



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 16, 2016, 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 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville Peace Officers Association; Fire Officer Series; and Porterville City Firefighters Association.
- 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Pedro Castillo. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Nuckols and Nuckols Farming v. City of Porterville, Tulare County Superior Court Case No. 261084.
- 4** - Government Code Section – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.
- 5** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Four Cases.
- 6** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Stowe. Unrepresented Employee – City Manager.

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

Pledge of Allegiance Led by Vice Mayor Hamilton

Invocation

PRESENTATIONS

Introduction of New Employees

AB 1234 REPORTS

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

REPORTS

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

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - February 4, 2016
 2. Library & Literacy Commission - February 9, 2016
 3. Arts Commission
 4. Animal Control Commission
 5. Youth Commission - February 8, 2016
 6. Transactions and Use Tax Oversight Committee (TUTOC) - February 11, 2016
- II. Staff Informational Reports
 1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. **City Council Minutes of February 2, 2016**
2. **Addendum No. 1 to Lease Agreement with Sierra View Medical Center for 298 North Main Street**

Re: Considering approval of Addendum No. 1 of the Agreement with Sierra View Medical Center for the lease of suites one and four of the Centennial Plaza facility located at 298 North Main Street.

3. **Consideration of Proposed Budget Calendar for Fiscal Year 2016-2017**
Re: Considering approval of the proposed budget calendar for the 2016-2017 fiscal year.
4. **Amendment to Employee Pay & Benefit Plan - Porterville Peace Officers Association**
Re: Considering approval of a resolution amending the Pay & Benefit Plan pursuant to the Memorandum of Understanding with the Porterville Peace Officers Association.
5. **Approval for Community Civic Event - Rotary Club of Porterville - 5K/10K Run - April 2, 2016**
Re: Considering approval of an event on Saturday, April 2, 2016, from 6:00 a.m. to 12:00 p.m. at Porterville College.

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

PUBLIC HEARINGS

6. **Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C).**
Re: Consideration of a resolution approving Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C) to allow for the development of a three-phased Sikh Center expansion project located at 1250 W. North Grand Avenue.

SCHEDULED MATTERS

7. **Status and Review of Declaration of Local Drought Emergency**
Re: Consideration of the continuance of the Declaration of Local Emergency, and a request for a City water connection for a mobile laundry trailer to be placed in East Porterville.

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 March 1, 2016

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 – FEBRUARY 16, 2016

SUBJECT: 1. Water Conservation Phase IV Status Update

SOURCE: Public Works

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

In order for Porterville to meet the 32% reduction in water usage during the winter months, the City has transitioned from Phase III to Phase IV of the City's Water Conservation Plan as of December 1, 2015. The Water Conservation Plan applies to all municipal water users whether or not within city limits. As part of the Phase IV plan, the City has restricted watering days to one day per week, based on address. If an address ends with an "odd" number, the watering day is Saturday only; if an address ends with an "even" number, the watering day is Sunday only. Watering is prohibited between the hours of 5 a.m. to 10 a.m. and 5 p.m. to 10 p.m., with no watering allowed Monday through Friday. Watering of outdoor landscape is prohibited during, and within 48 hours after, measurable rainfall which is now defined as greater than 0.01 of an inch.

Violations of prohibited activities are considered infractions and are punishable by fines of up to \$500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator. The City of Porterville will be responding to enforcement by issuing a Notice of Violation for all witnessed occurrences and staff will be processing all reported issues. Enforcement statistics for the month of January 2016 show that a total of 12 Notice of Violations were issued for water wasting; 5 resulted in an Administrative Citation.

Water production for January 2016, shows a 14% reduction from the 5-year average. As part of the emergency regulation, the City is required to provide monthly production data. The production for the month of January 2016 was 177 million gallons, which when compared to the production for the month of January 2013 of 200 million gallons, equates to a 12% reduction.

The reduction of 12% for January 2016 did not meet the current mandated conservation goal of 32% for the City of Porterville. During winter months, outdoor conservation is reduced and consumption is focused around indoor domestic needs, defining the system's demand. Staff is anticipating monthly conservation totals will decline as we continue through the winter months; system demand is historically reduced due to less outdoor irrigation. Residential consumption for January 2016 was 70 gallons per capita per day (GPCD). Projected conservation totals for the month of February 2016 are estimated to be short of the mandated 32%, and this trend is expected to continue through the winter months. The compliance period for statewide conservation began June 1, 2015, and ends February 29, 2016, with Porterville's cumulative total conservation through January 2016 at 30.20%.

On November 13, 2015, Governor Brown issued Executive Order B-36-15 calling for an extension of urban water use restrictions until October 31, 2016, should drought conditions persist. The November executive order was sent to the Water Resource Control Board (State Water Board) to consider modifying the restrictions on water use and incorporate insight gained from the existing restrictions.

The State Water Board's adoption of emergency regulation has addressed specific provisions, including a mandated 25% statewide reduction of potable urban water used between June 2015 and February 2016. To reach a statewide 25% reduction, the Emergency Regulation has identified a conservation tier for each urban supplier, based on residential per capita water use for the months of July - September 2014.

The State Water Board adopted new regulations February 2, 2016, after State Water Board staff worked with stakeholders to develop and consider a range of factors that contribute to water use, including climate, growth and investment in drought resilient supplies, to devise options for refining the extended emergency regulation. The new regulation also creates penalties for homeowners' associations or community service organizations that block, stifle or threaten homeowners from reducing or eliminating the watering of vegetation or lawns during a declared drought emergency in violation of existing law.

With the new Extended Emergency Regulation changes, the City of Porterville's (City) residential per capita number is 166 R-GPCD (Residential Gallon Per Capita Day), therefore categorizing the City as Tier 7, reducing our conservation target to 28% for the new compliance period March 2016 through October 2016. Staff will continue to pursue additional credits and adjustments towards the City's conservation standard. Under preliminary review the City will apply for an additional credit of 3% as a result of climate adjustments in the form of a deviation of the City's service area evapotranspiration (ETo) from the statewide average. All submissions are due by March 15, 2016.

The State Water Board staff will continue to monitor and evaluate available data on snow pack, reservoir storage levels, and groundwater basin levels, and intends to report back to the State Water Board in March and April 2016. If conditions warrant, State Water Board staff will promptly bring a proposal before the State Water Board to adjust or eliminate the Emergency Regulation.

RECOMMENDATION: Informational Item

ATTACHMENTS: 1. Drought Response Phase IV Flyer
 2. Monthly Production Status January 2016

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



DROUGHT RESPONSE Phase IV

Mandatory Odd/Even Watering Schedule, based on address. Residents will be allowed ONE day a week to water lawns and landscapes. No watering allowed Monday through Fridays.

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

No watering outdoor landscapes during and within 48 hours after measurable rainfall (>0.01 inches).

Excessive water runoff is prohibited.

The washing of sidewalks and driveways is prohibited.

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

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

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

DROUGHT RESPONSE PHASE IV

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

Mandatory Odd/Even Watering Schedule

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

Odd Address

Even Address

Outdoor Watering is Prohibited

ODD NUMBER ADDRESSES

If your address ends with an “odd” number, 1, 3, 5, 7, or 9, your watering day is Saturday *only*.

OR

EVEN NUMBER ADDRESSES

If your address ends with an “even” number, 0, 2, 4, 6, or 8, your watering day is Sunday *only*.

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

**Mandatory
Odd/Even Watering
Schedule**

**Excessive water
runoff prohibited**

**The washing of
sidewalks and driveways
is prohibited**

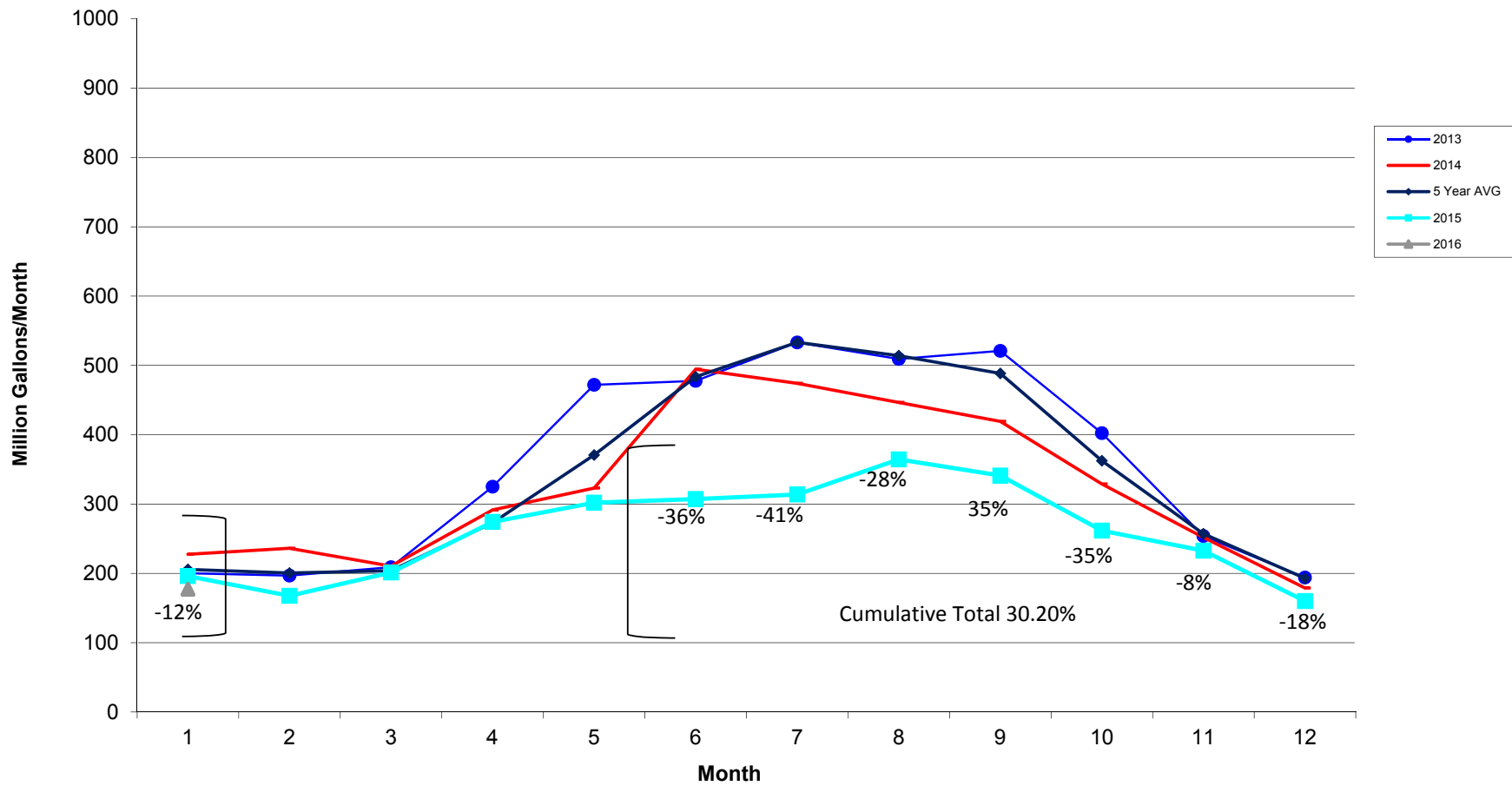
**Vehicles shall only be
washed on designated
watering days and with
hoses equipped with a
shut-off nozzle**

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

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

**NO WATERING
MONDAY THROUGH
FRIDAY.**

Monthly Production Status
2014 Comparison to 2013 & 5 Year Average
2016 Production





CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: City Council Minutes of February 2, 2016

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes for the February 2, 2016, City Council meeting for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes for February 2, 2016.

ATTACHMENTS: 1. Draft Minutes

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Patrice Hildreth, Administrative Services Dir

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 2, 2016, 5:30 PM**

Called to Order at 5:33 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, and Mayor Stowe were present.

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 1893 South Newcomb Street, No. 12. Agency Negotiator: John Lollis and Maria Bemis. Negotiating Parties: City of Porterville and Richard Chilcutt. Under Negotiation: Terms and Price.

2 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, and Steve Kabot. Employee Organizations: Porterville Peace Officers Association; Fire Officer Series and Porterville City Firefighters Association.

3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Nuckols and Nuckols Farming v. City of Porterville, Tulare County Superior Court Case No. 261084.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.

5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

6 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Stowe. Unrepresented Employee – City Manager.

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

City Attorney Lew reported that no reportable action had taken place in Closed Session.

Pledge of Allegiance was led by Mayor Stowe.

Invocation -- a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Gordon Trott

AB 1234 REPORTS

All AB 1234 reports required pursuant to Government Code § 53232.3.

1. Council of Cities - January 20, 2016
City Manager Lollis reported on consideration of the San Joaquin Valley Water Infrastructure Authority, a new coalition being put together to petition for Prop 1 funds.
2. Local Agency Formation Commission (LAFCO) - January 20, 2016
Vice Mayor Hamilton reported on consideration of an annexation request from a flood control district.
3. Tulare County Association of Governments (TCAG) - January 25, 2016
Council Member Gurrola spoke of an item regarding the beautification of Highway 99, and the City's receipt of a Local Motion Award for the Plano Bridge Project. In addition, she noted that one billion dollars of Measure R monies had been invested to date in Tulare County.
4. San Joaquin Valley Air Pollution Control District (SJVAPCD) - January 21, 2016
Council Member Gurrola reported on efforts pertaining to the Clean Air Act Modernization proposal.
5. Tulare County Economic Development Corp. (TCEDC) - January 27, 2016
Council Member Reyes reported on an informational item pertaining to a new employment tax credit program.

REPORTS

All committee/commission/board reports; subcommittee reports; and staff informational items.

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission
 2. Library & Literacy Commission
 3. Arts Commission - January 27, 2016 (Meeting Cancelled)
 4. Animal Control Commission - February 1, 2016
Vice Chair Debbie Arthur reported on discussion pertaining to: the formation of an independent 501(c)3 meeting on Feb. 11, 2016, in City Hall; Item Nos. 2 and 8; an update on a recent Pet Fair; Compassion for Shelter Animals; and the Board's receipt of Shawn Schwartzenberger's letter of resignation from the commission. The Commission requested solicitation of applications for the commission vacancy, approval of Item Nos. 2 and 8, and approval of additional kennel staff at the shelter.
 5. Youth Commission
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Attendance Report for City Commissions and Committees - 2nd Quarter FY 2015/16
 2. Building Permit Activity - 2nd Quarter FY 2015/16
 3. Code Enforcement Report - 2nd Quarter FY 2015-2016
 4. Porterville Golf Course - 2nd Quarter FY 2015/16

5. Street Performance Measure - 2nd Quarter FY 2015/16
6. Report on Charitable Car Washes
7. 'Wall of Fame' Honor Designations

ORAL COMMUNICATIONS

- Brock Neeley, lauded Parks' staff for their work on the slough; and presented a summary report and schedule for Suicide Prevention Task Force meetings.

