2019.
2. That the proposed project will not result in adverse environmental impacts. The approved Negative Declaration was evaluated in light of the prepared environmental initial study. No comments were received during the review period.

3. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of the project.
4. That the City Council is the decision-making body for the project.

NOW, THEREFORE, BE IT FURTHER RESOLVED: That the City Council does hereby approve the Negative Declaration attached hereto as Exhibit A for the General Plan Amendment, Zone Change, and subsequent development of Porter's Crossing Commercial Center Phase II, at Henderson Avenue and Prospect Street (PRC 2018-022).

PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

By: _____
Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

City of Porterville

Porter's Crossing, Phase II

Draft Initial Study / Mitigated Negative Declaration

August 2019

Prepared for:
The City of Porterville, CA
291 N Main St
Porterville, CA 93257

Prepared by:
Provost & Pritchard Consulting Group
286 W. Cromwell Avenue
Fresno, CA 93711



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Report Prepared for:

The City of Porterville

291 North Main Street
Porterville, CA 93257

Contact:

Julie D. Phillips, AICP
Community Development Manager
(559) 782-7460

Report Prepared by:

Provost & Pritchard Consulting Group

Dawn E. Marple, Senior Planner/Project Manager
Brynae Emerzian, Assistant Planner
Jason Thomas, GIS Specialist
Jackie Lancaster, Professional Assistant

Contact:

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(559) 636-1166

Table of Contents

1	Chapter 1 Introduction	1-1
1.1	Regulatory Information	1-1
1.2	Document Format	1-1
2	Chapter 2 Project Description	2-1
2.1	Project Background and Objectives	2-1
2.1.1	Project Title	2-1
2.1.2	Lead Agency Name and Address	2-1
2.1.3	Contact Person and Phone Number	2-1
2.1.4	Project Location	2-1
2.1.5	Latitude and Longitude	2-1
2.1.6	General Plan Designation	2-1
2.1.7	Zoning	2-2
2.1.8	Description of Project	2-2
2.1.9	Site and Surrounding Land Uses and Setting	2-3
2.1.10	Other Public Agencies Whose Approval May Be Required	2-3
2.1.11	Consultation with California Native American Tribes	2-3
3	Chapter 3 Impact Analysis	3-1
3.1	Environmental Factors Potentially Affected	3-1
3.2	Aesthetics	3-0
3.2.1	Environmental Setting and Baseline Conditions	3-0
3.2.2	Impact Assessment	3-1
3.3	Agriculture and Forestry Resources	3-3
3.3.1	Environmental Setting and Baseline Conditions	3-3
3.3.2	Impact Assessment	3-5
3.4	Air Quality	3-7
3.4.1	Environmental Setting and Baseline Conditions	3-7
3.4.2	Impact Assessment	3-9
3.5	Biological Resources	3-13
3.5.1	Environmental Setting and Baseline Conditions	3-13
3.5.2	Impact Assessment	3-14
3.6	Cultural Resources	3-16
3.6.1	Environmental Setting and Baseline Conditions	3-16

3.6.2	Impact Assessment	3-17
3.7	Energy	3-18
3.7.1	Environmental Setting and Baseline Conditions	3-18
3.7.2	Impact Assessment	3-18
3.8	Geology and Soils.....	3-20
3.8.1	Environmental Setting and Baseline Conditions	3-20
3.8.2	Impact Assessment.....	3-22
3.9	Greenhouse Gas Emissions	3-27
3.9.1	Environmental Setting and Baseline Conditions	3-27
3.9.2	Impact Assessment.....	3-28
3.10	Hazards and Hazardous Materials	3-31
3.10.1	Environmental Setting and Baseline Conditions	3-31
3.10.2	Impact Assessment	3-32
3.11	Hydrology and Water Quality	3-34
3.11.1	Environmental Setting and Baseline Conditions	3-34
3.11.2	Impact Assessment	3-35
3.12	Land Use and Planning	3-39
3.12.1	Environmental Setting and Baseline Conditions	3-39
3.12.2	Impact Assessment	3-39
3.13	Mineral Resources	3-41
3.13.1	Environmental Setting and Baseline Conditions	3-41
3.14	Noise	3-43
3.14.1	Environmental Setting and Baseline Conditions	3-43
3.14.2	Impact Assessment.....	3-44
3.15	Population and Housing	3-47
3.15.1	Environmental Setting and Baseline Conditions	3-47
3.15.2	Impact Assessment.....	3-47
3.16	Public Services	3-49
3.16.1	Environmental Setting and Baseline Conditions	3-49
3.16.2	Impact Assessment.....	3-49
3.17	Recreation.....	3-52
3.17.1	Environmental Setting and Baseline Conditions	3-52
3.17.2	Impact Assessment	3-52
3.18	Transportation	3-55

3.18.1	Environmental Settings and Baseline Conditions.....	3-55
3.18.2	Impact Assessment.....	3-56
3.19	Tribal Cultural Resources.....	3-59
3.19.1	Environmental Setting and Baseline Conditions	3-59
3.19.2	Impact Assessment.....	3-59
3.20	Utilities and Service Systems	3-62
3.20.1	Environmental Setting and Baseline Conditions	3-62
3.20.2	Impact Assessment.....	3-63
3.21	Wildfire	3-65
3.21.1	Environmental Setting and Baseline Conditions	3-65
3.22	CEQA Mandatory Findings of Significance	3-69
3.22.1	Impact Assessment.....	3-69
3.23	Determination: (To be completed by the Lead Agency)	3-71
4	Chapter 4 Mitigation Monitoring and Reporting Program	4-1

Appendices

Appendix A	CalEEMod Output Files.....	A-1
Appendix B	Biological Evaluation Report.....	B-1
Appendix C	Cultural Resources	C-1
Appendix D	Traffic Report.....	D-1

List of Figures

Figure 2-1. Regional Location.....	2-4
Figure 2-2. Topographic Quadrangle Map	2-5
Figure 2-3. Site Plan.....	2-6
Figure 2-4. Zone District Map.....	2-7
Figure 2-5. Land Use Designation Map	2-8
Figure 3-1. Farmland Designation Map	3-6
Figure 3-2. Regional Location.....	3-25
Figure 3-3. FEMA Map	3-37
Figure 3-4. Regional Location.....	3-67

List of Tables

Table 2-1. General Plan Designation.....	2-1
Table 2-2. City Zone District	2-2
Table 3-1. Aesthetics Impacts.....	3-0
Table 3-2. Agriculture and Forest Resources Impacts.....	3-3
Table 3-3. Air Quality Impacts	3-7
Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation.....	3-8
Table 3-5. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants	3-11
Table 3-6. Unmitigated Long-Term Operational Emissions.....	3-11
Table 3-7. Biological Resources Impacts	3-13
Table 3-8. Cultural Resources Impacts.....	3-16
Table 3-9. Energy Impacts	3-18
Table 3-10. Geology and Soils Impacts.....	3-20
Table 3-11. Greenhouse Gas Emissions Impacts	3-27
Table 3-12. Short-Term Construction-Generated GHG Emissions.....	3-30
Table 3-13. Long-Term Operational GHG Emissions	3-30
Table 3-14. Hazards and Hazardous Materials Impacts.....	3-31
Table 3-15. Hydrology and Water Quality Impacts	3-34
Table 3-16. Land Use and Planning Impacts	3-39
Table 3-17. Mineral Resources Impacts	3-41
Table 3-18. Noise Impacts	3-43

Table 3-19. Typical Construction Noise Levels..... 3-44

Table 3-20. Typical Construction Vibration Levels 3-45

Table 3-21. Population and Housing Impacts 3-47

Table 3-22. Public Services Impacts 3-49

Table 3-23 Recreation Impacts..... 3-52

Table 3-24 Transportation Impacts 3-55

Table 3-25. Fair Share Percentages 3-57

Table 3-26 Tribal Cultural Resources Impacts..... 3-59

Table 3-27. Utilities and Service Systems Impacts 3-62

Table 3-28. Wildfire Impacts 3-65

Table 3-29. Mandatory Findings of Significance Impacts..... 3-69

Table 4-1. Mitigation Monitoring and Reporting Program.....4-1

Chapter 1 Introduction

Provost & Pritchard Consulting Group (Provost & Pritchard) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) on behalf of the City of Parlier to address the environmental effects of the Porter's Crossing, Phase II (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.* The District is the CEQA lead agency for this proposed Project.

The site and the proposed Project are described in detail in the **Chapter 2 Project Description**.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)-- also known as the CEQA Guidelines-- Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

- a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
- b. The IS identified potentially significant effects, but:
 1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
 2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project *as revised* may have a significant effect on the environment.

1.2 Document Format

This IS/MND contains four chapters and four appendices. **Chapter 1 Introduction**, provides an overview of the proposed Project and the CEQA process. **Chapter 2 Project Description**, provides a detailed description of proposed Project components and objectives. **Chapter 3 Impact Analysis**, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. **Chapter 3 Impact Analysis** concludes with the Lead Agency's

Chapter 1 Introduction

Porter's Crossing, Phase II Project

determination based upon this initial evaluation. **Chapter 4 Mitigation Monitoring and Reporting Program** (MMRP), provides the proposed mitigation measures, implementation timelines, and the entity/agency responsible for ensuring implementation.

The CalEEMod Output Files, search results of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB), Cultural Resources Information, and Traffic are provided as technical **Appendix A**, **Appendix B**, **Appendix C**, and **Appendix D**, respectively, at the end of this document.

Chapter 2 Project Description

2.1 Project Background and Objectives

2.1.1 Project Title

City of Porterville, Porter's Crossing Phase II

2.1.2 Lead Agency Name and Address

The City of Porterville
291 North Main Street
Porterville, CA 93257

2.1.3 Contact Person and Phone Number

Lead Agency Contact
City of Porterville Community Development
Julie D. Phillips, AICP
559.782.7460

CEQA Consultant
Provost & Pritchard Consulting Group
Dawn E. Marple, Senior Planner
559.636.1166

2.1.4 Project Location

The Project is located in Porterville, California, approximately 241 miles south of Sacramento and 50 miles north of Bakersfield (see **Figure 2-1** and **Figure 2-2**). The proposed site of Porter's Crossing, Phase II is located approximately on Assessor's Parcel Numbers 246-111-059, 060, and 061. The proposed project is shown in Figure 2-3.

2.1.5 Latitude and Longitude

The centroid of the Project area is 36.0819, -119.0433.

2.1.6 General Plan Designation

High Density Residential (See **Figure 2-5**). Project proposes a General Plan Amendment from High Density Residential land use designation to the Commercial Centers land use designation.

Table 2-1. General Plan Designation

Project Area	General Plan Designation
246-111-059	High Density Residential
246-111-060	High Density Residential
246-111-061	High Density Residential

2.1.7 Zoning

RM-3, High Density Residential (See **Figure 2-4**)

Project proposes a zone change from the RM-3 (High Density Residential) zone district to the CR (Commercial Centers).

Table 2-2. City Zone District

Project Area	Zone District
246-111-059	RM-3
246-111-060	RM-3
246-111-061	RM-3

2.1.8 Description of Project

2.1.8.1 Project Background and Purpose

2.1.8.2 Project Description

The Project site is located in central Porterville, at the intersection of West Henderson Avenue and North Prospect Street. The site is comprised of three parcels with Assessor's Parcel Numbers (APNs): 246-111-059, 060, and 061 totaling 1.81 acres. The Project site is currently vacant, on the northernmost property there is a vacant single-family residence that will be demolished as part of the Project. The Project site is surrounded primarily by urban uses. Adjacent uses include commercial development to the south and west of the Project site, residential uses to the north and vacant/commercially zoned property to the east.

Once developed, the Project site will operate as an extension of the Porter's Crossing, Phase I commercial development directly to the south. The commercial uses to the south have an existing access point to North Prospect Street. As part of the Project, this access point will be closed and traffic from that portion of the development would access Prospect Street via a single point of ingress and egress constructed with the Project improvements, connecting the two sites. The site across North Prospect Street to the west is developed with major retailers; the existing access point to Prospect from that development would form a four-way intersection with stop signs at the exits from the parking areas. Properties to the east are vacant or in agricultural use, but future development of those sites will access North Prospect Street through Phase II. There are duplexes to the north with a separate circulation system.

Additional site improvements will be constructed as part of the Project, including sidewalks, landscaping, a paved parking lot, trash enclosures, walkways, and ramps. Once complete, the Project will consist of just over 3,100 square feet of commercial building space, 15,875 square feet of landscaping, and a total of 87 parking spaces. The Project site plan is illustrated in **Figure 2-3**.

As part of the Project, the applicant is requesting both a General Plan Amendment and zone change in order to facilitate the proposed uses. The General Plan designation for the Project site is currently High Density Residential. As part of this Project, the site will be re-designated to Retail Centers. The High-Density Residential designation is typically representative of multifamily housing developments and is expressed by the RM-3 zone district. Zoning for the Project site is currently RM-3 (High Density Residential) and will be rezoned from RM-3 to the CR (Commercial Centers) zone district. The CR zone allows for commercial buildings up to 50 feet tall on minimum lot sizes of 5,000 square feet, and a maximum Floor Area Ratio (FAR) of 0.35.

2.1.8.3 Construction

Construction is estimated to begin in the fall of 2019 and is projected to take five months from groundbreaking to completion.

2.1.8.4 Operation and Maintenance

Ongoing operation of the Project will include restaurant staff, onsite during regular business hours. Staff will include up to eight employees per shift, combined for both tenants, with a total of two shifts per day.

2.1.9 Site and Surrounding Land Uses and Setting

The Project is in an area of commercial, multifamily residential and agricultural land uses. To the north of the Project site is residential development. Commercial uses surround the Project site to the west and south. Land to the east is either vacant/zoned commercial or in agricultural use. The site is bordered by West Henderson Avenue to the south, Prospect Street to the west, and Mulberry Avenue to the north.

See **Figure 2-4** and **Figure 2-5** for the zoning and general plan designations, respectively.

2.1.10 Other Public Agencies Whose Approval May Be Required

Discretionary approvals that may be required:

- City of Porterville Zone Change
- City of Porterville General Plan Amendment
- City of Porterville lot merger or lot line adjustment

Ministerial approvals and agreements that may be required:

- City of Porterville building permits
- San Joaquin Valley Air Pollution Control District Rule 9510, and Rule 2201

2.1.11 Consultation with California Native American Tribes

Public Resources Code Section 21080.3.1, *et seq.* (*codification of AB 52, 2013-14*) requires that a lead agency, within 14 days of determining that it will undertake a project, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

The City of Porterville has received written correspondence from the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to Public Resources Code Section 21080.3.1 requesting notification of proposed project. A formal correspondence letter was sent to the Tribe on June 28, 2019. No correspondence has been received from the Tribe in return.

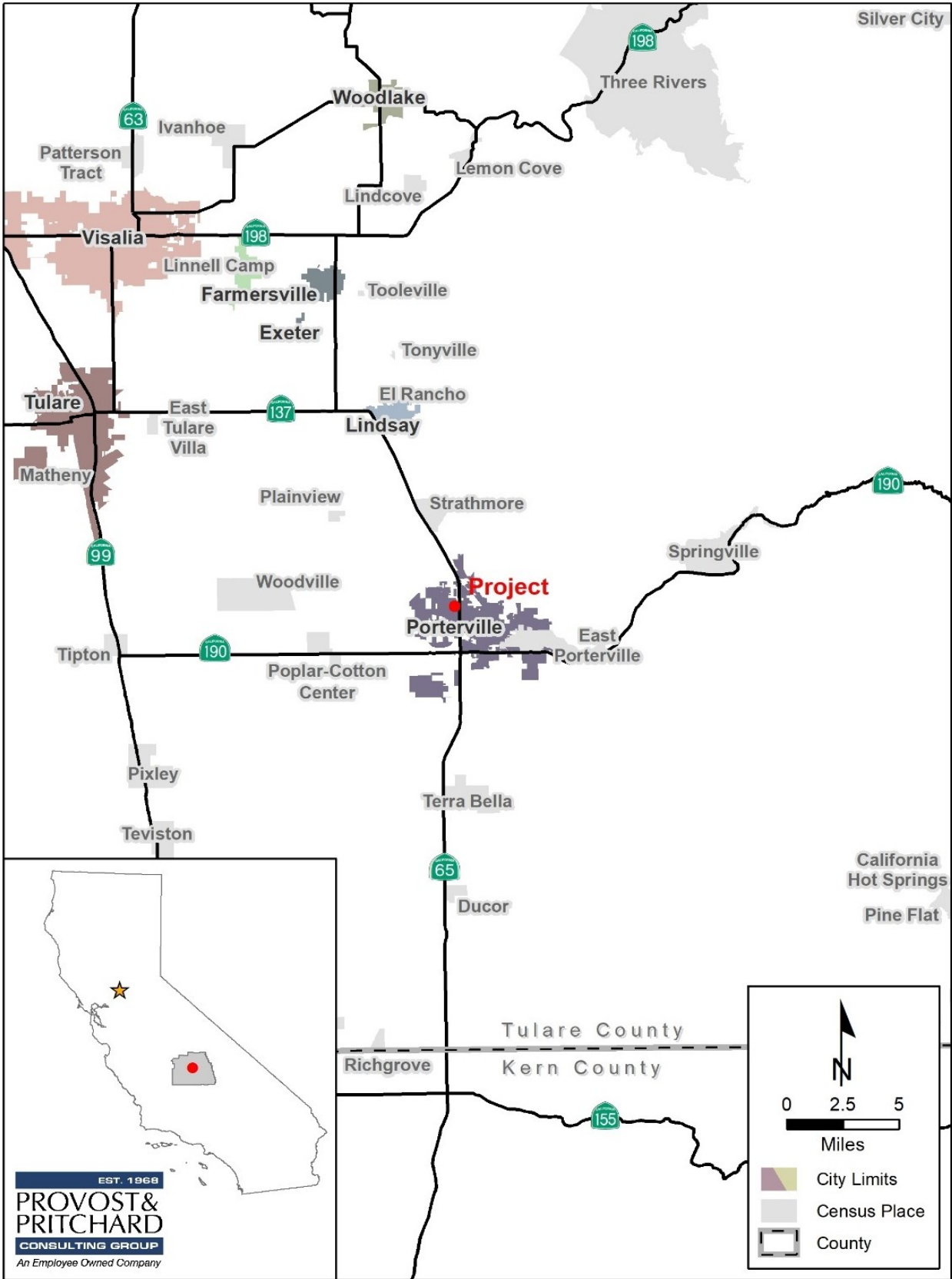


Figure 2-1. Regional Location

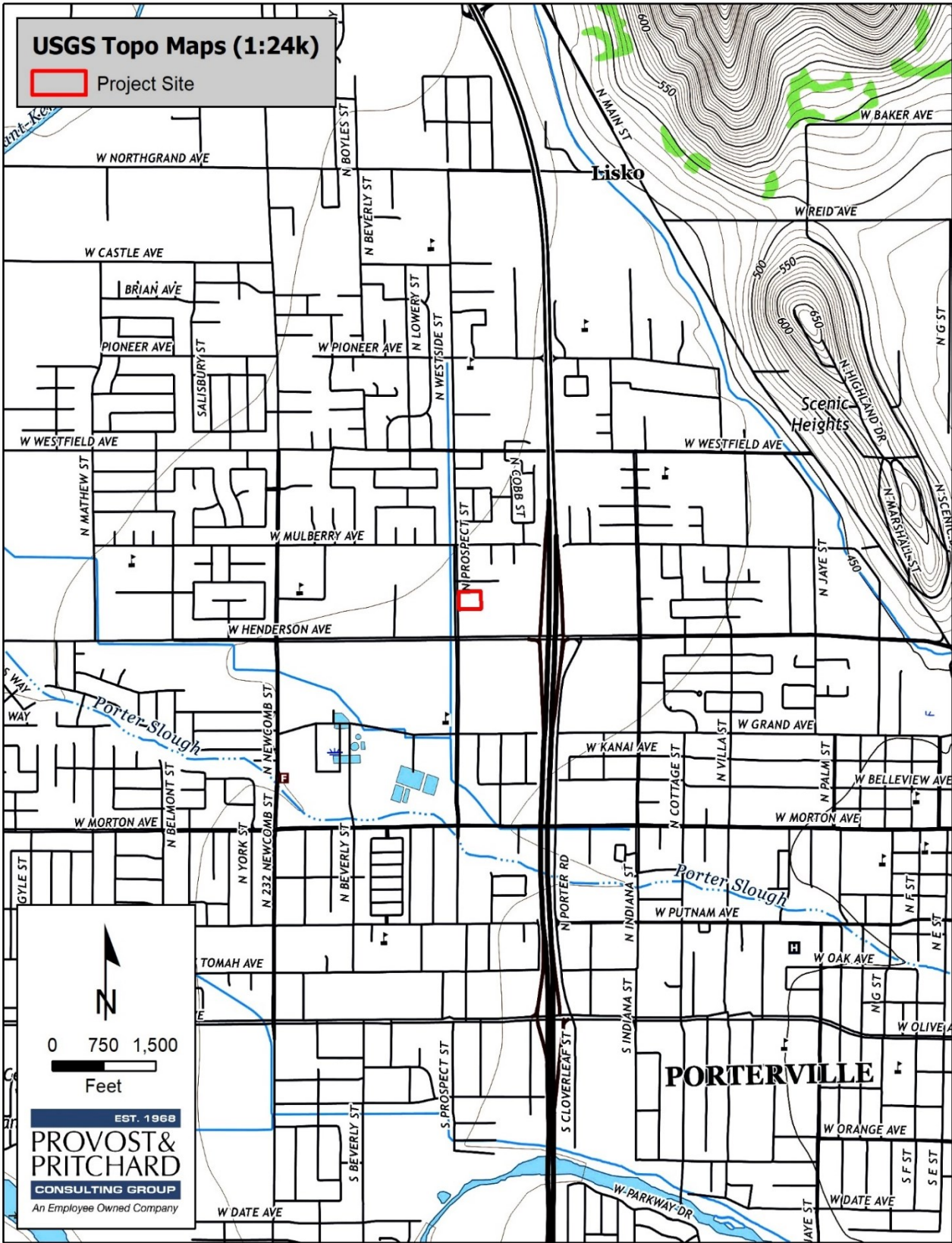


Figure 2-2. Topographic Quadrangle Map

Chapter 2 Project Description

Porter's Crossing, Phase II Project

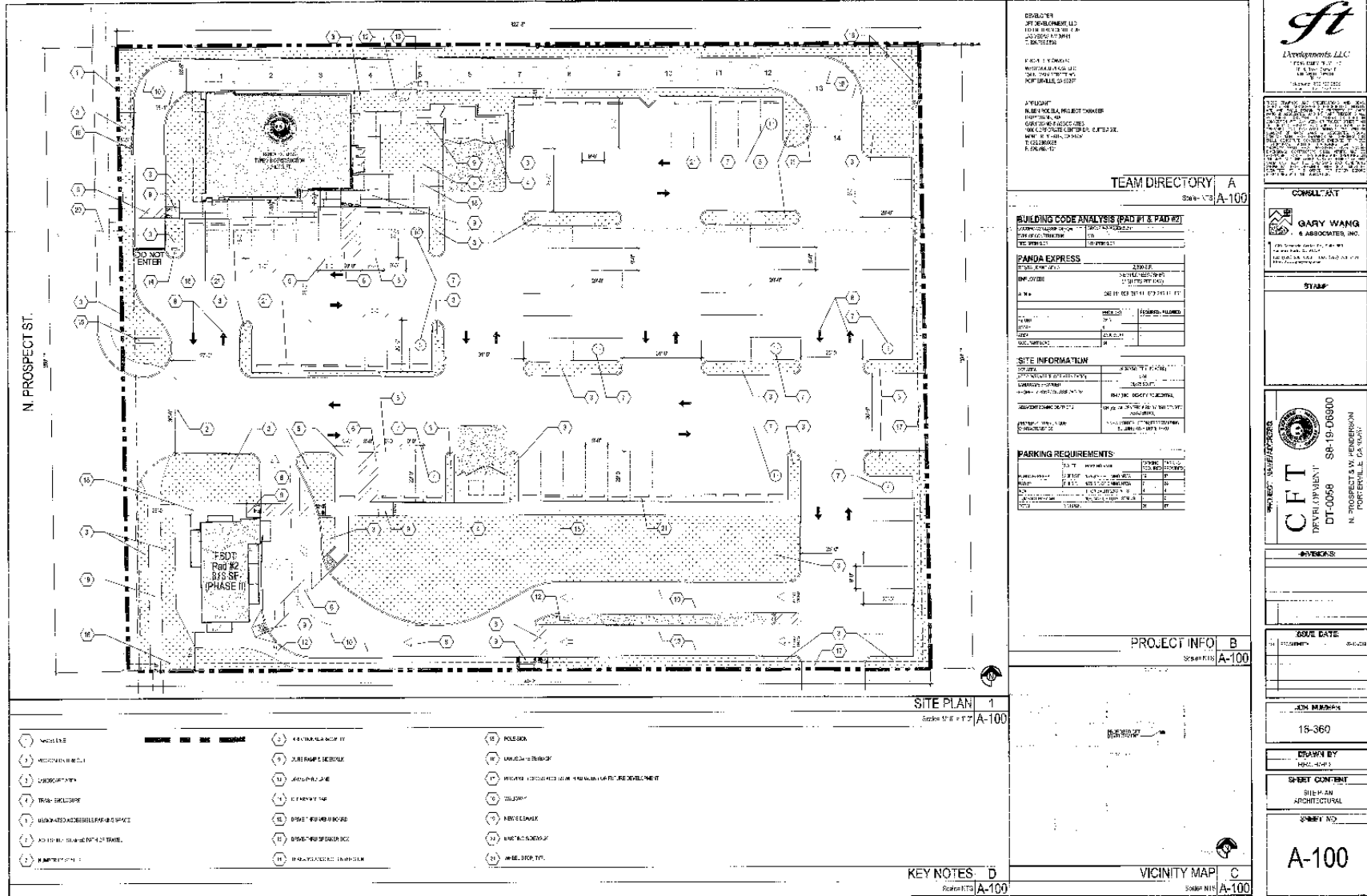


Figure 2-3. Site Plan

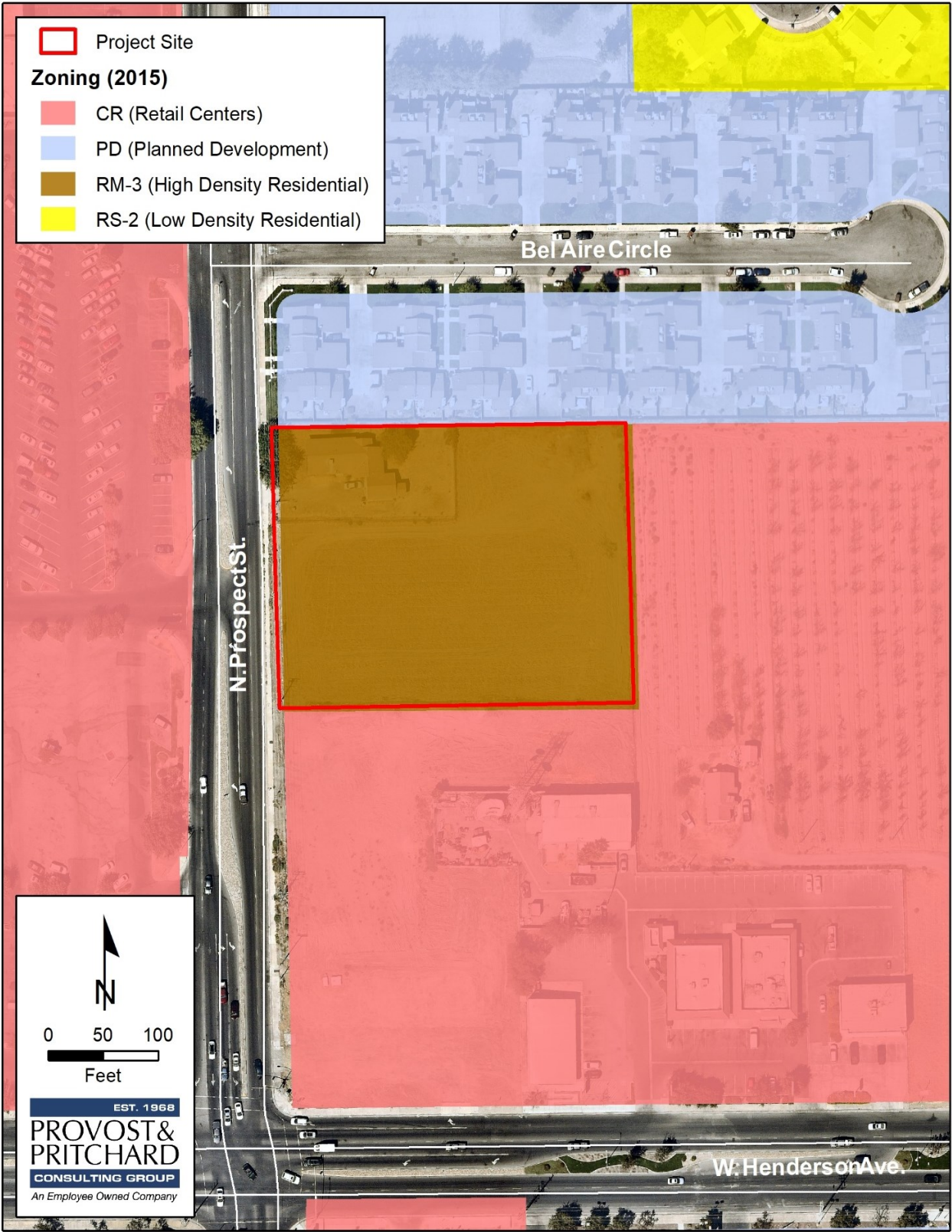
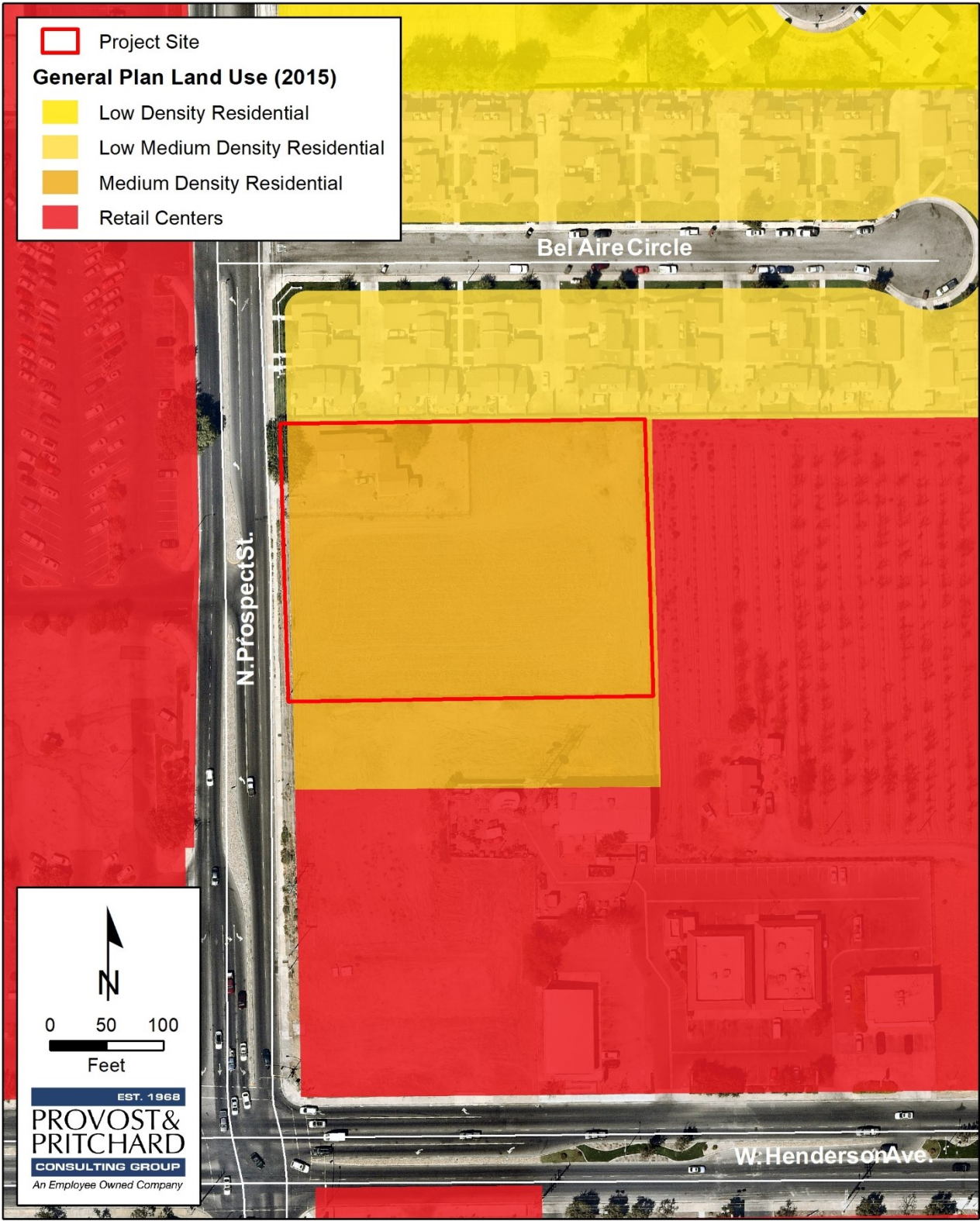


Figure 2-4. Zone District Map



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General Plan Land Use

Figure 2-5. Land Use Designation Map

Chapter 3 Impact Analysis

3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☐ Biological Resources | ☒ Cultural Resources | ☐ Energy |
| ☒ Geology/Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials |
| ☐ Hydrology/Water Quality | ☐ Land Use/Planning | ☐ Mineral Resources |
| ☒ Noise | ☐ Population/Housing | ☒ Public Services |
| ☐ Recreation | ☐ Transportation/Traffic | ☐ Tribal Cultural Resources |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ Mandatory Findings of Significance |

The analyses of environmental impacts here in **Chapter 3 Impact Analysis** are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

3.2 Aesthetics

Table 3-1. Aesthetics Impacts

Aesthetics				
Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

3.2.1 Environmental Setting and Baseline Conditions

The City of Porterville is located in the southern portion of the San Joaquin Valley and sits at the base of the Sierra Nevada Mountains. Much of Porterville has views of the mountains and associated foothills to the east of the City. The Project site is located on the San Joaquin Valley floor in the north eastern position of the City of Porterville, California.

The aesthetic character of the Project site and the surrounding area can generally be described as urban. Most adjacent properties are developed with commercial uses of varying intensity. There is one completed residential housing development to the north. To the east, there is an existing agricultural use that is planned for future commercial development through current land use and zoning designations. North Prospect Street is directly adjacent to the West, with built out land that is zoned CR (Commercial Centers) beyond that. The property to the south is zoned CR and is built out. The Project site is accessible from North Prospect Street. While the Project site is currently vacant, it has the visual characteristics of an infill site with flat topography and distant views of the foothills to the east.

There are no designated scenic resources within the City of Porterville, however eastward views to the Sierra Nevada foothills and mountains within the city are considered scenic vistas. The General Plan identifies the Tule River and Rocky Hill as prominent landmarks within the City and has adopted guiding policies around preserving these areas as open space. In addition, the General Plan considers the agricultural foundation of the City's development patterns, surrounding topography, and landscape important for both community identity, aesthetic value, and environmental quality.

3.2.2 Impact Assessment

The City of Porterville's General Plan EIR, certified in November of 2007, addresses thresholds for potential significant adverse effects on visual resources. These thresholds state that a significant adverse effect on visual resources would occur in the event that a project would:

- Block panoramic views or views of significant landscape features or landforms as seen from public viewing areas;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- Substantially degrade the existing visual character or quality of the study area and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

I-a) Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The proposed Project includes the construction of two commercial buildings and the improvements associated with new commercial development, including landscaping, parking lots, and lighting. Structures within the Project site will be single story in height. All structures and site lighting will conform to design standards set forth in the City's General Plan and Zoning Ordinance. Construction activities will be visible from adjacent roadways, however, will be temporary. Views of the Sierra Nevada Mountains are visible in the distance, beyond the urbanized portion of the City.

The City's General Plan identifies views extending along the Tule River and Rocky Hill as prominent scenic resources worth preserving. The Project site itself does not fall within protected scenic or open space resources identified in the General Plan, nor in the City's adopted Zoning Ordinance. The Project area is located in an urban setting, is flat, and located in an area that is predominately surrounded by urban uses. As such, the Project will not result in a use that is visually incompatible with the surrounding area. The impact will be less than significant.

I-b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The Scenic Highway Program protects and enhances California's natural scenic beauty by allowing county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program. The Project site is located within the City of Porterville, which does not have any Officially Designated or Eligible State Scenic Highways. The nearest Eligible State Scenic Highway is SR 190, east of SR 65. Project site is located approximately 2.12 miles north of SR 190 and does not fall within the scenic corridor of SR 190. As such, there would be no impact.

I-c) Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project site sits within an urbanized area within the City of Porterville. Existing uses directly adjacent to the Project site are commercial, residential, and agricultural. Agricultural uses to the east of the Project site are planned and zoned for future commercial uses. As part of the Project, the site would require a zoning and general plan land use change from High Density Residential to Commercial. Despite the land use changes required in order to approve the Project, the Project will not result in a use that is visually incompatible with the surrounding area and will be built according to all applicable City regulations governing scenic quality.

Chapter 3 Impact Analysis - Aesthetics

Porter's Crossing, Phase II Project

In addition to zoning regulations for commercial development, the City of Porterville adopted the Hillside Development Ordinance, which sets design and planning standards for the foothills area and protects the City's scenic vistas and view of the Sierra Nevada foothills and ridgelines. The Project site does not sit within a designated Hillside Development Zone and requires no further regulation on scenic quality above and beyond that which applies to the CR zoning district. No impact would occur.

I-d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Project implementation would create new lighting sources on the Project site associated with commercial businesses, specifically related to drive through fast-food restaurants, including lit signage. Precise Project details are not yet available; however, it is expected that the proposed structures would have lighting consistent with regulations outlined in Chapter 21, Article 300, Section 7 of the Zoning code which are intended to minimize artificial light that may have a detrimental effect on the environment or enjoyment of the night sky, and unnecessary illumination of adjacent properties. Although the Project will add new light sources for exterior and interior building lighting, the Project's lighting will be consistent with the City's Zoning Ordinance and General Plan, ensuring that Project impacts related to light and glare are less than significant.

3.3 Agriculture and Forestry Resources

Table 3-2. Agriculture and Forest Resources Impacts

Agriculture and Forest Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

3.3.1 Environmental Setting and Baseline Conditions

The proposed Project site is located in an urbanized portion of the City of Porterville. Surrounding uses are predominately commercial or residential, with limited agriculture uses to the east of the Project site. Despite its current agricultural use, the land to the east of the Project site is planned and zoned for future commercial projects.

In order to determine the status of the Project site as an agricultural resource, the California State Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) has been utilized. According to the FMMP, the Project site is located in a portion of the City identified as urban, built up land. In addition, the Project site is identified as Developed Land in 2030 by the General Plan Open Space and Conservation Element. FMMP farmland designations are shown in **Figure 3-1. Farmland Designation Map**.

Farmland Mapping and Monitoring Program (FMMP): The FMMP produces maps and statistical data used for analyzing impacts to California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

The California DOC's 2012 FMMP is a non-regulatory program that produces "Important Farmland" maps and statistical data used for analyzing impacts on California's agricultural resources. The Important Farmland maps identify eight land use categories, five of which are agriculture related: prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, and grazing land – rated according to soil quality and irrigation status. Each is summarized below¹:

- **PRIME FARMLAND (P):** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply

needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

- **FARMLAND OF STATEWIDE IMPORTANCE (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture.

Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

- **UNIQUE FARMLAND (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non- irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

- **FARMLAND OF LOCAL IMPORTANCE (L):** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

- **GRAZING LAND (G):** Land on which the existing vegetation is suited to the grazing of livestock. The minimum mapping unit for Grazing Land is 40 acres.

- **URBAN AND BUILT-UP LAND (D):** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

- **OTHER LAND (X):** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

- **WATER (W):** Perennial water bodies with an extent of at least 40 acres.

¹ California Department of Conservation. FMMP – Report and Statistics.

<http://www.conservation.ca.gov/dlrf/fmmp/products/Pages/ReportsStatistics.aspx>. Accessed 24 October 2018.

3.3.2 Impact Assessment

II-a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. According to the DOC's 2016 FMMP map for Tulare County, the Project site is designated as Urban and Built-Up Land. Additionally, the City of Porterville General Plan designates the Project site for High Density Residential uses and is predominately surrounded by land either already utilized for commercial purposes or planned for it in the future. The site is vacant and is not used for agricultural activities. Therefore, there would be no impact.

II-b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project site is an urban infill property which is zoned RM-3 (High Density Residential). The Project site is not currently being farmed and is not under a Williamson Act contract. There are no properties within the immediate vicinity of the Project site that are under Williamson Act contracts. Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur.

II-c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**II-d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

No Impact. See Impact II(b) above. No forest or timberland is located on or near the Project area, no impact would occur.

II-e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project site is located in an urban setting. The City's General Plan designates the Project site as High Density Residential, and areas surrounding the project site are either currently in use as or planned for commercial development. No land conversion from Farmland would occur for the Project. Therefore, the Project has no impacts.



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Farmland Designation

Figure 3-1. Farmland Designation Map

3.4 Air Quality

Table 3-3. Air Quality Impacts

Air Quality				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

3.4.1 Environmental Setting and Baseline Conditions

The Project lies within the eight-county San Joaquin Valley Air Basin (SJVAB), which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). Air quality in the SJVAB is influenced by a variety of factors, including topography, local and regional meteorology. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). The CAAQS also set standards for sulfates (SO₄), hydrogen sulfide (H₂S), vinyl chloride (C₂H₃Cl) and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all State and Federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either “attainment”, “nonattainment”, or “extreme nonattainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal nonattainment area for O₃, a State and Federal nonattainment area for PM_{2.5}, a State nonattainment area for PM₁₀, a Federal and State attainment area for CO, SO₂, and NO₂, and a State attainment area for sulfates, vinyl chloride and Pb².

² San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards and Valley Attainment Status. <http://www.valleyair.org/aqinfo/attainment.htm>.

3.4.1.1 Regulatory Attainment Designations

Under the CCAA, the CARB is required to designate areas of the State as attainment, nonattainment, or unclassified with respect to applicable standards. An “attainment” designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A “nonattainment” designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An “unclassified” designation signifies that the data does not support either an attainment or nonattainment designation. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The EPA designates areas for ozone, CO, and NO₂ as “does not meet the primary standards,” “cannot be classified,” or “better than national standards.” For SO₂, areas are designated as “does not meet the primary standards,” “does not meet the secondary standards,” “cannot be classified,” or “better than national standards.” However, the CARB terminology of attainment, nonattainment, and unclassified is more frequently used. The EPA uses the same sub-categories for nonattainment status: serious, severe, and extreme. In 1991, EPA assigned new nonattainment designations to areas that had previously been classified as Group I, II, or III for PM₁₀ based on the likelihood that they would violate national PM₁₀ standards. All other areas are designated “unclassified.”

The State and national attainment status designations pertaining to the SJVAB are summarized in [Appendix A](#). The SJVAB is currently designated as a nonattainment area with respect to the State PM₁₀ standard, ozone, and PM_{2.5} standards. The SJVAB is designated nonattainment for the NAAQS 8-hour ozone and PM_{2.5} standards. On September 25, 2008, the EPA re-designated the San Joaquin Valley to attainment status for the PM₁₀ NAAQS and approved the PM₁₀ Maintenance Plan.

Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm	Nonattainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**
Particulate Matter (PM ₁₀)	AAM	20 µg/m ³	Nonattainment	–	Attainment
	24-hour	50 µg/m ³		150 µg/m ³	
Fine Particulate Matter (PM _{2.5})	AAM	12 µg/m ³	Nonattainment	12 µg/m ³	Nonattainment
	24-hour	No Standard		35 µg/m ³	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Unclassified
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
	AAM	0.030 ppm	Attainment	53 ppb	

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Nitrogen Dioxide (NO ₂)	1-hour	0.18 ppm		100 ppb	Attainment/ Unclassified
Sulfur Dioxide (SO ₂)	AAM	–	Attainment	--	Attainment/ Unclassified
	24-hour	0.04 ppm		--	
	3-hour	–		0.5 ppm	
	1-hour	0.25 ppm		75 ppb	
Lead (Pb)	30-day Average	1.5 µg/m ³	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		--	
	Rolling 3-Month Average	–		0.15 µg/m ³	
Sulfates (SO ₄)	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide (H ₂ S)	1-hour	0.03 ppm (42 µg/m ³)	Unclassified		
Vinyl Chloride (C ₂ H ₃ Cl)	24-hour	0.01 ppm (26 µg/m ³)	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified		

* For more information on standards visit: <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>

** No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard May 5, 2010.

***Secondary Standard

Source: CARB 2015; SJV APCD 2015

3.4.2 Impact Assessment

An Air Quality and Greenhouse Gas Emissions Evaluation Report (**Appendix A**) was prepared using CalEEmod, Version 2016.3.2 for the proposed Project in July 2019. The sections below detail the methodology of the air quality and greenhouse gas emissions report and its conclusions.

3.4.2.1 Short-Term Construction-Generated Emissions

Short-term construction emissions associated with the Project were calculated using CalEEmod, Version 2016.3.2. The emissions modeling includes emissions generated by off-road equipment, haul trucks, and worker commute trips. Emissions were quantified based on anticipated construction schedules and construction equipment requirements typical for the type of construction proposed. All remaining assumptions were based on the default parameters contained in the model. Localized air quality impacts associated with the Project would be minor and were qualitatively assessed. Modeling assumptions and output files are included in **Appendix A**.

3.4.2.2 Long-Term Operational Emissions

Long-term operational emissions associated with the Project are estimated to be minimal in nature. Long term operation of the Project will include on site staff, consisting of two shifts per day, with three employees per shift. Maintenance will be provided on an as needed basis by staff. Modeling assumptions and output files are included in **Appendix A**.

3.4.2.3 Thresholds of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts*. This guidance document includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended thresholds would be considered to have a potentially significant impact to human health and welfare. The thresholds of significance are summarized, as follows:

Short-Term Emissions of Particulate Matter (PM₁₀): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NO_x): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_x that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM₁₀): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM₁₀ that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NO_x): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NO_x that exceeds 10 TPY.

Conflict with or Obstruct Implementation of Applicable Air Quality Plan: Due to the region's nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD's significance thresholds, then the project would be considered to conflict with the attainment plans. In addition, if the project would result in a change in land use and corresponding increases in vehicle miles traveled, the project may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Local Mobile-Source CO Concentrations: Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e. 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed 10 in 1 million or would result in a Hazard Index greater than 1.

Odor impacts associated with the proposed Project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

III-a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

No Impact. As noted in Impact Assessments III-b and III-c below, implementation of the Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans.

III-b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.

Short-Term Construction-Generated Emissions

Construction-generated emissions are temporary in duration, and consist of activities such as site preparation, grading, and construction of the commercial facilities, parking lots, and landscaping. The construction of the Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces.

Estimated construction-generated emissions and operational emissions are summarized in **Table 3-5** and **Table 3-6**, respectively.

Table 3-5. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Short-Term Construction-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
2020	0.0872	0.5558	0.4760	0.0409	0.0313
SJVAPCD Significance Thresholds:	10	10	100	15	15
Exceed SJVAPCD Thresholds?	NO	NO	NO	NO	NO

1. Emissions were quantified using CalEEMod Output Files Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

Table 3-6. Unmitigated Long-Term Operational Emissions

Long-Term Operational Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) ⁽¹⁾				
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Annual Project Emissions:	0.5384	3.8219	3.7964	0.6190	0.1758
SJVAPCD Significance Thresholds:	10	10	100	15	15
Exceed SJVAPCD Thresholds?	NO	NO	NO	NO	NO

1. Emissions were quantified using CalEEMod Output Files Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

It is important to note that the proposed Project would be required to comply with SJVAPCD Regulation VIII (Fugitive PM₁₀ Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would further

reduce emissions of fugitive dust from the Project site, and adequately minimize the proposed Project's potential to adversely affect nearby sensitive receptors to localized PM impacts.

Given that project-generated emissions would not exceed applicable SJVAPCD significance thresholds and the proposed Project would be required to comply with SJVAPCD Regulation VIII, construction-generated emissions of criteria pollutants would be considered less than significant.

Long-Term Operational Emissions

As illustrated in Table 3-6, long-term operational emissions associated with the Project will be minimal and well below the respective thresholds of significance. Therefore, Project-related impacts to air quality would be considered less than significant.

III-c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. As described in Impact III-b, above, the proposed Project would not significantly increase long-term emissions within the Project area. Construction may expose surrounding sensitive receptors to airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement measures to reduce or eliminate emissions by following the Regulation VIII, Fugitive PM10 Prohibitions. Both Project construction and operational emissions would be well below the SJVAPCD's significance thresholds. Therefore, sensitive receptors are not expected to be exposed to substantial pollutant concentrations during project construction or operation, and potential impacts would be considered less than significant.

III-d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Implementation of the Project would not result in long-term emissions of odors. However, construction would involve the use of a variety of gasoline- or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel exhaust, may be considered objectionable by some people. Construction activities would be short-term in nature. Impacts would be less than significant.

3.5 Biological Resources

Table 3-7. Biological Resources Impacts

Biological Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

3.5.1 Environmental Setting and Baseline Conditions

The Project site consists of approximately 1.81 acres of land that is designated High Density Residential by the City of Porterville General Plan. The site consists of vacant urban land with little to no topographical relief. There are no incidents of wetlands occurring on site and there are no existing habitat conservation plans associated with the Project site to date.

As part of a desktop analysis of potential Project-related impacts to biological resources, a thorough search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) was on on July 22nd, 2019. The search was conducted for the quadrangle that contains the Project site in its entirety, and for the 8 surrounding quadrangles. These quadrangles include; Fountain Springs, Sausalito School, Cairns Corner, Linday, Success Dam, Frazier Valley, Porterville, Woodville, and Ducor. Species with potential to occur

on the Project site and their respective CDFW status or California Rare Plant Rank are listed in **Appendix B** at the end of this document.

3.5.2 Impact Assessment

IV-a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact. A recent search of the California Natural Diversity Database (CNDDB) revealed that there are several special status plant and animal species which could occur on site. The Project site may provide marginal foraging opportunities for special status animal species and migratory birds; however, the site has been disturbed, is surrounded by urban development and there are no linkage corridors identified in the project area. As such, it is unlikely that any special status species occur on the site; however, to protect any special status species, Mitigation Measure BIO-1 shall be imposed on the Project.

IV-b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. According to the National Wetlands Inventory Maps, no wetlands or riparian communities exist on the Project site. The nearest natural waterway is the Tule River, located approximately 1.5 miles south of the Project site. The Project site is not identified as a sensitive or natural community in any local, regional plans, policies, or regulations, or the CA Dept. of Fish and Wildlife or the U.S. Fish and Wildlife Service. There would be no impact.

IV-c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. As stated in Impact IV-b, wetlands or riparian communities do not exist on or near the Project site. There would be no impact.

IV-d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. As discussed in Impact IV-a, there is no viable habitat for any special status species. There would be no impact.

IV-e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project site does not occur within a sensitive habitat area as designated by the City's General Plan. Therefore, there would be no impact.

IV-f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. No habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan is in effect for the area of the Project. Therefore, the Project would have no impact.

3.6 Cultural Resources

Table 3-8. Cultural Resources Impacts

Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

3.6.1 Environmental Setting and Baseline Conditions

The City of Porterville has a long rich history of human habitation, including Indian tribes such as the Koyote Indian sub-tribe and the Yokuts. Archeological evidence of pre-historic cultures has been documented within the planning area. The City of Porterville General Plan references research completed by the Southern San Joaquin Valley Archaeological Information Center at California State University, Bakersfield, which identifies 45 archaeological sites within the Porterville Planning Area. While human settlements have been documented in Porterville near Murray Hill north of Porter Slough as well as the Rocky Hill area, there are no archaeological sites within the City of Porterville currently listed on the National Register of Historic Places.

Paleontological resources can be classified as the fossilized remains of pre-historic plant and animal life, exclusive of human remains or artifacts. The University of California Museum of Paleontology lists 25 locations within Tulare County, where fossils have been found. Identified fossil types include prehistoric mammals and vertebrates, invertebrates, and plants, however mapping of these locations has not been completed.

According to the City of Porterville General Plan;

In 1986, the City of Porterville conducted a comprehensive inventory of sites and districts with potential historic significance. The final evaluation process produced an inventory of 75 sites that may have eligibility for National Register designation. However, these properties are not currently listed on the National Register. According to the Southern San Joaquin Valley Archeological Information Center, many more properties have potential to also be listed in the national and state registries if they were formally evaluated or re-evaluated. In total, the Porterville Planning Area contains four National Register Sites and two California Historic Landmarks³.

³ (Porterville 2030 General Plan, Open Space and Conservation , 2008)

3.6.2 Impact Assessment

V-a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?

V-b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

V-c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant with Mitigation Incorporated. The Project is located on a vacant lot within an already urbanized portion of the City. Previous grading activities adjacent to the Project site have not uncovered any historical resources. In addition, archeological and historical searches were conducted throughout the city limits and the proposed SOI during the General Plan Update process. According to the search, there are no known historical structures or monuments recorded to be on the site. Additionally, a cultural resources records search of the proposed location was conducted on June 25th, 2019 to determine whether cultural resources are present within the project area (see **Appendix C**). No cultural resources were identified within the project area.

Although no archaeological or historical sites appear to be within the Project area, it has not been physically surveyed and as such, the possibility remains that resources do exist on the site. In the event that historic resources are discovered during construction, there is a possibility that subsurface construction activities could damage or destroy those resources. This is considered a potentially significant impact, however implementation of Mitigation measures CUL-1 and CUL-2 will ensure that significant impacts remain less than significant with mitigation incorporated.

Mitigation Measure CUL-1: If, during construction, cultural resources are discovered, all work shall be halted within 50 feet of the discovery. A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained by the City to determine the significance of the discovery. Upon a finding of significance, the City shall implement the required mitigation (if any) as determined by the archaeologist.

Mitigation Measures CUL-2: In the event human remains are encountered during construction activities, all work within the vicinity of the remains would halt in accordance with Health and Safety Code §7050.5, Public Resources Code §5097.98, and Section 15064.5 of the CEQA Guidelines, and the Fresno County coroner's office would be contacted.

3.7 Energy

Table 3-9. Energy Impacts

Energy				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

3.7.1 Environmental Setting and Baseline Conditions

Southern California Edison provides electric service to Porterville residents. Natural gas service is primarily provided by the Southern California Gas Company. There are three major companies that provide communications services in Porterville: AT&T, Sprint, and Verizon. Charter Communications is the primary cable television and internet provider.

3.7.2 Impact Assessment

VI-a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The California Building Standards Code (California Code of Regulations (CCR), Title 24, Part 2), establishes building codes in California. CCR Title 24, Part 6 herein referred to as Title 24, establishes the standards for building energy in California. Title 24 applies to all buildings that are heated and/or mechanically cooled and are defined under the California Building Code as A, B, E, H, N, R, or S occupancies.

Current regulations for construction equipment, heavy-duty equipment, and earthmoving equipment used in construction contributes to reductions in energy as well as reduction in pollutant emissions. California implemented its In-Use Off-Road Diesel Fueled Fleets regulations (off-road regulation) which applies to all self-propelled off-road diesel vehicles 25 horsepower or greater and most two-engine vehicles. The Small Off-Road Engines (SORE) program was implemented by California to apply to categories of outdoor powered equipment and specialty vehicles often used in construction.

With the incorporation of Title 24 energy standards, implementation of the solar energy system, and regulation of construction vehicles and equipment, the Project would have a less than significant impact on energy resources and would not result in wasteful or unnecessary consumption of energy resources during project operation or construction.

VI-b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact The Project will adhere to the State of California Administrative Code Title 24 as adopted in the Porterville Municipal Code. By incorporating energy reduction standards that meet Title 24 requirements, the Project will have a less than significant impact on State or local plans for renewable energy or energy efficiency.

3.8 Geology and Soils

Table 3-10. Geology and Soils Impacts

Geology and Soils				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.8.1 Environmental Setting and Baseline Conditions

The City of Porterville sits on top of the alluvial fans of the Tule River and its distributaries. The alluvial fans are soft near the river and other waterways and firm in the north, northeast and downtown, areas as a transition to the granitic bedrock deposits in the foothills. The City of Porterville contains a wide variety of soil types which have a significant bearing on land planning and development. Porterville Clay is the most

prominent soil type located within the City.⁴ While State and federal laws regulate soil quality, as indicated by the farmland classification system, local land use planning is important for limiting erosion potential.

3.8.1.1 Geology and Soils

The Project is located in southwestern Fresno County, in the central section of California's Great Valley Geomorphic Province, or Central Valley. The Sacramento Valley makes up the northern third and the San Joaquin Valley makes up the southern two-thirds of the geomorphic province. Both valleys are watered by large rivers flowing west from the Sierra Nevada Range, with smaller tributaries flowing east from the Coast Ranges. Most of the surface of the Great Valley is covered by Quaternary (present day to 1.6 million years ago) alluvium. The sedimentary formations are steeply upturned along the western margin due to the uplifted Sierra Nevada Range.⁵ From the time the Valley first began to form, sediments derived from erosion of igneous and metamorphic rocks and consolidated marine sediments in the surrounding mountains have been transported into the Valley by streams. The City of Porterville 2030 General Plan, Figure 7-1 identifies geological and soil hazards throughout the planning area. According to this source, the Project site is located in an area with a high (0.32-0.43 K Factor) susceptibility for erosion.

3.8.1.2 Faults and Seismicity

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. The nearest unnamed fault is 6.2 miles south of the Project site. The nearest named fault is the Poso Creek fault, located approximately 30 miles to the southwest. The San Andreas fault zone, Cholame-Carrizo section is 69.5 miles to the southwest of the Project site.

3.8.1.3 Liquefaction

The potential for liquefaction, which is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion, is dependent on soil types and density, depth to groundwater, and the duration and intensity of ground shaking. Although no specific liquefaction hazard areas have been identified in the county, this potential is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high-water table coincide. Liquefaction risk in the project area is low. Using the USDA NRCS soil survey of Fresno County, an analysis of the soils onsite was performed.

3.8.1.4 Soil Subsidence

Subsidence occurs when a large land area settles due to over-saturation or extensive withdrawal of ground water, oil, or natural gas. These areas are typically composed of open-textured soils that become saturated. These areas are high in silt or clay content. The Project site is comprised of San Emigdio loam. It is well drained with a moderately rapid permeability and has a moderate risk of subsidence.

3.8.1.5 Dam and Levee Failure

Lake Success is approximately 6.8 miles east of the Project. The entirety of the Project site is located within the dam failure inundation zone for Lake Success.

⁴ Porterville General Plan Public Health and Safety Element, http://www.ci.porterville.ca.us/depts/communitydevelopment/documents/Chapter7PublicHealthandSafety_000.pdf, Accessed February 12, 2019

⁵ Harden, D.R. 1998, California Geology, Prentice Hall, 479 pages

3.8.2 Impact Assessment

VII-a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

*VI-a-i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
Refer to Division of Mines and Geology Special Publication 42.*

No Impact The Project site is not within an Earthquake Fault Zone according to Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The nearest named fault is the Poso Creek fault, located approximately 30 miles to the southwest, therefore there is no impact.

VI-a-ii) Strong seismic ground shaking?

Less Than Significant Impact. According to the City's General Plan, the most likely hazard associated with earthquakes for the Porterville area is ground shaking, rather than surface rupture or ground failure. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. The nearest unnamed fault is 6.2 miles south of the Project site. The nearest named fault is the Poso Creek fault, located approximately 30 miles to the southwest. The San Andreas fault zone, Cholame-Carrizo section is 69.5 miles to the southwest of the Project site. Due to the unlikely nature of major seismic activity near the Project Site and due to the distance to the known major faults, hazards due to ground shaking would be minimal. In addition, the proposed structures would be constructed to meet the most recent seismic standards as set forth in the California Building Code (CBC). Compliance with these standards would ensure potential impacts related to strong seismic ground shaking would be less than significant.

VI-a-iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Seismic-related ground failures, such as ruptures, lateral spreading, ground lurching, seiches, or mudslides, are unlikely to occur in the City because of its relatively stable geologic formation and distance to active faults. However, the City's General Plan states that there is a moderate risk of liquefaction near the Tule River due to the hillside topography and soil slumping. Because the Project site is generally level and is approximately 1.5 miles north of the Tule River, the Project would not expose people or structures to potential substantial effects associated with seismic-related ground failure, including liquefaction. Therefore, this impact is less than significant.

VI-a-iv) Landslides?

Less Than Significant Impact. According to the City of Porterville General Plan, Public Health and Safety Element, the Project site is in the Seismic -3 zone. The site has a moderate to high risk of damaging ground motion. However, the potential landslide impact at this location is minimal as the Project site is essentially flat and level. The impact is less than significant.

VII-b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Soil erodibility can be identified by a specific soil's "K-Factor." Values of K range from 0.02 to 0.69, with the higher the value, the more susceptible the soil is to erosion. Soils with K factors above 0.40 are considered to be the most susceptible to erosion.⁶ The City of Porterville has provided soils

⁶ City of Porterville Public Health and Safety, http://www.ci.porterville.ca.us/depts/communitydevelopment/documents/Chapter7PublicHealthandSafety_000.pdf, Accessed February 19, 2019.

mapping of the planning area with soil K-Factors identified. Based on this mapping, the Project site is located in an area with a K-Factor between 0.32 and 0.43, which is classified as having a high susceptibility to erosion.

Implementation of the Project would include grading activities that could result in short-term soil erosion during the construction period. To reduce the potential for soil erosion during construction of the Project, a plan to control the erosion shall be prepared for the project in conformance with the California Storm Water Best Management Practice Handbook for Construction Activity⁷, prior to the start of grading.

In addition, soil erosion and loss of topsoil would be minimized through implementation of SVJAPCD fugitive dust control measures and compliance with the National Pollutant Discharge Elimination System (NPDES) permit requirements. The impacts will be less than significant.

VII-c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. See sections VII-a-ii through VII-a-iv above. The implementation of the Project would not cause on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse, as the Project neither proposes, nor requires a substantial grade change or change in topography. Development will be exclusive to the Project site and potentially adjacent City right-of-way. Therefore, this impact would be less than significant.

VII -d) Would the project be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils can swell or shrink in response to changes in moisture, which can significantly damage infrastructure and foundations located on expansive soils. According to the City's General Plan, the Project is not located in an area with high soil expansion potential. However, during the City's site review and grading process, the City of Porterville will review grading plans and provide analysis in order for the Project to be compliant with City standards. The impacts will be less than significant.

VII-e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impacts. The Project would does not propose using septic tanks or other alternative wastewater disposal systems. No impacts would occur.

VI f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact with Mitigation Incorporated. No known paleontological resources have been identified at the Project site, however, if a paleontological resource is found during construction, then potentially significant impact would occur unless properly mitigated. The Project will be less than significant with mitigation incorporated.

⁷ California Storm Water Best Management Practice Handbook for Construction Activity, https://www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Complete.pdf, Accessed February 19, 2019

Mitigation Measure – GEO - 1

Should paleontological resources be encountered on the Project site, all ground disturbing activities in the area shall stop. A qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Porterville for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology.