CONSENT CALENDAR

No items were pulled from Consent Calendar.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve Items Nos. 1 through 8. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF JANUARY 19, 2016

Recommendation: That the City Council approve the draft Minutes of January 19, 2016.

Documentation: M.O. 01-020216

Disposition: Approved.

2. PURCHASE OF INDUSTRIAL GRADE WASHER & DRYER FOR THE ANIMAL SHELTER

Recommendation: That the City Council:

1. Authorize department personnel to negotiate the purchase, delivery, and installation of the industrial grade washer and dryer as specified in the quote provided by Western State Design; and
2. Authorize payment upon satisfactory delivery and installation of industrial grade washer and dryer.

Documentation: M.O. 02-020216

Disposition: Approved.

1. REQUEST TO PURCHASE AND INSTALL TRAFFIC SIGNAL PRIORITY EQUIPMENT ON FIRE VEHICLES

Recommendation: That the City Council authorize staff to purchase two (2) Multi-Mode, High Priority, vehicle kits from Advanced Traffic Products Inc., for \$3,500 each, plus applicable sales tax.

Documentation: M.O. 03-020216

Disposition: Approved.

4. ACCEPTANCE OF PROJECT - HENRY HOUSE DEMOLITION

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.

Documentation: M.O. 04-020216

Disposition: Approved.

5. INTERIM FINANCIAL STATUS REPORTS

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

Documentation: M.O. 05-020216

Disposition: Approved.

6. QUARTERLY PORTFOLIO SUMMARY

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

Documentation: M.O. 06-020216

Disposition: Approved.

7. AUTHORIZATION TO TRAVEL OUT OF STATE

Recommendation: That the City Council approve travel to Washington, DC, for the purpose of attending the Learning Exchange and Celebration at the White House.

Documentation: M.O. 07-020216

Disposition: Approved.

8. APPROVING THE ESTABLISHMENT OF A LIVE RELEASE COORDINATOR POSITION WITHIN THE ANIMAL CONTROL DIVISION

Recommendation: That the City Council:

1. Adopt the draft Resolution providing for the establishment of and budget adjustment for a Live Release Coordinator position within the Animal Control Division of the Police Department; and
2. Amend the Department's Table of Organization, Position Allocation Schedule, and Position Pay Schedule of the City's Pay & Benefit Plan to account for said position.

Documentation: Resolution No. 05-2016

Disposition: Approved.

PUBLIC HEARINGS

**9. ADOPTION OF FEES ASSOCIATED WITH MESSAGE BUSINESS
 REGISTRATION CERTIFICATE**

Recommendation: That the City Council:

1. Approve the proposed application for Massage Business Registration Certificates; and
2. Adopt the draft Resolution establishing fees associated with processing and administering a Massage Business Registration Certificate.

City Manager John Lollis introduced the item, and Finance Director Maria Bemis presented the staff report.

The Public Hearing was opened at 7:06 p.m. When no one came forward, the Mayor closed the Public Hearing at 7:06 p.m.

Staff addressed questions from the Council regarding the proposed relocation fee and cost recovery, and indicated that the fees could be adjusted in the future if necessary.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Ward that the City Council approve the proposed application for Massage Business Registration Certificates; and adopt the draft Resolution establishing fees associated with processing and administering a Massage Business Registration Certificate, as amended to strike, “It is comprised of staff time to review the certificate application for completeness at a rate of \$20 per hour and an estimated timeframe of 45 minutes (3/4 hour * \$20/hour = \$15).” The motion carried unanimously.

Documentation: Resolution No. 06-2016

Disposition: Approved.

**10. MODIFICATION NO. 2 TO CONDITIONAL USE PERMIT 13-81 TO ALLOW
 THE USE OF A FUNERAL HOME AND CREMATORY AT 765 W.
 ENDERSON AVENUE**

Recommendation: That the City Council adopt the draft Resolution approving Modification No. 2 to Conditional Use Permit 13-81 (PRC-2015-037-M) to allow the use of a funeral home and crematory.

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

Following the staff report, the Council inquired about the block wall requirement and public noticing.

The Public Hearing was opened at 7:29 p.m.

- Daryl Nicholson, representing First Church of the Nazarene, spoke about the history of the property and the proposed use; and requested modifications to conditions pertaining to the following: block wall, loading zone, parking, lot line adjustment, soils compaction test, backflow preventer, and refuse container.

The Public Hearing was closed at 8:02 p.m.

The Council discussed Mr. Nicholson's requests and concerns with staff as they were presented.

Vice Mayor Hamilton and Mayor Stowe indicated that they were both parishioners of First Church of the Nazarene, but had no financial conflict of interest.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council adopt the draft Resolution approving Modification No. 2 to Conditional Use Permit 13-81 (PRC-2015-037-M) to allow the use of a funeral home and crematory, as amended to provide a block wall along the interior lot line of Assessor Parcel Number 252-041-010 where the non-residential use abuts the residential use, waive conditions regarding loading space, and allow shared use of refuse enclosure. The motion carried unanimously.

Documentation: Resolution No. 07-2016

Disposition: Approved.

11. AWARD SOLAR PHOTOVOLTAIC SYSTEM POWER PURCHASE AGREEMENT - WASTE WATER TREATMENT FACILITY

Recommendation: That the City Council:

1. In accordance with Energy Code 4217.12, open the Public Hearing for comments;
2. Authorize Staff, with assistance from the City Attorney, to negotiate a 25-year/\$0.0868 PPA contract with ImMODO Energy Services Corporation for Council's future consideration; and
3. Authorize Staff, with assistance from the City Attorney, to negotiate a contract with SolarCity for Council's future consideration if negotiations fail with the preferred provider.

City Manager Lollis introduced the item, and Acting Public Works Director Mike Reed presented the staff report.

The Public Hearing was opened at 8:19 p.m.

- Daniel Server, ImMODO Energy Services, stated that the company was happy to be here in the community and happy to work with the City.

The Public Hearing was closed at 9:21 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council authorize Staff, with assistance from the City Attorney, to negotiate a 25-year/\$0.0868 PPA contract with ImMODO Energy Services Corporation for Council's future consideration; and authorize Staff, with assistance from the City Attorney, to negotiate a contract with SolarCity for Council's future consideration if negotiations fail with the preferred provider. The motion carried unanimously.

Documentation: M.O. 08-020216

Disposition: Approved.

The Council took a five minute recess at 8:20 p.m.

SCHEDULED MATTERS

12. MAIN STREET TREE LIGHTS

Recommendation: That City Council provide staff direction regarding Main Street tree lights.

City Manager Lollis introduced the item, and Parks and Leisure Services Director Donnie Moore presented the staff report.

The Council discussed cost savings, potential benefits, and hours of operation.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Reyes that the City Council approve keeping the tree lights up; and authorize Parks and Leisure Services Director Moore to work with Parks and Leisure Services Commission to determine hours of operation. The motion carried unanimously.

Documentation: M.O. 09-020216

Disposition: Approved.

13. STATUS AND REVIEW OF DECLARATION OF LOCAL DROUGHT EMERGENCY

Recommendation: That the City Council:

1. Receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration; and
2. Approve the connection to City water of a mobile laundry trailer to be placed in East Porterville.

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

The Council briefly discussed the request for water connection and expressed concerns regarding competing with local businesses and the amount of water needed for a laundry trailer.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve the continued Declaration of Local Drought Emergency; and deny the request for connection to City water. The motion carried unanimously.

Documentation: M.O. 10-020216

Disposition: Approved continued Declaration of Local Emergency; and denied request for water connection.

ORAL COMMUNICATIONS

- Jeffrey Faure requested modifications to the City's existing medical cannabis ordinance in anticipation of proposed legislation that could potentially become law after the November election.

OTHER MATTERS

- Council Member Reyes congratulated Porterville High School's Varsity Cheer Team for its Second Place finish at a recent competition.
- Council Member Ward wished everyone a happy Valentine's Day; encouraged shopping and dining locally; and spoke of his attendance at a Suicide Prevention Task Force training.
- Council Member Gurrola encouraged everyone to enjoy the snow, rain and beautiful view of the mountains.
- Mayor Stowe stated that he was grateful for the recent rain.
- City Manager Lollis spoke of an upcoming introduction of new Police Department employees, and the Love Your Downtown event on Thursday from 4:00 p.m. to 7:00 p.m.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:55 p.m. to the meeting of February 16, 2016.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Addendum No. 1 to Lease Agreement with Sierra View Medical Center for 298 North Main Street

SOURCE: Community Development

COMMENT: On April 28, 2015, the City of Porterville entered into a five-year lease agreement with Sierra View Medical Center ("Sierra View") for the lease of Suites One and Four of the Centennial Plaza facility located at 298 North Main Street. Sierra View is using Suite Four as the primary entrance for the physical therapy office. Suite Four fronts onto Thurman Avenue, which has a physical address of 25 East Thurman Avenue.

During the state licensing survey by the California Department of Public Health, the address of the physical therapy office came into question. Sierra View has requested an addendum to the lease agreement clarifying the physical addresses of 25 East Thurman Avenue, Suite #4, and 298 North Main Street, Suite #1, as the addresses on the lease to coincide with the state license.

RECOMMENDATION: That the City Council authorize the Mayor, City Manager, and City Attorney to sign all necessary documents for Addendum No. 1 of the Lease Agreement with Sierra View Medical Center at 298 North Main Street.

ATTACHMENTS: 1. Draft Lease Agreement Addendum No. 1

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

ADDENDUM NO. 1 TO THE AGREEMENT FOR LEASE OF PREMISES

This Addendum to the Agreement for Lease of Premises between the City of Porterville ("Lessor") and Sierra View Medical Center ("Lessee") was approved by the Porterville City Council on February 16, 2016, and is hereby made a part of the Agreement for Lease of Premises by the parties entered into on April 28, 2015.

Lessor and Lessee mutually agree that the Agreement for Lease of Premises shall be amended as follows:

1. Section 1.1 is deleted and replaced with the following:

1.1 **Lease.** Lessee will lease the premises located at the Centennial Plaza facility located at 298 North Main Street, Suite 1 (Suite No. 1) and 25 East Thurman Avenue (Suite No. 4), in the City of Porterville, County of Tulare, California, as shown in Exhibit B, from Lessor on the terms and conditions set forth in this Agreement for Lease of Premises.

2. All other terms and conditions of the Agreement for Lease of Premises, as entered into on April 28, 2015, not inconsistent with this Addendum, shall remain in full force and effect.

CITY OF PORTERVILLE

Date: _____

By: _____
Milt Stowe, Mayor
LESSOR

ATTEST:

By: _____
John D. Lollis, City Manager

Approved as to form:

By: _____
Julia Lew, City Attorney

SIERRA VIEW MEDICAL CENTER

Date: _____

By: _____
Donna Hefner, Chief Executive Officer
LESSEE

Approved as to form:

By: _____
Robert Krase, Attorney for Lessee



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Consideration of Proposed Budget Calendar for Fiscal Year 2016-2017

SOURCE: Finance

COMMENT: Section 51 of the City Charter requires the submission, not later than 30 days before the end of the fiscal year, of an estimate of the expenditures and revenues of the City's departments for the ensuing fiscal year. For Council's consideration, please find attached the proposed budget calendar for the preparation and submission of the City's Annual Budget for the fiscal year 2016-2017.

RECOMMENDATION: That the City Council approve the proposed budget calendar for the 2016-2017 fiscal year.

ATTACHMENTS: 1. 2016-2017 Budget Calendar

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

**CITY OF PORTERVILLE
FY 2016-2017 BUDGET CALENDAR**

<u>Date</u>	<u>Task</u>	<u>Responsibility</u>
March 3 - 4	Budget planning session	CM/Directors
March 11	Budget worksheets to Departments	Finance
March 16 - 17	10-Year Capital Projects update	CM/Directors
March 31	Preliminary revenue estimates completed	Finance
April 1	Completed budget worksheets to Finance	Directors
April 22	Budget planning session	CM/Directors
May 6	Preliminary budget completed	Finance
May13	Preliminary budget approved by City Manager	CM
May 19	TUTOC review of Measure H proposed budget	CM
May 24	Preliminary budget Council study session (priority projects)	Council
June 7	Preliminary budget presented to Council	Council
June 21	Final budget public hearing and approval by Council	Council



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Amendment to Employee Pay & Benefit Plan - Porterville Peace Officers Association

SOURCE: Administrative Services

COMMENT: Within the scope of the Meyers-Milias-Brown Act, City representatives have concluded labor negotiations with the Porterville Peace Officers Association (PPOA). City representatives and PPOA have reached an agreement on amendments to the Memorandum of Understanding pertaining to wages, benefits, and working conditions.

City Council acceptance and ratification of the MOU is most commonly demonstrated by a resolution approving the modifications and authorizing amendments to those documents that are necessary to implement the points of agreement contained in the MOU.

RECOMMENDATION: That the City Council approve the draft Resolution ratifying amendments to the Porterville Peace Officers Association Memorandum of Understanding and other documents as are necessary to implement the provision thereof.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
FOR THE PORTERVILLE PEACE OFFICERS ASSOCIATION

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 amendments to the Memorandum of Understanding ("MOU") with the Porterville Peace Officers Association ("PPOA") for the period from January 1, 2016, through December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the Memorandum of Understanding between the City of Porterville and the PPOA, attached hereto as Exhibit A, is hereby ratified; and the Employee Pay and Benefit Plan, for employees holding positions represented by PPOA, is hereby amended as detailed in the attached MOU.

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 ____ day of February, 2016.

Milt Stowe, Mayor

ATTEST:
John Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

MEMORANDUM OF UNDERSTANDING

between

CITY OF PORTERVILLE

and

PORTERVILLE PEACE
OFFICERS ASSOCIATION



January 1, 2016 - December 31, 2017

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07/01/11 – 06/30/14

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF PORTERVILLE

AND

PORTERVILLE PEACE OFFICERS ASSOCIATION

Pursuant to the provisions of Section 3500, et. seq., of the Government Code, representatives of the City of Porterville have met and conferred with representatives of the Porterville Peace Officers Association (PPOA) and have reached concurrences on the following items:

TERM OF MEMORANDUM OF UNDERSTANDING

Twenty-four months, from ~~July 1, 2014~~ January 1, 2016 through ~~June 30, 2015~~ December 31, 2017. Labor Negotiations for the 2017/2018 fiscal year shall begin no later than March 1, 2017.