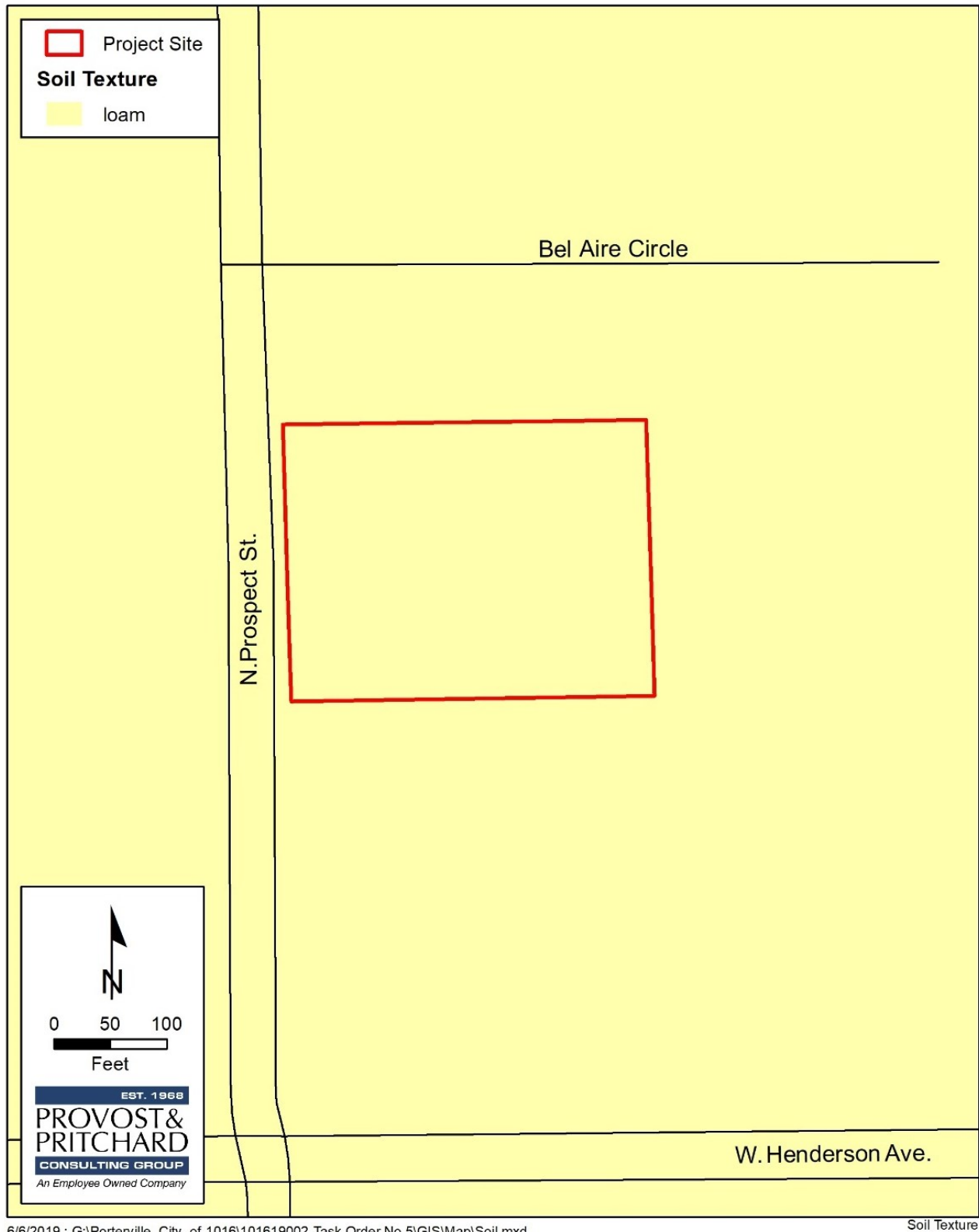


Figure 3-2. Regional Location

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3.9 Greenhouse Gas Emissions

Table 3-11. Greenhouse Gas Emissions Impacts

Greenhouse Gas Emissions				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.9.1 Environmental Setting and Baseline Conditions

The Earth's climate has been warming for the past century. It is believed that this warming trend is related to the release of certain gases into the atmosphere. Greenhouse gases (GHG) absorb infrared energy that would otherwise escape from the Earth. As the infrared energy is absorbed, the air surrounding the Earth is heated. An overall warming trend has been recorded since the late 19th century, with the most rapid warming occurring over the past two decades. The 10 warmest years of the last century all occurred within the last 15 years. It appears that the decade of the 1990s was the warmest in human history (National Oceanic and Atmospheric Administration, 2010). Human activities have been attributed to an increase in the atmospheric abundance of greenhouse gases. The following is a brief description of the most commonly recognized GHGs.

Commonly identified GHG emissions and sources include the following:

Carbon dioxide (CO₂) is an odorless, colorless natural greenhouse gas. CO₂ is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.

Methane (CH₄) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.

Nitrous oxide (N₂O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.

Ozone (O₃) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.

Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.

Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur hexafluoride) with the highest global warming potential. HFCs are human-made for applications such as air conditioners and refrigerants.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur hexafluoride (SF₆) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

Emissions of GHGs contributing to global climate change are largely attributable to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. About three-quarters of human emissions of CO₂ to the global atmosphere during the past 20 years are due to fossil fuel burning. Atmospheric concentrations of CO₂, CH₄, and N₂O have increased 31 percent, 151 percent, and 17 percent respectively since the year 1750 (CEC 2008). GHG emissions are typically expressed in carbon dioxide-equivalents (CO₂e), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH₄ has the same contribution to the greenhouse effect as approximately 21 tons of CO₂. Therefore, CH₄ is a much more potent GHG than CO₂.

An Air Quality and Greenhouse Gas Emissions Evaluation Report was prepared in July of 2019, and is contained in [Appendix A](#). The essential conclusions of this Report are as follows:

3.9.1.1 Short-Term Construction-Generated Emissions

Short-term construction emissions associated with the Project were calculated using CalEEMod, Version 2016.3.2. Emissions' modeling was assumed to occur over an approximate five-month period and covering a site area of 1.81 acres. Remaining assumptions were based on the default parameters contained in the model. Modeling assumptions and output files are included in [Appendix A](#).

3.9.1.2 Long-Term Operational Emissions

Long-term operational emissions associated with the Project are estimated to be minimal in nature. Modeling assumptions and output files are included in [Appendix A](#).

3.9.2 Impact Assessment

3.9.2.1 Thresholds of Significance

CEQA Guidelines Amendments became effective March 18, 2010. Included in the Amendments are revisions to the Appendix G Initial Study Checklist. In accordance with these Amendments, a project would be considered to have a significant impact to climate change if it would:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,
- b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

In accordance with SJVAPCD's *CEQA Greenhouse Gas Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects*⁸, proposed projects complying with Best Performance Standards (BPS) would be determined to have a less-than-significant impact. Projects not complying with BPS would be considered less than significant if operational GHG emissions would be reduced or mitigated by a minimum of 29 percent, in comparison to business-as-usual (year 2004) conditions. In addition, project-generated emissions complying with an approved plan or mitigation program would also be determined to have a less-than-significant impact.

VIII-a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? And

VIII-b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. Although the Project is not located in the Bay Area, the Bay Area Air Quality Management District's thresholds for significance are based on the Statewide AB 32 objectives and will be used to quantify potential impacts related to GHG emissions. For land use development projects, the threshold is in compliance with a qualified GHG Reduction Strategy or annual emissions less than 1,100 metric tons per year (MT/yr) of CO₂e. For stationary source projects, such as those requiring a permit from a local air district to operate, the threshold is 10,000 MT/yr of CO₂e. These thresholds are illustrated in Table 3-14 and Table 3-15, below.

Short-Term Construction-Generated Emissions

Estimated construction-generated emissions are summarized in **Table 3-12**. As indicated, construction of the Project would generate maximum annual emissions of approximately 74.4668 metric tons of carbon dioxide equivalent (MTCO₂e). Construction-related production of GHGs would be temporary in nature.

Long-Term Operational Emissions

Estimated long-term operational emissions are summarized in **Appendix A**. As indicated, operation of the Project would generate maximum annual emissions of approximately 1,635.796 metric tons of carbon dioxide equivalent (MTCO₂e).

Long-term operational emissions associated with the commercial development Project will include mobile source emissions through the generation of automobile trips, as well as area source emissions from the consumption of natural gas and electricity. While long term emissions do exceed thresholds established by AB 32, as discussed above, projects implementing Best Performance Standards (BPS) would be determined to have a less than significant impact on greenhouse gas emissions. With implementation of BPS strategies as discussed in the SJVAPCD's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*, the proposed Project would not conflict with policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases. Any impacts would be less than significant.

⁸ Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. <http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf> Accessed 7 January 2019

Table 3-12. Short-Term Construction-Generated GHG Emissions

Short-Term Construction-Generated GHG Emissions	
Year	Emissions (MT CO ₂ e) ⁽¹⁾
Estimated Total Annual Operational CO ₂ e Emissions	74.4668
AB 32 Consistency Threshold for Land-Use Development Projects*	1,100
AB 32 Consistency Threshold for Stationary Source Projects*	10,000
Exceed Threshold?	NO

1. Emissions were quantified using the CalEEMod, Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

* As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en Accessed 12 December 2018.

Table 3-13. Long-Term Operational GHG Emissions

Long-Term Operational GHG Emissions	
	Emissions (MT CO ₂ e) ⁽¹⁾
Estimated Total Annual Operational CO ₂ e Emissions	1,635.796
AB 32 Consistency Threshold for Land-Use Development Projects*	1,100
AB 32 Consistency Threshold for Stationary Source Projects*	10,000
Exceed Threshold?	No

1. Emissions were quantified using the CalEEMod, Version 2016.3.2. Refer to Appendix A for modeling results and assumptions. Totals may not sum due to rounding.

* As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en April 22, 2019.

3.10 Hazards and Hazardous Materials

Table 3-14. Hazards and Hazardous Materials Impacts

Hazards and Hazardous Materials				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires,?	☐	☐	☐	☒

3.10.1 Environmental Setting and Baseline Conditions

The Project site is located in north eastern Porterville, an urbanized portion of the City. Adjacent land uses include commercial, residential, and agricultural uses. The site is currently vacant, with no built structures. The nearest residences are immediately north of the Project site.

3.10.1.1 Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code (GC) Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense (DOD) sites, and Land Disposal program. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on June 12th, 2019 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity.

3.10.1.2 Airports

The Project area is approximately 3.7 miles from the Porterville Municipal Airport.

3.10.1.3 Emergency Response Plan

The City of Porterville has an adopted Emergency Response Plan which is available at the local Fire Department.

3.10.1.4 Sensitive Receptors

The closest school is Monache High School, located 950 feet west of the Project. The next closest school is Monte Vista Elementary School, 0.55 miles northeast of the Project site

3.10.2 Impact Assessment

IX-a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

IX-b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. The Project would result in the construction of two fast-food drive through restaurants, internal access and parking lots, landscaped grounds, and off-site improvements subject to City standards. Construction activities would involve the use, storage, transportation and disposal of oil, gasoline, diesel fuel, paints, solvents and other hazardous materials. Federal and state laws provide handling requirements for these materials to ensure that spills are minimized. Compliance with these requirements would reduce impacts to a less than significant level. During operation, no use or storage of hazardous materials beyond those used for landscaping and maintenance activities are anticipated. Less than significant impacts would occur.

IX-c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The closest school site is Monache high school, located 950 feet west of the Project site. In addition, Monte Vista Elementary School is located 0.55 miles north east of the Project site. Neither the Project nor any ongoing use of the Project site would emit hazardous emissions, involve hazardous materials, or create a hazard to the schools in any way. There would be no impact.

IX-d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on June 12th, 2019 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site. The nearest permitted underground storage tank is located as 1187 W. Henderson Avenue, approximately 0.12 miles from the Project site. There is no impact.

IX-e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The Project area is approximately 3.7 miles from the Porterville Municipal Airport. Land use controls for this area are provided by the City of Porterville General Plan and Development Ordinance, and the Tulare County General Plan and Zoning Ordinance, Part 77.21. The City of Porterville has also prepared an airport master plan for the Porterville Municipal Airport. The Project site is outside the height and safety restriction zones imposed by these plans. There is no impact.

IX-f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. Figure 7-6 of the Porterville 2030 General plan lists California State Routes 65 and 190 and Olive Avenue as evacuation routes. The proposed Project would generate temporary construction traffic; however, the Project location does not fall within or near any of the designated evacuation routes. The Project does not include changes to any public or private roadways that would interfere with the established evacuation routes or shelters identified by the City's General Plan. The Project would not conflict with the City's adopted emergency response plan. There is no impact.

IX-g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project is not located in or near state responsibility areas or land classified as very high fire hazard severity zones. The Project does not include any residential components and is located in an urbanized area. There is no risk associated with wildland fires.

3.11 Hydrology and Water Quality

Table 3-15. Hydrology and Water Quality Impacts

Hydrology and Water Quality				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

3.11.1 Environmental Setting and Baseline Conditions

The Project is located within the lower San Joaquin Valley. The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. Precipitation falls in the form of rainfall yearly, most of which occurs between October and March.

Climactic and topographic features of the site are typical of those found in California's San Joaquin Valley. The Project site is relatively flat and consists of vacant, urban land.

3.11.2 Impact Assessment

X-a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. Implementation of the Project would include the construction of two fast-food restaurants and new internal access roads. Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. During construction activities, excavated soil would be exposed and subject to wind and water erosion, which could result in temporary minimal increases in sediment dispersion into surrounding waterbodies.

The nearest water body to the Project is the Porter Slough. The Project shall implement City Standards regarding grading and site drainage in order to accommodate the stormwater drainage and stormwater runoff in conjunction with construction BMPs in order to reduce pollutant carried in the runoff.⁹ Operation of the Project could result in surface water pollution associated with chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and waste that may be spilled or leaked and have the potential to be transported via runoff. However, it is highly unlikely that the Porter Slough, or any water feature in the City of Porterville, will be affected because the Project will be required to complete a SWPPP, pursuant to the NPDES. Following the completion, any impacts will be less than significant.

X-b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin?

Less Than Significant Impact. The Project would result in an increase of impervious surfaces on the Project site which will result in increased stormwater runoff and reduce percolation on site. However, the Project will include stormwater control features connected to the City's storm drain network, pursuant to City standards and in compliance with Municipal Separate Storm Sewer Systems (MS4) permitting requirements¹⁰.

In addition, the City adopted an Urban Water Management Plan in 2010 which analyzes future projected water demand and availability through 2030. Based on planning assumptions analyzed in the UWMP, the City is expected to not only meet demands but operate with a surplus through the planning time frame during normal years.

Add estimated water consumption numbers. Add SIGMA information.

⁹ California Storm Water Best Management Practice Handbook for Construction Activity, https://www.casqa.org/sites/default/files/BMPHandbooks/BMP_NewDevRedev_Complete.pdf, Accessed February 19, 2019

¹⁰ The MS4 General Permit is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable. Stormwater discharges associated with MS4s are subject to regulation under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS). Through the MS4 General Permit, the system owner or operator is required to develop a stormwater pollution prevention program (SWPPP) that incorporates best management practices (BMPs) applicable to their MS4.

X-c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

Less Than Significant Impact. Implementation of the Project would result in new internal access roads and built structures, increasing impervious surface area which is not prone to erosion or siltation. The Project would also include landscaping that would minimize erosion and siltation. No streams or rivers would be altered. As discussed under Section X.a above, the Project applicant would be required to implement a SWPPP that would identify specific measures to address erosion and siltation resulting from grading and construction. The Project site improvements will be designed with a storm drain system which will be connected to the City's storm drain network in order to avoid significant effects of erosion off site. The impact is less than significant.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;

Less Than Significant Impact. See Section c-i, above. Implementation of the Project would not substantially increase the rate or amount of surface runoff that would result in flooding on or off site. Impacts are less than significant.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less Than Significant Impact. The Project would result in an increase in the amount of impervious surfaces on the Project site, resulting in an increase in surface runoff. However, the Project shall be required to install new storm drain facilities, pursuant to City review process, City Standards and will in compliance with the City's updated Storm Drain Master Plan.

Add numbers from storm drain master plan. Confirm capacity info. Then delete below.

There will be a less than significant impact.

(iv) impede or redirect flood flows?

Less Than Significant Impact. The Project site is not within the 100-year flood zone; however, it is close in proximity (See Figure 3-3 FEMA Map). However, implementation of the Project would not result in housing or structures be located in the 100-year flood hazard area, and no significant impact would result related to flood hazards.

X-d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundations?

Less Than Significant Impact. The Project site is located within an urbanized area of Porterville and is not immediately adjacent to any major bodies of water, enclosed or otherwise. Therefore, potential hazards from inundation from seiche, tsunami, would be less than significant, and no mitigation is required.

X-e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The Project will not conflict with or obstruct implementation of any water quality control plan or sustainable groundwater management plan. There will be no impact.



6/6/2019 : G:\Porterville_City_of-1016\101619002-Task Order No.5\GIS\Map\Flood.mxd

Flood Zones

Figure 3-3. FEMA Map

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3.12 Land Use and Planning

Table 3-16. Land Use and Planning Impacts

Land Use and Planning				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

3.12.1 Environmental Setting and Baseline Conditions

Zone Districts and General Plan Land Use Designations are illustrated in [Figure 2-4](#) and [Figure 2-5](#), respectively.

3.12.2 Impact Assessment

XI-a) Would the project physically divide an established community?

No Impact. The physical division of an established community refers to the construction or removal of a physical feature or structure such that will impair mobility within the existing community, or between a community and outlying areas. The proposed Project would result in the construction of two drive-through fast-food restaurant buildings, parking lots, landscaping, and other improvements subject to City standards. The existing access point to the commercial uses to the south would be closed and relocated to the Project site, resulting in one point of ingress and egress. The Project site would be accessed utilizing existing thoroughfares adjacent the site, West Henderson Avenue and North Prospect street. There would be no impact.

XI-b) Would the project cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. In order to accommodate the type of development proposed, the Project would amend the General Plan from High Density Residential to the Retail Centers land use. The Project also proposes to change the zoning from RM-3 to CR, see [Figure 2-3](#) and [Figure 2-4](#). The development of the Project and subsequent land use and zoning changes will not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There will be no impacts.

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3.13 Mineral Resources

Table 3-17. Mineral Resources Impacts

Mineral Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

3.13.1 Environmental Setting and Baseline Conditions

The Porterville 2030 General Plan outlines current significant mineral sources in Tulare County and within the planning area. The most significant mineral resources in Tulare County are sand, gravel, and crushed stone, used as sources for aggregate. The two major sources of aggregate are alluvial deposits (riverbeds, and floodplains), and hard rock quarries. Consequently, most Tulare County mines are located along rivers at the base of the Sierra foothills¹¹. According to the Tulare County General Plan Background Report, all of the known potential mineral resource locations are mapped within the foothills and/or along major watercourses (Tule River).

California Department of Conservation's Division of Oil, Gas, and Geothermal Resources (DOGGR) maintains a database of oil wells in the Project. According to the DOGGR Well Finder there are two plugged and abandoned wells within three miles of the Project site. The nearest active well is approximately 3.14 miles southwest of the Project.

The Project site is not delineated on a local land use plan as a locally important mineral recovery site.

XII-a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. Although there are currently 25 mines permitted to operate in Tulare County, none of them are in or adjacent to the City of Porterville¹². The Project would not result in the loss of an available known mineral resource. As shown in Figure 6-3 of the 2030 General Plan, the proposed Project area is not included in a State classified mineral resource zones. There would be no impact.

XII-b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.

¹¹City of Porterville 2030 General Plan, Open Space and Conservation Element, Page 123

¹² State of California Department of Conservation, Mine Reclamation – AB 3098 List, <ftp://ftp.consrv.ca.gov/pub/omr/AB3098%20List/AB3908List.pdf>, accessed on June 10th, 2019.

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3.14 Noise

Table 3-18. Noise Impacts

Noise				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive ground borne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☒	☐	☐

3.14.1 Environmental Setting and Baseline Conditions

The Project site is located in the northern part of the City of Porterville and is currently vacant with no built structures. The site is located in a built-out area and is surrounded by a mixture of commercial, residential and agricultural uses. It is surrounded on the West and Northern boundaries by major arterials, Prospect Street and Henderson Avenue.

The applicable noise standards governing the project site may be found within policies outlined in the City of Porterville 2030 General Plan Noise Element¹³ and the City's Noise Ordinance.¹⁴ The major noise sources in Porterville are related to roadways and vehicle traffic. Other noise sources include aircraft and rail transportation. Noise produced by industry has a negligible effect on the City's residential noise environment.

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. Residential uses are located north of the project site. Primary existing noise sources surrounding the project area are traffic noises from Henderson Avenue and Prospect Street and other noise from motor vehicles generated by engine vibrations, the interaction between the tires and the road, and vehicle exhaust systems.

The proposed Project consists of two drive-through fast-food restaurants, which is consistent with surrounding commercial uses to the south and west.

¹³ Porterville General Plan Noise Element.

http://www.ci.porterville.ca.us/depts/communitydevelopment/documents/Chapter9Noise_000.pdf, Accessed February 13, 2019.

¹⁴ Porterville Municipal Code Noise Ordinance.

https://www.sterlingcodifiers.com/codebook/index.php?book_id=679, Accessed February 13, 2019

3.14.2 Impact Assessment

XIII-a) Would the project result in Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact with Mitigation Incorporated. The Project site is situated along North Prospect Street and Henderson Avenue. The Project's location places it within an established noise contour identified in Figure 9-2 of the City's General Plan Noise Element as having noise level greater than 55-60 dB. Noise generated from the project will generally include noise from vehicles, air conditioning units, and other equipment. Since the project site is located within an area of other similar urbanized uses, sits within an established noise contour, and is adjacent to a heavily traveled roadway, it is not expected that the Project will result in significant noise increase to surrounding land uses during normal business hours. As a commercial use, the Project may generate intermittent noise from truck deliveries which may conflict with existing residential uses immediately north of the Project site. The City of Porterville's General Plan Noise Element sets the standard exterior noise threshold near residences at 60 dBA. However, there is no distinction made between permanent and temporary thresholds.

Construction activities generally involve temporary noise sources. Typical construction equipment includes graders, trenchers, small tractors, cranes and miscellaneous equipment. During construction, noise from construction activities would contribute to the noise environment in the immediate Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in **Table 3-6**, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g. mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not except for permanent noise sources.

Although the noise generated by the type of development proposed by the Project would not substantially add to discernable noise levels due to its location within an existing noise contour, its neighboring commercial land uses, and proximity to a major arterial, implementation of the Mitigation Measure NO-1-NO-3 will ensure impacts remain less than significant with mitigation.

NO-1 During the construction period, construction activities and delivery trucks serving the Project shall be limited to between 7:00 A.M. and 10:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.

NO-2 Construction activities shall be prohibited on holidays.

NO-3 The construction contract shall require the contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.

Table 3-19. Typical Construction Noise Levels¹⁵

Type of Equipment	dBA at 50 ft.	
	Without Feasible Noise Control	With Feasible Noise Control ¹
Dozer or Tractor	80	75
Excavator	88	80

¹⁵ U.S. Department of Transportation, Federal Transit Administration. 2006.

Type of Equipment	dBA at 50 ft.	
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

¹ Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications.

XIII-b) Would the project result in Generation of excessive ground borne vibration or ground borne noise levels?

Less Than Significant Impact. Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings¹⁶.

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The vibration velocity level is reported in decibels relative to a level of 1×10^{-6} inches per second and is denoted as VdB. The typical background vibration-velocity level in residential areas is approximately 50 VdB. Ground borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels¹⁷.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day (FTA 2006). **Table 3-20** describes the typical construction equipment vibration levels.

Table 3-20. Typical Construction Vibration Levels¹⁸

Equipment	VdB at 25 ft ²
Small Bulldozer	58
Jackhammer	79

Based on the typical vibration levels identified in the table above, any temporary vibration levels associated with construction activities are not expected to exceed the FTA threshold for the nearest residence which shares a property line with the proposed Project. All noise generated by the construction of the Project would be temporary in nature. The impact would be less than significant.

XIII-c) Would the project result in a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport

¹⁶ U.S. Department of Transportation. Federal Transit Administration, Transit Noise and Vibration Impact Assessment. 2006.

¹⁷ Ibid.

¹⁸ Ibid.

or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project area is approximately 3.7 miles from the Porterville Municipal Airport; however, the site is well outside of the noise contour areas established for the Porterville Municipal Airport¹⁹. There are no private airstrips in the vicinity of Project site. As such, the Project would not subject people to noises associated with public or private airport use. There would be no impact.

¹⁹ City of Porterville. Porterville 2030 General Plan Noise Element, Figure 9-2, Existing Noise Contours.

3.15 Population and Housing

Table 3-21. Population and Housing Impacts

Population and Housing				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.15.1 Environmental Setting and Baseline Conditions

According to the City of Porterville's Housing Element, Porterville is the third largest city in Tulare county, with a population of 55,852 as of 2015. The City estimates a population growth rate of 37% by 2040, resulting in a population of 97,097 residents. Porterville's housing stock is currently made up of predominately single-family homes, with a homeownership rate of approximately 57%. The City of Porterville has an average household size of 3.39 which is slightly greater than the countywide average of 3.36.

The General Plan designation for the Project site is currently High Density Residential. As part of this Project, the site will be re-designated to Retail Centers. The High-Density Residential designation is typically representative of multifamily housing developments and is expressed by the RM-3 zone district. The High-Density Residential zone allows for a minimum density of 20 units per net acre and a maximum density of 30 units per net acre.

3.15.2 Impact Assessment

XIV-a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

XIV-b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The General Plan designation for the Project site is currently High Density Residential. As part of this Project, the site will be re-designated to Retail Centers. The High-Density Residential designation is typically representative of multifamily housing developments and is expressed by the RM-3 zone district. The High-Density Residential zone allows for a minimum density of 20 units per net acre and a maximum density of 30 units per net acre. Based on the size of the project site at roughly 1.81 acres, this would result in the reduction of planned housing stock by 36.4-54.6 units of housing. Based on the estimates 3.39 persons per household for the City of Porterville, this would result in a population reduction of roughly 123-185 future residents. All of the utility's infrastructure, including sewer and water facilities and storm drains, exist in the immediate vicinity of the Project site. The Project will not displace any existing people or housing, as it is currently vacant. There would be no impact.

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3.16 Public Services

Table 3-22. Public Services Impacts

Public Services				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

3.16.1 Environmental Setting and Baseline Conditions

Fire Protection: The Closest fire station is Porterville Fire Department Station 2, located approximately 0.65 miles southwest of the project.

Police Protection: The closest law enforcement is the California Highway Patrol, Porterville located 0.7 miles southeast of the Project site. The next closest law enforcement is the Porterville Police Department, located approximately 1.5 miles southeast of the project site.

Schools: The closest school is Monache High School, located 950 feet west of the Project. The next closest school is Monte Vista Elementary School, 0.55 miles northeast of the Project site.

Parks: The closest park is the existing Veterans Park.

Landfills: The closest landfill to the project site is the Teapot Dome Landfill, a Mid Valley Disposal site, located approximately 3.10 miles to the southwest.

3.16.2 Impact Assessment

XV-a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Less Than Significant Impact:

Fire Protection – The City of Porterville will provide fire protection services to the proposed Project site. Station 2 is the closest to the Project site and is located approximately 0.65 miles to the southwest. The Project would be required to comply with requirements of the Fire Department/California Fire Code regarding access, water mains, hydrants, and review of engineering plans. Standard fire suppression conditions are incorporated as part of the project. The Project site has adequate emergency access from North Prospect Street. The implementation of the proposed Project would not adversely impact existing fire protection or emergency services within the City and would not require the construction of an additional fire protection facility in Tulare. Impacts to fire services would be less than significant.

Police Protection – The Project site will continue to be served by the City of Porterville Police Department. Implementation of the proposed Project would result in an increase in demand for police services. This increase would be minimal compared to the number of officers currently employed by the Police Department and would not result in significant demand for additional police services or additional staffing. Implementation of the Project would not require the construction of a new police facility to serve the Project, nor would it create a negative impact to existing emergency response times and existing police protection service levels. Impacts to police services would be less than significant.

Schools – The Project site sits within the Porterville Unified School District. The proposed Project site is within an area of the City planned for High Density Residential. As part of the Project, the General Plan will be amended to designate the site as Commercial Centers. This would result in an overall reduction in the demand for school services. Therefore, there is no impact to schools.

Parks – The Project does not include additional recreational facilities. The nearest park is Hayes Field, located 0.25 miles to the northwest. Veteran's Memorial Park is located 0.35 miles to the southwest. Current City standard is 5.0 acres of parkland per 1,000 population²⁰. The proposed Project site is within an area of the City planned for High Density Residential. As part of the Project, the General Plan will be amended to designate the site as Commercial Centers. This would result in an overall reduction in the future demand for park services. As a result, there is no impact to parks.

Other public facilities – The proposed Project is within the land use and growth projections identified in the City's General Plan and other infrastructure studies. The proposed Project site is within an area of the City planned for High Density Residential. As part of the project, the land use will be re-designated to Commercial Centers, which demonstrates an overall reduction in the demand for public services. As such, the Project would not result in a significant increase in demand on other public facilities such as library services that has not already been planned for.

²⁰ City of Porterville 2030 General Plan, page 95.

3.17 Recreation

Table 3-23 Recreation Impacts

Recreation				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.17.1 Environmental Setting and Baseline Conditions

The City of Porterville provides several types of parks and facilities, as defined in the Porterville 2030 General Plan. In general, parks are defined by the general plan as land owned or leased by the City and used for public recreational purposes. The Porterville 2030 General Plan outlines several types of park facilities ranging in size from 0.1-acre pocket parks up to a 95-acre Sports Complex. Each park will fall into one of five categories: Pocket Park, Neighborhood Park, Community Park, Specialized Recreation, or Trails/Parkways.

In total, the City of Porterville provides 15 parks. As of 2006, the City was home to 45,220 residents and claimed a ratio of 5.1 acres of parkland per 1,000 residents, utilizing only the Neighborhood Parks, Community Parks and Specialized Recreation categories in that calculation.

The Project site lies on Prospect Street, between Henderson Avenue and Mulberry Avenue, within a half mile radius of both Veteran Park and Hayes Field. These parks are classified as a Community Park and Neighborhood Park, respectively.

The General Plan Schools, Parks, and Community Facilities Element establishes the City's standard for community parks and specialized park facilities as 5.0 acres per 1,000 residents and 10.0 acres per 1,000 residents respectively. Within this element, the City outlines Guiding Policy PSCF-G-3 and several implementation measures which seek to ensure that the City is able to meet and maintain this standard by generating adequate funding for park and recreation facilities. In order to meet this objective, the City's Zoning Ordinance establishes a park impact fee program in which the city council sets forth appropriate fees for new development based on a reasonable relationship between the type of new development in question and the fee amount.

3.17.2 Impact Assessment

XVI-a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. The Project will be subject to all rules and regulations outlined for new development through the Municipal Code, including compliance with the Park Impact Fee. As a result, it is

reasonable to assume that any increase in the use of existing neighborhood or regional parks or other recreational facilities due to the development of the Project would be mitigated through compliance. As such, any impact will be less than significant.

XVI-b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The Project neither includes nor requires the construction of recreation facilities. There will be no impact.

3.18 Transportation

Table 3-24 Transportation Impacts

Transportation				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

3.18.1 Environmental Settings and Baseline Conditions

The City of Porterville is served by State Routes 65 and 190 as well as a network of arterial collector and local streets. Public transit is provided by Porterville Transit and Tulare County Area Transit. Porterville Transit consists of nine fixed-routes that run Monday through Friday 6:00 a.m. to 11:00 p.m., Saturday from 8:00 a.m. to 11:00 p.m., Sunday from 8:00 a.m. to 6:00 p.m., and a demand-response “Dial-A-Ride” service called Porterville COLT (City Operated Local Transit). The frequency between buses is approximately every 40 minutes. The Porterville Transit Center is located on D Street at Oak Avenue and serves as the transfer node for each of the nine bus routes. Tulare County Area Transit provides regional bus service from the City of Porterville to surrounding communities via eight routes seven days a week.²¹

According to the General Plan, the City is in the process of developing a Class I Tule River Parkway bicycle and pedestrian path. The first two phases of the Tule River Parkway between Main Street and SR 65 are complete. In addition, the 2002 TCAG Bicycle Transportation Plan identifies 110.5 miles of existing and proposed bikeways in the Porterville area, including 10 miles of the Class I Tule River Parkway from Road 224 to Success Lake. The pedestrian circulation in Porterville is mainly comprised of sidewalks. Currently, the street environment is mostly auto oriented with roadways and discontinuous sidewalks. The City’s General Plan states that all streets should be designed to accommodate pedestrians and bicyclists and new neighborhoods should be designed to be “pedestrian friendly”, with wide sidewalks.

²¹ Porterville General Plan Circulation Element.
http://www.ci.porterville.ca.us/depts/communitydevelopment/documents/Chapter4Circulation_000.pdf ,
Accessed February 19-2019

3.18.2 Impact Assessment

XVII-a) Would the project conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact with Mitigation Incorporated. The City's General Plan Policy C-I-8 establishes that all major roadways and intersections in the City should obtain a level of service (LOS) D, or better during the peak travel hours. Level of Service D equates to a projected delay of 35-55 seconds for signalized intersections. The General Plan also lists estimated daily roadway segment operations for a 2030 build out scenario. Since the General Plan was adopted, Prospect street has since been widened to a divided four lane arterial, which has an established threshold for 32,500 daily trips in order to maintain a LOS D.

While current average daily traffic counts have not been identified, there have been relevant traffic studies recently completed for adjacent projects which establish baseline conditions for the purpose of this analysis. In 2017, a Traffic Impact Study (TIS) was performed for the Commercial Retail Development on the Northeast corner of Henderson Avenue and Prospect Street, which analyzed the impact of a 10,500 square foot retail space on six adjacent intersections for 2017 and 2035 conditions, both with and without the project. This analysis will rely on LOS calculations included in this 2017 TIS in order to evaluate the Project's impacts to the General Plan's LOS requirements.

Based on the land uses proposed, the Project has been analyzed for expected mobile vehicle trips, as well as its relation to the approved Northwest Corner Henderson & Prospect Site Plan. Trip generation rates were taken from Trip Generation, 10th Edition- Institute of Traffic Engineer's (ITE) and have been estimated at an average daily rate of 2718 vehicle trips. Based on the site's location it is appropriate to apply pass-by reductions consistent with Caltrans' maximum allowed reduction of 15%. Based on this reduction, the Project is estimated to result in a morning peak rate of 240 additional trips and an evening peak rate of 174 additional trips. Additional information and expanded analysis of trip generation rates can be found in **Appendix C**.

Based on the anticipated traffic generated by the Project, it can be reasonably expected that intersections of North Newcomb Street at West Henderson Avenue, North Prospect Street at West Henderson Avenue, and State Route 65 SB On/Off Ramps at West Henderson Avenue will exceed the 55-second delay threshold for LOS D. This is considered a significant impact, however implementation of Mitigation measure TRA-1 will ensure that significant impacts remain less than significant with mitigation incorporated.

Mitigation Measure TRA-1: The City shall assess what mitigations are necessary to resolve traffic delays at the intersections affected by the Project and, as part of Project approval, collect fees in accordance with the Project's fair share percentage contributions towards implementing these mitigations as shown in **Table 3-25**.

Table 3-25. Fair Share Percentages

Fair Share Percentages				
#	Intersection	Project Traffic Impacting Intersections	Total Intersection Traffic	Fair Share Percentage
2	North Newcomb Street at West Henderson Avenue	29	2953	1.0%
3	North Prospect Street at West Henderson Avenue	176	3302	5.3%
4	State Route 65 SB On/Off Ramps at West Henderson Avenue	85	2977	2.9%

XVII-b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 Subdivision (b)?

No Impact. CEQA Guidelines section 15064.3 describes specific considerations for evaluating a Project's transportation impacts and establishes Vehicle Miles Traveled (VMT) as the most appropriate method to determine those impacts. For the purposes of this analysis, VMTs associated with a land use project which exceed an established threshold of significance may indicate a significant impact. As of the completion of this document, the City of Porterville has not established thresholds of significance for VMTs. As such, all transportation impacts have been evaluated under established thresholds for major roadways acceptable LOS standards, as discussed in the response to question XVII-a above. As such, there is no impact.

XVII-c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

c) Less Than Significant Impact. No sharp curves or other roadway features are proposed as a part of this Project. The internal road will be built pursuant to City design standards. Access to the Project site would be provided by Henderson Avenue. Access to the site will be developed to comply with City standards and the City Engineer. Furthermore, the Project proposal will be required to submit plans to the City Fire Department for review and approval prior to the issuance of building permits to ensure there are no substantial hazards associated with the design of the Project. The impacts will be less than significant.

XVII-d) Would the project result in inadequate emergency access?

d) Less Than Significant Impact. Emergency access would be provided to the Project site by the new internal access roads, with major ingress and egress points on Henderson Avenue. Further, the Project's site plan would be subject to review and approval by the Porterville Fire Department to ensure the Project includes adequate emergency access. The Project will also not interfere with the Porterville Emergency Operation Plan. There will be no impact.

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3.19 Tribal Cultural Resources

Table 3-26 Tribal Cultural Resources Impacts

Tribal Cultural Resources				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☒	☐	☐
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

3.19.1 Environmental Setting and Baseline Conditions

See discussion in section 3.6, Cultural Resources.

3.19.2 Impact Assessment

XVIII-a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

XVIII-a-i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)

XVIII-a-ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

a-I, a-ii) Less than Significant Impact with Mitigation Incorporated The City of Porterville received a letter from the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to PRC § 21080.3.1 officially requesting notification of Projects within the Santa Rosa Rancheria's geographic area of traditional and cultural affiliation. On June 28,

Chapter 3 Impact Analysis – Tribal Cultural Resources

Porter's Crossing, Phase II

2019, the City sent to the Yokut Tribe a formal Notification of a Decision to Undertake a Project, and Notification of Consultation Opportunity, including a Project description of the Project applications. In accordance with the law, the letter provided 30 days from receipt of the letter to request consultation in writing. No request for consultation was made for the Project and less than significant impacts to tribal resources are expected. **Mitigation Measures CUL-1** and **CUL-2**, described above in *Section 3.6, Cultural Resources*, are recommended in the event cultural materials or human remains are unearthed during excavation or construction.

3.20 Utilities and Service Systems

Table 3-27. Utilities and Service Systems Impacts

Utilities and Service Systems				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reductions goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

3.20.1 Environmental Setting and Baseline Conditions

Utilities required to serve the Project would include water, sewer, solid waste management, storm drainage, electricity, and telecommunications infrastructure. Water service, wastewater, and solid waste collection would be provided by the City of Porterville.

3.20.1.1 Water Supply

The City has historically relied on groundwater to supply municipal water to its residents. Even during drought years, there have been no water supply deficiencies, however some City wells have seen severe yield declines in the last ten years, with some declining from 1,500 gallons per minute (gpm) down 500 -600 gpm on average. New wells follow this trend, with typical capacities of 500 gpm or less.

In addition to groundwater, the City anticipates purchasing surface water and implementing water conservation programs to meet remaining demands. The City has purchased rights for about 900 AF annually from the Pioneer Ditch Company and Porter Slough Ditch Company. Purchase of surface water will be either recharged or treated and delivered directly to users. In order to safely deliver surface water to customers, the City would need to build a surface water treatment plant²².

²² City of Porterville Urban Water Management Plan 2010 Update, page 28-29.

Existing retention facilities and the Porter Slough are available for groundwater recharge. It should be noted that surface water purveyors other than the Pioneer Water Company and the Porterville Irrigation District, could be available to the City, if needed. With access to the Friant-Kern Canal, the City has the option to purchase water from anywhere in the State via an exchange. However, it is anticipated that the City will continue to meet their water demands through 2040 using groundwater pumping, surface water purchases from the Pioneer Water Company, and water conservation efforts.²³

3.20.1.2 Wastewater Collection and Treatment

The City of Porterville Wastewater Treatment Facility (WWTF) is located at the southwest corner of West Grand Avenue and North Prospect Street. The sewer collection system consists of 150 miles of pipes, including 18 sewage lift stations and associated force mains.²⁴

3.20.1.3 Landfills

Solid waste disposal services in Porterville are provided by the Tulare County Consolidated Waste Management Authority. Porterville's solid waste is currently disposed at Teapot Dome Landfill, located 3.10 miles southwest of the Project site. As of 2004, the landfill was at 84.7 percent capacity and had an anticipated closure date of 2012.²⁵ Tulare County has indicated that they will not expand Teapot Dome Landfill. When it reaches capacity, the County anticipates setting up a transfer facility which would divert waste to either the Woodville or Visalia Landfills, both of which are below 50 percent capacity.

3.20.2 Impact Assessment

XIX-a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

XIX-b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

XIX-c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The Porterville Wastewater Treatment Facility, located at the southwest corner of West Grand Avenue and North Prospect Street, has a plant capacity of 8 million gallons per day (mgd), according to the 2001 Wastewater Treatment and Reuse Facilities Current General Plan policies ensure land is set aside for a future water treatment plant and developers pay their fair share on the cost of upgrading sewerage utilities. Implementation of these policies will ensure that any impacts to wastewater from new development will be reduced to a less than significant level.

²³ Ibid

²⁴ City of Porterville General Plan, Public Utilities Element, page 191

²⁵ Ibid

XIX-d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The Project site will be served by Teapot Dome landfill, which has projected capacity through 2021. There would be less than significant impact.

XIX-e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact. The California Integrated Waste Management Act of 1989 was enacted to reduce, recycle and reuse solid waste generated within the state. Specifically, the act required cities and counties to identify measure to divert 25% of the total solid waste stream from landfill disposal by the year 1995 and 50% by the year 2000. Diversion strategies include such tactics as source reduction, recycling, and composting. In 2014, new requirements for commercial recycling were enacted with the passing of AB 1826. This law mandates organic waste recycling for commercial businesses generating more than four cubic yards of organic waste per week. The purpose this bill was to divert organic waste out of landfills and into organic waste recycling facilities specialized in composting, mulching, or anaerobic digestion. Together, these diversion strategies aim to reduce dependence on landfills for solid waste disposal, create alternative energy sources, and reduce greenhouse gas emissions. The Project would be required to comply with all Federal State, local regulations related to solid waste diversion, reduction, and recycling during Project construction and operation of the Project. The impacts will be less than significant.

3.21 Wildfire

Table 3-28. Wildfire Impacts

Wildfire				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrollable spread of wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

3.21.1 Environmental Setting and Baseline Conditions

The City of Porterville is located in the south eastern part of the San Joaquin Valley, in close proximity to the Sierra Nevada Foothills. The fire season has over 100 days of temperatures in excess of 90 degrees Fahrenheit between the months of May and October. Figure 7-4 of the Porterville 2030 General Plan, identifies that approximately 43% of the City is considered to have a moderate fire hazard, as classified by the California Department of Forestry and Fire Protection. The General Plan also identifies areas with the highest levels of risk are located in northeast sections of the planning area, due to the presence of wooded foothills. More recent data is provided by Cal Fire who produces California Fire Hazard Severity Zone Maps. The project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Urban uses, which can be subject to structural fires, are considered a greater threat to life and property than wildland fires. As a result, the City of Porterville requires all new development to meet or exceed the Uniform Fire Code Provisions, as outlined in the Porterville City Code: Chapter 12. This code addresses topography, geology, climate, and development conditions. New development is reviewed by the Public Works Department and Fire Department for adherence to these regulations.

The site is surrounded by existing major roadways, Henderson Avenue and Prospect Street, providing access for emergency vehicles into and out of the site.

XX-a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

XX-b) Would the project, due to slope, prevailing winds, or other factors exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire?

XX-c) Would the project Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

XX-d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The Project is not located in or near state responsibility areas or land classified as very high fire hazard severity zones. The Project will not impair an emergency response plan or exacerbate fire risks. Therefore, further analysis of the Projects potential impacts to wildfire are not warranted. There would be no impacts.

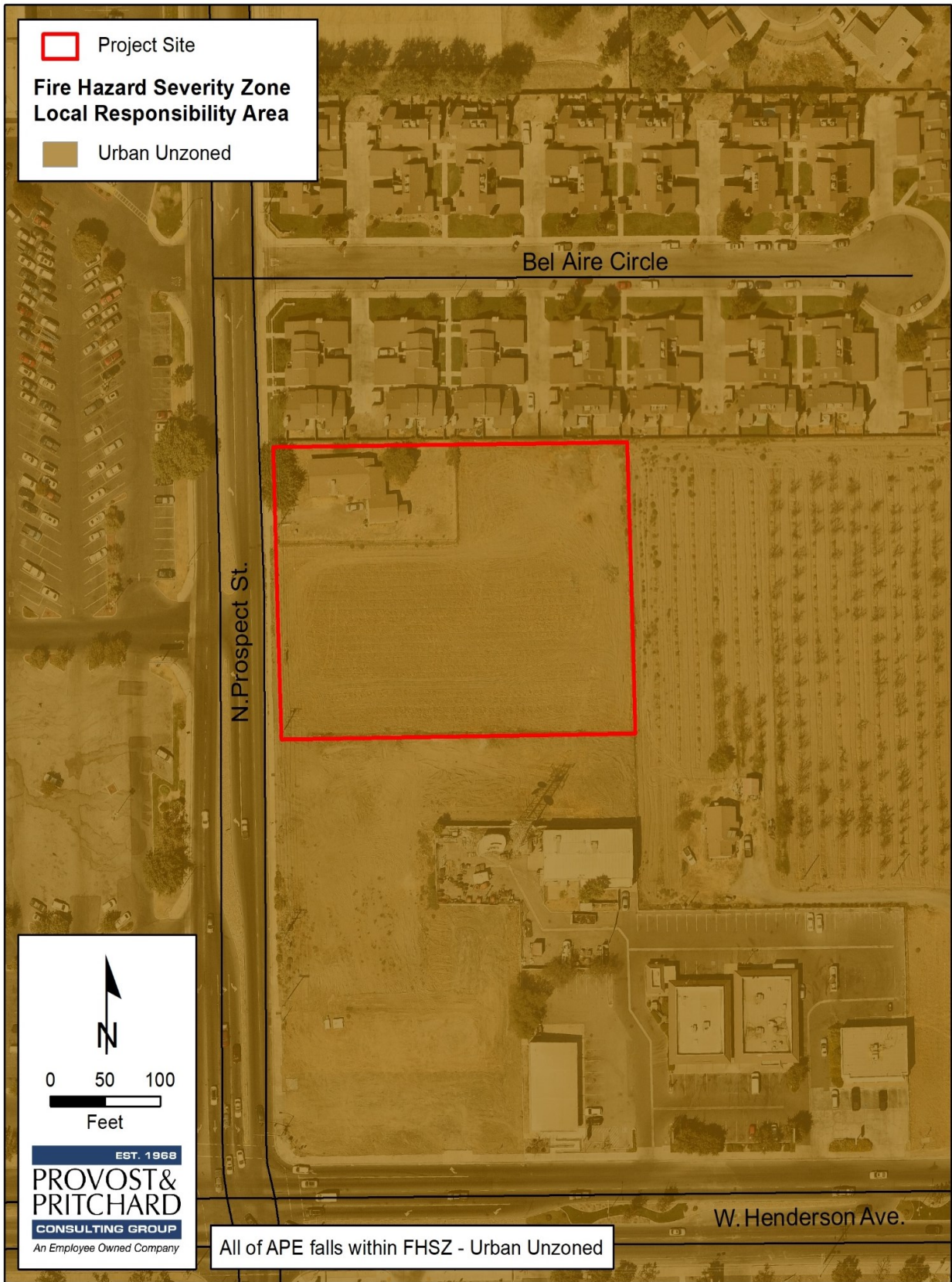


Figure 3-4. Regional Location

3.22 CEQA Mandatory Findings of Significance

Table 3-29. Mandatory Findings of Significance Impacts

Mandatory Findings of Significance				
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.22.1 Impact Assessment

XXI-a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact. Based on the analysis conducted in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation/Traffic, and Utility/Services Systems would be less than significant. Potential impacts to Biological Resources, Noise, Geological Resources, and Cultural Resources would be less than significant with implementation of mitigation measures as outlined in Table 4-1. Additionally, with implementation of the Best Management Practices for construction activities, the proposed Project's potential to degrade the quality of the environment, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a protected species or eliminate important examples of the major periods of California history or prehistory would be less than significant with implementation of the above noted mitigation measure. The analysis conducted in this Initial

Study/Mitigated Negative Declaration results in a determination that the Project would have a less than significant effect on the local environment.

XXI-b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact. As discussed in the initial study, impacts associated with the Project are incremental and minor in nature, would result in less than significant impacts to the environment with incorporation of mitigation measures CUL-1, CUL-2, GEO-1, NO-1, NO-2 and NO-3. As mitigated, the proposed Project will not have impacts that are cumulatively considerable.

XXI-c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact. The Project will not result in substantial adverse effects on human beings, either directly or indirectly. With implementation of Best Management Practices and general safety protocols during construction and maintenance of the proposed Project, impacts will be less than significant.

3.23 Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Printed Name

Date

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Chapter 4 Mitigation Monitoring and Reporting Program

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Porter's Crossing, Phase II project (Project) in the City of Porterville. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 4-1 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 4-1** identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by CCSD to ensure that individual mitigation measures have been complied with and monitored.

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Biological Resources:					
BIO - 1 (Preconstruction Survey). A pre-construction survey for special status species shall be conducted by a qualified biologist within 30 days prior to the beginning of construction activities. If sensitive biological resources are present onsite, the biologist shall establish an appropriate buffer zone and label sensitive resources or areas of avoidance with flagging, fencing, or other easily visible means. If avoidance is not feasible, CDFW and/or USFWS shall be consulted to determine the best course of action.	30 Days Prior to construction	Prior to Construction	City of Tulare	Field inspection and report submittal to City of Tulare	Biologist's Report
Cultural Resources					
CUL-1: If, during construction, cultural resources are discovered, all work shall be halted within 50 feet of the discovery. A professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained by the City to determine the significance of the discovery. Upon a finding of significance, the City shall implement the required mitigation (if any) as determined by the archaeologist.	During Construction	Upon the discovery of cultural resources	City of Porterville	Field inspection	Archeologist's Report
CUL-2: In the event human remains are encountered during construction activities, all work within the vicinity of the remains would halt in accordance with Health and Safety Code §7050.5, Public Resources Code §5097.98, and Section 15064.5 of the CEQA Guidelines, and the Fresno County coroner's office would be contacted.	During Construction	Upon the discovery of human remains	City of Porterville	Field inspection	Coroner's Report
Geological Resources					
GEO - 1: Should paleontological resources be encountered on the Project site, all ground disturbing activities in the area shall stop. A qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Porterville for review, and (if paleontological materials are recovered)	During Construction	Upon the discovery of paleontological resources	City of Porterville	Field inspection	Paleontologist's Report

Chapter 3 Project Description - Aesthetics

Porter's Crossing, Phase II

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
a paleontological repository, such as the University of California Museum of Paleontology.					
Noise					
NOI-1 During the construction period, construction activities and delivery trucks serving the Project shall be limited to between 7:00 A.M. and 10:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.	During Construction	During Construction	City of Porterville	Field inspection	
NOI-2 Construction activities shall be prohibited on holidays.	During Construction	During Construction	City of Porterville	Field inspection	
NOI-3 The construction contract shall require the contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.	During Construction	During Construction	City of Porterville	Field inspection	

Appendix A CalEEMod Output Files

Porter's Crossing Phase II - Tulare County, Annual

Porter's Crossing Phase II

Tulare County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Fast Food Restaurant with Drive Thru	2.30	1000sqft	0.05	2,300.00	0
Fast Food Restaurant w/o Drive Thru	0.82	1000sqft	0.02	818.00	0
Parking Lot	87.00	Space	0.78	34,800.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	51
Climate Zone	7			Operational Year	2020
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Off-road Equipment Mitigation -

Vehicle Trips - Trip rates are per traffic memo.

Fast Food w/out drive through will be a drive through coffee kiosk

Porter's Crossing Phase II - Tulare County, Annual

Table Name	Column Name	Default Value	New Value
tblVehicleTrips	CC_TTP	79.50	78.80
tblVehicleTrips	CW_TTP	1.50	2.20
tblVehicleTrips	DV_TP	37.00	21.00
tblVehicleTrips	PB_TP	12.00	50.00
tblVehicleTrips	PR_TP	51.00	29.00
tblVehicleTrips	ST_TR	696.00	722.03
tblVehicleTrips	SU_TR	500.00	542.72
tblVehicleTrips	WD_TR	496.12	470.95
tblVehicleTrips	WD_TR	716.00	2,000.00

2.0 Emissions Summary

Porter's Crossing Phase II - Tulare County, Annual

2.1 Overall Construction**Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.0866	0.5558	0.4760	8.4000e-004	0.0103	0.0306	0.0409	2.9500e-003	0.0283	0.0313	0.0000	73.9967	73.9967	0.0188	0.0000	74.4668
Maximum	0.0866	0.5558	0.4760	8.4000e-004	0.0103	0.0306	0.0409	2.9500e-003	0.0283	0.0313	0.0000	73.9967	73.9967	0.0188	0.0000	74.4668

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2020	0.0866	0.5558	0.4760	8.4000e-004	9.7300e-003	0.0306	0.0403	2.7100e-003	0.0283	0.0310	0.0000	73.9966	73.9966	0.0188	0.0000	74.4667
Maximum	0.0866	0.5558	0.4760	8.4000e-004	9.7300e-003	0.0306	0.0403	2.7100e-003	0.0283	0.0310	0.0000	73.9966	73.9966	0.0188	0.0000	74.4667

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	5.44	0.00	1.37	8.14	0.00	0.77	0.00	0.00	0.00	0.00	0.00	0.00

Porter's Crossing Phase II - Tulare County, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	1-1-2020	3-31-2020	0.3340	0.3340
2	4-1-2020	6-30-2020	0.3049	0.3049
		Highest	0.3340	0.3340

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003
Energy	1.6700e-003	0.0152	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	53.6393	53.6393	1.8500e-003	6.2000e-004	53.8702
Mobile	0.7594	5.5703	5.5355	0.0168	0.8856	0.0185	0.9041	0.2381	0.0175	0.2556	0.0000	1,558.059 1	1,558.059 1	0.1119	0.0000	1,560.855 2
Waste						0.0000	0.0000		0.0000	0.0000	7.2955	0.0000	7.2955	0.4312	0.0000	18.0743
Water						0.0000	0.0000		0.0000	0.0000	0.3005	1.7001	2.0006	0.0309	7.4000e-004	2.9953
Total	0.7785	5.5854	5.5490	0.0169	0.8856	0.0197	0.9053	0.2381	0.0187	0.2567	7.5960	1,613.400 1	1,620.996 0	0.5758	1.3600e-003	1,635.796 6

Porter's Crossing Phase II - Tulare County, Annual

2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003
Energy	1.6700e-003	0.0152	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	53.6393	53.6393	1.8500e-003	6.2000e-004	53.8702
Mobile	0.7594	5.5703	5.5355	0.0168	0.8856	0.0185	0.9041	0.2381	0.0175	0.2556	0.0000	1,558.059 1	1,558.059 1	0.1119	0.0000	1,560.855 2
Waste						0.0000	0.0000		0.0000	0.0000	7.2955	0.0000	7.2955	0.4312	0.0000	18.0743
Water						0.0000	0.0000		0.0000	0.0000	0.3005	1.7001	2.0006	0.0309	7.4000e-004	2.9953
Total	0.7785	5.5854	5.5490	0.0169	0.8856	0.0197	0.9053	0.2381	0.0187	0.2567	7.5960	1,613.400 1	1,620.996 0	0.5758	1.3600e-003	1,635.796 6

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail**Construction Phase**

Porter's Crossing Phase II - Tulare County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/1/2020	1/14/2020	5	10	
2	Site Preparation	Site Preparation	1/15/2020	1/15/2020	5	1	
3	Grading	Grading	1/16/2020	1/17/2020	5	2	
4	Building Construction	Building Construction	1/18/2020	6/5/2020	5	100	
5	Paving	Paving	6/6/2020	6/12/2020	5	5	
6	Architectural Coating	Architectural Coating	6/13/2020	6/19/2020	5	5	

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0.78

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 4,677; Non-Residential Outdoor: 1,559; Striped Parking Area: 2,088
(Architectural Coating – sqft)

OffRoad Equipment

Porter's Crossing Phase II - Tulare County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	1.00	247	0.40
Grading	Rubber Tired Dozers	1	1.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	16.00	6.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	3.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

Porter's Crossing Phase II - Tulare County, Annual

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Demolition - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	4.3400e-003	0.0394	0.0381	6.0000e-005		2.3400e-003	2.3400e-003		2.2300e-003	2.2300e-003	0.0000	5.2038	5.2038	9.8000e-004	0.0000	5.2284
Total	4.3400e-003	0.0394	0.0381	6.0000e-005		2.3400e-003	2.3400e-003		2.2300e-003	2.2300e-003	0.0000	5.2038	5.2038	9.8000e-004	0.0000	5.2284

Porter's Crossing Phase II - Tulare County, Annual

3.2 Demolition - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.4000e-004	1.6000e-004	1.6000e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3421	0.3421	1.0000e-005	0.0000	0.3424
Total	2.4000e-004	1.6000e-004	1.6000e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3421	0.3421	1.0000e-005	0.0000	0.3424

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	4.3400e-003	0.0394	0.0381	6.0000e-005		2.3400e-003	2.3400e-003		2.2300e-003	2.2300e-003	0.0000	5.2038	5.2038	9.8000e-004	0.0000	5.2284
Total	4.3400e-003	0.0394	0.0381	6.0000e-005		2.3400e-003	2.3400e-003		2.2300e-003	2.2300e-003	0.0000	5.2038	5.2038	9.8000e-004	0.0000	5.2284

Porter's Crossing Phase II - Tulare County, Annual

3.2 Demolition - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.4000e-004	1.6000e-004	1.6000e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3421	0.3421	1.0000e-005	0.0000	0.3424
Total	2.4000e-004	1.6000e-004	1.6000e-003	0.0000	4.0000e-004	0.0000	4.0000e-004	1.1000e-004	0.0000	1.1000e-004	0.0000	0.3421	0.3421	1.0000e-005	0.0000	0.3424

3.3 Site Preparation - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.4000e-004	4.2200e-003	2.0500e-003	0.0000		1.7000e-004	1.7000e-004		1.5000e-004	1.5000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314
Total	3.4000e-004	4.2200e-003	2.0500e-003	0.0000	2.7000e-004	1.7000e-004	4.4000e-004	3.0000e-005	1.5000e-004	1.8000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314

Porter's Crossing Phase II - Tulare County, Annual

3.3 Site Preparation - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0171	0.0171	0.0000	0.0000	0.0171
Total	1.0000e-005	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0171	0.0171	0.0000	0.0000	0.0171

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.2000e-004	0.0000	1.2000e-004	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.4000e-004	4.2200e-003	2.0500e-003	0.0000		1.7000e-004	1.7000e-004		1.5000e-004	1.5000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314
Total	3.4000e-004	4.2200e-003	2.0500e-003	0.0000	1.2000e-004	1.7000e-004	2.9000e-004	1.0000e-005	1.5000e-004	1.6000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314

Porter's Crossing Phase II - Tulare County, Annual

3.3 Site Preparation - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0171	0.0171	0.0000	0.0000	0.0171
Total	1.0000e-005	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0171	0.0171	0.0000	0.0000	0.0171

3.4 Grading - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					7.5000e-004	0.0000	7.5000e-004	4.1000e-004	0.0000	4.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005		4.7000e-004	4.7000e-004		4.5000e-004	4.5000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457
Total	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005	7.5000e-004	4.7000e-004	1.2200e-003	4.1000e-004	4.5000e-004	8.6000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457

Porter's Crossing Phase II - Tulare County, Annual

3.4 Grading - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	3.0000e-005	3.2000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0684	0.0684	0.0000	0.0000	0.0685
Total	5.0000e-005	3.0000e-005	3.2000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0684	0.0684	0.0000	0.0000	0.0685

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					3.4000e-004	0.0000	3.4000e-004	1.9000e-004	0.0000	1.9000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005		4.7000e-004	4.7000e-004		4.5000e-004	4.5000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457
Total	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005	3.4000e-004	4.7000e-004	8.1000e-004	1.9000e-004	4.5000e-004	6.4000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457

Porter's Crossing Phase II - Tulare County, Annual

3.4 Grading - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e-005	3.0000e-005	3.2000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0684	0.0684	0.0000	0.0000	0.0685
Total	5.0000e-005	3.0000e-005	3.2000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0684	0.0684	0.0000	0.0000	0.0685

3.5 Building Construction - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4348
Total	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4348

Porter's Crossing Phase II - Tulare County, Annual

3.5 Building Construction - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.1900e-003	0.0366	7.2700e-003	8.0000e-005	1.9800e-003	2.1000e-004	2.1900e-003	5.7000e-004	2.0000e-004	7.7000e-004	0.0000	8.0462	8.0462	3.7000e-004	0.0000	8.0556
Worker	3.7700e-003	2.5100e-003	0.0256	6.0000e-005	6.3700e-003	4.0000e-005	6.4200e-003	1.6900e-003	4.0000e-005	1.7400e-003	0.0000	5.4743	5.4743	1.7000e-004	0.0000	5.4786
Total	4.9600e-003	0.0391	0.0328	1.4000e-004	8.3500e-003	2.5000e-004	8.6100e-003	2.2600e-003	2.4000e-004	2.5100e-003	0.0000	13.5205	13.5205	5.4000e-004	0.0000	13.5341

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4347
Total	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4347

Porter's Crossing Phase II - Tulare County, Annual

3.5 Building Construction - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.1900e-003	0.0366	7.2700e-003	8.0000e-005	1.9800e-003	2.1000e-004	2.1900e-003	5.7000e-004	2.0000e-004	7.7000e-004	0.0000	8.0462	8.0462	3.7000e-004	0.0000	8.0556
Worker	3.7700e-003	2.5100e-003	0.0256	6.0000e-005	6.3700e-003	4.0000e-005	6.4200e-003	1.6900e-003	4.0000e-005	1.7400e-003	0.0000	5.4743	5.4743	1.7000e-004	0.0000	5.4786
Total	4.9600e-003	0.0391	0.0328	1.4000e-004	8.3500e-003	2.5000e-004	8.6100e-003	2.2600e-003	2.4000e-004	2.5100e-003	0.0000	13.5205	13.5205	5.4000e-004	0.0000	13.5341

3.6 Paving - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	1.9300e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653
Paving	1.0200e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.9500e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653

Porter's Crossing Phase II - Tulare County, Annual

3.6 Paving - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.4000e-004	1.4400e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3079	0.3079	1.0000e-005	0.0000	0.3082
Total	2.1000e-004	1.4000e-004	1.4400e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3079	0.3079	1.0000e-005	0.0000	0.3082

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	1.9300e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653
Paving	1.0200e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.9500e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653

Porter's Crossing Phase II - Tulare County, Annual

3.6 Paving - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.4000e-004	1.4400e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3079	0.3079	1.0000e-005	0.0000	0.3082
Total	2.1000e-004	1.4000e-004	1.4400e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3079	0.3079	1.0000e-005	0.0000	0.3082

3.7 Architectural Coating - 2020**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0289					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.1000e-004	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396
Total	0.0296	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396

Porter's Crossing Phase II - Tulare County, Annual

3.7 Architectural Coating - 2020**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	2.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0513	0.0513	0.0000	0.0000	0.0514
Total	4.0000e-005	2.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0513	0.0513	0.0000	0.0000	0.0514

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0289					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.1000e-004	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396
Total	0.0296	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396

Porter's Crossing Phase II - Tulare County, Annual

3.7 Architectural Coating - 2020**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	2.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0513	0.0513	0.0000	0.0000	0.0514
Total	4.0000e-005	2.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0513	0.0513	0.0000	0.0000	0.0514

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Porter's Crossing Phase II - Tulare County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.7594	5.5703	5.5355	0.0168	0.8856	0.0185	0.9041	0.2381	0.0175	0.2556	0.0000	1,558.059 1	1,558.059 1	0.1119	0.0000	1,560.855 2
Unmitigated	0.7594	5.5703	5.5355	0.0168	0.8856	0.0185	0.9041	0.2381	0.0175	0.2556	0.0000	1,558.059 1	1,558.059 1	0.1119	0.0000	1,560.855 2