PURPOSE

It is the purpose of this Memorandum of Understanding to promote and provide for continuity of operation and employment through harmonious relations, cooperation and understanding between the City of Porterville and the Porterville Peace Officers Association covered by the provisions of this Memorandum. To provide an established, orderly and fair means of resolving any misunderstandings or differences, which may arise from the provisions of the Memorandum, and to set forth the understanding reached between the parties as a result of good faith meeting and conferring on the matters set forth herein. (Resolution 9071)

RECOGNITION

The City of Porterville, hereinafter called the "City", hereby recognizes the Porterville Peace Officers Association, hereinafter called the "Association" or "PPOA", as the representative for employees in the classification:

Police Officer

Sergeant

Requests for modification to the above employee group for the purpose of representation may be submitted to the City Manager for determination. New classes shall be assigned to an employee group as appropriated by the City Manager. If a dispute arises regarding the employee groups for representation, an appeal may be filed to the City Council. Upon receipt of said appeal, the City Council shall set a time and place for a public hearing to consider the appeal. Its findings shall be final and conclusive.

The City Council pursuant to Section 3503 of the Act, acknowledges that nothing in this Resolution shall prohibit any employee from representing himself/herself in his/her employment with the City. (Resolution 75-2000)

DISCRIMINATION

The parties mutually recognize and agree fully to protect the rights of all employees covered by this Memorandum of Understanding, and that all employees so covered shall have the right to join and participate in the activities of the Association and to exercise all rights expressly set forth in Section 3500, et seq. of the Government Code of the State of California. No employee shall be intimidated, restrained, coerced, or discriminated against because of the exercise of these rights.

The provisions of this Memorandum of Understanding shall apply equally to all employees covered without favor or discrimination because of: (1) race, color, sex, age, handicap, creed or religion, and (2) in accordance with all applicable State and Federal laws. (Resolution 9071)

CITY RIGHTS

Unless otherwise expressed in the provisions of a Memorandum of Understanding between the City and an Employee Organization, the City has and retains the sole and exclusive rights and functions of management, including, but not by this enumeration intended to be limited to the following:

- A. To determine the merits, necessity, nature or extent of services to be performed, as well as the rights to determine and implement its public function and responsibility, and the mission of its constituent departments, commissions and boards; and to determine budgets and appropriations of funds and to set municipal fees and charges.

- B. To decide upon and manage all facilities and operations carried on by or on behalf of the City, including locations, methods, means and personnel by which the City's functions are to be conducted.
- C. To establish, modify, and change working hours, schedules and shifts, job content, methods, techniques, processes and standards and allot and assign work.
- D. To control and determine the use and location of City's plants, facilities, property, material, machinery and equipment.
- E. To determine the size and composition of the working force, and to direct the working forces, including the right to hire, promote, demote, discharge, discipline or transfer any employee.
- F. To determine the layout, the machinery, the equipment and the materials to be used, and to introduce new, improved, adjusted or different methods of operations, or to change existing methods.
- G. To determine the policy and procedure affecting the selection or training of new employees.
- H. To establish, implement and use employee performance standards, including, but not limited to quality and quantity appraisal standards, the frequency and criteria of employee performance appraisals, and the application and results of said appraisals.
- I. To determine measures to promote safety and to protect health and property.
- J. To transfer work from one job to another or from one plant or unit to another.
- K. To relieve employees from duty for lack of work, lack of funds, or for other reasons deemed by management to be in the public interest.
- L. To promote, grant pay increases and otherwise reward employees, and to reprimand, suspend, discharge or otherwise discipline employees. The judgment of management shall govern except for a manifest of abuse of discretion.
- M. To establish, modify and/or amend job classifications.
- N. To contract for the performance of City services, construction, maintenance, distribution or any other work with outside public or private entities.
- O. To take such other and further action as may be desirable or necessary to organize and operate the City in the most efficient and economical manner for the best interest of the public it serves. (Resolution 75-2000)

COMPENSATION PLAN

Basic Salary Schedule

The salary schedule, which details the pay steps in each range, shall be administered as follows:

1. The salary range shall include a monthly salary with five (5) steps of rates of pay. The five steps within a salary range shall be administered in the following way:

Step "A" The first step of each range is the beginning salary level and is the standard hiring rate for a class or position. All departments shall adhere to hiring personnel at this range. The City Manager and Department Heads with the approval of the City Manager may hire at any step in the salary range for the position being recruited. In all cases it must be demonstrated that it was necessary and/or desirable for the benefit of the City to appoint a qualified candidate at a higher step.

Step "B" Employees shall be advanced to Step "B" after six (6) months of satisfactory service in Step "A" and after advancement is recommended by the Department Head and approved by the City Manager.

Step "C" Employees may be advanced to Step "C" of the salary range allocated to their class of position after a minimum time of one (1) year of satisfactory work has been spent in Step "B" and after recommendation has been made by the Department Head and approved by the City Manager. Step "C" is to be considered the standard satisfactory performance of duties. This pay is assigned to those personnel who are performing at a desirable level, and what would be considered the normal rate of pay for their particular type of work.

Step "D" Merit This step is reserved for employees who are considered to be fully qualified in their class or position and who maintain a consistent, satisfactory standard of work performance. An employee may be advanced to Step "D" after a minimum of one year's service in Step "C" upon the recommendation of the Department Head and approval of the City Manager.

Step "E" Merit This step is to be considered a further and final step for employees who maintain a thoroughly satisfactory standard of work performance. An employee may be advanced to Step "E" after a minimum of one year's service in Step "D" upon the recommendation of the Department Head and approved by the City Manager. An employee advanced to Step "E" of the pay range will retain such status as long as job performance remains at the level required to attain this step.

Rates higher than Step "E" Whenever the salary of an employee exceeds the maximum of Step "E" of the salary range established for a classification, then such salary shall be designated as a "Y" rate. During such time as an employee's salary remains above the maximum rate of pay for his class, he shall not receive further salary increases.

Advancement in Sstep With approval of the City Manager a Department Head can advance employees in steps at any interval of time provided the Department Head can demonstrate the performance and abilities of the employee warrant the step increase.

2. Less Than Full Time:

All rates shown in the "Basic Salary Schedule" for monthly employees are in full payment for services rendered for the full number of hours regularly worked in each classification. Employees working less than full time shall be compensated at a monthly rate equivalent to the portion of the month worked, or at an hour rate equivalent as shown in the "Basic Salary Schedule."

~~3. Merit Step Reduction:~~

~~When an employee no longer meets the standards set for the merit step, the Department Head shall recommend withdrawal of the merit step increase. Such recommendation shall be made upon an Employee Performance Evaluation Form with a copy furnished to the employee thirty (30) days prior to the proposed reduction. Reevaluation of the withdrawal recommendation on an Employee Performance Evaluation Form, with a copy furnished to the employee, shall be made by the Department Head fifteen (15) days prior to the effective date of the action. Employees no longer meeting standards established may be reduced from all merit steps following the above procedure. No employee, reduced from a merit step, will again be eligible for advancement until six (6) months after the effective date of reduction.~~

43. Step Increases:

No increase shall be considered automatic or subject to increase by reason of time in service. All increases shall be based upon increased service value of the employee, performance record, and must be recommended by the Department Head and approved by the City Manager. Withholding recommendation for advancement to merit steps "D" and "E" shall not be considered disciplinary action.

54. New Employees:

New employee advancement will be automatically reviewed after six (6) months of service. For all other employees, advancement will be automatically reviewed after each twelve (12) months of service from their anniversary date. Advancement for employees receiving promotions shall be as follows: If a promotion is to the "A" Step of the new classification, the employee's anniversary date shall be six (6) months after the promotion, and he/she shall be eligible for advancement review at that time. If a promotion is to any other step than the "A" Step, the employee's normal anniversary date shall be twelve (12) months after the promotion, and the employee shall be eligible for advancement at that time.

65. New Employee Performance Review:

The performances of all new employees shall be reviewed three times during their probationary period and thereafter, each year on their anniversary date. The performance of all regular employees shall be reviewed annually on the employee's anniversary date.
(Entire Basic Salary Schedule – Resolution 8743)

Salary Ranges

Title	Range	Step A	Step B	Step C	Step D	Step E
Police Officer	181	\$3,988	\$4,191	\$4,405	\$4,630	\$4,866
Police Sergeant	203	\$4,964	\$5,218	\$5,485	\$5,765	\$6,059

* The above salary ranges reflect the April 16, 2015 wage increase

Association wage increases occurred as follows:

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, or as soon thereafter as possible, PPOA employees shall receive a two percent (2%) salary increase.

Effective January 1, 2017, PPOA employees shall receive a two percent (2%) salary increase.

One-time Off-Schedule Payment

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, or as soon thereafter as possible, PPOA employees shall receive a one-time payment equivalent to one percent (1%) of the employees' annual base salary.

Effective January 1, 2017, PPOA employees shall receive a one-time payment equivalent to one percent (1%) of the employees' annual base salary.

Effective April 16, 2015: 1% off schedule one time stipend (Police Officer and Sergeant, Resolution 45-2015)

Effective April 16, 2015: 2% (Police Officer and Sergeant, Resolution 45-2015)

Effective January 1, 2014: 2% (Police Officer and Sergeant, Resolution 63-2011)

Effective January 1, 2013: 3% (Police Officer and Sergeant, Resolution 63-2011)

Effective October 1, 2011: 5% (Police Officer and Sergeant, Resolution 63-2011)

Effective January 1, 2009: 3% (Police Officer, Resolution 60-2007)

Effective July 1, 2008: 3% (Police Officer, Resolution 60-2007)

Effective July 1, 2007: 4% (Police Officer, Resolution 60-2007)

Effective July 1, 2005: 1% (Police Officer, Resolution 25-2005)

Effective July 1, 2005: 1% (Police Sergeant & Lieutenant, Resolution 21-2005)

Effective July 1, 2004: 1% (Police Officer, Resolution 25-2005)

Effective July 1, 2004: 1% (Police Sergeant & Lieutenant, Resolution 21-2005)

Effective January 1, 2004: 2% (Police Officer, Resolution 160-2003)

Effective January 1, 2003: 1% (Police Officer, Resolution 134-2002)

Effective July 1, 2001: 7% (Police Officer, Resolution 99-2000)

Effective July 1, 2001: 7% (Police Sergeant, Lieutenant & Captain, Resolution 73-2000)

Effective July 1, 2000: 8% (Police Officer, Resolution 99-2000)

Effective July 1, 2000: 8% (Police Sergeant, Lieutenant & Captain, Resolution 73-2000)
 Effective July 1, 1999: 3% (All Police Series positions, Resolution 85-97)
 Effective July 1, 1998: 3% (All Police Series positions, Resolution 85-97)
 Effective July 1, 1997: 4% (All Police Series positions, Resolution 85-97)
 Effective July 1, 1997: Updated to pay range 129 (Police Officer, Resolution 85-96)
 Effective July 1, 1997: Updated to pay range 149 (Police Sergeant, Resolution 86-96)
 Effective July 1, 1996: Updated to pay range 126 (Police Officer, Resolution 85-96)
 Effective July 1, 1996: Updated to pay range 146 (Police Sergeant, Resolution 86-96)
 Effective July 1, 1994: 4% (All Police Series position, Resolution 68-94)
 Effective July 1, 1993: 4.2% (All Police Series positions, Resolution 93-93)
 Effective July 1, 1991: 3.9% (All Police Series positions, Resolution 95-91)
 Effective July 1, 1990: 7% (Police Sergeant, Resolution 69-90)
 Effective July 1, 1990: 5% (Police Officers & Detectives, Resolution 69-90)
 Effective July 1, 1989: 5.6% (All Police Series positions, Resolution 109-89)
 Effective July 1, 1988: 8% (Police Officer & Detective, Resolution 95-88)
 Effective July 1, 1988: 5% (Police Sergeant, Resolution 95-88)
 Effective July 1, 1987: 5% (All Police Series positions, Resolution 63-87)
 Effective July 1, 1983: 3% (All Police Series positions, Resolution 9815)
 Effective July 1, 1982: 6% (All Police Series positions, Approved by Council 6-29-82)
 Effective July 1, 1980: 10% (All Police Series positions, Resolution 9448)
 Effective July 1, 1977: 10% (All Police Series positions, Resolution 8953)

Acting Pay

When a position is temporarily vacant due to a prolonged illness, injury, leave of absence, or vacancy, an employee appointed to the position on a temporary basis shall receive acting pay at the salary range assigned to the position. (Approved by Council on 6-30-80)

Additional Pay/Specialty Pay

~~Effective April 16, 2015~~ The pay structure for Special Assignments shall be **amended** as follows:

7 ½ %	K-9 (for the purposes of caring for the animal, for details see Resolution 99-2000)
7 ½ %	Detective (due to on-call requirement)
5%	MAIT (due to call-out requirement)
5%	SWAT/HNT (due to call-out requirement)

(Resolution 45-2015)

Field Training Officer specialty pay of 5% to be paid in daily increments in accordance with assignment. (Resolution 109-89)

Effective 09-01-02, those provisions of the Employee Pay and Benefit Plan which authorize additional pay or specialty pay to qualifying employees as a percentage of salary, including, but not limited to, Out-of-Class Pay, Educational Incentive Pay, Certificate Pay, K-9 Pay,

Motorcycle Pay, Field Training Officer Pay, Detective Pay, etc., shall be so clarified in writing, and thereafter administered, as to have such pay calculated separately as a percentage of “Base Salary” to be added to recipient employee’s Base Salary. Such pay shall not be compounded when calculated. An employee’s Base Salary shall be the Pay Step the employee is at in the Salary Range of the Position Classification the employee holds. (Resolution 134-2002)

Effective 04-16-15, the 7 ½% currently in place for the Motorcycle Unit Assignments shall be phased out. Those PPOA employees currently receiving said benefits shall be “grandfathered” for the duration of the assignment to the Motorcycle Unit. The Motorcycle Unit specialty pay cannot be “stacked” with other specialty pay identified above. In the event a PPOA employee is assigned to more than one specialty assignment, stacking is permitted with a 10% cap, except for concurrent assignments to SWAT/HNT and MAIT. (Resolution 45-2015) *(For clarification purposes, the 10% stacking cap does not apply to K-9.)*

Sworn Law Enforcement Experience Pay

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, or as soon thereafter as possible, PPOA employees shall be eligible to receive experience pay at the following rates. PPOA employees shall be eligible for said experience pay effective the first full pay-period following the applicable service years’ completion, based on total years of California Peace Officers Standards and Training (POST) qualified peace officer experience.

<u>2.5%</u>	<u>10 years of sworn law enforcement experience</u>
<u>2.5%</u>	<u>15 years of sworn law enforcement experience</u>
<u>2.5%</u>	<u>20 years of sworn law enforcement experience</u>

Said experience pay shall be null and void upon the implementation of a new salary schedule.

Bilingual Differential

The City acknowledges the benefit of bilingual compensation, and will implement a tiered plan for all employees, structured as follows:

Employees who successfully demonstrate the ability to provide bilingual services to the public in the languages designates below shall be compensated as follows:

Occasional translation compensation - \$20.00 per month

- American Sign Language
- Hmong
- Spanish
- Tagalog

Frequent translation compensation -\$40.00 per month

- American Sign Language

-Spanish

Bilingual/Bi-literate certified compensation -\$80.00 per month

-Spanish

Upon passing the testing procedure administered by Human Resources, Department Heads will assign occasional or frequent translation compensation to the employee.

Employees may receive Bilingual/Bi-literate certified compensation upon successfully passing an exam that tests their oral communication skills, reading and writing ability. (Resolution 110-2010).

Call Back

If an employee in the classification of Police Officer assigned as a Detective is called back to work, the employee shall be paid for a minimum of four (4) hours at the rate of one and one-half (1 ½) times the employee's hourly rate of pay, in accordance with overtime pay provisions. (Resolution 160-2003)

Court Time/ Court Travel Time / Court Stand By

Court time is divided into two sessions: Morning and Afternoon.

Court Stand-by Officers shall be paid two (2) hours straight time for each court session for which they have been placed on standby. Officers shall submit an overtime slip with the corresponding subpoena and the slip shall be marked "Court Standby, Morning Session" or "Court Standby, Afternoon Session," depending upon which session the standby time is for. In the event the officer is on call for both the morning and afternoon session, the slip shall be submitted for four (4) hours and shall be marked "Morning and Afternoon Session."

In the event the officer is called to court, they will be paid time and one half (1 ½) from the beginning of that court session, but in no case less than two (2) hours. Officers shall submit an overtime slip for that court session and the slip shall be marked "In Court." If the officer is on call during the morning session, and is called to testify in the afternoon session, the officer will be compensated two (2) straight time hours for standby in the morning session, and overtime for the afternoon session. Officers will submit two overtime slips with one subpoena. At no time will an officer be paid for both standby time and court time during any individual morning or afternoon court session.

In the event the officer is "In Court" for both sessions, the officer shall submit one slip documenting the times of both the morning session and the afternoon session. The officer shall be compensated for their time in each session. (Resolution 63-2011)

Effective 04-16-15, travel time for PPOA employees to and from Court shall be compensable from Porterville to Visalia Court and from Visalia to Porterville Court at the rate of time and one-half, not to exceed one hour. (Resolution 45-2015)

Education Incentive

Sworn Police Officers will receive education incentives upon receiving each of the following degrees and/or certificates:

Intermediate Certificate: 2.5% of base pay

Associate's Degree: 2.5% of base pay

Advanced Certificate: 2.5% of base pay

Bachelor's Degree: 2.5% of base pay

Master's Degree: 2.5% of base pay

The additional compensation for the Associate's, Bachelor's and Master's degrees will be allowed provided the officer has a 2.0 grade point average. No tuition, books or other education costs will be paid for classes taken to attain the educational incentive compensation other than for the pursuit of a Bachelor's or Master's degree. Police Officers eligible for the Bachelor's Degree incentive pay of 2.5% shall also be eligible to receive 2.5% for an Associate's Degree regardless of whether he/she has obtained an Associate's Degree.

Employees hired prior to the effective date of this amendment (April 6, 2010) and who are currently receiving 5% educational incentive for an AA Degree or POST Intermediate Certificate will continue to receive the 5% until such time as a degree or certificate beyond these two incentives is obtained. (Resolution 32-2010)

Administrative Policy, IV-B-2 Employee Training for Police Series is as follows:

Police Series:

Mutual Benefit Training: Training of generally equal benefits to the City and the employee, for course work applied toward a Bachelor's or Master's degree related to the employee's present position or possible promotion within the City. City participation to consist of full reimbursement for tuition, registration costs, for any class(es) or course(s) to the equivalent of Fresno State University tuition (lecture course) for six (6) units or less per school semester (and two semesters per fiscal year), or equivalent quarter units, per employee. A semester will be calculated by the classes successfully completed between January to June (Spring) and July to December (Fall).

Due to the recent increases in tuition cost, the current reimbursement amount will be confirmed by contacting the Fresno State University Cashier's Office as requests for tuition reimbursement are routed to the Human Resources Office.

(Resolution 63-2011)

* Current reimbursement amount allowed is \$2,000.50 per semester.

Extra Duty

When Safety Officers (including Police Sergeants) are assigned to duty at an outside activity, wherein the organization requesting the service is to reimburse the City of Porterville for such service, the Safety Officer shall be paid at 1 ½ times regular rate of pay for such organization. The City of Porterville will bill the organization to recover costs for services. (Resolution 9081)

Overtime/Compensatory Time

~~Overtime pay of time and one-half for Sergeants in lieu of five days Administrative Leave. (Resolution 95-88)~~

Overtime shall be compensated to member scheduled for pistol shoots at the rate of one and one-half (1 ½) times their regular pay for (1) hour. (Resolution 9071)

Police Officers working the 3-12 Plan will receive overtime pay at the rate of one and one-half times their regular rate of pay for time worked in excess of 80 hours during their respective two-week work cycles. (Approved by Council on April 15, 2008 via minute order 041508)

Police Officers working the 4-10 Plan will receive overtime pay at the rate of one and one-half times their regular rate of pay for time worked in excess of 40 hours in a week. (Approved by Council on April 15, 2008 via minute order 041508)

Employees designated to the Police Series may choose to receive overtime compensation for that pay-period or bank the overtime hours to cash out at a later date, or use for compensatory time.

a. Overtime: Overtime hours worked will be compensated at 1 ½ times the regular rate of pay, unless immediately after working overtime, the employee designates that their hours be banked. Employees shall not bank more than one-hundred and twenty hours per fiscal year (equivalent to 80 overtime hours worked). (Resolution 63-2011)

b. Overtime Cash Out: Subject to the Department Head's approval, employees may cash out their banked overtime hours twice per fiscal year (dates designated by Department Head). Employees shall be compensated at their current rate of pay at the time of cash out. Without prior notice, the Department Head can temporarily suspend overtime cash-outs. (Resolution 32-2010)

c. Compensatory Time: With approval from Department Head or Supervisor and subject to staffing requirements and operational priorities, employees may request compensatory time off in lieu of cash payment for overtime hours worked. Compensation time accrues at the same rate as overtime (1 ½ hours per hour of overtime worked). (Resolution 32-2010)

d. Overtime cash out and compensatory time usage is subject to an annual evaluation by the Department Head. (Resolution 32-2010)

e. Upon termination, all accumulated compensatory time off will be paid to employee at his/her current rate. (Resolution 32-2010)

Physical Fitness Incentive

Regular Physical Exercise

Monthly Incentive Rates:

	“Good”	“Excellent”	“Superior”
Monthly Workouts:	10-13 times	14-17 times	18 or more
Incentive Pay:	\$30	\$40	\$50

1. A maximum of one workout per day shall be eligible. Further, eligible workouts must last at least one hour in duration and should include cardio exercise.

2. To be eligible, workouts must be verifiable (i.e. sign in/out sheets at City fitness facilities witnessed/signed by HR staff or employee supervisor; or printout provided from professional third-party gym/fitness membership/classes.)

3. To be eligible, participants must submit their completed workout logs (forms to be provided by HR) to HR by the 10th day of each month for the prior month. Incentive pay shall be disbursed to participants on a quarterly basis. Forms submitted after the 10th day, or not containing the appropriate supervisor/HR sign-off or verified third-party gym/class printout shall not be eligible.

4. Employees who knowingly sign and/or submit inaccurate/fraudulent sign in/out sheets or workout logs shall be prohibited from participating in the Regular Physical Exercise program for one year from the date of discovery. The Risk Manager maintains the right to make such a determination.

*Said changes may be subject to minor modification, to the benefit of the employees, and shall not become effective until such time as all bargaining units approve. The Risk Manager shall have the authority to approve or deny the eligibility of any and all proposed wellness programs.

(Resolution 45-2015)

Take-Home City Vehicles

~~Effective April 16, 2015,~~ PPOA employees assigned to K-9 duty shall be eligible for a take-home vehicle, provided said employee resides within 40 miles of the Porterville Police Department located at 350 North ‘D’ Street. (Resolution 45-2015)

Uniform and Safety Equipment Allowance

Police Officers and Police Sergeants: \$1,100.00 annually (Resolution 45-2015)

Uniform allowance will be paid to the employee annually on December 1 of each year by check issued separately from payroll, and the employee will be required to maintain his/her uniform. Uniforms will be issued to new employees, and they will not be entitled to the uniform allowance until after one year of service. (Resolution 60-2007)

All uniforms and clothing damaged within the course and scope of employment shall be replaced or compensated for at no cost to the employee. This policy shall also include repair or replacement costs for prescription eye glasses having conventional frames, and wrist or pocket watches providing that the repair or replacement costs for the latter may not exceed \$50.00. (Resolution 9071)

~~Uniform allowance increases occurred as follows:~~

~~December 1, 2015: \$1,100.00 (Resolution 45-2015)~~

~~December 1, 2007: \$900.00 (Uniformed Police Officer, Resolution 60-2007)~~

~~December 1, 2007: \$900.00 (Non-Uniformed Police Officer, Resolution 60-2007)~~

~~July 1, 2000: \$900.00 (Sworn Police Safety Employees, Resolution 99-2000)~~

~~August 2, 1994: \$700.00 (Uniformed Police Officer, Resolution 68-94)~~

~~August 2, 1994: \$548.00 (Non-Uniformed Police Officer, Resolution 68-94)~~

~~1989/1990 fiscal year: \$575.00 (Uniformed Police Officer, Resolution 109-89)~~

~~1989/1990 fiscal year: \$450.00 (Non-Uniformed Police Officer, Resolution 109-89)~~

~~1983/1984 fiscal year: \$400.00 (Sworn Police Safety Employees, Resolution 9815)~~

~~1980/1981 fiscal year: \$300.00 (Sworn Police Safety Employees, Resolution 9448)~~

~~1978/1979 fiscal year: \$200.00 (Sworn Police Safety Employees, Resolution 9071)~~

~~Due to case law and legislation, changes in the Public Employees Retirement System (PERS) have been made as to benefits considered to be part of an employee's "final compensation" for purposes of determining retirement benefits. In the case of Police Series employees, uniform allowances payments retroactive to January 1, 1982 (the date the City became a member of PERS), needs to be established as part of compensation, and the employee and City contributions retroactively paid to PERS. As the Uniform Allowance will be considered part of final compensation it will be subject to withholding for state and federal income tax purposes. (MOU 1985-1986)~~

Safety Equipment:

The City agrees to supply all necessary equipment as required, and following initial issue, all of the items will be replaced on a "fair wear and tear" basis determined by appropriate evaluating authority of the Porterville Police Department. (Resolution 9071)

When upon referral by the City's Physician, and on the basis of a competent hearing examination, an employee is found to have a mechanically correctable hearing problem, and

holds a position which in the opinion of the employee's Department Head and the Personnel Officer requires adequate hearing ability to perform, and whose personal safety and the safety of the general public would otherwise be in jeopardy if the hearing impairment were not corrected, the City shall consider such hearing aids/devices as required safety equipment, and will participate in the payment of normal and customary costs related to the procurement and maintenance of such equipment to the extent:

- a. Participation is limited to aids/devices determined to be the first level of adequacy necessary to restore hearing.
- b. Participation shall not exceed \$1,250 per aid/device; \$2,500, if such aids/devices are required for both ears.
- c. Participation shall not be more frequent than once every five (5) years.
(Resolution 85-97)

Working Out of Classification

Whenever a Police Officer is requested to accept the responsibility and carry out the duties of a position or rank above the normal position for a complete shift or more, he/she will be compensated with an additional 5% of their salary. (Resolution 9081)

WORK SCHEDULE

Attendance

Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays, and leaves. All departments shall keep daily attendance records of employees which shall be reported to the Director of Finance in the form and on the dates he shall specify. Failure on the part of an employee, absent without leave, to return to duty within 24 hours after notice to return shall be cause for immediate discharge. (Resolution 9081)

3-12 Alternative Work Schedule

The 3-12 Plan alternative work schedule will entail six shifts. Notwithstanding staggered shift assignments upon implementation and at four-month shift change intervals, a Police Officer working under the 3-12 Plan will ordinarily have alternating work week cycles as follows:

1. One 12-hour shift each day for three consecutive days, followed by four consecutive days off;

then

2. Three 12-hour shifts and one 8-hour shift, and thereafter followed by three consecutive days off; or
3. The reverse of 1. and 2. above.

In the aggregate, during each two-week cycle, officers will work 80 hours and have seven days off. (Approved by City Council on April 15, 2008 via minute order 11-041508)

4-10 Alternative Work Schedule

The 4-10 Plan alternative work schedule is applicable to Motorcycle and Detective assignments only, and is subject to variable, but consecutive, 10-hour work shifts. A Police Officer working under the 4-10 Plan will ordinarily have a workweek cycle of one 10-hour shift each day for four consecutive days, followed by three days off. (Approved by City Council on April 15, 2008 via minute order 11-041508)

Operational Details

Meal and Rest Breaks:

During both the 12-hour and 10-hour shifts, officers will be provided with one 30-minute paid meal break, and two 15-minute paid rest breaks. Breaks cannot be accrued to be used consecutively during a shift, and if breaks are missed, such lost break time will not be paid as overtime. An 8-hour shift includes two 15-minute paid rest breaks. (Approved by City Council on April 15, 2008 via minute order 11-041508)

Plan Participation:

With certain exceptions, participation in the 3-12 and 4-10 Plan alternative work schedule are limited to Sworn Police Officers assigned to Detectives in the Investigations Division or Patrol in the Operations Division of the Porterville Police Department. Duty status exceptions to this rule include Sworn Police Officers:

1. While on Industrial Disability Leave (4850) of longer than one day.
2. While restricted to Light Duty Assignments.
3. While on Departmental Administrative Assignments.
4. While cited for Court Appearances of longer than one day.
5. When attending and/or teaching assigned training or a course of instruction or conference, etc., of longer than one day.

When Police Officers are reassigned from the 3-12 or 4-10 Plan alternative work schedules due to a temporary duty status exception, as hereinabove enumerated, they shall be assigned to a 5-8 shift schedule. (Approved by City Council on April 15, 2008 via minute order 11-041508)

Shift Selection:

Shift assignments under the 3-12 and 4-10 Plans are split into three four-month intervals, i.e., from February through May, June through September, and October through January of each year.