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Fast Food Restaurant with Drive Thru	1,083.19	1,660.67	1248.26	1,111,159	1,111,159
Parking Lot	0.00	0.00	0.00		
Fast Food Restaurant w/o Drive Thru	1,636.00	590.62	443.94	1,229,914	1,229,914
Total	2,719.19	2,251.29	1,692.20	2,341,074	2,341,074

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Fast Food Restaurant with Drive	9.50	7.30	7.30	2.20	78.80	19.00	29	21	50
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Fast Food Restaurant w/o Drive	9.50	7.30	7.30	2.20	78.80	19.00	29	21	50

4.4 Fleet Mix

Porter's Crossing Phase II - Tulare County, Annual

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Fast Food Restaurant with Drive Thru	0.506900	0.034567	0.171206	0.149208	0.024362	0.005798	0.021031	0.077362	0.001819	0.001371	0.004402	0.001155	0.000818
Parking Lot	0.506900	0.034567	0.171206	0.149208	0.024362	0.005798	0.021031	0.077362	0.001819	0.001371	0.004402	0.001155	0.000818
Fast Food Restaurant w/o Drive Thru	0.506900	0.034567	0.171206	0.149208	0.024362	0.005798	0.021031	0.077362	0.001819	0.001371	0.004402	0.001155	0.000818

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	37.1518	37.1518	1.5300e-003	3.2000e-004	37.2848
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	37.1518	37.1518	1.5300e-003	3.2000e-004	37.2848
NaturalGas Mitigated	1.6700e-003	0.0152	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	16.4874	16.4874	3.2000e-004	3.0000e-004	16.5854
NaturalGas Unmitigated	1.6700e-003	0.0152	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	16.4874	16.4874	3.2000e-004	3.0000e-004	16.5854

Porter's Crossing Phase II - Tulare County, Annual

5.2 Energy by Land Use - NaturalGas**Unmitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Fast Food Restaurant w/o Drive Thru	81055.6	4.4000e-004	3.9700e-003	3.3400e-003	2.0000e-005		3.0000e-004	3.0000e-004		3.0000e-004	3.0000e-004	0.0000	4.3254	4.3254	8.0000e-005	8.0000e-005	4.3511
Fast Food Restaurant with Drive Thru	227907	1.2300e-003	0.0112	9.3800e-003	7.0000e-005		8.5000e-004	8.5000e-004		8.5000e-004	8.5000e-004	0.0000	12.1620	12.1620	2.3000e-004	2.2000e-004	12.2343
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.6700e-003	0.0151	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	16.4874	16.4874	3.1000e-004	3.0000e-004	16.5854

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Fast Food Restaurant w/o Drive Thru	81055.6	4.4000e-004	3.9700e-003	3.3400e-003	2.0000e-005		3.0000e-004	3.0000e-004		3.0000e-004	3.0000e-004	0.0000	4.3254	4.3254	8.0000e-005	8.0000e-005	4.3511
Fast Food Restaurant with Drive Thru	227907	1.2300e-003	0.0112	9.3800e-003	7.0000e-005		8.5000e-004	8.5000e-004		8.5000e-004	8.5000e-004	0.0000	12.1620	12.1620	2.3000e-004	2.2000e-004	12.2343
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.6700e-003	0.0151	0.0127	9.0000e-005		1.1500e-003	1.1500e-003		1.1500e-003	1.1500e-003	0.0000	16.4874	16.4874	3.1000e-004	3.0000e-004	16.5854

Porter's Crossing Phase II - Tulare County, Annual

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Fast Food Restaurant w/o Drive Thru	27394.8	8.7286	3.6000e-004	7.0000e-005	8.7598
Fast Food Restaurant with Drive Thru	77027	24.5425	1.0100e-003	2.1000e-004	24.6303
Parking Lot	12180	3.8808	1.6000e-004	3.0000e-005	3.8947
Total		37.1518	1.5300e-003	3.1000e-004	37.2847

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Fast Food Restaurant w/o Drive Thru	27394.8	8.7286	3.6000e-004	7.0000e-005	8.7598
Fast Food Restaurant with Drive Thru	77027	24.5425	1.0100e-003	2.1000e-004	24.6303
Parking Lot	12180	3.8808	1.6000e-004	3.0000e-005	3.8947
Total		37.1518	1.5300e-003	3.1000e-004	37.2847

Porter's Crossing Phase II - Tulare County, Annual

6.0 Area Detail**6.1 Mitigation Measures Area**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003
Unmitigated	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003

Porter's Crossing Phase II - Tulare County, Annual

6.2 Area by SubCategory**Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	2.8900e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0144					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	8.0000e-005	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003
Total	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	2.8900e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0144					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	8.0000e-005	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003
Total	0.0174	1.0000e-005	8.3000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6100e-003	1.6100e-003	0.0000	0.0000	1.7200e-003

7.0 Water Detail

Porter's Crossing Phase II - Tulare County, Annual

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	2.0006	0.0309	7.4000e-004	2.9953
Unmitigated	2.0006	0.0309	7.4000e-004	2.9953

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Fast Food Restaurant w/o Drive Thru	0.248898 / 0.0158871	0.5258	8.1300e-003	2.0000e-004	0.7872
Fast Food Restaurant with Drive Thru	0.698128 / 0.0445613	1.4748	0.0228	5.5000e-004	2.2081
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		2.0006	0.0309	7.5000e-004	2.9953

Porter's Crossing Phase II - Tulare County, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Fast Food Restaurant w/o Drive Thru	0.248898 / 0.0158871	0.5258	8.1300e-003	2.0000e-004	0.7872
Fast Food Restaurant with Drive Thru	0.698128 / 0.0445613	1.4748	0.0228	5.5000e-004	2.2081
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		2.0006	0.0309	7.5000e-004	2.9953

8.0 Waste Detail**8.1 Mitigation Measures Waste**

Porter's Crossing Phase II - Tulare County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	7.2955	0.4312	0.0000	18.0743
Unmitigated	7.2955	0.4312	0.0000	18.0743

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Fast Food Restaurant w/o Drive Thru	9.45	1.9183	0.1134	0.0000	4.7524
Fast Food Restaurant with Drive Thru	26.49	5.3772	0.3178	0.0000	13.3219
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		7.2955	0.4312	0.0000	18.0743

Porter's Crossing Phase II - Tulare County, Annual

8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Fast Food Restaurant w/o Drive Thru	9.45	1.9183	0.1134	0.0000	4.7524
Fast Food Restaurant with Drive Thru	26.49	5.3772	0.3178	0.0000	13.3219
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		7.2955	0.4312	0.0000	18.0743

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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Porter's Crossing Phase II - Tulare County, Annual

11.0 Vegetation

Appendix B Biological Evaluation Report

Element Type	Scientific Name	Common Name	Federal Status	State Status	CDFW Status	CA Rare Plant Rank
Animals - Amphibians	<i>Spea hammondi</i>	western spadefoot	None	None	SSC	-
Animals - Birds	<i>Agelaius tricolor</i>	tricolored blackbird	None	Threatened	SSC	-
Animals - Birds	<i>Buteo swainsoni</i>	Swainson's hawk	None	Threatened	-	-
Animals - Birds	<i>Gymnogyps californianus</i>	California condor	Endangered	Endangered	FP	-
Animals - Crustaceans	<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	Threatened	None	-	-
Animals - Insects	<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn beetle	Threatened	None	-	-
Animals - Mammals	<i>Antrozous pallidus</i>	pallid bat	None	None	SSC	-
Animals - Mammals	<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	None	None	SSC	-
Animals - Mammals	<i>Dipodomys nitratoide nitratoide</i>	Tipton kangaroo rat	Endangered	Endangered	-	-
Animals - Mammals	<i>Eumops perotis californicus</i>	western mastiff bat	None	None	SSC	-
Animals - Mammals	<i>Taxidea taxus</i>	American badger	None	None	SSC	-
Animals - Mammals	<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Endangered	Threatened	-	-
Animals - Reptiles	<i>Anniella pulchra</i>	northern California legless lizard	None	None	SSC	-
Community - Terrestrial	Northern Claypan Vernal Pool	Northern Claypan Vernal Pool	None	None	-	-
Community - Terrestrial	Sycamore Alluvial Woodland	Sycamore Alluvial Woodland	None	None	-	-
Plants - Vascular	<i>Atriplex cordulata</i> var. <i>erecticaulis</i>	Earlimart orache	None	None	-	1B.2
Plants - Vascular	<i>Atriplex coronata</i> var. <i>vallicola</i>	Lost Hills crownscale	None	None	-	1B.2
Plants - Vascular	<i>Atriplex depressa</i>	brittlescale	None	None	-	1B.2
Plants - Vascular	<i>Atriplex minuscula</i>	lesser saltscale	None	None	-	1B.1
Plants - Vascular	<i>Atriplex persistens</i>	vernal pool smallscale	None	None	-	1B.2
Plants - Vascular	<i>Atriplex subtilis</i>	subtle orache	None	None	-	1B.2
Plants - Vascular	<i>Caulanthus californicus</i>	California jewelflower	Endangered	Endangered	-	1B.1
Plants - Vascular	<i>Clarkia springvillensis</i>	Springville clarkia	Threatened	Endangered	-	1B.2
Plants - Vascular	<i>Delphinium recurvatum</i>	recurved larkspur	None	None	-	1B.2
Plants - Vascular	<i>Diplacus pictus</i>	calico monkeyflower	None	None	-	1B.2
Plants - Vascular	<i>Eryngium spinosepalum</i>	spiny-sepaed button-celery	None	None	-	1B.2
Plants - Vascular	<i>Fritillaria striata</i>	striped adobe-lily	None	Threatened	-	1B.1
Plants - Vascular	<i>Leptosiphon serrulatus</i>	Madera leptosiphon	None	None	-	1B.2
Plants - Vascular	<i>Monolopia congdonii</i>	San Joaquin woollythreads	Endangered	None	-	1B.2
Plants - Vascular	<i>Navarretia nigelliformis</i> ssp. <i>radians</i>	shining navarretia	None	None	-	1B.2
Plants - Vascular	<i>Pseudobahia peirsonii</i>	San Joaquin adobe sunburst	Threatened	Endangered	-	1B.1
Plants - Vascular	<i>Puccinellia simplex</i>	California alkali grass	None	None	-	1B.2
Plants - Vascular	<i>Senecio aphanactis</i>	chaparral ragwort	None	None	-	2B.2
Plants - Vascular	<i>Sidalcea keckii</i>	Keck's checkerbloom	Endangered	None	-	1B.1

Appendix C Cultural Resources



To: Brynae Emerzain
Provost & Pritchard Consulting Group, Inc.
286 W. Cromwell Ave.
Fresno, CA 93711

Record Search 19-251

Date: July 8, 2019

Re: Porter's Crossing, Phase II Initial Study/Mitigated Negative Declaration

County: Tulare

Map(s): Porterville 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there have been no previous cultural resource studies conducted within the project area. There have been five studies within the one-half mile radius, TU-00376, 00447, 01097, 01664, and 01761.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area or within the one-half mile radius, and it is not known if any exist there.

There are no recorded cultural resources within the project area that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of construction of two fast-food drive through restaurants. Further, we understand the project area is currently vacant with some site improvements already in place. The extent of the site improvements was not specified. Because a cultural resources study has not been conducted on this property, it is unknown if any cultural resources are present. Therefore, prior to any project activities, we recommend a qualified, professional consultant first conduct a field survey to determine if cultural resources are present. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Celeste M. Thomson, Coordinator

Date: July 8, 2019

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

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Appendix D Traffic Report

August 21, 2019

Julie Phillips, Community Development Manager
City of Porterville
291 North Main Street
Porterville, CA 9325

RE: Trip Generation Analysis for CFT Development DT-0058 Site Plan

Dear Ms. Phillips:

Per your request Provost & Pritchard has analyzed the site plan for CFT Development for the expected traffic generated by the project.

The CFT site plan includes the following building elements:

- Retail space identified as Panda Express, with a drive-through window and indoor seating – 2,300 square feet
- Retail space identified as FSDT Pad #2 but expected to be a coffee kiosk with a drive-through window and no indoor seating – 818 square feet

Trip generation rates were taken from *Trip Generation, 10th Edition - Institute of Traffic Engineers (ITE)* and are summarized for the project site in Table 1, with projected Daily, AM Peak Hour, and PM Peak Hour subtotals included in Table 2. AM and PM Peak Hour subtotals are utilized to determine the need for a Traffic Impact Study (TIS) and determine the potential need for mitigations to the adjacent roadways and traffic control devices.

Table 1 – CFT Development DT-0058 Site Plan Rates						
Site Plan Designation	Business Type	ITE Code	Building Area (SF)	Daily Rate (Per 1,000 SF)	AM Peak Rate (Per 1,000 SF)	PM Peak Rate (Per 1,000 SF)
Panda Express	Fast-food Restaurant with Drive-through Window	934	2,300	470.95	50.97 *	51.36
FSDT Pad #2	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating	938	818	2,000.00	344.44	106.67

* Panda Express not open during AM Peak Hour

Table 2 – CFT Development DT-0058 Site Plan Subtotals						
Site Plan Designation	Business Type	ITE Code	Building Area (SF)	Daily Subtotal	AM Peak Subtotal	PM Peak Subtotal
Panda Express	Fast-food Restaurant with Drive-through Window	934	2,300	1,083	0*	118
FSDT Pad #2	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating	938	818	1,636	282	87
Site Subtotals				2,719	282	205

* Panda Express not open during AM Peak Hour

Because the site is not mixed-use, vehicles are unlikely to frequent more than one retail space within the site. Therefore, it is not appropriate to apply a trip reduction for internal capture.

Based on the site's location, it is appropriate to apply pass-by reductions to the totals shown above. This reduction assumes a percentage of the total trips generated from the land uses are from vehicles that would have already passed the site. These pass-by trips would not impact the adjacent roadway or traffic control devices. Data obtained by *Trip Generation, 10th Edition - Institute of Traffic Engineers* for fast-food restaurants shows a reduction of 50%-90% may be experienced. However, *Caltrans Guide for the Preparation of Traffic Impact Studies* allows for a maximum of 15% to be applied. This accounts for the fact that while a trip may be considered pass-by, it was likely diverted from another route. Table 3 summarize the application of the pass-by 15% reduction to the subtotals.

Table 3 – CFT Development DT-0058 Site Plan Totals						
Site Plan Designation	Business Type	AM Peak Subtotal	PM Peak Subtotal	Pass-by Rate	AM Peak Adjusted Subtotal	PM Peak Adjusted Subtotal
Panda Express	Fast-food Restaurant with Drive-through Window	0*	118	15%	0*	100
FSDT Pad #2	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating	282	87	15%	240	74
Adjusted Site Totals					240	174

* Panda Express not open during AM Peak Hour

In the Circulation Element of the City of Porterville's 2030 General Plan, Section C-I-10 gives City staff direction to:

Require traffic impact studies for all General Plan amendments that will generate more than 100 peak hour trips.

Exceptions may be granted where traffic studies have been completed for adjacent development. The City's new traffic model developed for the 2030 General Plan will facilitate this analysis.

The site is projected to generate over 100 peak hour trips and would trigger a full Traffic Impact Study. However, in 2017 a Traffic Impact Study (TIS) was performed for the Commercial Retail Development on the Northeast Corner of Henderson Avenue and Prospect Street (see attached). This study analyzed the impact of a 10,500 square-foot retail space on six adjacent intersections for 2017 and 2035 conditions, with and without the project.

Level of Service (LOS) is based on projected traffic delays. LOS of D, which equates to a projected delay of 35-55 seconds for signalized intersections, is the minimum acceptable LOS designated by the City of Porterville. Projected 2035 + Project LOS and delays calculated in the 2017 TIS are summarized in Table 4.

Table 4 – Commercial Retail Development on the Northeast Corner of Henderson Avenue and Prospect Street Levels of Service and Delays			
#	Intersection	2035 + Project LOS and Delays AM Peak Hour	2035 + Project LOS and Delays PM Peak Hour
1	North Prospect Street at West Westfield Avenue	C (34.5 seconds)	C (30.4 seconds)
2	North Newcomb Street at West Henderson Avenue	D (51.4 seconds)	D (45.8 seconds)
3	North Prospect Street at West Henderson Avenue	D (48.1 seconds)	D (53.9 seconds)
4	State Route 65 SB On/Off Ramps at West Henderson Avenue	D (37.4 seconds)	D (53.1 seconds)
5	State Route 65 NB On/Off Ramps at West Henderson Avenue	C (22.4 seconds)	C (27.0 seconds)
6	North Prospect Street at West Morton Avenue	C (29.4 seconds)	C (27.9 seconds)

Note: Level of Service calculations included in the 2017 TIS were based on *Trip Generation*, 9th Edition - *Institute of Traffic Engineers*.

Based on the anticipated traffic generated by the CFT Development DT-0058, it can be reasonably expected that intersections 2, 3, and 4 will exceed the 55-second delay threshold for LOS D. Therefore, the CFT Development DT-0058 should be expected to contribute to any

mitigations necessary to resolve these delays. Necessary mitigations were not assessed in this analysis but could include changes to the signal timing or phasing, or increased traffic lanes. Fair share percentages for the project's responsibility are included in Table 5. These percentages could be included in the City's Traffic Impact Fee or assessed separately.

Table 5 – Fair Share Percentages				
#	Intersection	Project Traffic Impacting Intersection	Total Intersection Traffic	Fair Share Percentage
2	North Newcomb Street at West Henderson Avenue	41	2953	1.4%
3	North Prospect Street at West Henderson Avenue	224	3302	6.8%
4	State Route 65 SB On/Off Ramps at West Henderson Avenue	90	2977	3.0%

Note: AM traffic volumes used, as they represent the largest impact.

If you need additional information please do not hesitate to contact me at (559) 636-1166 or mhamilton@ppeng.com.

Respectfully,



Matt Hamilton, PE
Senior Engineer

c: Dawn Marple – Provost & Pritchard

RESOLUTION NO. ____-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A GENERAL PLAN
AMENDMENT (2018-022-G) FOR THE PROPOSED PORTER'S CROSSING
COMMERCIAL CENTER PHASE II

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of October 1, 2019, conducted a public meeting to consider approval of a General Plan amendment from Medium Density Residential to Retail Centers for three parcels, totaling 1.82± acres (APNs 246-111-059, -060, and -061), as represented in Exhibit A, attached hereto; and

WHEREAS: The subject site is being considered for development with the adjacent parcels to the south for development of Phase II of a commercial center; and

WHEREAS: The project parcels are developed as follows: APN 246-111-059 is occupied with a vacant single family residence, while APNs 246-111-060 and -061 are vacant, undeveloped parcels; and

WHEREAS: The subject parcels will be merged prior to building permit submittal. In addition, a reciprocal ingress/egress and parking agreement shall be recorded for parcels to the south and east which would help ensure that subsequent development will function with the surrounding developed area; and

WHEREAS: On October 1, 2019, the City Council approved a Mitigated Negative Declaration of environmental impact; and

WHEREAS: The proposed General Plan Amendment is supported by staff due to the logical pattern continued by the proposed action. Land uses surrounding the project area are primarily commercial to the south, east, and west, with medium-density residential to the north of the project. The intersection of Henderson Avenue and Prospect Street has long been a major commercial corner in the city, and commercial uses extend north and south of the intersection on all other corners at dimensions consistent with what is now proposed. Approval of the General Plan Amendment and Zone Change would be consistent with that pattern.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby make the following findings:

1. The intersection of Henderson Avenue and Prospect Street has long been a major commercial corner in the city, and commercial uses extend north and south of the intersection on all other corners at dimensions consistent with what is now proposed for the northeast corner.
2. Based on review of application materials and submitted plans, the proposed project serves to fulfill the goals of the General Plan as adopted, and the amendment of the land use designation on the subject parcels (APNs 246-111-59, -060, and -061) does

not infringe on the goals of the General Plan to maintain transitions between types and intensities of land use.

3. The City Council is the decision-making body for the project.

BE IT FURTHER RESOLVED: That the City Council does hereby approve the General Plan Amendment from Medium Density Residential to Retail Centers on APNs 246-111-59, -060, and -061 for the proposed Porter's Crossing Commercial Center Phase II at Henderson Avenue and Prospect Street (PRC 2018-022-G).

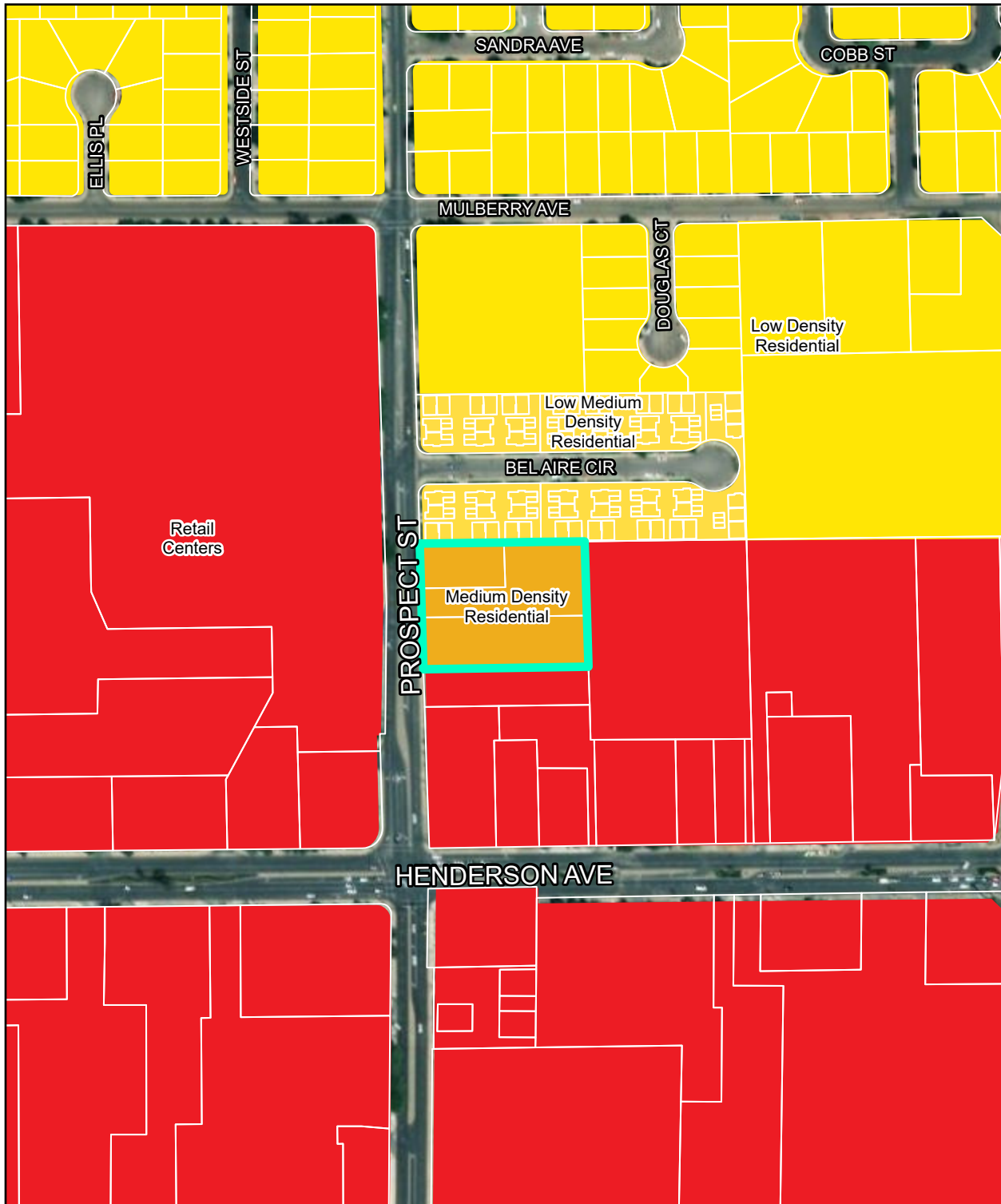
PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

By: _____
Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

**GPLU
PRC 2018-022**



**Porter's Crossing Phase 2
@ 894 N Prospect**

 Project Location

1 in = 300 feet



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE (PRC 2018-022-Z) FROM RM-3 (HIGH DENSITY
RESIDENTIAL) TO CR (RETAIL CENTERS) FOR THAT 1.82± ACRE SITE LOCATED
GENERALLY AT THE NORTHEAST CORNER OF HENDERSON AVENUE AND
PROSPECT STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of October 1, 2019, conducted a public meeting to approve findings and consider Zone Change (PRC 2018-022-Z) being a change in zone from RM-3 (High Density Residential) to CR (Retail Centers) for three parcels, totaling 1.82± acres, to support the project located on the east side of Prospect Street, north of Henderson Avenue, identified as APNs 246-111-059, -060, and -061; and

WHEREAS: The City Council of the City of Porterville determined that the proposed Zone Change (PRC 2018-022) is consistent with the guiding and implementation policies of the adopted 2030 General Plan; and

WHEREAS: On October 1, 2019, the City Council approved a Mitigated Negative Declaration of environmental impact for the proposed project; and

WHEREAS: The City Council made the following findings that the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted.

- a. The project supports and complies with the following General Plan guiding policies:
 - LU-G-1: Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.
 - LU-G-3 Promote sustainability in the design and development of public and private development projects.
- b. Development of the site as proposed would be subject to the City's development standards.
- c. The General Plan designation for the subject area was approved by the City Council on October 1, 2019, modifying the General Plan designation from Medium Density Residential to Retail Centers for the subject parcel.
- d. The subject Zone Change will not create adverse environmental impacts on the adjacent neighborhood when standards of the Development Ordinance and General Plan are applied to the subsequent development project.
- e. The subject parcels will be merged prior to building permit submittal. In addition, a reciprocal ingress/egress and parking agreement shall be recorded for parcels to

the south and east which would help ensure that subsequent development will function with the surrounding developed area.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does ordain as follows:

Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change PRC 2018-022-Z, is hereby rezoned from RM-3 (High Density Residential) to CR (Retail Centers), pursuant to Section 3 below, for the parcel described herein as Assessor's Parcel Numbers 246-111-059, -060, and -061 located generally 350± feet north of Henderson Avenue on the east side of Prospect Street; and

Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show the above described real property is rezoned from RM-3 (High Density Residential) to CR (Retail Centers) for the parcel described above, more particularly shown on the attached map as Exhibit "A".

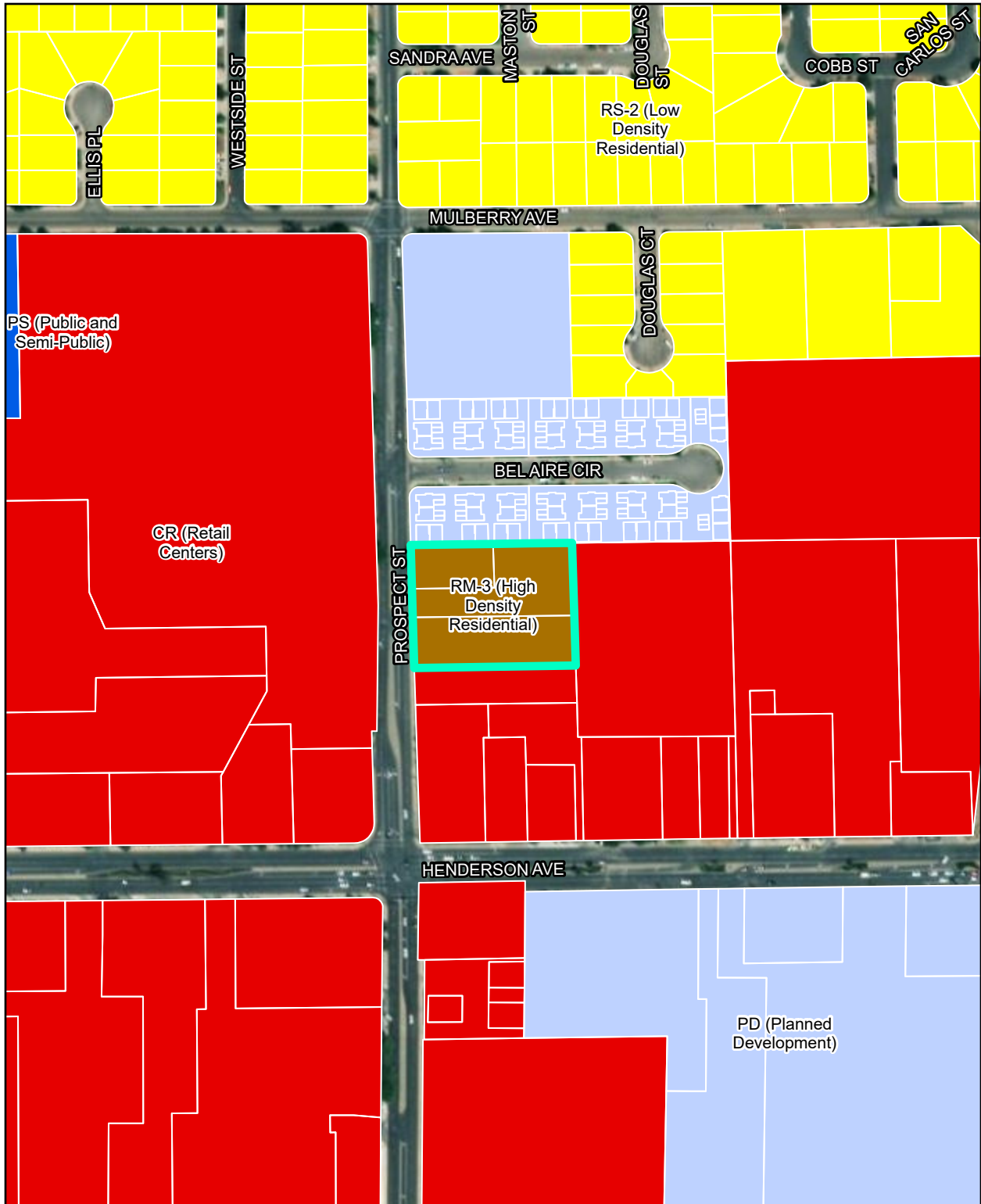
PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

By: _____
Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

Zoning PRC 2018-022



**Porter's Crossing Phase 2
@ 894 N Prospect**

Project Location

1 in = 300 feet





CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Continued Consideration of Appointment to Transactions and Use Tax Oversight Committee

SOURCE: Administrative Services

COMMENT: At its meeting of September 17, 2019, the City Council considered the appointment of an individual to serve the unexpired term of Ms. Virginia Gurrola on the Transactions and Use Tax Oversight Committee. With only four (4) of the five (5) Council Members being present, the Council Members were deadlocked on the appointment and thereby requested that the item be continued until the next meeting when all five (5) Council Members were available.

The Transactions and Use Tax Oversight Committee (TUTOC) was established as a component of Measure H, a one-half cent public safety special tax measure which was approved by Porterville voters in November of 2005. The initial charge of the Committee was to review the revenue and expenditures of the three (3) Measure H budgets (Fire, Police and Literacy), and to report its findings to the City Council. In November 2018, the voters of Porterville approved Measure I, a one cent general sales tax measure to maintain public safety and to improve Porterville streets. TUTOC is also now charged with oversight of Measure I fund expenditures.

The Committee is comprised of ten (10) members of the public, each serving four-year terms, and is required to meet at least once annually after the adoption of the budget. Meetings are held pursuant to the Ralph M. Brown Act provisions, and are held at City Hall.

The appointment of Ms. Virginia Gurrola to the City Council simultaneously made her ineligible to serve on the Transactions and Use Tax Oversight Committee (TUTOC) which thereby created a vacancy on the Committee. Staff is in receipt of two (2) Requests for Appointment, submitted by Mr. Rudolfo Roman and Mr. Joshua Sulier. Copies of these Requests are herein provided for Council's consideration.

RECOMMENDATION: That the City Council appoint an individual to the Transactions and Use Tax Oversight Committee for a term to expire in May 2020.

ATTACHMENTS:

1. Request for Appointment - Roman
2. Request for Appointment - Sulier

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY OF PORTERVILLE REQUEST FOR APPOINTMENT



Please complete all blanks.