Shift selection for both intervals shall take place in January of each year. Shift selection for sworn personnel will be on a seniority basis, dependent upon assignment, i.e., Regular Patrol/Traffic/OIC/K-9, with the most senior officer in each assignment selecting one shift assignment from each interval of the yearly schedule. (Approved by City Council on April 15, 2008 via minute order 11-041508)

When selecting shifts, the officer making the selection must remain with their selected sector throughout the scheduled year. This is to maintain integrity of the department's sector program. This also applies for relief shifts. (Approved by City Council on April 15, 2008 via minute order 11-041508)

In order to keep officer development high and avoid staleness, an officer may only work the same watch for two periods during a one-year period, excluding officers working the relief shift. For example, if an officer works two Day shift watches during a one year cycle, the third must be a Night shift watch. (Approved by City Council on April 15, 2008 via minute order 11-041508)

During the year, it is expected that personnel changes will occur or may be needed due to promotions, new hires, separations, officer development, etc. These changes, along with officers transferring into the Patrol Division after shift selection has occurred, will be determined by a Department Manager/Supervisor in order to meet the needs of the Division. In addition, officers operating in a specialized assignment, such as Traffic, K-9 or OIC, may also be assigned to a specified shift based upon the needs of the Patrol Division. (Approved by City Council on April 15, 2008 via minute order 11-041508)

Shift Changes:

Shift changes under the 3-12 Plan are planned at four-month intervals to provide equal access to weekend and weekdays off, and both a.m. and p.m. work scheduled. Notwithstanding relief shifts, shift changes are expected to occur at 0600 hours and 1800 hours. The scheduled shift changes outlined in the Shift Selection section will be posted as soon as possible in order to allow employees ample notification. During the year, situations will arise when it becomes necessary for Watch Commanders to adjust shifts or schedules with little advance notice to ensure sufficient staffing levels for all shifts, or to ensure officer development, and when such situations arise, it is agreed that prior notification to all officers involved will be provided at the earliest time possible. (Approved by City Council on April 15, 2008 via minute order 11-041508)

Shift Periods:

All 12-hour shifts will either be:

1. From 0600 hours to 1800 hours (Day Watch); or
2. From 1800 hours to 0600 hours (Night Watch); or
3. From 1400 hours to 0200 hours (Relief Shift). The relief shift hours are subject to change throughout the year in order to meet the needs of the department.

(Approved by City Council on April 15, 2008 via minute order 11-041508)

EMPLOYEE BENEFITS

Aflac

The City of Porterville has contracted with the Aflac Company to provide employee- funded supplemental insurance designed to help maintain some income in the event that an employee experiences a long-term illness or non-work related injury. (Approved for all full-time employees on September 21, 2004 via minute order 05-092104)

Health Insurance

For details please review the Health Plan Document amended in 2012 and available for review on the City of Porterville's Intranet.

~~Effective 04-16-15, e~~Employees shall contribute two percent of their base salary towards their own medical coverage on the City's health plan. (Resolution 45-2015)

~~Effective 11-01-10, t~~The Employee Benefit Trust Fund, Eligible Medical Expenses shall be amended to include preventative care at a cost of an additional \$5.00 per month paid by each employee with two or more dependent coverage. (Resolution 110-2010)

The City shall implement changes to the healthcare benefit as set forth in Attachment 1 and Exhibits of Resolution 45-2015. Said changes may be subject to minor modification, to the benefit of the employees, as and when all City bargaining units approve them. Further, said changes to the employees' healthcare benefit shall not become effective until such time as all bargaining units approve the same. (Resolution 45-2015)

Current monthly rates consist of:

Medical	
Employee Only	2% of base salary
Plus Spouse	+\$170.00
Plus Child/children	+\$160.00
Plus Spouse and Child/children	+\$250.00

Dental	
Employee Only	\$0
Plus Spouse	+\$21.00
Plus Child/children	+\$27.00
Plus Spouse and Child/children	+\$30.00

Vision	
Employee Only	\$0
Plus Spouse	+\$11.00

Plus Child/children	+\$9.00
Plus Spouse and Child/children	+\$20.00

(Resolution 45-2015)

Dental Coverage:

~~Effective January 1, 2003, the~~ The Employee Benefit Trust Fund ~~shall be amended to increase the~~ maximum dental benefit per person ~~shall be per calendar year from \$1,500.00 to \$2,000.00~~
(Resolution 134-2002)

Prescription Drug Coverage:

Prescription drug coverage ~~amended effective January 1, 1994 to permit employees/covered dependents to pay only~~ copay ~~shall be twenty percent~~ (20%) ~~of the~~ costs of prescriptions at the point of service and require optimum utilization of generic drugs. (Resolution 153-93).

Retired employees are eligible to purchase the City's Employee Medical, Dental, and/or Vision Plan benefits for themselves and their spouse, provided the spouse was covered under each of the Benefit Plans proposed to be purchased for not less than thirty (30) days immediately prior to the employee's retirement date. (Resolution 85-97)

Effective July 1, 2002, the Employee Benefit Trust Fund shall be amended to provide dental and vision plan coverage for retirees and their eligible spouses, without regard to age, for so long as timely and continuous monthly premium payments are made by on behalf on the eligible retiree of the City of Porterville and/or by their eligible spouse. The monthly costs shall be 102% of the established insurance premium contribution rates, and such rates are subject to change from time-to-time. (Resolution 134-2002)

PPOA employees who retire on or after 01-01-05 will pay 70% of the monthly contribution rate for medical coverage for themselves and for their eligible spouse; and the City will contribute 30% of said costs, for so long as timely and continuous monthly premium payments are made by or on behalf of the eligible retiree and/or by their eligible spouse. Medical Plan benefit coverage for retirees and eligible spouses will be effective until they reach the age of 65. The monthly cost shall be 102% of the established insurance premium contribution rates, and such rates are subject to change. (Resolution 21-2005 & Resolution 25-2005)

Rates will be reviewed annually by the City beginning in April of each year, and adjusted on the first day of July each year, or as soon thereafter as possible, according to the actuarially established contribution rates, and consistent with the percentage rates outlined above. (Resolution 21-2005 & Resolution 25-2005)

Holidays

Designated Holidays:

New Year's Day	(January 1st)
President's Birthday	(Third Monday in February)
Memorial Day	(Last Monday in May)
Independence Day	(July 4th)

Labor Day	(First Monday in September)
Veteran's Day	(November 11th)
Thanksgiving Day	(4th Thursday of November)
The day after Thanksgiving	(Friday following Thanksgiving Day)
Christmas Day	(December 25th)

Employees working on a shift basis in the Police ~~and Fire~~ Departments (including Communication Dispatchers, Community Service Officers, and Records Clerks) shall not be eligible for holidays. (Implemented in 1966)

Members shall receive nine holidays per year which shall be accumulated with vacation credits. If additional holidays are proclaimed by the City Council, members shall receive such additional holidays. (Resolution 9071 indicated ten holidays per year, however, a resolution 9815 was later approved stating Lincoln's Birthday will no longer be observed as a holiday).

~~The holiday normally given for Columbus Day will be changed to the Friday after Thanksgiving Day. (This provision does not include shift personnel). (1979-1980 MOU)~~

~~Lincoln's Birthday will no longer be observed as a holiday; instead the employees will receive an additional floating holiday. (Resolution 9815)~~

When calculating the salary differential of employees on approved temporary military leave authorized in accordance with the City's Military Leave Policy, holidays shall be included (Implemented as a City wide policy, via Resolution 143-2001)

Floating Holidays:

Two additional vacation days are granted to each full-time Sworn Public Safety employee working in the Police Department. These floating holidays are included in the vacation accrual rate at 1.333 hours per month. (Resolution 7516 and Resolution 9815)

Leave Deductions

For Police Officers on either a 3-12 or 4-10 Plan alternative work schedule, leave deductions from appropriate leave banks accruing on the employees behalf, e.g., sick leave, vacation, family medical leave, bereavement leave, etc., shall be entered on the employees time sheets in time increments for such leave taken as is identical to the respective employees work schedule (e.g., an employee on the 3-12 Plan using one full day of vacation shall charge 12 hours to either their accrued vacation balance; and, an employee on the 4-10 Plan, if becoming ill and leaving work after 3 hours on the job, would charge 7 hours to their accrued sick leave balance). (Approved by City Council on April 15, 2008 via Minute Order 041508)

Life Insurance

The City shall provide \$50,000 Life and A.D. & D. Insurance through the City of Porterville Self-Insured Plan for all employees. (Resolution 110-2010)

Military Leave

It is the policy of the City of Porterville to grant military leave of absence as required by applicable State and Federal laws, and to provide certain benefits to employees granted such leave.

Training:

a. An employee who is eligible for military leave for training shall submit a request, in writing, to his/her immediate supervisor for a military leave of absence. Such leave will be granted if the employee provides evidence of the "Ordered Tour of Duty" training notice as soon after receipt as possible. (Implemented as a City wide policy, via Resolution 143-2001)

b. An employee who is required to report for active duty military training shall be compensated for the difference between his/her base salary with the City and military pay, if military pay (taxable income on military pay voucher) is less than his/her salary, for not more than thirty (30) days each calendar year. Said military leave of absence shall be deemed to commence on the date the employee reports for military duty. (Implemented as a City wide policy, via Resolution 143-2001)

Presidential Order

In times of a National Crisis, and upon the issuance of a Presidential Order calling up military reservists, the City Council may, by resolution, extend military leave provisions pertaining to the payment of salary differential, and to the continuance of employment benefits, as herein set forth, or as may be modified at the discretion of the City Council, for a period not to exceed the maximum authorized by law. (Implemented as a City wide policy, via Resolution 143-2001)

Occupational Injury and Illness

Effective April 16, 2015, the Workers Compensation benefit provided by the City to PPOA employees shall be modified to provide no additional benefits other than those required by applicable State law. (Resolution 45-2015)

Retirement

Safety Retirement Formulas

Employees hired before July 1, 2012

3% @55 (Resolution 21-2005)

Employees hired between July 1, 2012 & December 31, 2012

2% @55 (Resolution 63-2011 & 54-2012)

* Employees hired on or after January 1, 2013

2.7% @57 (Adopted via the Pension Reform Act)

*Employees without prior PERS service, prior PERS members with more than a six month break in service with a PERS agency, or previous employees who have withdrawn their pension and have not made arrangements within sixty (60) days of being reinstated to re-deposit it will be placed in the third tier.

Beginning in January of 1982, the City of Porterville contracted with the California Public Employees' Retirement System (PERS) to provide various retirement benefits for its employees. The City began paying the employee contribution on July 1, 1985. The City's Contract with PERS was amended, effective July 1, 1998, to provide the 2% at 50 Retirement Plan for Local Safety Members, and Safety Employees began paying the full employee contribution rate on that date. Effective July 1, 1999, the City began paying the 4% of the Safety Employees' contribution. The employee contribution and earnings, irrespective of who pays them, remain the property of the employee, but may not be withdrawn other than upon retirement or separation from City employment. (Resolution 49-99)

The City Council delegates the City Manager authority to make determination under Section 21023.6, Government Code, on behalf of the Agency, regarding a local safety member's disability and whether such disability is industrial and to certify such determinations and all other necessary information to the Public Employees' Retirement System. (Resolution 9717)

The PERS maintains each employee's account and provides a statement annually of contributions and interest earned. Benefits provided by this retirement program includes survivor benefits, normal retirement benefits, disability retirement and industrial disability retirement for Local Safety Employees. (Resolution 49-99)

Effective 09-01-02, the City of Porterville will pay the 9% monthly Employee Retirement Contribution to the California Public Employees' Retirement System, computed as a percentage of salary, for all full-time Police Series Employees. (Resolution 134-2002)

Effective 07-01-04, the City of Porterville will pay the same portion of the employee's share of the monthly retirement contribution of CalPERS for unrepresented Safety Management employees as other Public Safety employees, computed as a percentage of salary, i.e., 9%. (Resolution 21-2005 & Resolution 25-2005)

It is agreed that the City of Porterville will amend its contract with CalPERS, effective 07-01-06 or as soon thereafter as possible, to provide sworn Police Series employees and unrepresented Police Management with the 3% @ 55 Full Formula Retirement Benefit. (Resolution 21-2005 & Resolution 25-2005)

The City will continue to pay the employee's share of the monthly retirement contribution, computed as a percentage of salary, i.e. 9%. (Resolution 21-2005 & Resolution 25-2005)

Effective 07-01-11, the City's contribution rate for the Public Safety group will increase from 25.893% to 30.382%. To minimize the financial impact to the City, effective 10-01-11, PPOA

employees shall begin paying 9% of the employee's pre-taxed monthly retirement contribution. (Resolution 63-2011)

Effective 07-01-12, PPOA employees shall pay 50% of the employer contribution rate increase for the 2012/2013 fiscal year. (Resolution 63-2011)

Effective 07-01-13, PPOA employees shall continue to pay 9% of the employee's contribution share. (Resolution 63-2011, City Council agreed not to implement 50% of the Employer Contribution rate increase until 1-1-14)

PPOA employees shall continue to pay 0.472% towards the Employer's contribution rate.

Effective July 1, 2015, the City's CalPERS employer contribution rate for Safety increased from 32.507% to 33.563% (an increase of 1.056% from prior year). The City agrees to absorb this rate increase.

The City shall have the right to re-open negotiations on this item if the CalPERS employer contribution rate for Safety increases more than 2% for FY 2016/2017.