Name: __Rodolfo "Rudy" Roman__
(Please Print)

Appointment to: __Transaction & Use Tax Committee__
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, Please provide:

Street Address: [REDACTED]

Mailing Address: __Same as above__

Name of Business: _____
☐ Own ☐ Operate

Business Address: _____

Telephone: Home [REDACTED]
Work [REDACTED]
FAX _____
E-mail [REDACTED]

RECEIVED
SEP 06 2019
CITY OF PORTERVILLE
ADMINISTRATIVE SERVICES

City of Porterville Resident:

X ☐ Yes

☐ No

Select District:

☐

x1 ☐ 2 ☐ 3

☐ 4 ☐ 5

Registered Voter:

X ☐ Yes

☐ No

Qualifications: (It is recommended that a resume or letter accompany this form.)

see attached letter

Please tell us why you are interested in this position.

see attached letter

☐ Resume attached

☒ Letter of request attached

Submitted By: Rodolfo Roman 09/06/2019
Date

Received by: Patrice Childers

Forwarded to: City Clerk

☒

Date: 9/6/19

City Council

☐

Date:

Staff Liaison

☐

Date:

Tentative Council Mtg Date: 9/17/19

09/06/2019

City of Porterville

Request for appointment: Transactions and Use Tax Oversight Committee

RECEIVED
SEP 06 2019
CITY OF PORTERVILLE
ADMINISTRATIVE SERVICES

I live and have lived in Porterville the majority of my adult life in Porterville. I attended Porterville College and graduated with a BA in Public Administration from CSUB. I have been involved in community events in Porterville for many years, I served on the Community Block Grant Committee for many years prior to resigning. I served on the original city charter review committee and also on the citizen interview panel in the selection of the current Police Chief. I along with my wife Maria were named a 2018 Porterville Cinco de Mayo Grand Marshalls. I am board member of Helping Hands. I am currently the manager of the Porterville EDD Workforce Service office. I like to help wherever I can to make our great city even better. Serving on this committee is a step in that direction. I belief citizen oversight is a very valuable and important role that benefits the cities and agencies. A person partaking in this role must take there responsibility seriously and act in the interest of the public.

Thank you for your consideration of my application for appointment.

Rodolfo "Rudy" Roman

[REDACTED]
Porterville CA 93257
[REDACTED]

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

RECEIVED

AUG 30 2019

CITY OF PORTERVILLE
CITY CLERK OFFICE

Please complete all blanks.

Name: Joshua Sulier

(Please Print)

Appointment to: Transaction and Use Tax Oversight Committee

(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: [REDACTED] Porterville Ca, 93257

Mailing Address: Same as above

Name of Business: N/A

☐ Own

☐ Operate

Business Address: N/A

Telephone: Home [REDACTED]

Work N/A

FAX N/A

E-mail [REDACTED]

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☒ Yes

☐ No

Qualifications: I have been a resident of Porterville for 35 years and I am a citizen who
wishes to be more involved in our local government.

- ☒ Resume attached
- ☐ Letter of request attached

Submitted By: Joshua Sulier 8/30/19
Date

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

Joshua Paul Sulier

Porterville, CA 93257

Profile:

I've been a resident of Porterville for the majority of my life. I'm interested in being a member of the Transaction and Use Tax Oversight Committee to take an active role in our local government.

Work Experience:

Employer: Home Depot Porterville **Start:** 12/16 **End:** 4/19

Position: Full Time Overnight Freight Associate

Phone: [REDACTED]

Supervisor: [REDACTED]

Duties: Work with a group of up to 10 people to off load and stock all merchandise received during the day. Ensure accurate inventory recorded and leave the store grand opening ready every morning.

Employer: Home Depot Tulare Store **Start:** 02/16 **Transfer to Porterville Store** 12\16

Position: Lumber Associate

Phone: [REDACTED]

Supervisor: [REDACTED]

Duties: Off loading merchandise from trucks and stocking the department using either an LPG powered fork lift, or an electric fork lift. Assisting customers with projects both large and small. Cleaning and inventory management.

Employer: Blue Sky Aviation **Start:** 11/11 **End:** 07/12

Position: Certified Flight Instructor

Phone: n/a

Supervisor: [REDACTED]

Duties: Create lesson plans and tests that meet or exceed FAA guidelines for ground school classes for Private, Instrument, and Commercial pilot ratings for rotor craft, as well as teaching those classes for up to 40 students. Create and conduct lesson plans for flight training specializing in instrument certification.

Employer: Home Depot **Start:** 03/10 **End:** 07/10

Position: Electrical Associate

Phone: [REDACTED]

Supervisor: [REDACTED]

Duties: Maintain a well stocked and clean department and assist customers with any of their electrical needs.

Joshua Paul Sulier

[REDACTED] Porterville, CA 93257

[REDACTED]
[REDACTED]

Work Experience Continued:

Employer: Sierra Management

Start: 11/03 **End:** 06/09

Position: Demand Response Driver

Phone: [REDACTED]

Supervisor: [REDACTED]

Duties: Transport of senior and disabled passengers and their cargo in and around the city of Porterville.

Employer: City of Porterville Parks and Leisure **Start:** 2000 **End:** 2002

Position: After School Sports Coach

Phone: [REDACTED]

Supervisor: [REDACTED]

Duties: Teach 4th, 5th, 6th grade students communication skills, teamwork and fair play while coaching them in the fundamentals of multiple sports.

Skills:

Communication:

- Able to explain complex ideas in simple terms
- Confident public speaker

Interpersonal Skills:

- Active listener
- Able to work in groups with conflicting ideas to reach a common goal

Adaptability:

- Ability to work under pressure
- Utilize problem solving skills and change tactics as needed



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Grant Application Options for SB2 Funds

SOURCE: Community Development

COMMENT: On September 17, 2019, the City Council discussed options for a grant application to receive funds allocated to California communities through the Building Homes and Jobs Act (Senate Bill 2 or SB 2). After some discussion, the Council determined that further time was needed to adequately consider the proposed options, and directed staff to bring the item back at its next meeting.

Under the Fifth Cycle of the Regional Housing Need Assessment (RHNA), the Tulare County Association of Governments determined that for the 2014-2023 Cycle, the City of Porterville should add 1,199 affordable housing units to the local housing stock. As with many jurisdictions in the State, the City has struggled to fill this allocation with only 43 units being built thus far into the cycle. As a way to help jurisdictions achieve these goals, in 2017 the Legislature enacted the Building Homes and Jobs Act, which created the Building Homes and Jobs Trust Fund (Section 50470 of Government Code). The State is directed to distribute monies to local jurisdictions in order to help accelerate housing production and promote housing affordability for lower- and moderate-income households. Under this funding program, the City qualifies for \$310,000 in non-competitive grant monies, so long as four thresholds are met:

1. Have an HCD-compliant housing element,
2. Have submitted a recent Annual Progress report,
3. Demonstrate a nexus to accelerating housing production, and
4. Demonstrate that the applicant is consistent with State Planning Priorities (Government Code Section 65041.1) or other planning priorities.

The Housing and Community Development Department (HCD) has defined six Priority Policy Areas (PPA) where applicants proposing activities in at least one of the PPA are automatically deemed to demonstrate a nexus to accelerating housing production without any further demonstration. These activities include:

1. **Rezone to Permit By-right:** Rezoning for significant additional housing capacity without or lesser discretionary review or establishing zoning to permit residential development by-right, particularly multifamily, without discretionary action pursuant to Government Code Section 65583.2(h) and (i).
2. **Objective Design and Development Standards:** Developing objective design standards or pre-approved site and architectural plans that facilitate non-discretionary permitting.

3. **Specific Plans or Form-based Codes Coupled with CEQA Streamlining**: Designating and rezoning for additional housing capacity or preparing specific plans or form codes that include zoning and development standards and plan-level environmental analysis that can be used to streamline future housing projects and facilitate affordability.
4. **Accessory Dwelling Units or Other Innovative Building Strategies**: Encouraging ADUs and other innovative building types through actions above state law such as, outreach, fee waivers, pre-approved plans, website zoning clearance assistance, and other homeowner tools or finance tools. Also, establishing other approaches to intensify existing lower density residential areas and “missing model” typologies to encourage significantly more residential development (e.g., duplexes, triplexes) in lower density residential areas.
5. **Expedited Processing**: Speeding up approvals and permit processing, including instituting programs that streamline or consolidate the review process or create a separate process for expedited review of housing projects.
6. **Housing Related Infrastructure Financing and Fee Reduction Strategies**: Develop and implement approaches to local, regional or sub-regional housing related infrastructure financing. Create plans and programs to finance and increase infrastructure with accompanying enhanced housing capacity, such as enhanced infrastructure financing districts. Fee reduction and rationalization approaches, such as reassessing fees to adhere to best practices in reducing costs, deferrals, sliding scales or proportionate impacts fees (e.g., ADUs, transit oriented, and infill development, special needs housing), or fee transparency measures including publicly available fee calculators.

The City has accomplished Thresholds 1 & 2, and the three alternatives provided herein for consideration would suit Thresholds 3 & 4. An important consideration shared by all three options is that they increase the number and variety of options of housing units while enhancing the small town charm that is central to Porterville’s character, while also promoting transit, bike, and/or pedestrian oriented design. The inclusion of multi-modal concepts not only meets the State Planning Policies, but will place the City in a better position of eligibility for future grant opportunities through State and Federal agencies promoting such development.

Currently, nearly 75% of Porterville’s housing stock is in the form of single-family homes, and while single family residential areas will always be an important part of the community, there is an obvious need for more affordable options, as well as options for those who may choose not to maintain a home, such as the elderly, those with special needs, or young professionals who aren’t yet ready for homeownership. Additionally, the options help lay the groundwork for additional economic investment in Porterville’s business community in three ways: 1) having a variety of housing options can help entice employers to relocate/open in Porterville as there will be different levels of affordability for potential employees to rent or purchase; 2) promoting districts and neighborhoods that incorporate multiple modes of transportation can help attract the amenities and services that growing industries and their employees are

looking for; and 3) with the increase in the number of options and variety of housing stock and different income levels moving into Porterville, this can help diversify and increase the types of businesses in Porterville to cater to different demographics.

All options, in the long run can help improve how the City promotes meeting our current RHNA allocation and all future allocations; however, each offers distinct advantages.

- Option 1 focuses on PPA #2 – Objective Design and #4 – Innovative Building Strategies, as well as State Planning Priorities #1 – Use Land Efficiently, and # 4 – served by adequate transportation and other essential utilities and services. It would serve to immediately make available pre-approved plans to fit on standard sized lots that are common in some of the older neighborhoods of town where staff often see property owners looking for ways to redevelop for rental purposes. These pre-approved site plans can help developers and property owners lower costs of replacing aging structures by eliminating the need for draftsmen and architects, and also enable non-professional developers to update properties. A property owner could simply select their preferred plan, pay permit fees, and hire a contractor to begin construction.
- Option 2 is similar to Option 1, but instead of solely multi-family residential, would create pre-approved plans for mixed use development, which could be used in any of the Downtown Mixed Use or Commercial Mixed Use zone districts. This would meet PPA #2 and State Planning Priorities #1 and 4. The clear guidelines of what constitutes good mixed use development can help steer developers towards such construction in areas of town where space is limited but are in need of both residential and commercial units and can encourage construction of affordable units. In order to truly facilitate this type of development, Option 2 would also require an amendment to the Development Code to exempt the pre-approved design from a Conditional Use Permit.
- Option 3 emphasizes long range planning in order to meet RHNA quotas and fulfills PPA #2 and #3 – Specific Plans Coupled with CEQA Streamlining as well as State Planning Priority #1. By creating a Specific Plan for the area bordered by the Tule River to the north, SR 65 to the east, SR 190 to the south, and Westwood to the west, this plan would have an enormous impact towards long term attainment of future RHNA goals. This option would help ensure that once the city's growth crosses the Tule River in that area, development will be guided by a set vision and continue to promote a strong Valley character while improving the quality of life for Porterville's residents.

Using the SB 2 Grant funds, it could be possible to choose multiple options in order to maximize the impact and effect on affordable housing stock. However, staff advocates selecting a single alternative for the most effective results. The direction received by the City Council will allow staff to prepare the grant application and submit it to HCD for consideration and approval by the November 30, 2019 deadline.

RECOMMENDATION: That the City Council review the proposed alternatives and provide direction to staff.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Consideration of Methods to Accommodate Future Consolidation of the Central Mutual Water Company

SOURCE: Community Development

COMMENT: Since 2016, the City has been negotiating with the Division of Drinking Water at the State Water Resources Control Board regarding a proposed consolidation of the Central Mutual Water Company (Company), which is a 34-lot subdivision on Kessing Street, south of Gibbons Avenue (attachment). As has been the case with multiple other small water systems in the area, the Central Mutual Water Company was formed to provide water service to a subdivision developed outside the city in the unincorporated portion of Tulare County. After many years of operation, the well serving the Company has begun to experience issues, and during the recent drought, the residents in this area were concerned about the likelihood of well failure. Staff and the Division of Drinking Water agree that, for the long-term future of these residents, consolidation with the City's system is the best option. Members of the Company, for their part, also seek consolidation due to some of the difficulties of operating a water system, including testing requirements and general management responsibilities. A grant application will soon be submitted by Self-Help Enterprises, on behalf of the Company, to obtain funds needed to construct necessary replacement infrastructure and pay fees as needed to secure water capacity to serve the area.

The City's Urban Development Boundary (UDB) and city limit follow the alignment of Gibbons Avenue, and are immediately north of the subject area. When consolidation was initially discussed, residents of CMWC were opposed to being annexed into the city limit, and instead requested that the City simply amend the UDB and provide water service through Extra-territorial Service Agreements (ESAs), including a recorded irrevocable agreement for future annexation. This methodology was used for the East Porterville Water Project because of the significant scope of that project and the concern that annexing such a large area would negatively and severely impact other City services. Conversely, as it relates to CMWC, use of ESAs would simply be a matter of preference. For 34 homes, there would be no significant impact to the City to provide services beyond water, such as refuse and emergency services.

Due to the length of time since the City Council last considered the consolidation of this system, staff is requesting confirmation of the City's direction regarding consolidation, and whether or not such consolidation should be provided subject to annexation or through use of ESAs. If the Council chooses to maintain the previously described process of using ESAs, the policy currently adopted through Resolution 19-2016 must be amended to

accommodate the larger size of some of the subject parcels. A draft Resolution including that draft language is attached for Council's consideration.

RECOMMENDATION: That the City Council:

1. Confirm support for the consolidation of the Central Mutual Water Company into the City's municipal water system, subject to proper review, receipt of grant funding, and authorization of a consolidation agreement at a future meeting; AND EITHER
2. To accommodate the Company's request to receive water but not be subject to annexation at this time:
 - a. Adopt the draft Resolution amending the City's Procedures for Annexations and Extension of Municipal Services, and
 - b. Direct staff to proceed with processing ESAs for each of the property owners, to allow for future consolidation; OR
3. Direct staff to proceed with an annexation application to be brought to Council for future consideration.

ATTACHMENTS:

1. Central Mutual Water Company Locator Map
2. Draft Resolution

Appropriated/Funded:

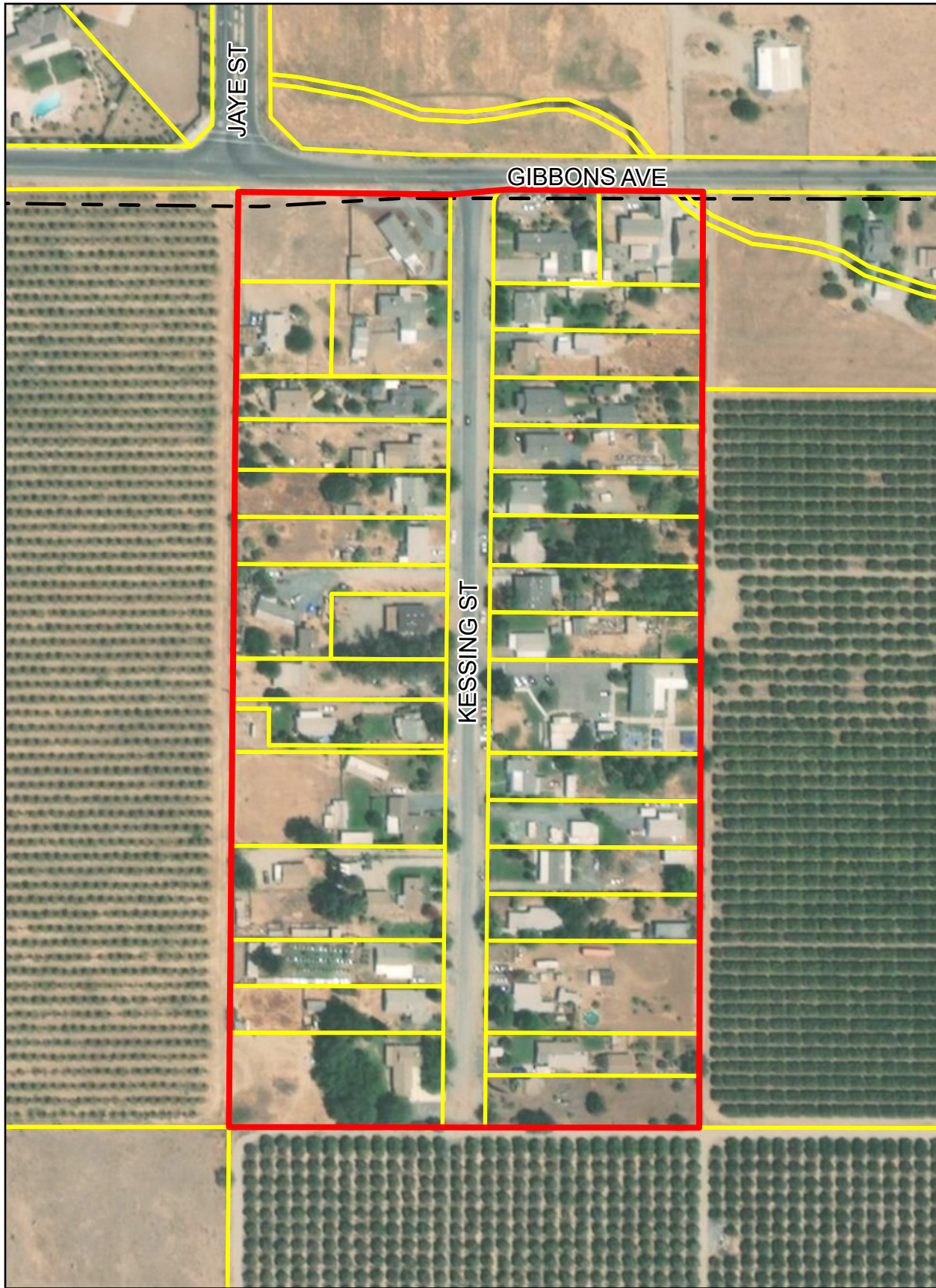
Review By:

Department Director:

Michael Knight, Deputy Public Works Director/Field Services Manager

Final Approver: John Lollis, City Manager

Central Mutual Water Company



 Proposed Service Area

 Parcels

 City Limits

0 100 200 Feet



Date Printed: 9/24/2019 by the Community Development Department

RESOLUTION ____ - 2019

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

WHEREAS: On April 19th, 2016, the City Council last amending procedures for annexations and extension of municipal services for the purpose of providing an exception for parcels in East Porterville that would not otherwise meet the required findings to qualify for an Extra-territorial Services Agreement; and

WHEREAS: The City has been approached to consolidate a small water system, the Central Mutual Water Company, which is currently outside the City's jurisdictional boundary. The members of that system have requested that annexation not be required in order to proceed with annexation; and

WHEREAS: The City Council supports the consolidation of this water system and finds that use of an Extra-territorial Services Agreement is adequate to assure the City's interest in water conservation.

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 Central Mutual Water Company will apply to the area represented in Exhibit "C".

PASSED, APPROVED AND ADOPTED this 1st day of October, 2019.

Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief 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.

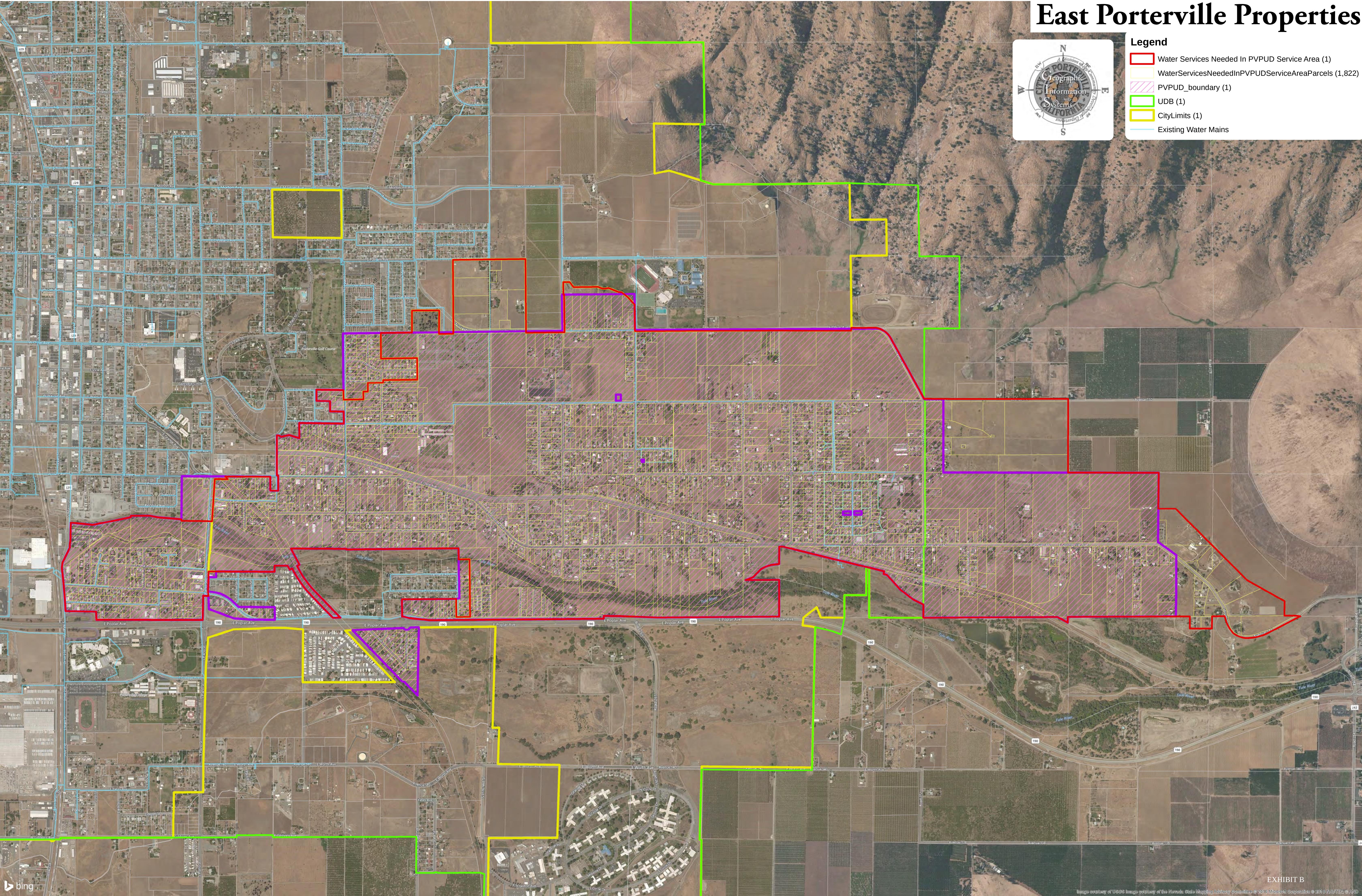
3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues 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 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.

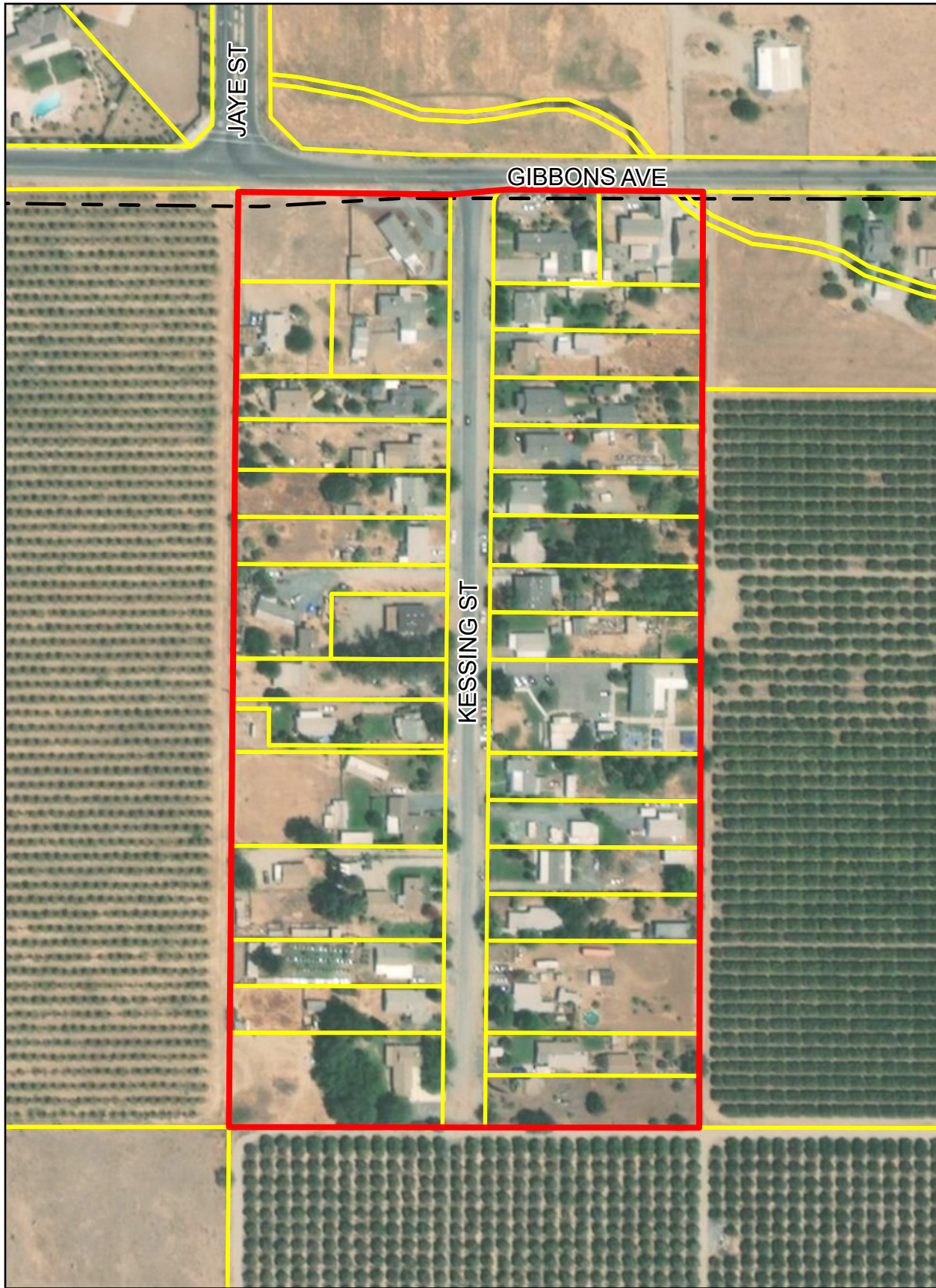
4. PROPERTIES WITHIN THE CENTRAL MUTUAL WATER COMPANY SERVICE AREA: The California State Water Resources Control Board, specifically the Division of Drinking Water, is coordinating the consolidation of multiple private small systems in and around Porterville into the City's water system. In association with those efforts, many dissolved companies are annexed into the city limit. The Central Mutual Water Company is proposed for consolidation. Its service area, encompassing the 34 residential parcels south of Gibbons Avenue along Kessing Street, is in an area the City is not prepared to annex at this time. As such, properties within this boundary (per the attached map) would be permitted to apply for connection in association with the consolidation of the water system subject to the mandatory findings as outlined in this procedure, with the following exception:

- Rather than require that the subject property be a developed single-family residence on a parcel 24,999 square feet or smaller, the parcel size would not be restricted for legal and legal non-conforming structures existing as of September 25, 2019.

East Porterville Properties



Central Mutual Water Company



 Proposed Service Area

 Parcels

 City Limits

0 100 200 Feet



Date Printed: 9/24/2019 by the Community Development Department



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Modifications to the Porterville Chamber of Commerce Agreement

SOURCE: City Manager's Office

COMMENT: The City and the Porterville Chamber of Commerce have a long-standing agreement in the provision of community promotion activities, the agreement last being modified in September 2006. As a requirement of the agreement, the Chamber presented its annual report to the City Council at its meeting of Tuesday, June 18, 2019. As a matter of its annual report, the Chamber requested the City consider modifying the agreement to allow for quarterly payments upon the completion of quarterly reporting to the Council, which Council was receptive.

Chamber and City staff met to review the agreement, and have made recommended modifications to the agreement to include quarterly reporting and payments, as well as minor clarifications and updates which are highlighted in the draft modified agreement.

RECOMMENDATION: That the City Council consider the proposed modifications to the Porterville Chamber of Commerce Agreement to allow quarterly reporting and payment for services, as well as minor clarifications and updates.

ATTACHMENTS: 1. Draft Chamber of Commerce Agreement

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

**AGREEMENT BETWEEN
THE CITY OF PORTERVILLE AND
THE PORTERVILLE CHAMBER OF COMMERCE**

This Agreement is made and entered into on the ____ day of _____, 20__, by and between the CITY OF PORTERVILLE, hereinafter referred to as “City”, and the PORTERVILLE CHAMBER OF COMMERCE, hereinafter referred to as “Chamber,” both of whom understand and agree as follows:

WHEREAS, the City is desirous of maintaining and asserting positive community values, of disseminating information relative to promoting the advantages of Porterville, and of supporting public interest activities; and

WHEREAS, Section 37110 of the Government Code of the State of California authorizes the expenditure of not more than five percent (5%) of monies accruing to the General Fund in any one fiscal year for music and promotional activities, including promotion of sister city and town affiliation programs; and

WHEREAS, the Chamber is actively engaged in promoting civic, social, and cultural events and activities, and is therefore believed to be organized, equipped, and capable of conducting promotional activities on behalf of the City; and

WHEREAS, it is not the intent of the City to fully underwrite, subsidize, or sponsor any particular program or activity, but to provide contributing support towards the maintenance and continuance of certain existing programs and activities of the Chamber, which best achieve the promotional objectives of the City.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

I. Chamber Responsibilities. The Chamber shall:

- A. Continue to carry on programs and promotional activities that include:
 - 1. Mail solicitations, information pool, referral services, and the visitor information bureau.
 - 2. Holiday advertising campaigns, and the ~~design and construction of the Porterville booth for the Tulare County Fair~~ business showcase.
 - 3. Printing and distribution of informational pamphlets and brochures.
- B. Assume all duties and responsibilities relating to the following:
 - 1. Locating, scheduling, coordinating, and programming for Centennial Park's Friday night activities for September, October, April, May, and June except for the ~~two~~ Fridays coinciding with the Porterville Fair, and local high school and college graduations, and weeks coinciding with KJUG free concert series events. Events will include music venues at the Centennial Gazebo, and special themes (i.e. Farmer's Market, Art in the Park, Halloween Movie in the Park, Arts & Crafts Booths, and Community Focus). The City will provide logistical support, including attendee seating, promotional signage, and park reservation.
 - 2. Providing any other assistance as may be mutually agreed upon from time to time during the period of this Agreement.
- C. ~~By May 15 of each year~~ At the first City Council meeting of each quarter (July, October, January, and April), furnish an ~~annual~~ activity report to the City covering the prior ~~year's~~ quarter's promotional programs and activities ~~for the reporting period from May 1 through April 30~~, with specific emphasis on sufficient relevant information to satisfy the terms and intent of this Agreement as heretofore enumerated. The Chamber shall also furnish the City with copies of its annual financial reports within thirty (30) days after they are prepared.

II. Payment by City. As consideration for the above-mentioned responsibilities, the City shall, during the term of this Agreement, pay the Chamber the sum of Thirty-Five Thousand Dollars (\$35,000) per year. ~~Such annual, which quarterly~~

payments of Eight Thousand Seven Hundred and Fifty Dollars (\$8,750) shall be made on or before September 1 of each year the first of the month following the furnishing of the quarterly activity report to the City Council, commencing in 2006 2019. ~~However, such annual payments shall not be made until the City receives and reviews the annual activity report referred to in paragraph I(C) for the proceeding reporting period (May 1 through April 30).~~

III. Term. This Agreement shall be in effect commencing date of execution of this Agreement and shall continue in effect until June 30, 2007, and thereafter on a year-to-year basis, beginning on July 1 of each year, until terminated according to paragraph IV of this Agreement.

IV. Unilateral Termination. This Agreement may be terminated by either party, and for any reason, providing thirty (30) days written notice to the other. This Agreement shall terminate forthwith thirty (30) days following the date such notice is received by the non-terminating party.

V. Annual Review. This Agreement shall be reviewed annually to determine whether it should be amended to increase or decrease the amount of consideration required of either party, including the amount payable to the Chamber. Subject to City budgetary limitations, any increases or decreases shall be based on services provided and expected to be provided during the then current and next fiscal years by the Chamber, and the expected tax revenues to the City from business activities during the then current and next fiscal years.

VI. Amendment. This Agreement may be amended or modified only by a writing signed by both parties. Failure on the part of either party to enforce any provision of this Agreement shall not be construed as a waiver of the right to compel enforcement of the such provisions.

VII. Assignment. This Agreement shall not be assigned by the Chamber without the written consent of the City, and such consent may be withheld for any reason.

VIII. Notices. All notices required by the Agreement shall be in writing and deliver in person or sent by registered mail, postage prepaid.

IX. Relationship of Parties. It is understood that the contractual relationship of the Chamber to the City is that of an independent contractor.

CITY:

Martha A. Flores, Mayor

ATTEST

John Lollis

By: _____

John Lollis, City Clerk

CHAMBER:

Monte Reyes
President/CEO

Jason Pommier, Chair
Chamber Board of Directors

APPROVED AS TO FORM:

Julia Lew, City Attorney



CITY COUNCIL AGENDA – OCTOBER 1, 2019

SUBJECT: Consideration of Commencing Proceedings in the Issuance and Sale of Revenue Bonds for Sewer System Improvements

SOURCE: City Manager's Office

COMMENT: On Thursday, August 28, 2019, the City Council Ad Hoc Committee - Provision of Local Water Services (comprised of Council Members Gurrola and Peñaloza) met to review prospective City sewer, water, and wastewater infrastructure projects, including the extension of sewer mains into developed areas annexed into the city, as well as the transition of secondary-treated wastewater to tertiary-treated recycled water. As the Council is aware, the City recently completed approximately \$7 million in sewer main extension projects into developed areas generally annexed into the city in 2006, and projects of similar magnitude are being considered to serve developed areas annexed into the city in 2016.

Due to a variety of economic factors, bond yields are at near-records lows, creating a very favorable environment to issue debt for capital projects. A conservative financial analysis of the City's Sewer Fund indicates debt service capacity of approximately \$11.5 million, providing significant capacity to meet debt service coverage requirements in providing prospective funding for the estimated \$14.3 million project.

The Ad Hoc Committee met again on Tuesday, September 24, 2019, in review of the prospective extension of the City's sewer system to serve annexed areas lacking infrastructure. City staff has provided a conservative project estimate of \$14.3 million to serve all areas of the city lacking sewer infrastructure, which the number of potential connections vary greatly among the potential areas of connection. With the potential of up to \$12.5 million in bond funds, staff will develop a prioritization schedule of areas for connection as a factor of estimated cost and potential connections for Council's consideration. The actual funding received and the actual cost of construction could potentially allow for all areas to be served.

The Ad Hoc Committee recommends that the City Council approve proceeding in the issuance and sale of revenue bonds to facilitate the extension of sewer main infrastructure to as many areas of the city as financially feasible, which a draft Resolution has accordingly been provided for Council's consideration.

RECOMMENDATION: That the City Council consider the draft Resolution to authorize

the commencement of proceedings in the issuance and sale of revenue bonds for sewer system improvements, including:

1. Retaining Wulff Hansen & Company as municipal advisor;
2. Retaining Brandis Tallman LLC as placement agent/underwriter;
3. Retaining Quint & Thimming LLP as bond and disclosure counsel; and
4. Authorizing the Mayor, City Manager and Finance Director to execute all necessary documents.

ATTACHMENTS:

1. Sewer Annexation and Infill Project Exhibits
2. Sewer Bond Debt Service Coverage Calculations
3. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

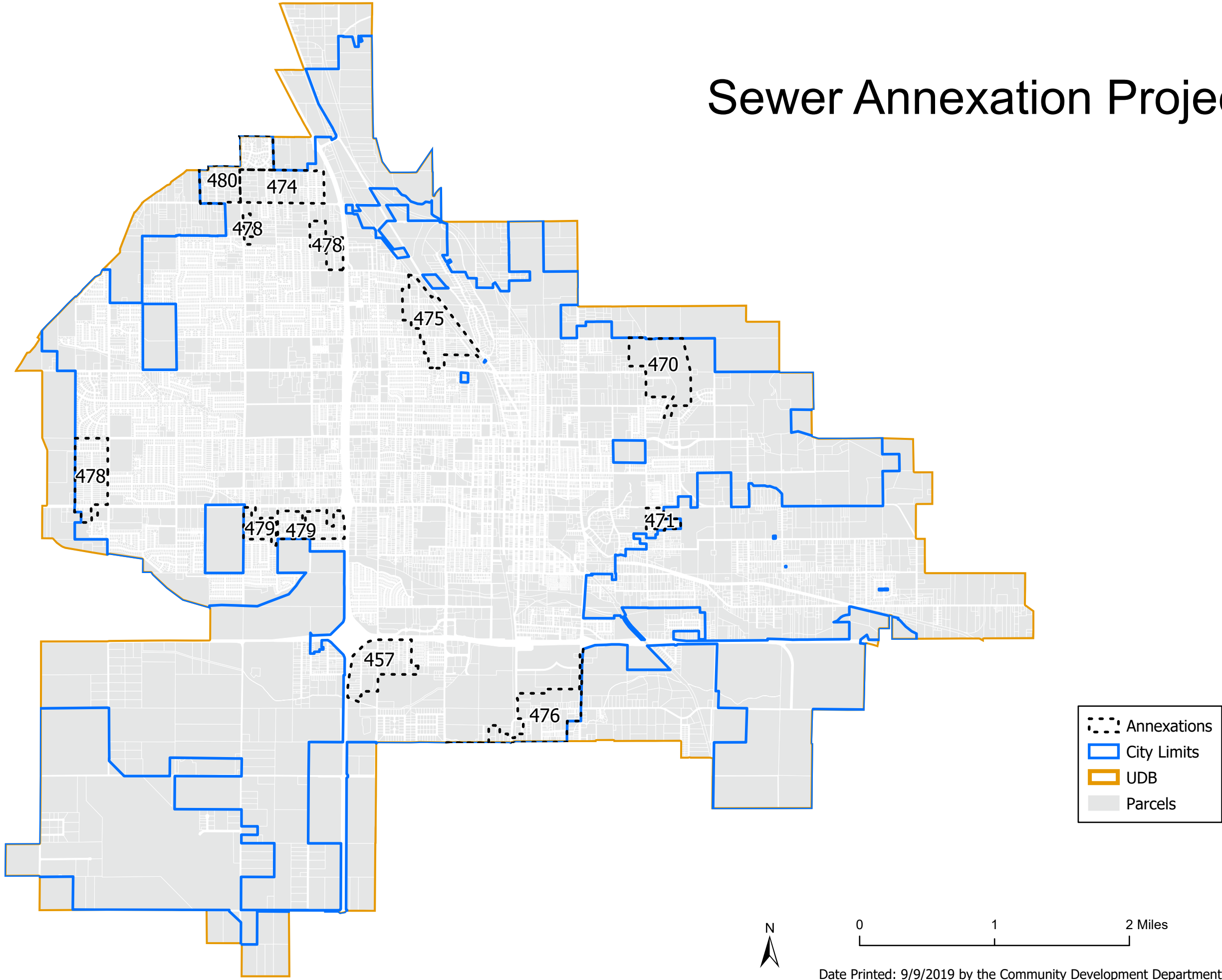
Final Approver: John Lollis, City Manager

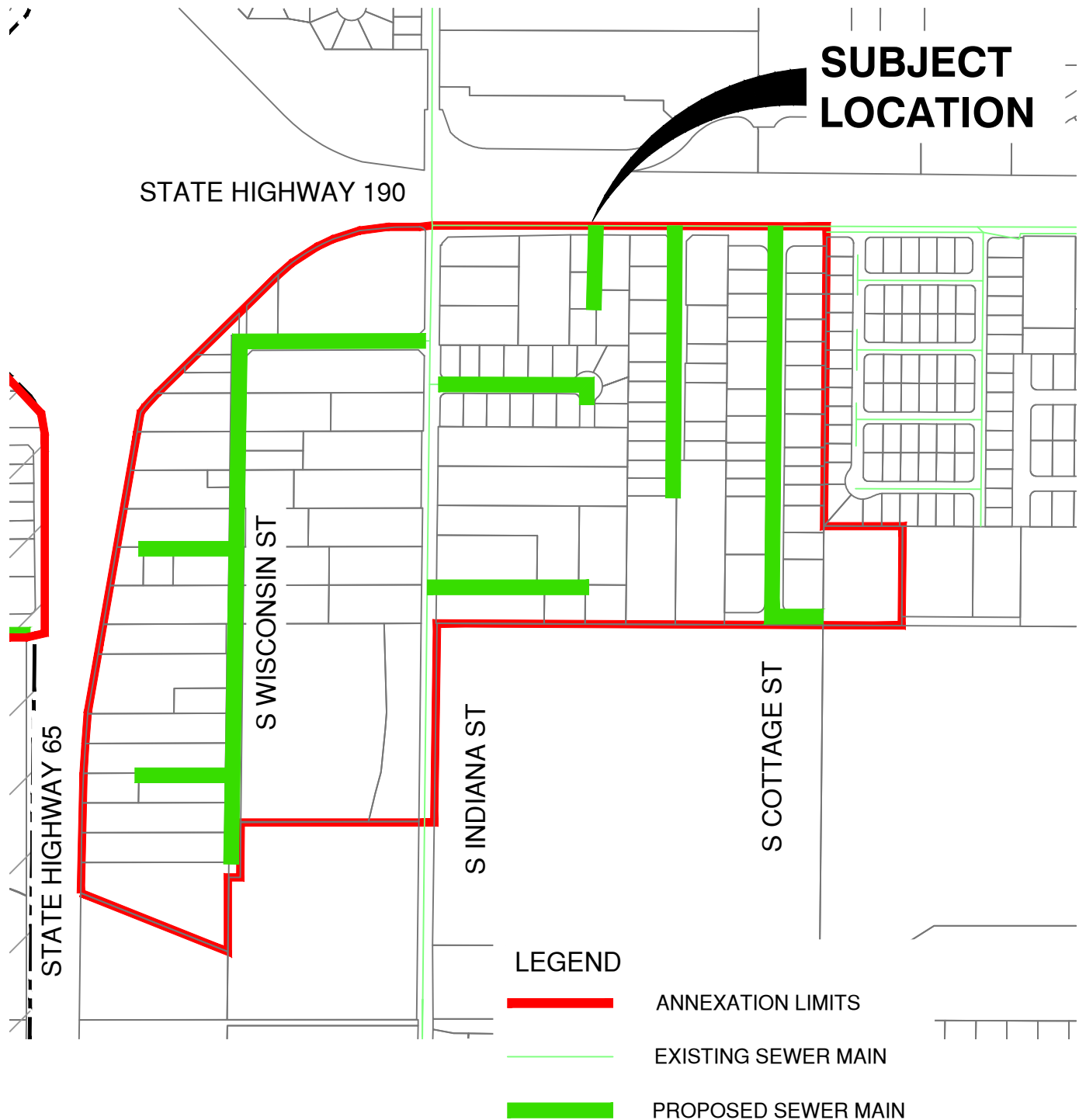
SEWER FOR ANNEXATION AREAS and INFILL WITHIN CITY LIMITS**9/3/19****SEWER CONSTRUCTION**

City of Porterville, Engineer's Estimate

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
Annexation Area 457					
1	Total Lineal Footage	6850	LF	\$ 80.00	\$ 548,000.00
2	Number of Lots	120	EA	\$ 6,000.00	\$ 720,000.00
SUBTOTAL					\$ 1,268,000.00
Annexation Area 470					
1	Total Lineal Footage	3800	LF	\$ 80.00	\$ 304,000.00
2	Number of Lots	9	EA	\$ 6,000.00	\$ 54,000.00
SUBTOTAL					\$ 358,000.00
Annexation Area 471					
1	Total Lineal Footage	1600	LF	\$ 80.00	\$ 128,000.00
2	Number of Lots	32	EA	\$ 6,000.00	\$ 192,000.00
SUBTOTAL					\$ 320,000.00
Annexation Area 474					
1	Total Lineal Footage	6750	LF	\$ 80.00	\$ 540,000.00
2	Number of Lots	159	EA	\$ 6,000.00	\$ 954,000.00
SUBTOTAL					\$ 1,494,000.00
Annexation Area 475					
1	Total Lineal Footage	11750	LF	\$ 80.00	\$ 940,000.00
2	Number of Lots	138	EA	\$ 6,000.00	\$ 828,000.00
SUBTOTAL					\$ 1,768,000.00
Annexation Area 476					
1	Total Lineal Footage	9200	LF	\$ 80.00	\$ 736,000.00
2	Number of Lots	122	EA	\$ 6,000.00	\$ 732,000.00
SUBTOTAL					\$ 1,468,000.00
Annexation Area 478 (A+B+C)					
1	Total Lineal Footage	12450	LF	\$ 80.00	\$ 996,000.00
2	Number of Lots	212	EA	\$ 6,000.00	\$ 1,272,000.00
SUBTOTAL					\$ 2,268,000.00
Annexation Area 479					
1	Total Lineal Footage	9250	LF	\$ 80.00	\$ 740,000.00
2	Number of Lots	186	EA	\$ 6,000.00	\$ 1,116,000.00
SUBTOTAL					\$ 1,856,000.00
Annexation Area 480					
1	Total Lineal Footage	4150	LF	\$ 80.00	\$ 332,000.00
2	Number of Lots	42	EA	\$ 6,000.00	\$ 252,000.00
SUBTOTAL					\$ 584,000.00
All Other City Limit Areas Combined					
1	Total Lineal Footage	9100	LF	\$ 80.00	\$ 728,000.00
2	Number of Lots	97	EA	\$ 6,000.00	\$ 582,000.00
SUBTOTAL					\$ 1,310,000.00
				Subtotal of All Areas	\$ 11,426,000.00
				15% Construction Engineering	\$ 1,713,900.00
				10% Contingency	\$ 1,142,600.00
				Total	\$ 14,282,500.00

Sewer Annexation Project





SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	6,850	\$80/L.F.	\$548,000
NUMBER OF LOTS	120	\$6,000/EA.	\$720,000



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA 93257
(559) 782-7462

**SEWER ANNEXATION
NUMBER 457**

DRAWN BY	CAL
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SCALE	1" = 500'-0"
DATE	9/3/2019

SHEET
1
OF
1

**SUBJECT
LOCATION**

PROPOSED EASEMENT

E MULBERRY AVE

SEWER SYSTEM IMPROVEMENT SUMMARY			
BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	3,800	\$80/L.F.	\$304,000
NUMBER OF LOTS	9	\$6,000/EA.	\$54,000

E HENDERSON AVE

LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN

E LAUREL AVE

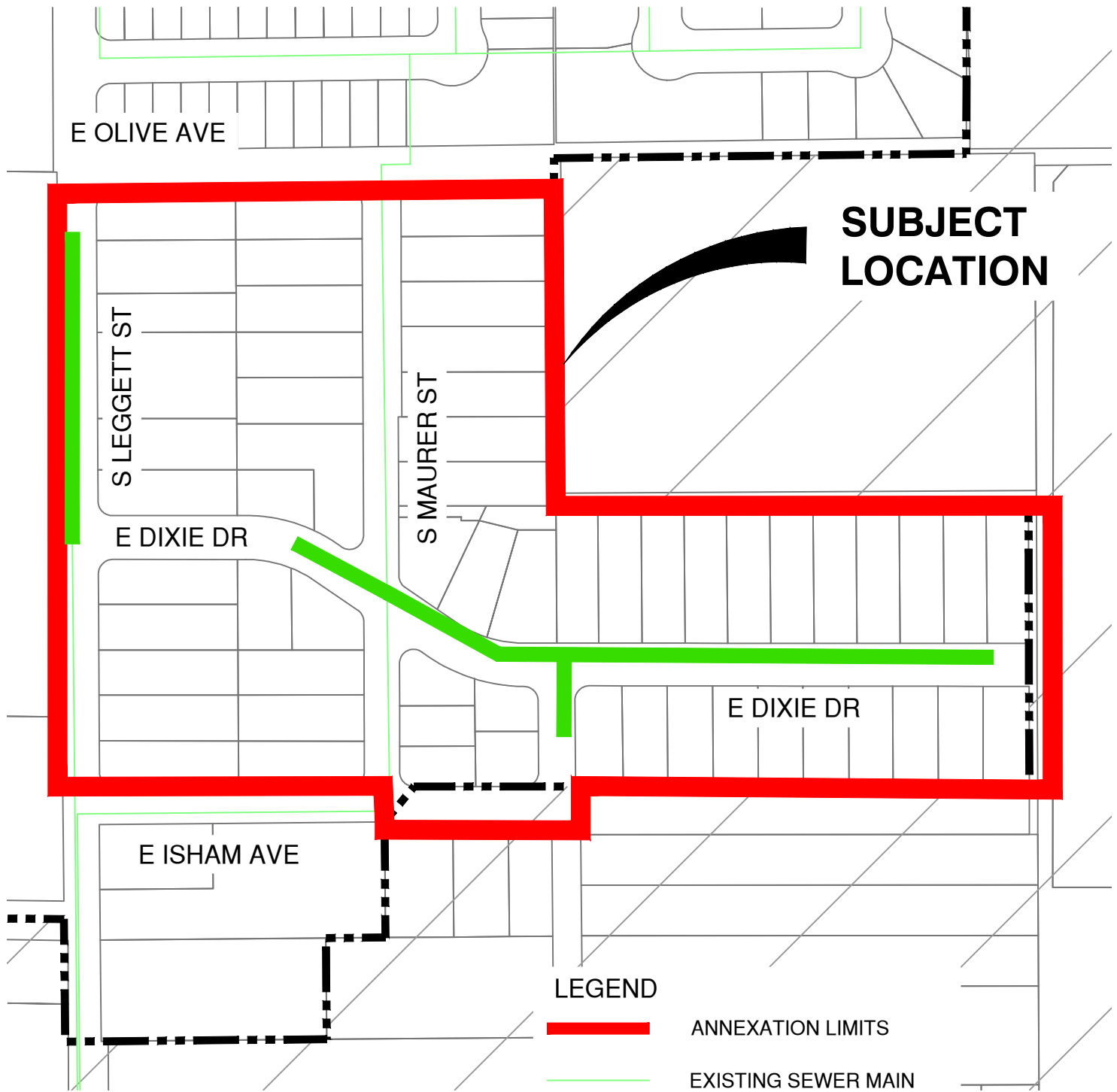
E GRAND AVE

N LEGGETT ST

N CRESTVIEW ST

E MORTON AVE



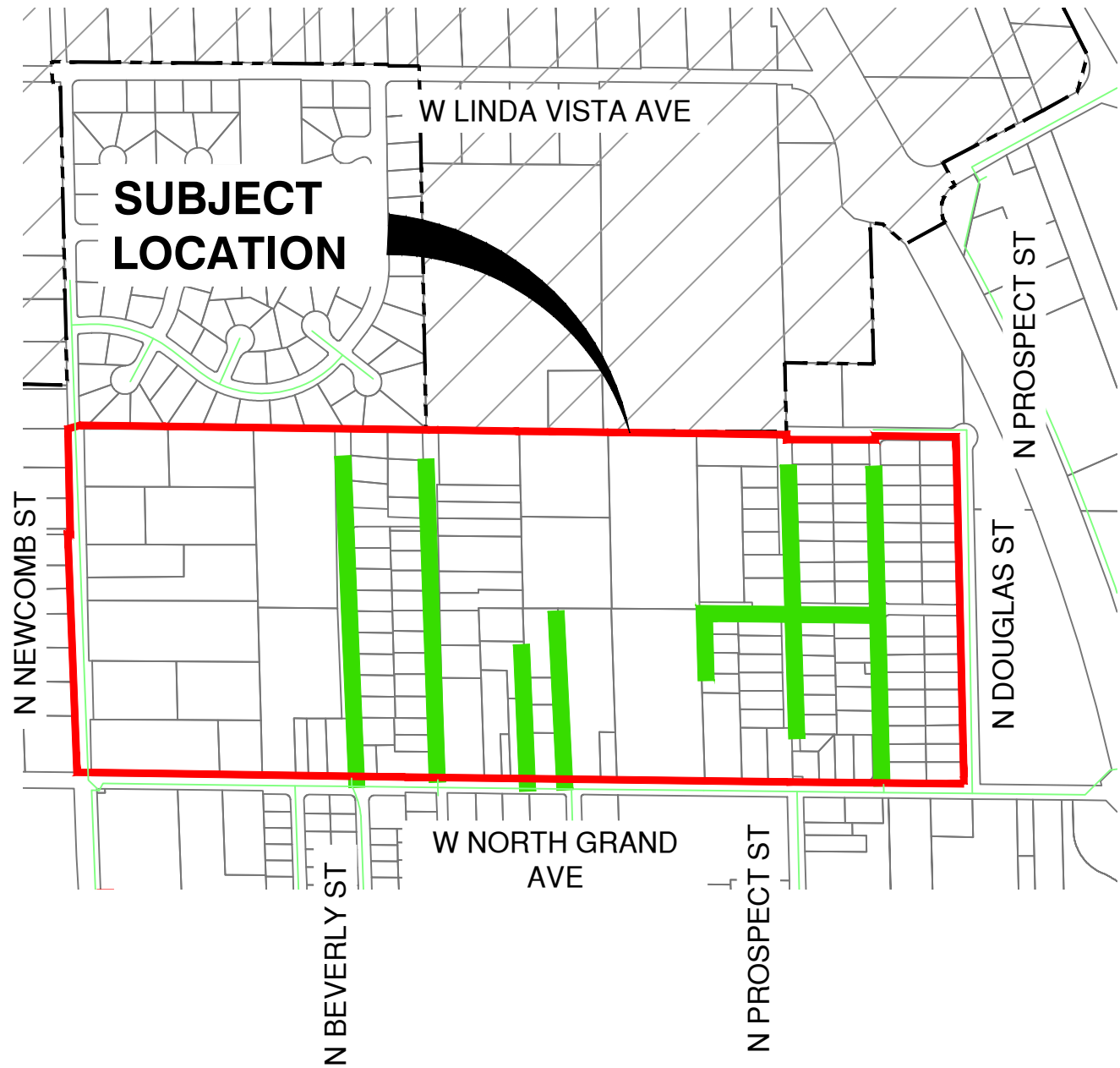


**SUBJECT
LOCATION**

LEGEND

-  ANNEXATION LIMITS
-  EXISTING SEWER MAIN
-  PROPOSED SEWER MAIN

SEWER SYSTEM IMPROVEMENT SUMMARY			
BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	1,600	\$80/L.F.	\$128,000
NUMBER OF LOTS	32	\$6,000/EA.	\$192,000



LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN

SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	6,750	\$80/L.F.	\$540,000
NUMBER OF LOTS	159	\$6,000/EA.	\$954,000

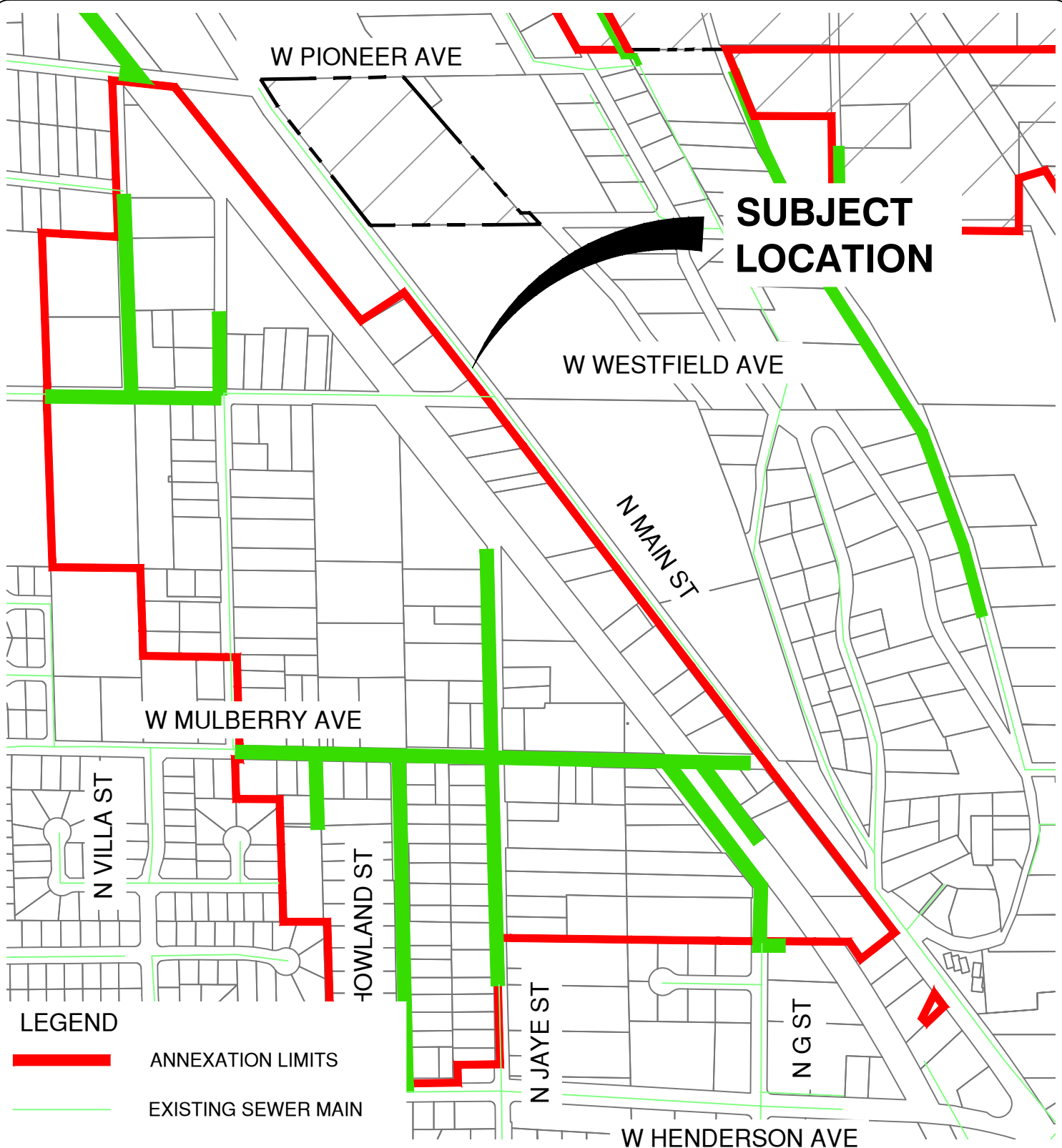


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**SEWER ANNEXATION
 NUMBER 474B**

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DATE	9/3/2019

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LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

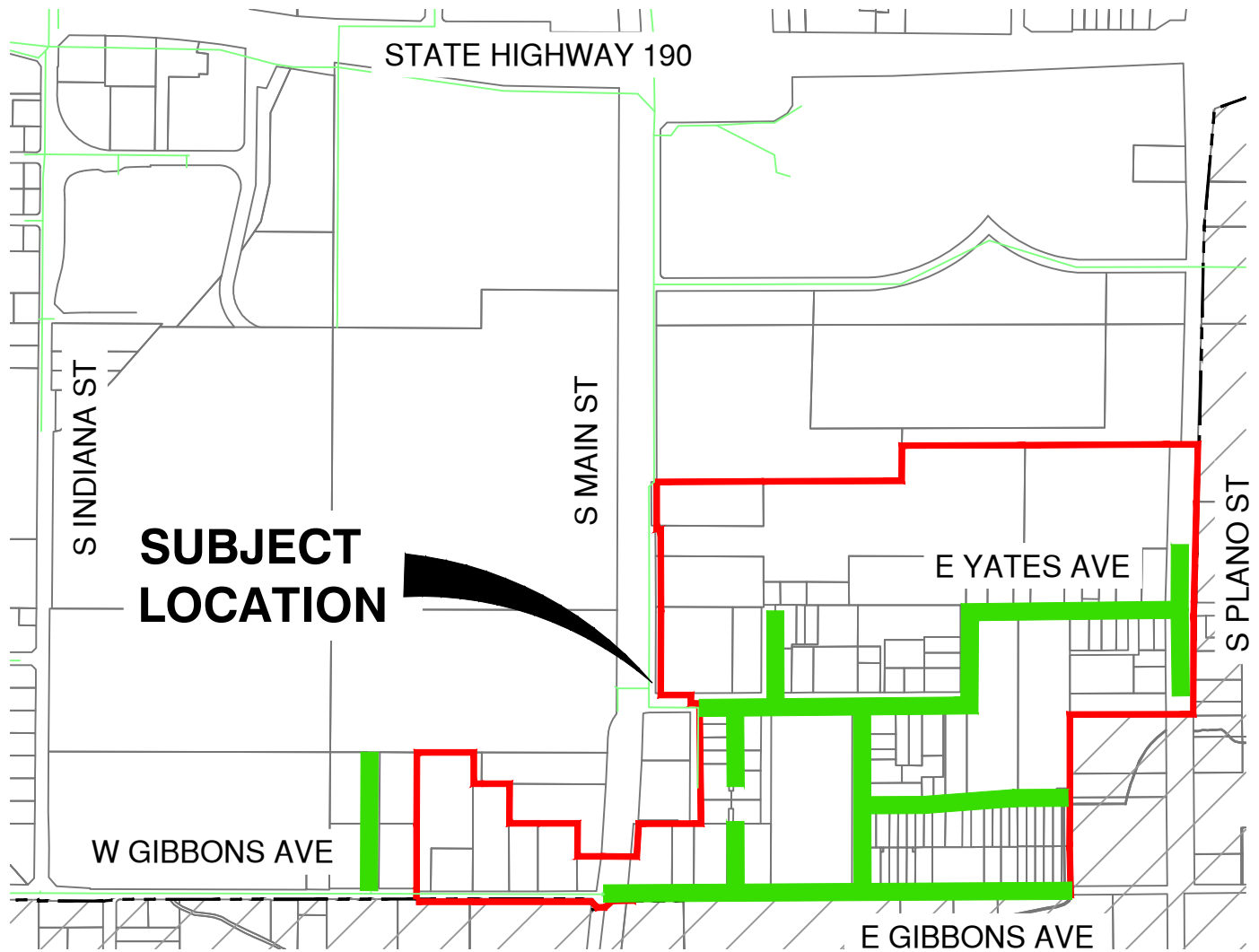
BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	11,750	\$80/L.F.	\$940,000
NUMBER OF LOTS	138	\$6,000/EA.	\$828,000

CITY OF PORTERVILLE
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291 NORTH MAIN STREET
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SEWER ANNEXATION
NUMBER 475D

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DATE 9/3/2019

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LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	9,200	\$80/L.F.	\$736,000
NUMBER OF LOTS	122	\$6,000/EA.	\$732,000

CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
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SEWER ANNEXATION
NUMBER 476

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SCALE	1" = 500'-0"
DATE	9/3/2019

SHEET
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OF
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SUBJECT LOCATION