CalPERS benefits contracted for tier one and tier two employees include:

Benefit

FC 1 Year –The final compensation is the average full-time monthly pay rate for the highest 12 consecutive months. If the service is coordinated with Social Security, the final compensation will be reduced by \$133.33. (Gov. Code 20042)

Sick Leave Credit- Any unused sick leave days will be converted to service credit at the rate of .004 years of service for each day of sick leave provided there is less than 120 days between the member's separation date and retirement date. (Gov. Code 20965)

Military Stats 76- A member may elect to purchase up to 4 years of service credit for any continuous active military or merchant marine service prior to employment. (Gov. Code 21024)

Retired DB \$500- Upon the death of a retiree, a one-time lump sum payment of \$500 will be made to the retiree's designated survivor(s), or to the retiree's estate. (Gov. Code 21620)

Cola 2%- Beginning the 2nd calendar year after the year of retirement, retirement and survivor allowances will be annually adjusted on a compound basis of 2% maximum. The adjustment may not be greater than the change in the Consumer Price Index. (Gov. Code 21329)

LS Basic Death –Local System service credit will be used in the computation of benefits payable under the Basis Death benefit for all local members who were members of a local retirement system at the time the local system was discontinued. (Gov. Code 21536)

Public Srvc Layoff-A member may elect to purchase up to 1 year of public service credit for periods of lay-off from employment on or after 1/1/84. (Gov. Code 21022)

59 Survivor Benefit Level 4- This benefit is for members who are not covered by Social Security. The 4th Level of 1959 Survivor Benefit is a monthly allowance of \$950, \$1,900 or \$2,280 depending on the number of eligible survivors. (Gov. Code 21574)

Pre-Ret Option 2W-Upon the death of a member who was eligible to retire, the spouse may receive an allowance equal to the amount the member would have received if the member had retired for service retirement on the date of death and elected Option 2W. (Gov. Code 21548)
Military Retiree-Permits certain retired persons to purchase up to 4 years of service credit for continuous active military or merchant marine service prior to employment. (Gov. Code 21027)
DB Continues-Provides the death benefits being paid to a spouse of a member who died prior to retirement will continue in full should the spouse remarry. (Gov. Code 21551)
Peace Corps: VISTA-The member may elect to purchase up to 3 years of service credit for any volunteer service in the Peace Corps or AmeriCorps: VISTA (Volunteers In Service to America). (Gov. Code 21023.5)
Loc Sys Transfer –The assets in the local retirement system were transferred to CalPERS upon the effective date of the contract; applied against the liability for prior service and contributions required by the employee were credited to their account. (Gov. Code 20481)
Prior Service Credit –This is service rendered by the employee prior to the effective date of the contract with CalPERS. (Gov. Code 20055)

Benefits implemented for tier three employees include:

Benefit

FC 3 Year –The final compensation is the average full-time monthly pay rate for three consecutive years. (Gov. Code 20037)

Sick Leave Credit- Any unused sick leave days will be converted to service credit at the rate of .004 years of service for each day of sick leave provided there is less than 120 days between the member's separation date and retirement date. (Gov. Code 20965)

Military Stats 76- A member may elect to purchase up to 4 years of service credit for any continuous active military or merchant marine service prior to employment. (Gov. Code 21024)

Retired DB \$500- Upon the death of a retiree, a one-time lump sum payment of \$500 will be made to the retiree's designated survivor(s), or to the retiree's estate. (Gov. Code 21620)

Cola 2%- Beginning the 2nd calendar year after the year of retirement, retirement and survivor allowances will be annually adjusted on a compound basis of 2% maximum. The adjustment may not be greater than the change in the Consumer Price Index. (Gov. Code 21329)

LS Basic Death –Local System service credit will be used in the computation of benefits payable under the Basis Death benefit for all local members who were members of a local retirement system at the time the local system was discontinued. (Gov. Code 21536)

Public Srvc Layoff-A member may elect to purchase up to 1 year of public service credit for periods of lay-off from employment on or after 1/1/84. (Gov. Code 21022)

59 Survivor Benefit Level 4- This benefit is for members who are not covered by Social Security. The 4th Level of 1959 Survivor Benefit is a monthly allowance of \$950, \$1,900 or \$2,280 depending on the number of eligible survivors. (Gov. Code 21574)

Pre-Ret Option 2W-Upon the death of a member who was eligible to retire, the spouse may receive an allowance equal to the amount the member would have received if the member had retired for service retirement on the date of death and elected Option 2W. (Gov. Code 21548)

Military Retiree-Permits certain retired persons to purchase up to 4 years of service credit for continuous active military or merchant marine service prior to employment. (Gov. Code 21027)

DB Continues-Provides the death benefits being paid to a spouse of a member who died prior to retirement will continue in full should the spouse remarry. (Gov. Code 21551)

Peace Corps: VISTA-The member may elect to purchase up to 3 years of service credit for any volunteer service in the Peace Corps or AmeriCorps: VISTA (Volunteers In Service to America). (Gov. Code 21023.5)

Loc Sys Transfer –The assets in the local retirement system were transferred to CalPERS upon the effective date of the contract; applied against the liability for prior service and contributions required by the employee were credited to their account. (Gov. Code 20481)

Prior Service Credit –This is service rendered by the employee prior to the effective date of the contract with CalPERS. (Gov. Code 20055)

The PERS maintains each employee's account and provides a statement annually of contributions and interest earned. Benefits provided by this retirement program includes Survivor Benefits, normal retirement benefits, disability retirement and industrial disability retirement for Local Safety employees. (Resolution 9730)

1. Survivor Benefits

Death benefits are available to the beneficiary of a PERS member whose death occurs during active employment. Benefits may vary depending upon whether the death is job- related, the employee has at least five (5) years PERS membership, and upon the number of dependent survivors. (Resolution 9730)

2. Normal Retirement

Various options are available to employees at the time of retirement. An employee may apply for credit from other than city employment if PERS has reciprocity with the former system. Five years of membership is the minimum to be eligible for service retirement. Depending upon the option selected at the time of retirement, monthly retirement benefits will vary. Informational brochures as well as counseling on retirement may be obtained through the Personnel Office. (Resolution 9730)

3. Disability Retirement

Miscellaneous and Public Safety employees are eligible after five years of PERS membership for disability retirement for non-work related disabilities which prevent an employee from being able to perform their job. Employees who recover from such disability are eligible for re-employment. (Resolution 9730)

4. Industrial Disability Retirement

Public Safety employees are eligible for Industrial Disability Retirement from the time they become members of PERS. Benefits are paid to employees in this group who become disabled due to job-related causes. (Resolution 9730)

Short Term Disability

Short Term Disability program will be provided and paid for by the employees, if voted in by the employees. (Resolution 69-85)

Sick Leave

1. ~~Regular full time Employees employees working a 5-day week, 8 hours per day schedule~~ shall be credited with 8 hours sick leave for each month of service. ~~(This also applies to employees who work four days per week, 10 hours per day).~~ Sick leave shall be credited to the employee's sick leave accumulation account upon completion of each month ~~with no credit given for any portion of the month.~~ There is no limit on the amount of sick leave which can be accumulated. (Resolution 9672)

2. ~~The Chief of Police or his designee may require a doctor's certificate as proof of necessity if determined to be in the best interest of the City. Sick leave is not a right, but a privilege which an employee may not use at his/her discretion, but shall be allowed only in case as prescribed by these rules. The Department Head may require that an employee be medically examined if determined to be in the best interest of the City. (Resolution 9672)~~

3. Each Department Head is responsible for controlling abuse of the sick leave privilege. (Resolution 9672)

4. In order to receive compensation while absent on sick leave, the employee shall notify his/her immediate supervisor prior to, or within two hours after the time set for the beginning of his/her daily duties (not less than two hours prior to the beginning if their scheduled shift assignment for Police employees). In the event that an employee is incapacitated because of illness or injury to the point the employee is unable to contact his/her supervisor, the employee will cause the supervisor to be notified at the earliest possible moment. The employee may be required to file a physician's certificate with the Department Head, stating the cause of the absence before sick leave with pay will be granted. (Implemented in 1966, amended by City Council on April 15, 2008 via minute order 11-041508)

5. Sick leave may be applied to:

a. An absence necessitated by the employee's personal illness, injury or pregnancy. (Resolution 9672)

b. Medical, dental, and vision office appointments when the employee can not obtain an appointment during off-duty hours, and he/she receives the prior approval of his/her Department Head. (Resolution 9672)

c. Absence due to exposure to a contagious disease when quarantine is imposed by health authorities. (Resolution 9672)

d. An absence of not more than forty (40) hours for employees ~~other than Fire Shift personnel, and fifty-six (56) hours for Fire Shift personnel,~~ for absence necessitated by the death or critical illness of a member of the employee's immediate family. Immediate family includes: father, mother, brother, sister, spouse, child, child's spouse, spouse's mother and father, grandchildren,

and grandparents of the employee. For purposes of this section, a critical illness is defined as illness of such severity that death is imminent or a physician has directed that someone be immediately available to assist the afflicted and/or monitor his/her condition. A “child” means a biological, foster, or adopted child, a stepchild, a legal ward, or a child of a person standing in loco parentis. “Parent” means a biological, foster, or adoptive parent, a stepparent, or a legal guardian. (Resolution 110-2010)

Bereavement leave is to be held separate from sick leave only for the purpose of calculating employee’s 100% attendance. (Resolution 90-89)

e. An absence or absences totaling not more than 48 hours of accrued and available sick leave per calendar year for employees ~~other than Fire Shift personnel, and 67.2 hours for Fire Shift personnel,~~ to attend to an illness whether requiring hospitalization or not, of a child, parent, spouse or domestic partner of the employee. In no event can an employee use more paid sick leave than he/she has accrued. For the purpose of this benefit, “child” means a biological, foster, or adopted child, a stepchild, a legal ward, or a child of a person standing in loco parentis. “Parent” means a biological, foster, or adoptive parent, a stepparent, or a legal guardian. (Resolution 63-2011)

f. Periods of incapacity brought on by illness or injury while on paid vacation to the extent that it exceeds sixteen (16) regularly scheduled work hours in the case of non-shift personnel and 24 hours for shift personnel, such incapacity will be charged to sick leave only under the following conditions:

- i. The incapacity was of a nature that would preclude the effective use of vacation and prevent the employee from performing his/her normal duties with the City.
- ii. The employee must notify his/her supervisor within five (5) calendar days upon returning to work to request that the time be charged to sick leave.
- iii. The Department Head will be under no obligation to extend the vacation beyond the originally scheduled vacation ending date.
- iv. Upon his/her return to work, the employee must give the Department Head a certificate signed by a licensed physician stating the nature of the illness or injury and period of incapacity. A signed personal statement may be accepted in lieu of a physician’s written statement.

(All information from letter f implemented via Resolution 9672)

g. The use of sick leave for other periods of physical incapacity voluntarily induced by the employee, such as recuperation from cosmetic surgery, shall be subject to the determination of the employee’s Department Head and approval of the Human Resources Officer. (Resolution 9672)

h. Service credit at retirement under the California Public Employee's Retirement System Regulations, providing the employee's retirement date is within 120 days from the date of the employee's separation from employment with the City of Porterville. (Resolution 143-2001)

i. Continued accrual of sick leave credit by employees on approved temporary military leave in accordance with the City's Military Leave Policy. (Resolution 143-2001)

6. Sick leave may not be applied to:

a. Absence due to industrial illness or injury incurred while working for an employer other than the City of Porterville. (Resolution 9672)

b. Employee serving their initial six months in the service of the City, except as noted in 5. (e). However, sick leave credits for the time shall be granted only to each such employee who serves beyond the first six months. (Resolution 9081)

c. Disability arising from any sickness or injury purposefully self-inflicted or caused by any of his or her willful misconduct. (Resolution 9081)

d. Sickness or disability sustained while on leave of absence other than his or her regular vacation. (Resolution 9081)

e. Sick leave shall not be used in lieu of or in addition to vacation. (Implemented in 1966)

f. Payment to an employee for unused sick leave time accrued upon termination. Termination of an employee's service shall abrogate all unused sick leave credit accrued by the employee at the time of termination, unless:

i. The employee is eligible for service credit due to retirement in accordance with 5., (h) (Resolution 143-2001)

Or

ii. The employee subsequently re-enters the City's service as a regular employee; or, resumes employment with the City' upon release from active military duty, i.e., at the conclusion of temporary military leave authorized in accordance with the City's Military Leave Policy. (Resolution 143-2001)

Strategic Retirement Advisors

The City will contract with Strategic Retirement Advisors, LLC to provide employees represented by PPOA with an additional investment advisor vendor. (Resolution 63-2011)

Vacation

1. Regular full-time Sworn Police Department Public Safety Employees, working on a shift basis, shall accrue vacation time in accordance with the following (all regular holidays and two floating holidays are included):

Years of Service	Hours Accrual Per Month of Service	Annual Accrual	Max Accumulation
1-5	14.00	168	208
6-15	17.33	208	248
Over 15	20.66	248	288

2. ~~Regular full-time Sworn Fire Department Public Safety Employees, and~~ Sworn Police Department Public Safety Employees, working on a non-shift basis, shall accrue vacation time in accordance with the following (three floating holidays are included):

Years of Service	Hours Accrual Per Month of Service	Annual Accrual	Max Accumulation
1-5	8.66	104	120
6-15	12.00	144	160
Over 15	15.32	184	200

3. Vacation accrual may be accumulated to not more than the appropriate maximum accumulation, except:

a. Upon the written request of the employee's Department Head and approval of the Human Resources Officer (Resolution 143-2001).

b. Employees on approved temporary military leave in accordance with Section III., J., may accumulate accrued vacation in excess of their maximum accumulation and at their rate of accrual at the time of reporting to active duty, providing such accrual in excess of the maximum does not exceed that which would be accrued in 180 days. (Resolution 143-2001)

4. Use of Vacation Time:

a. It is the intent that vacation time be used in time increments sufficiently long enough to permit the employee an adequate period of rest. ~~The use of vacation time in less than weekly increments is to be discouraged.~~ In no event may vacation be taken in increments of less than one-hour nor for a period exceeding the number of accrued whole days except upon the recommendation of the Department Head. With the written recommendation of the Department Head and approval of the Human Resources Officer, a permanent employee may incur a negative vacation balance of up to five (5) days, ~~or 4.6668 shifts for Fire Department personnel.~~ (Resolution 9672)

b. Vacations shall be taken at a time ~~determined~~authorized by the Department Head or his/her designee with due regard for the wishes of the employee and particular regard for the needs of the city. (Resolution 9672)

c. Employees are not eligible to use accumulated vacation time until they have completed six (6) months of continuous service. Employees who terminate before completion of six (6) months of continuous service shall be entitled vacation or pay up to the amount earned as of the date of separation. (Resolution 9815)

d. No person shall be paid for accrued vacation without the approval of the Human Resources Officer. (Resolution 9672)

e. In the event one or more holidays fall within an annual vacation leave, such holidays shall not be charged as vacation leave. (Resolution 9672)

f. Regardless of salary range, employees may voluntarily donate their accrued vacation time to other employees who are experiencing a catastrophic event and have exhausted all leave balances. In no circumstances shall the vacation leave of the employee who is donating the leave incur a negative balance, nor shall the leave balance fall below a sufficient number of hours (40) to cover unanticipated emergencies of the donator. (Resolution 110-2010)

5. Police Department Vacation Scheduling:

Whenever feasible, member's regularly scheduled days off will not be charged against vacation time, i.e., vacation could be credited to time preceding or following, or both, a member's regularly scheduled days off. (Resolution 9071)

Vacation time off will be scheduled on the basis of seniority and staffing requirements. (Resolution 160-2003)

Initial vacation requests shall be completed in January and will be selected by seniority. After the yearly shift selection has been completed, officers will have the opportunity, by seniority, to select a one, two, or three week continuous block of vacation. After all officers on the schedule have had the opportunity to select a block, the process will be repeated until all initial requests have been scheduled. All selections must allow for proper staffing of shifts. (Approved April 15, 2008)

After the initial vacation selection has been completed, and throughout the remainder of the yearly schedule, vacations shall be on a first come, first serve basis, approval of which will also be subject to staffing needs. (Approved April 15, 2008)

Vacation Sell-Back

Subject to IRS regulations, PPOA employees with at least five years of peace officer service with the City of Porterville shall have the opportunity to sell back up to forty (40) hours of vacation time provided a balance of at least forty (40) hours remains on account after said sell back. Said

sell back shall occur once per year, during the second pay period of October. In the event of a catastrophic event of a PPOA employee, the Chief of Police may authorize a sell back to said employee at any time during the fiscal year. (Resolution 45-2015)

OTHER MATTERS

Advisory Arbitration of Grievances

The City agrees to amend the City of Porterville Personnel System Rules and Regulations, Rule XIV- Complaint and Grievance Procedure, for all Police Series Employees, to wit:

4. Grievance Procedure:

Any employee in the City Service shall have the right to grieve any action as defined in Rule XIV, Section 2., C, "Definition of Grievance."

Step 1: The employee shall inform his/her supervisor of the grievance and relevant facts within fifteen (15) calendar days after the employee knew, or in the exercise of reasonable diligence should have known, of the events giving rise to the grievance. Failure to complete this procedure shall bar further consideration of the grievance. At least one conference shall be held between the employee, his/her union representative, and his/her immediate supervisor within seven (7) calendar days after the employee has experienced the grievance. The immediate supervisor shall advise the employee of his/her decision within seven (7) calendar days following the conference. If the grievance is not resolved by the conference, the employee may proceed to Step 2. If the immediate supervisor is not available during the seven (7) calendar day period, the employee should meet with the next level of supervision.

Step 2: In the event the grievance is not resolved in Step 1, the employee and his/her union representative shall put the grievance in writing and submit copies to his/her immediate supervisor, department head, and the Personnel Officer, not later than seven (7) calendar days. All parties willing, a conference time may be mutually agreed upon to explore the matter further within seven (7) calendar days of receipt of the written decision. At this conference, both parties may be accompanied by a representative.

Step 3: Should the matter remain unresolved, the grievance may be submitted within seven (7) calendar days after written receipt of the department head's decision to the Personnel Officer.

Step 4: Upon receiving the grievance, the Personnel Officer or his/her designated representative shall discuss the grievance with the employee, his/her union representative, and all other appropriate persons. The Personnel Officer may appoint a fact-finding committee or an officer, not in the normal line of supervision, to investigate and advise him concerning the grievance. The Personnel Officer shall render a decision in writing to the employee within fifteen (15) calendar days after receiving the grievance.

Step 5: In the event the Grievant or the Association is not satisfied with the result at Step 4, it may, within fifteen (15) calendar days of completion of the Step 4 proceedings, submit the grievance to advisory arbitration. The arbitration proceedings shall follow the provisions of the Voluntary Labor Arbitration Rules of the American Arbitration Association. If the grievant is satisfied with the result at Step 4, or another prior level, the Union (Association) is barred from instituting the arbitration procedures under this Agreement. If the parties do not agree on a particular arbitrator, the parties shall request a list of seven (7) arbitrators from the California State Mediation and Conciliation Services who are familiar with City Government. The parties shall alternately strike names until only one name remains. The order of striking shall be determined by a toss of a coin.

The arbitration shall be limited solely to the interpretation and application of this Agreement to the precise issue(s) submitted for arbitration. The arbitrator shall not determine any other issue(s) to the extent that the language of the Memorandum of Understanding is the same as the language of the statutory or regulatory provision. The arbitrator shall not apply an interpretation to the Memorandum of Understanding that is different from the meaning of the statutory regulatory language, in the absence of clear bargaining history indicating that a different meaning was mutually intended.

The arbitrator shall have no power or authority to hear cases challenging any of the following:

1. The termination of services or failure to re-employ a probationary employee.
2. The placement of an employee on probationary status.
3. The termination of services or failure to re-employ any employee in a position for which extra compensation is received.
4. The contents of the employee's evaluation.
5. The City's promulgation of rules, policies.
6. A decision, action, or inaction of the City if such is required by state and federal regulatory body or court.
7. Any grievance occurring before the effective date of this Agreement or after the expiration of the Agreement.

The arbitrator shall, as soon as possible, have a hearing on the merits of the grievance and render a written decision on the precise issue or issues submitted to the arbitration by the parties.

1. If the parties cannot agree upon a submission agreement, the arbitrator shall determine the issues for the parties by referring to the written grievance and the answers thereto at each step of the grievance.
2. Where the City has made a judgment involving the exercise of discretion, the arbitrator shall review such decision solely to determine whether the decision has violated the Agreement and shall not substitute the arbitrator's judgment for that of the City.
3. The arbitrator shall not issue statements of opinion or conclusions not essential to the determination of the precise issue(s) submitted to arbitration.
4. Where there is an issue of arbitrability, the arbitrator shall hear the matter and render a decision for the parties before hearing the merits of the grievance.
5. The arbitrator shall not add to, subtract from, amend, modify, or alter any provisions or procedures contained in this Memorandum or Understanding.

6. The arbitrator's advisory award may include restitution, financial reimbursement or other proper remedy.
7. The award of the arbitrator will be submitted to the parties in writing and will set forth the findings of fact, reasoning, and conclusions on the precise issues submitted. The decision shall be rendered within thirty (30) calendar days to the City and the Association following the submission of closing briefs, unless mutually agreed otherwise by the parties to this Memorandum of Understanding and the arbitrator during the arbitration proceeding.
8. The decision of the arbitrator shall be advisory upon the parties and shall be reviewed by both parties.

Each party shall be responsible for the cost of presenting its own case to the arbitrator. The costs for the services of the arbitrator, including per diem expenses, if any, travel and subsistence expenses, the cost of a hearing room and any transcript costs will be equally shared between the parties. All other costs will be borne by the party incurring them.

Step 6: If the employee or the City does not agree with the decision reached by the Advisory Arbitrator, either party may present the grievance to the Grievance Appeals Board by a written request to the Personnel Officer. Such Grievance Appeals Board shall consist of one (1) Council person selected by the City Council, one (1) City employee appointed by the aggrieved employee and/or his/her union representative, and one (1) member of the public at large selected by mutual agreement between the member selected by the City Council and the applicable employee organization. The term of office for members of the Grievance Appeals Board shall be for the duration of the grievance. The Grievance Appeals Board shall discuss the grievance with the employee and all other appropriate persons. The Grievance Appeals Board shall determine their own hearing procedure and scheduling. The decision of the Grievance Appeals Board shall be final.

5. General Provisions

- a. No retribution or prejudice shall be suffered by employees making use of the grievance or complaint procedures by reason of such use.
- b. Forms for filing and processing grievances and other documents necessary under these procedures shall be available from the Personnel Office. All documents, communications, and records dealing with the process of grievances shall be filed separately from personnel files.
- c. Failure at any step of this procedure to communicate the decision on the grievance within specified time limits shall permit the aggrieved employee to proceed to the next step.
- d. The grievant shall be entitled to be present at all steps of the procedure.
- e. Beginning with Step 1, either party may be represented by a representative of his/her choosing.
- f. Failure at any step of this procedure to appeal a decision on a grievance within specified time limits shall be deemed acceptance of the decision rendered and shall constitute an irrevocable waiver of any further appeal.
- g. The time limits specified at any step in this procedure may be extended by mutual agreement.

- h. Written notices to employees, at the option of the City, may be delivered personally or by mail addressed to the employee's last residence on record with the City.
 - i. All grievances and complaints should be treated as confidential by all parties concerned, until after the final decision has been rendered.
- (Grievance Procedure, Resolution 25-2005).

Alcohol and Drug Abuse Policy

The Alcohol and Drug Abuse Policy shall be amended to require, in a standardized format, written acknowledgement from each employee of the City of Porterville certifying that they have received a copy of the policy and have read and understand said policy to the best of their ability. A copy of the standardized format for providing written acknowledgement shall be attached to the Alcohol and Drug Abuse Policy. (Approved by City Council on April 21, 1991 via minute order 13-042192)

Local Housing Assistance Program

PPOA employees shall be eligible to receive a \$10,000 loan from the City for use in the purchase of a home within the City of Porterville. Said loan shall have an annual interest rate of 3.0%, and program participants shall enter into a contract with the City for a period of ten (10) years. After contract execution, and upon successful completion of each year of employment with the City, \$1,000 shall be forgiven from said loan. After the completion of 10 years of employment, said loan, including all interest, shall be deemed satisfied and paid in full. The loan shall be secured by a promissory note and applicable documents recorded against the subject real property. In the event a program participant separates, either voluntarily or involuntarily, the remaining balance owed at that time of separation (calculated to the nearest month), including interest, shall be due and payable to the City within three (3) months or upon the sale of the real property, whichever comes first.

Homebuyers Assistance Program

~~Members of the Association desire to implement an incentive program that will not only attract experienced individuals, but will also provide an opportunity for commuting employees to live within the Porterville City limits.~~

~~The City acknowledges the benefit of such a program, and will research different approaches on how to implement a Homebuyer's Assistance Program for PPOA members. (Resolution 32-2010)~~

Layoff Procedure

1. Purpose

To provide a means by which employees are to be reduced in position or laid off when a reduction in force occurs from lack of work, lack of funds, or abolishment of a position.

2. Reduction of Force

Whenever the City Council determines, in its discretion, that for reasons of lack of work, lack of funds, or abolishment of a position, a reduction in the number of employees of the City is required, the Personnel Officer shall proceed with such a reduction in force by a reduction in position and/or layoff in accordance with the provisions in this Section. In a layoff situation, the following order of layoffs shall be followed:

- Temporary employees in the affected class
- Provisional employees in the affected class
- Limited term employees in the affected class
- Probationary employees in the affected class
- Part-time employees in the affected class
- Permanent employees in the affected class

3. Reduction in Position (Family of Positions)

When a reduction in force involves a position that is included within a family of positions, each employee holding such position shall be ranked, based upon his/her length of service with the City. The employee holding such position having a lesser length of continuous service shall be reduced to the next lower position within the said family of positions. Whenever two or more employees have identical length of service in class, status in class, the appointing authority will consider the following factors regarding the which employee will be reduced first: (1) performance rating; (2) length of employment with the City of Porterville; (3) total law enforcement experience; and (4) rank in hire in class. ———status, the employee with the lowest performance rating shall be reduced in position first. All persons reduced shall have their names placed on the class reinstatement eligibility list. An employee in a class proposed to be reduced in position may request, subject of the City Manager, a reassignment to a lesser position in the related family of positions.

4. Reduction in Position (Positions not included within a family of positions)

Where an ordered reduction in force involves a position which is not included within a family of positions, and whether or not one or more individuals are employed in such class, employees with the least continuous City service shall be laid off first, with exception that those employees who have previously held permanent status in a lesser position may re-assume the position previously held providing they have not experienced an intervening interruption to continuous City service, and have remained qualified to re-assume the duties of such previous position.

5. Subsequent Reduction in Position

Where one or more employees have been reduced in position to a lesser position, the incumbent employee or employees holding the lesser positions shall be subject, in turn, to the same reduction in position process. Where an employee holding a position which is ranked last in a family of positions, or holds a position not in a family of positions and is ineligible to exercise the prior permanent status reduction in position provision, is pre-empted from such position by reason of this process, and he/she shall be laid off from the City's service in accordance with the notification provision of this Section.

6. Salary Determination

An employee who is reduced in position, as previously defined, shall be placed in the salary range of the lesser position at the step closest to the salary held in the former position.

7. Re-Employment List

An employee who is reduced in position, or who is laid off by reason of a reduction in force accomplished pursuant to this Section, shall automatically have his/her name placed on a re-employment list for the position which he/she formerly held. The ranking of names upon such re-employment list shall be in accordance with the employee's length of service with the City in that position. Such re-employment lists shall have priority for a period of two (2) years over any other eligibility list for such affected position, providing, however, that employees not reinstated within six (6) months after being laid off must pass a pre-employment physical examination prior to reinstatement.

8. Payoff of Accruals Upon Layoff

Laid-off employees are to be paid for all accrued holiday and vacation time when separated as a result of an ordered reduction in force. The sick leave accruals of such employees will remain on the books and will be reinstated if the employee is re-employed in a permanent position with the City of Porterville within two (2) years from the date of separation.

9. Restoration of Length of Service

Upon re-employment following an ordered reduction in force, an employee will have his/her length of service restored.

10. Non-Discrimination in Reduction in Force

Reduction in positions and layoffs, which result from a reduction in force, shall be made without regard to an employee's race, color, national origin, religion, sex, age, citizenship, or physical disability.

11. Notice of Reduction in Position or Layoff

The Personnel Officer shall provide each employee directly affected by a reduction position or layoff process with a written notice at least thirty (30) days prior to the effective date of the action. The notice shall include the:

- Reason for reduction in position or layoff.
- Class(es) to which the employee may be reduced, if any.
- Effective date of the action.

Upon receipt of a notice of a reduction in position, the affected employee must respond in writing to the Personnel Officer within ten (10) calendar days from receipt of said notice declaring his/her intention to either comply with the reduction in position process or be placed on the appropriate re-employment list.

12. Families of Positions

The following positions are involved in varying degrees with responsibility of:

Administrative (Family A)

Administrative Analyst II
Administrative Analyst I
Administrative Aide

Clerical (Family B)

Deputy City Clerk
Secretary to the City Manager
Secretary
Clerical Assistant III
Clerical Assistant II
Clerical Assistant I
Clerical Assistant Trainee

Human Resources (Family C)

Human Resources Aide
Human Resources Assistant

Library Assistant (Family D)

City Librarian
Library Supervisor
Library Assistant
Library Assistant Trainee

Police - Sworn (Family E)

Police Captain
Police Lieutenant
Police Sergeant
Police Officer

Police – Non-Sworn (Family F)

Police Services Supervisor
Property and Evidence Officer
Community Services Officer II
Community Services Officer I

Communications (Family G)

Senior Communications Dispatcher
Communications Dispatcher/Senior Records Clerk
Records Clerk

Fire Suppression and Prevention (Family H)

Assistant Fire Chief/Fire Marshal
Fire Captain
Fire Lieutenant

Fire Engineer
Firefighter

Fiscal Activities (Family I)

Assistant Finance Director
Accountant II
Accountant I
Accounting Technician/Utility Billing Supervisor
Account Clerk III
Account Clerk II
Account Clerk I

Procurement (Family J)

Purchasing Agent
Bookkeeper

Engineering (Family K)

City Engineer
Principal Civil Engineer
Associate Engineer
Assistant Engineer
Public Works Inspector
Engineering Specialist III
Engineering Specialist II
Engineering Specialist I

Inspection (Family L)

Chief Building Inspector
Building Inspector II
Building Inspector I

Planning (Family M)

City Planner
Associate Planner
Assistant Planner
Planning Technician

Development (Family N)

Development Manager
Development Associate

Parks (Family O)

Parks Superintendent
Parks Supervisor
Parks Maintenance Worker III
Parks Maintenance Worker II

Parks Maintenance Worker I

Leisure Services (Family P)

Leisure Services Superintendent

Leisure Services Supervisor

Field Services (Family Q)

Field Services Manager

Field Services Superintendent/Water Utility Superintendent

Field Services Supervisor (Streets, Refuse, Traffic Control, Water)

Field Services Worker III

Field Services Worker II

Meter Reader

Field Services Worker I

Field Services Worker Trainee

Equipment Repair (Family R)

Field Services Shop Superintendent

Field Services Shop Supervisor

Mechanic II

Mechanic I

Mechanic Assistant

-- **Wastewater (Family S)**

Wastewater Utility Superintendent

Industrial Waste Inspector II

Industrial Waste Inspector I

Wastewater Treatment Facility Operator III

Wastewater Treatment Facility Operator II

Wastewater Treatment Facility Operator I

Wastewater Treatment Facility Operator Trainee

Laboratory (Family T)

Laboratory Supervisor

Chemist II

Chemist I

Laboratory Technician III

Laboratory Technician II

Laboratory Technician I

Laboratory Attendant

(Resolution 74-2000)

Survey

The City and PPOA are in agreement that the City shall conduct a survey of mutually agreed-upon regional public agencies for the purposes of being competitive in the recruitment and retention of peace officers. The parameters for said survey and any associated salary increases

shall be negotiated during the 2015/2016 negotiations. The City shall commence undertaking the survey upon reaching an agreement with PPOA as to its parameters. (Resolution 45-2015)

The City and PPOA employees agree that a new salary schedule would be mutually beneficial for the recruitment and retention of sworn law enforcement personnel. The parties agree to negotiate same during the next meet and confer session

Travel and Conference Expenses

Travel and Conference Expenses policy adopted on February 15, 1994 via Resolution 9-94. For details see Administrative Policy II-E-1.

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 PPOA. All other terms and conditions previously negotiated shall remain in full force and effect. Each of the previously agreed upon terms and conditions shall be set out in a comprehensive Memorandum of Understanding.



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Approval for Community Civic Event - Rotary Club of Porterville - 5K/10K Run - April 2, 2016

SOURCE: Finance

COMMENT: Rotary Club of Porterville is requesting approval to hold a 5K/10K run on Saturday, April 2, 2016, from 6:00 a.m. to 12:00 p.m. This event will help fund the Veteran's Memorial to be constructed on the Porterville College campus. The run will start and finish at the Porterville College. In conjunction with the event, the applicant is requesting the closure of E. College Avenue from Pioneer Middle School to Plano Street. The Transit Manager has expressed concern with this request as the event coincides with the Porterville College Swap Meet. Transit Route 4 services the swap meet and has very high ridership on Saturday mornings. The closure of the street would cause major issues with Route 4. Staff therefore does not recommend the closure of E. College Avenue for the event.

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

RECOMMENDATION: That City Council approve the Community Civic Event Application and Agreement from Rotary Club of Porterville, except for the street closure, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

Anita fin-pur@ci.porterville.ca.us
CITY OF PORTERVILLE

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



(Incomplete applications can delay permit process)

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

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

Application date: 2/2/16 Event date: 4/2/16
Event time: 6:00 am - 12:00 pm

Name of Event: Rotary Club of Porterville 5K/10K Run

Sponsoring organization: Rotary Club Phone # 784-4045

Address: 831 W. Morton Ave., Porterville, CA 93257

Authorized representative: Greg Meister Phone # 661-364-6346

Address: 1056 Lotus Pl., Porterville, CA 93257

Event chairperson: Greg Meister Phone # 661-364-6346

Location of event 1051 S. Plano St. Porterville, CA 93257

(Location map must be attached)

Type of event: 5K/10K Run

Non-profit organization status: Yes BL # 00462

(IRS Determination)

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

Barricades (quantity): N/A Street sweeping Yes No ✓

Police protection Yes No ✓ Refuse pickup Yes No ✓

Other:

Parks facility application required: Yes No ✓ Attached

Assembly permit required: Yes No ✓ Attached

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

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

CITY OF PORTERVILLE

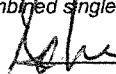
APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

What constitutes a Community Civic Event?

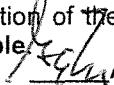
A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted **NO LESS THAN 30 DAYS PRIOR** to the date of the event in order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

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

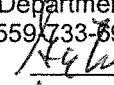
Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise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

 Authorized Representative Initials

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

 Authorized Representative Initials

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

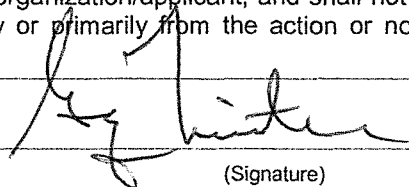
 Authorized Representative Initials

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

 Authorized Representative Initials

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.

Rotary Club of Porterville
(Name of Organization)


(Signature)

2/1/16
(Date)

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

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.**

[illegible]

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

CITY OF PORTERVILLE

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

Name of event: Rotary Club of Porterville SK/10K Run

Sponsoring organization: Rotary Club of Porterville

Event date: 4/2/16 Hours: 6:00 am - 12:00 pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
E. College Ave.	Pioneer School BUS STOP	Plano	SK/10K Run
"From the bus stop at Pioneer Middle School east to Plano St. for thru traffic"			
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Parking lots and spaces</u>	<u>Location</u>	<u>Activity</u>	

Requirements for Community Civic Event
Rotary Club of Porterville
April 2, 2016

Finance Director:
M. Bemis

Public Works Director, Acting:
M. Reed

Community Development Manager: No comments.
J. Phillips

Field Services Manager:
B. Styles

Fire Chief:
G. Irish

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

Police Lieutenant: Please see conditions/requirements
C. Contreras in Exhibit B.

Administrative Services Director: Please see Exhibit A, page 2.
P. Hildreth Risk Management will require the usual
 liability waiver for all participants.

Requirements for Community Civic Event

Sponsor: Rotary Club of Porterville
Event: 5K/10K Run
Event Chairman: Greg Meister
Location: Porterville College
Date of Event: April 2, 2016
Time of Event: 6:00 a.m. to 12:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

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.

PORTERVILLE POLICE DEPARTMENT

Conditions/Requirements for Special Event

Porterville Rotary Club 5K / 10K Run April 2nd, 2016

- ▶ Aid stations and check points must be out of the roadway and not in a position to interfere with traffic.
- ▶ Staff at aid stations and check points should have a means of communication by which they may summon assistance in the event of an emergency.
- ▶ Event staff on the race route should wear highly visible attire.
- ▶ Participants should be directed to stay to the side of the roadway and not disrupt the normal flow of traffic.
- ▶ Event organizers should contact the Police Dept. (Special Events Coordinator) to obtain police support and/or assistance, with the goal of ensuring a safe event. Please contact Sergeant Carl Jordan at 782-7408 if you have any questions or require further assistance.

Chris Contreras, Lieutenant
Porterville Police Department

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: Greg Meister
1056 Lotus Pl. Porterville, CA 93257
- 2 Address where amplification equipment is to be used: 1051 S. Plano St.
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Greg Meister
or other Notarian yet T.B.D.
- 4 Type of event for which amplification equipment will be used: 5K/10K Run
- 5 Dates and hours of operation of amplification equipment: 4/2/16 6:00am - 12:00pm
- 6 A general description of the sound amplifying equipment to be used: Portable table-top for
announcing runners

Section 18-9

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

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

2/1/16
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.

City of Porterville, Chief of Police/Designee

2-3-16
Date



CERTIFICATE OF LIABILITY INSURANCE

7/1/2016

DATE (MM/DD/YYYY)

02/01/2016

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

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

PRODUCER LOCKTON COMPANIES 500 West Monroe, Suite 3400 CHICAGO IL 60661 (312) 669-6900	CONTACT NAME: Lockton Companies	
	PHONE (A/C, No, Ext): 1-800-921-3172	FAX (A/C, No): 1-312-681-6769
	E-MAIL ADDRESS: Rotary@lockton.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Westchester Fire Insurance Company	10030
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

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

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

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

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

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

CERTIFICATE HOLDER

City of Porterville
Successor Agency to the Porterville
Redevelopment Agency
291 N. Main St.
Porterville, CA 93257

RE: Rotary Club of Porterville 5k/10k 4/2/2016

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

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

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

RE: Rotary Club of Porterville (CA)
5K/10K Run, April 2, 2016

Where required by written contract provided that such was executed prior to the date of loss per schedule on file with Lockton Companies.

This endorsement is only valid when additional insured information is completed including name and address.

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

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

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

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

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

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

whichever is less.

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



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C).

SOURCE: Community Development

BACKGROUND:

On December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 ZA, while under Tulare County jurisdiction, by Zoning Administrator Decision No. 2987, to expand an existing religious facility (Sikh Center) on a 4.86 acre parcel located at 1250 W. North Grand Avenue. On November 18, 2010, the Tulare County Zoning Administrator approved Extension of Time No. EOT 10-008 for a two-year extension of time through December 31, 2012. On January 23, 2013, the Tulare County Planning Commission granted Extension of Time No. EOT 12-010 for an additional two-year extension through December 31, 2014. On January 14, 2015, the Tulare County Planning Commission approved Extension of Time No. EOT 14-008 for a third two-year extension through December 31, 2016, for said development.

Annexation 474, which became effective July 14, 2015, incorporated the neighborhood that includes the subject property. City staff had been working with the applicant regarding a proposed annexation since February 2009, when the project first came to Planning Review Committee (PRC) to discuss the project. At that time, as now, the project had active entitlements from the Tulare County Planning Commission. Staff determined that Modification No. 1 to County Special Use Permit (PSP 08-004 ZA) would be appropriate to incorporate City standards while honoring the entitlements provided by Tulare County.

COMMENT: On December 16, 2015, the applicant met with PRC to discuss the proposed three-phased Sikh Center expansion project which includes a new sanctuary, dining hall, classrooms, and caretakers unit (PRC-2015-038). The first phase includes the construction of a 4,385 sq. ft. sanctuary designed with harvest gold stucco finish with stone veneer columns, as well as an entry feature water fountain. The first phase of the project would require 62 parking stalls with an improved parking lot, landscape islands, open space, trash enclosure, and fire hydrant. The second phase includes a 2,600 sq. ft. dining hall with kitchen and additional landscape area. The third and final phase includes a 7,200 sq. ft. classroom unit, additional landscape area, and replacement of the existing manufactured home with a new 2,000 sq. ft. caretaker's unit with a two-car garage. The northern portion of the parcel (approximately one acre) would remain undeveloped, but would have access from Baker or Westside Street.

As a condition of approval, the applicant shall be required to comply with Ordinance No. 1830, as it relates to water conservation and landscaping irrigation. Natural turf is prohibited in commercial and industrial zone districts. The project site is located within the Neighborhood Commercial (CN) zone district. However, when the City Council finds that a logical and substantiated need exists for natural turf, a conditional use permit may be approved with conditions specifying the reason natural grass is deemed necessary by the applicant. The applicant is requesting that the City Council allow natural turf in compliance with Ordinance No. 1830. The applicant specified that the Sikh Center facility is a place of worship and gathering that includes outdoor activities. Natural turf will provide an area for physical activities which are an essential part of an individual's and congregation's efforts to stay healthy, develop social ties, share experiences, socialize, and build a community bond. The total landscaping area provided is approximately one acre (43,339 sq. ft.). The applicant is requesting Council approval to be permitted to install approximately a quarter acre (10,834 sq. ft.), approximately 25% of the overall landscape, with warm season grasses.

Pursuant to condition number 17 of PSP 08-004 ZA, the subject site was not required to have solid masonry walls separating the non-residential use from the adjacent residential use, but required the project to have landscaping around the perimeter of the site to mitigate noise, glare, and provide aesthetics in lieu of the block wall. Pursuant to Section 300.10 (e), Screening, of the Porterville Development Ordinance, a six-foot high wall shall be provided on the interior lot line where any non-residential use abuts a residential district or residential use. Those uses subject to a Conditional Use Permit may be evaluated to determine applicability of the wall requirement.

ANALYSIS: The applicant shall be subject to the conditions and limitations set forth under Special Use Permit No. PSP 08-004 ZA, unless otherwise stated within the draft Resolution. Where conflicts occur between the County's and the City's conditions and regulations, the more restrictive provision shall prevail. Staff re-evaluated the County's parking requirements to be in compliance with the Porterville Development Ordinance (PDO) and the San Joaquin Valley Air Pollution Control District (SJVAPCD).

On December 31, 2008, when the applicant was granted the Special Use Permit, the subject site was located within the City of Porterville Urban Development Boundary designated for R-1 Zoning (One-Family Zone) which allowed churches, conducted wholly within the buildings, with review and approval of a conditional use permit on lots three acres or more in size. The location, size, density, and operating characteristics of the proposed project are consistent with the purposes of the for R-1 (One-Family Zone) zoning district of the 2008 City of Porterville Zoning Code. A modification to the County Special Use Permit would be equivalent to the process for review of a Conditional Use Permit application whereas it is designed to evaluate possible adverse impacts and to minimize them where possible through the imposition of specific conditions.

It is not anticipated that this use would have a negative impact on the surrounding properties. The applicant is conditioned to operate the church facility in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance, and to operate the facility in compliance with all laws, ordinances, and regulations.

ENVIRONMENTAL REVIEW:

On December 31, 2008, the Tulare County Zoning Administrator found no substantial evidence that the proposed Special Use Permit will have a significant effect on the environment and determined that the Negative Declaration for said use permit has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970. The Zoning Administrator reviewed and considered the information contained in the Negative Declaration for the proposed project together with any comments received during the public review process prior to taking action on the Special Use Permit.

On December 23, 2015, the Environmental Coordinator made the determination that, as directed by §15162 of the CEQA Guidelines, no further environmental review is merited because the proposed project modifications would not result in additional or substantially increased environmental effects.

RECOMMENDATION: That the City Council adopt the draft resolution approving Modification No. 1 to County Special Use Permit PSP 08-004 ZA (PRC 2015-038-C) to allow for the development of a three-phased Sikh Center expansion project.

ATTACHMENTS:

1. Locator Map
2. Zoning Map
3. Site Plan
4. Floor Plan
5. Elevation Plan
6. County Referral Letter 2008
7. County PSP 08-004 ZA
8. Draft Resolution

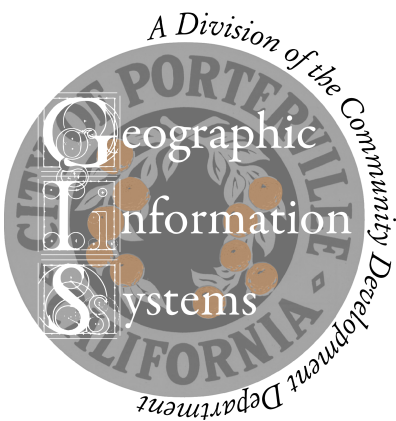
Appropriated/Funded:

Review By:

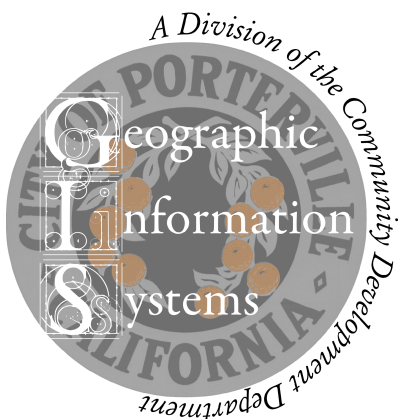