W NEWCOMB ST

W NORTH
GRAND AVE

LEGEND

- █ ANNEXATION LIMITS
- EXISTING SEWER MAIN
- █ PROPOSED SEWER MAIN

W CASTLE AVE

W MEDIAN AVE

SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	----	\$80/L.F.	---
NUMBER OF LOTS	6	\$6,000/EA.	\$36,000



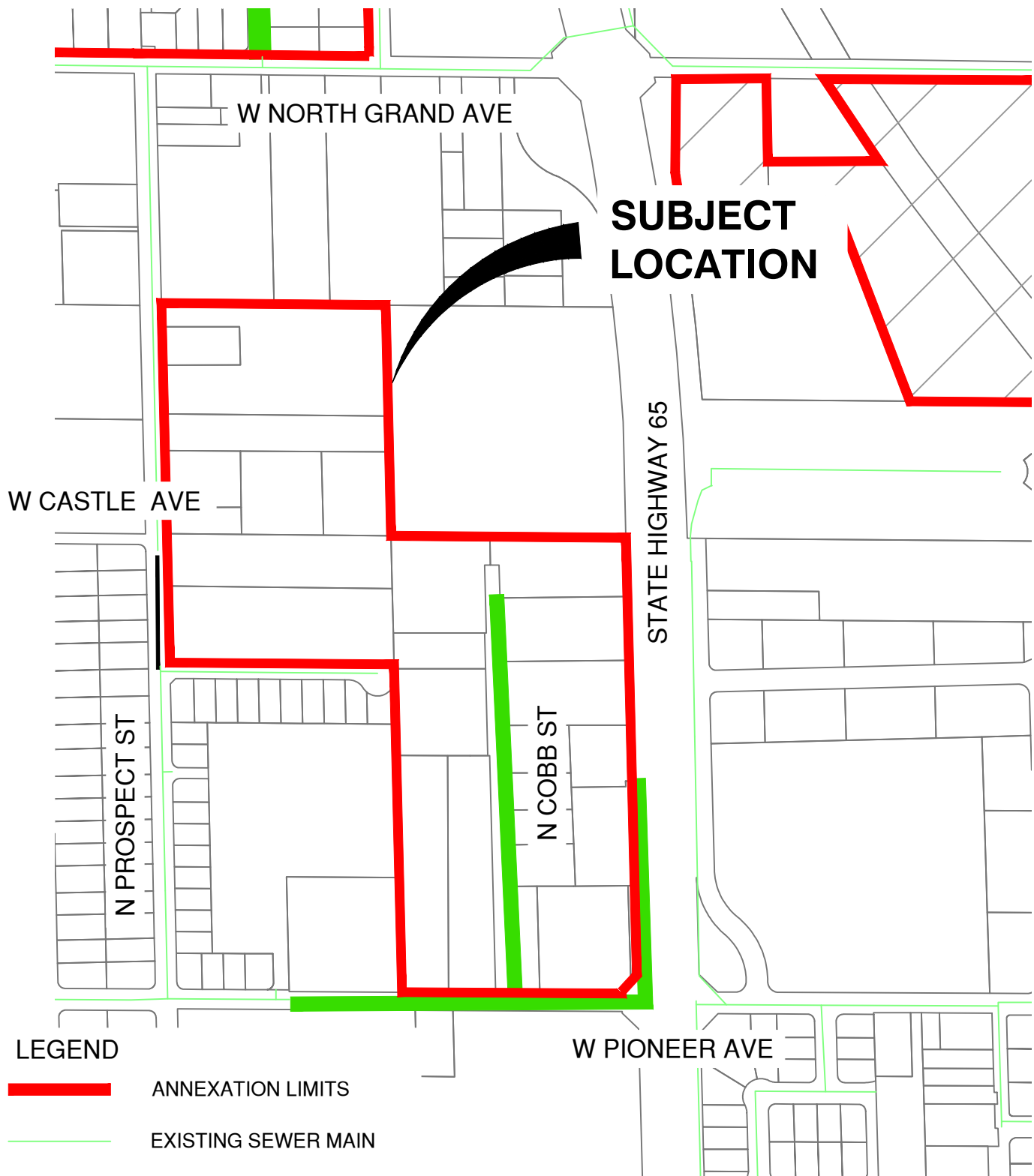
CITY OF PORTERVILLE
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SEWER ANNEXATION
NUMBER 478A

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DATE	9/3/2019

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LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	2,750	\$80/L.F.	\$220,000
NUMBER OF LOTS	25	\$6,000/EA.	\$150,000

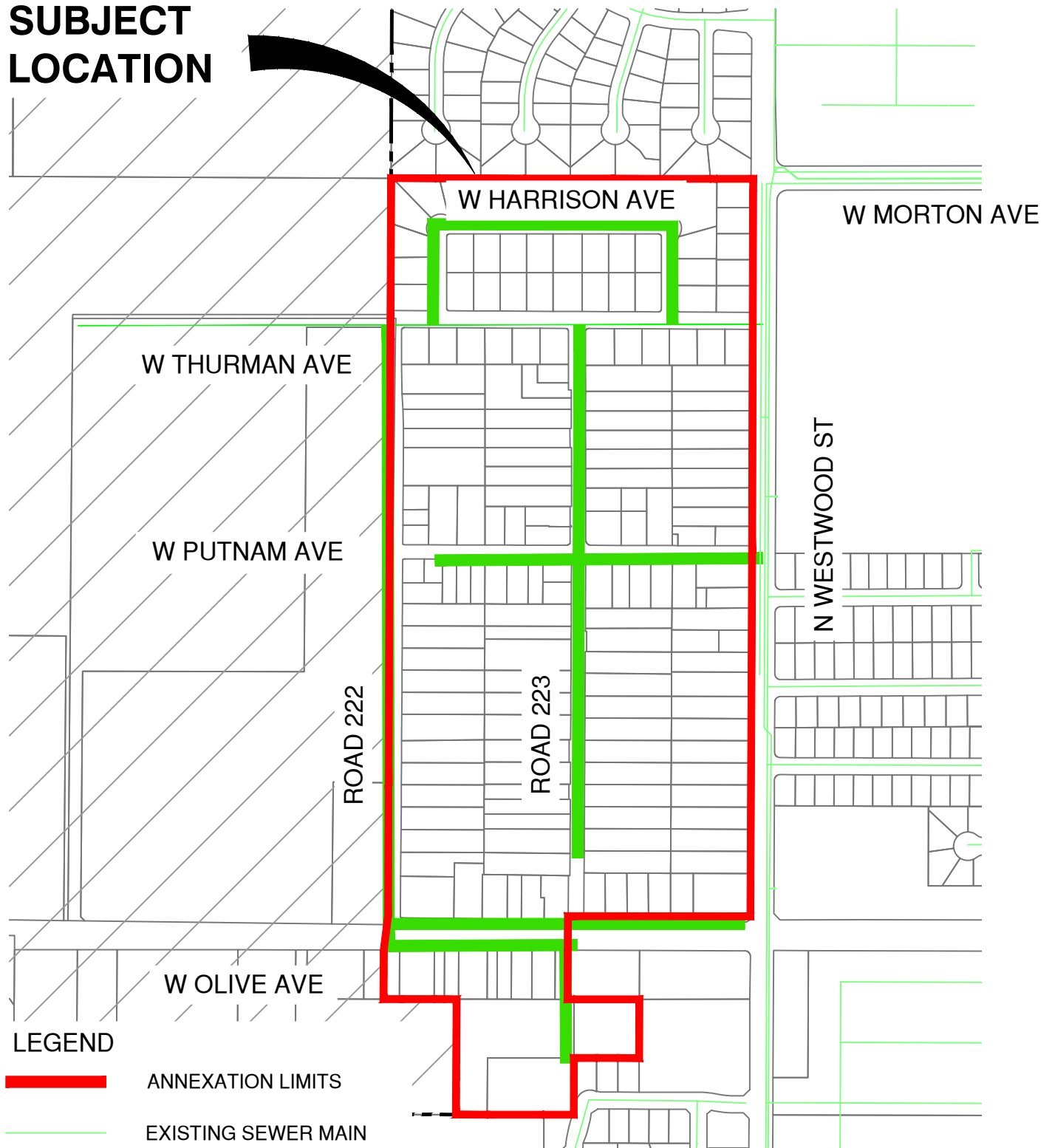
CITY OF PORTERVILLE
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**SEWER ANNEXATION
 NUMBER 478B**

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DATE	9/3/2019

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SUBJECT LOCATION



LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	9,700	\$80/L.F.	\$776,000
NUMBER OF LOTS	181	\$6,000/EA.	\$1,086,000

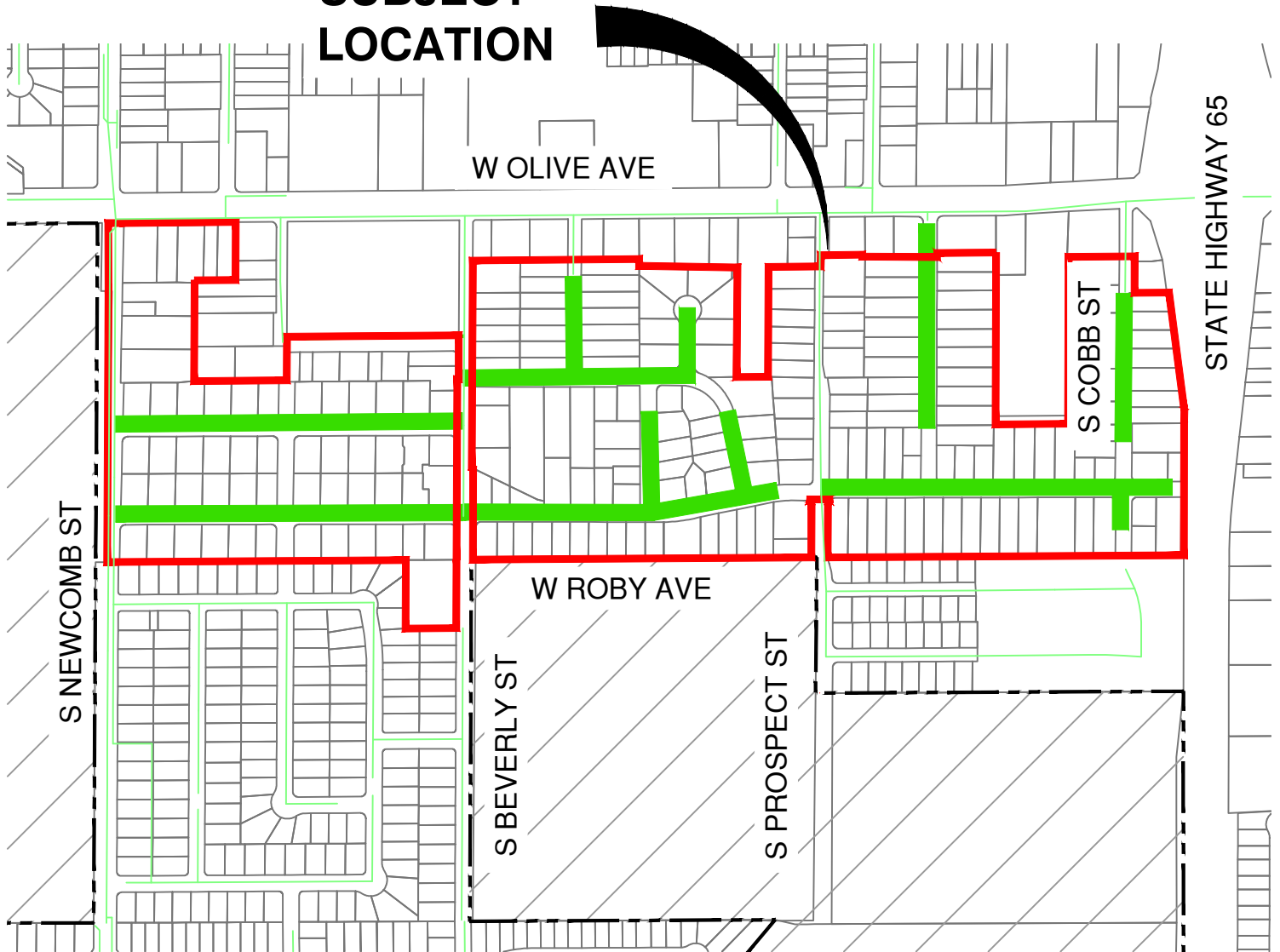
CITY OF PORTERVILLE
ENGINEERING DIVISION
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 PORTERVILLE, CA 93257
 (559) 782-7462

**SEWER ANNEXATION
 NUMBER 478C**

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SCALE	1" = 500'-0"
DATE	9/3/2019

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SUBJECT LOCATION



LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN

SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	9,250	\$80/L.F.	\$740,000
NUMBER OF LOTS	186	\$6,000/EA.	\$1,116,000

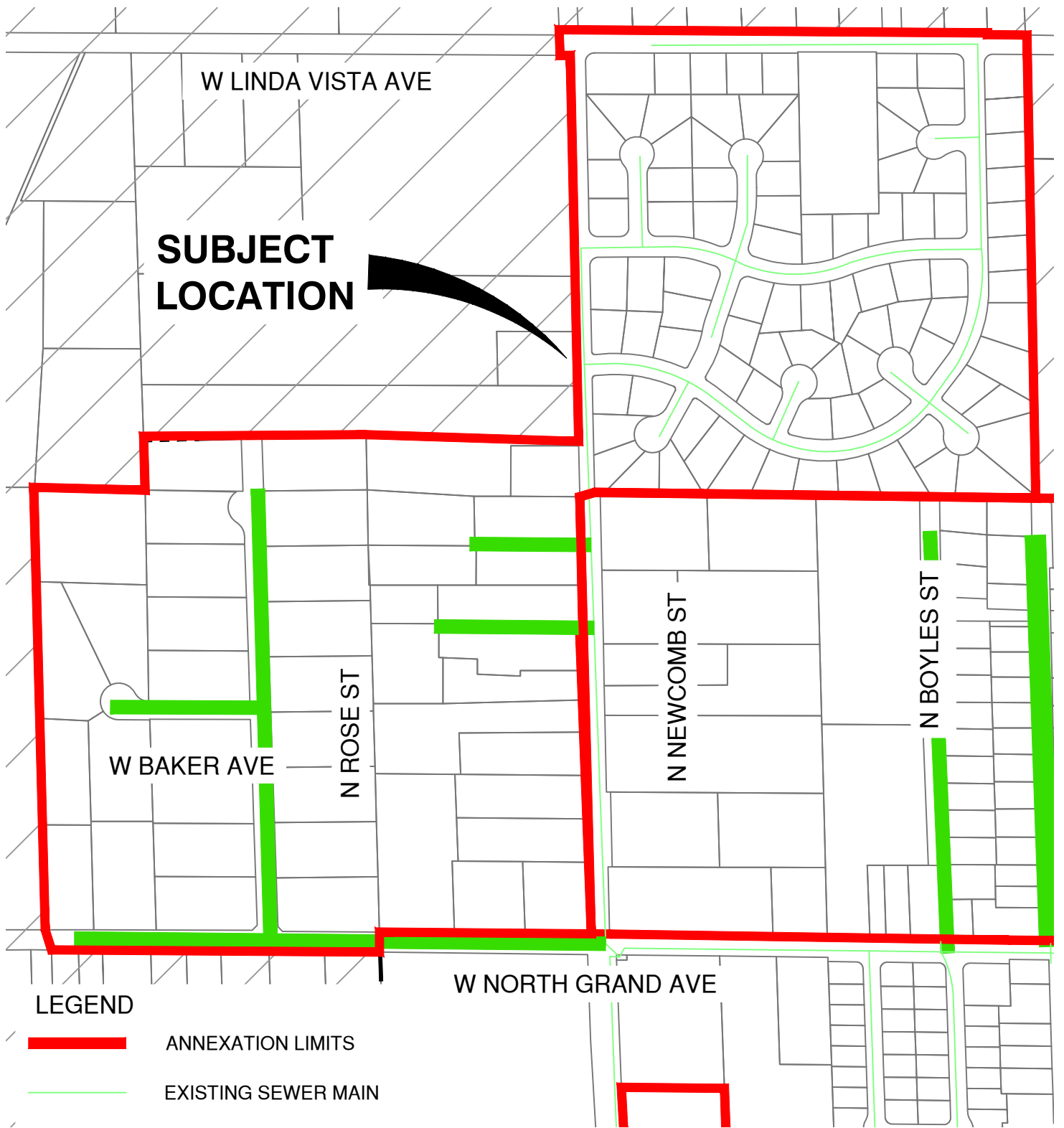


CITY OF PORTERVILLE
ENGINEERING DIVISION
 291 NORTH MAIN STREET
 PORTERVILLE, CA 93257
 (559) 782-7462

**SEWER ANNEXATION
 NUMBER 479A**

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DATE	9/3/2019

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 OF
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LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	4,150	\$80/L.F.	\$332,000
NUMBER OF LOTS	42	\$6,000/EA.	\$252,000

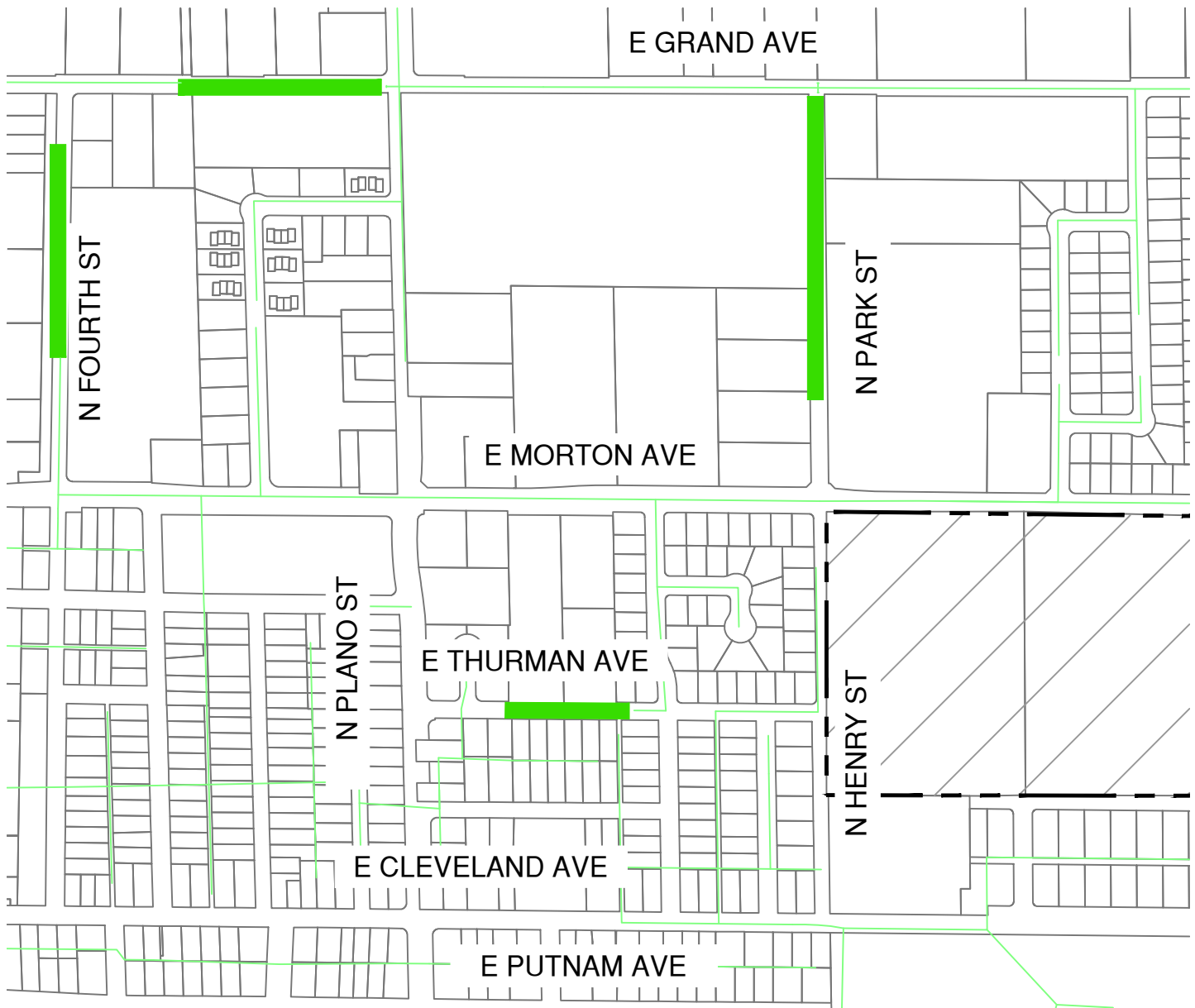
CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA 93257
(559) 782-7462

SEWER ANNEXATION
NUMBER 480

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LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN

SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	2,700	\$80/L.F.	\$216,000
NUMBER OF LOTS	25	\$6,000/EA.	\$150,000



CITY OF PORTERVILLE
ENGINEERING DIVISION
 291 NORTH MAIN STREET
 PORTERVILLE, CA 93257
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SEWER ANNEXATION AREA 1

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OF
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LEGEND



ANNEXATION LIMITS



EXISTING SEWER MAIN



PROPOSED SEWER MAIN

SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	1,250	\$80/L.F.	\$100,000
NUMBER OF LOTS	14	\$6,000/EA.	\$84,000



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA 93257
(559) 782-7462

SEWER ANNEXATION AREA 2

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SCALE 1" = 500'-0"

DATE 9/3/2019

SHEET

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OF
1

SUBJECT LOCATION

W WESTFIELD AVE

N HIGHLAND DR

N MAIN ST

N SCENIC DR

W MULBERRY AVE

LEGEND

- ANNEXATION LIMITS
- EXISTING SEWER MAIN
- PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	2,200	\$80/L.F.	\$176,000
NUMBER OF LOTS	22	\$6,000/EA.	\$132,000

CITY OF PORTERVILLE
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PORTERVILLE, CA 93257
(559) 782-7462

SEWER ANNEXATION AREA 3

DRAWN BY	CAL
CHECKED BY	
SCALE	1" = 500'-0"
DATE	9/3/2019

SHEET	1
OF	1

W PIONEER AVE

**SUBJECT
LOCATION**

N MILO ST

W LA VIDA AVE

W WESTFIELD AVE

LEGEND



ANNEXATION LIMITS



EXISTING SEWER MAIN



PROPOSED SEWER MAIN



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	200	\$80/L.F.	\$16,000
NUMBER OF LOTS	6	\$6,000/EA.	\$36,000

CITY OF PORTERVILLE
ENGINEERING DIVISION

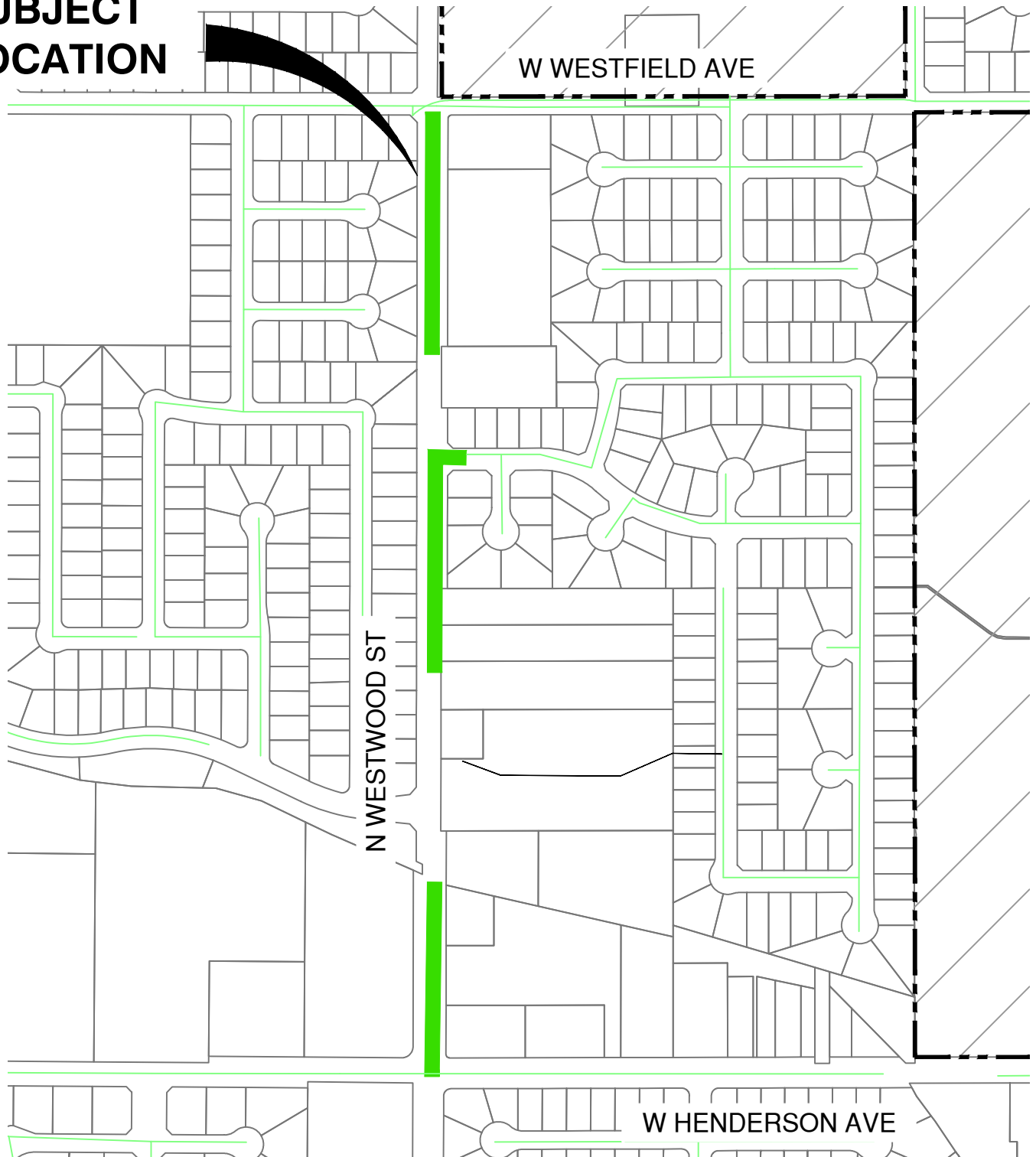
291 NORTH MAIN STREET
PORTERVILLE, CA 93257
(559) 782-7462

**SEWER ANNEXATION
AREA 4**

DRAWN BY	CAL
CHECKED BY	
SCALE	1" = 200'-0"
DATE	9/3/2019

SHEET
1
OF
1

SUBJECT LOCATION



SEWER SYSTEM IMPROVEMENT SUMMARY

BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	1,900	\$80/L.F.	\$152,000
NUMBER OF LOTS	8	\$6,000/EA.	\$48,000



CITY OF PORTERVILLE
ENGINEERING DIVISION

291 NORTH MAIN STREET
PORTERVILLE, CA 93257
(559) 782-7462

**SEWER ANNEXATION
AREA 5**

DRAWN BY	CAL
CHECKED BY	
SCALE	1" = 400'-0"
DATE	9/3/2019

SHEET
1
OF
1



SEWER SYSTEM IMPROVEMENT SUMMARY			
BREAKDOWN	UNIT	COST	TOTAL
LINEAL FOOTAGE	850	\$80/L.F.	\$68,000
NUMBER OF LOTS	22	\$6,000/EA.	\$132,000

CITY OF PORTERVILLE
ENGINEERING DIVISION
 291 NORTH MAIN STREET
 PORTERVILLE, CA. 93257
 (559) 782-7462

**SEWER ANNEXATION
 AREA 6**

DRAWN BY	CAL
CHECKED BY	
SCALE	1" = 200'-0"
DATE	9/3/2019

SHEET
1
OF
1



CITY OF PORTERVILLE
Revenues, Expenses and Debt Service Coverage Calculations
Built From CAFRs - Prepared by Brandis Tallman August 26, 2019
Draft - For Discussion Purposes Only

Description	Audited FYE 2016	Audited FYE 2017	Audited FYE 2018	Projected (2) FYE 2019	Projected (2) FYE 2020	Projected (2) FYE 2021	Projected (2) FYE 2022
GROSS REVENUES:							
Charges for Services	\$6,606,452	\$7,022,901	\$6,773,939	\$6,773,939	\$6,773,939	\$6,773,939	\$6,773,939
Connection Fees	\$630,011	\$1,136,381	\$302,736	\$302,736	\$302,736	\$302,736	\$302,736
Other Revenues	\$337,333	\$367,363	\$435,081	\$435,081	\$435,081	\$435,081	\$435,081
Investment Earnings	\$257,402	\$113,027	\$114,106	\$114,106	\$114,106	\$114,106	\$114,106
TOTAL GROSS REVENUES	\$7,831,198	\$8,639,672	\$7,625,862	\$7,625,862	\$7,625,862	\$7,625,862	\$7,625,862
LESS: OPER & MAINTANCE COST (1)	\$4,156,852	\$3,810,199	\$4,381,079	\$4,468,701	\$4,558,075	\$4,649,236	\$4,742,221
NET REVENUES	\$3,674,346	\$4,829,473	\$3,244,783	\$3,157,161	\$3,067,787	\$2,976,626	\$2,883,641
PARITY DEBT SERVICE							
2002 Sewer System Refunding Project	\$729,000	\$731,000	\$725,000				
2011 Sewer Bonds	\$1,050,808	\$1,050,808	\$1,050,808	\$525,404			
2018 Refunding Sewer Bonds (3)				\$316,755	\$1,380,571	\$1,535,698	\$1,600,706
New Money Issuance (4)						\$700,000	\$700,000
TOTAL PARITY DEBT SERVICE	\$1,779,808	\$1,781,808	\$1,775,808	\$842,159	\$1,380,571	\$2,235,698	\$2,300,706
PARITY DEBT SERVICE COVERAGE	2.06	2.71	1.83	3.75	2.22	1.33	1.25
REMAINING NET REVENUES	\$1,894,539	\$3,047,666	\$1,468,976	\$2,315,002	\$1,687,217	\$740,928	\$582,935
SUBORDINATE DEBT SERVICE							
2004 I-Bank Loan	\$296,998	\$296,510	\$296,006	\$295,487	\$294,953	\$294,404	\$293,837
TOTAL SUBORDINATE DEBT SERVICE	\$296,998	\$296,510	\$296,006	\$295,487	\$294,953	\$294,404	\$293,837
SUBORDINATE DEBT SERVICE COVERAGE	6.38	10.28	4.96	7.83	5.72	2.52	1.98

(1) Excludes depreciation, capital expenditures, and debt service.

(2) For FYE 2019 - FYE 2022, operating and maintenance expenses are projected to increase by 2% per year. Revenues are projected to increase 0%.

(3) Per bond counsel, debt service is based on the taxable rate and assumes no conversion to the tax-exempt rate. Debt Service coverage requirement is 120 times and parity debt test is 125 times.

(4) Annual average debt service of \$700,000 would provide bonding capacity of approximately \$11.5 million.

RESOLUTION NO. _____

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 FOR SEWER SYSTEM IMPROVEMENTS, RETAINING A
MUNICIPAL ADVISOR, A PLACEMENT AGENT/UNDERWRITER, BOND
COUNSEL AND DISCLOSURE COUNSEL, AND DIRECTING CERTAIN ACTIONS
WITH RESPECT THERETO

RESOLVED, by the City Council (the "Council") of the City of Porterville (the
"City"), as follows:

WHEREAS, the City has determined that it is prudent at this time to issue and
sell revenue bonds or other securities to finance improvements to the City's municipal
sewer enterprise (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/underwriter, bond counsel and
disclosure counsel to assist the City;

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

Section 1. The Council 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 approval of 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 and sale of the Securities, the compensation for such
services to be 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 and sale of the Securities, the compensation for
such services to be set forth in the such firm's agreement for placement agent services
on file with the City Clerk. If it is determined that a public offering of the Securities is in
the best interest of the City, Brandis Tallman LLC, as underwriter, will purchase the
Securities for re-sale to the public.

Section 4. Quint & Thimmig LLP is hereby retained as bond counsel and, if it is determined that a public offering of the Securities is in the best interest of the City, as disclosure counsel, in connection with the issuance and sale of the Securities, the compensation for such services to be 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 1st day of October, 2019.

Martha A. Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk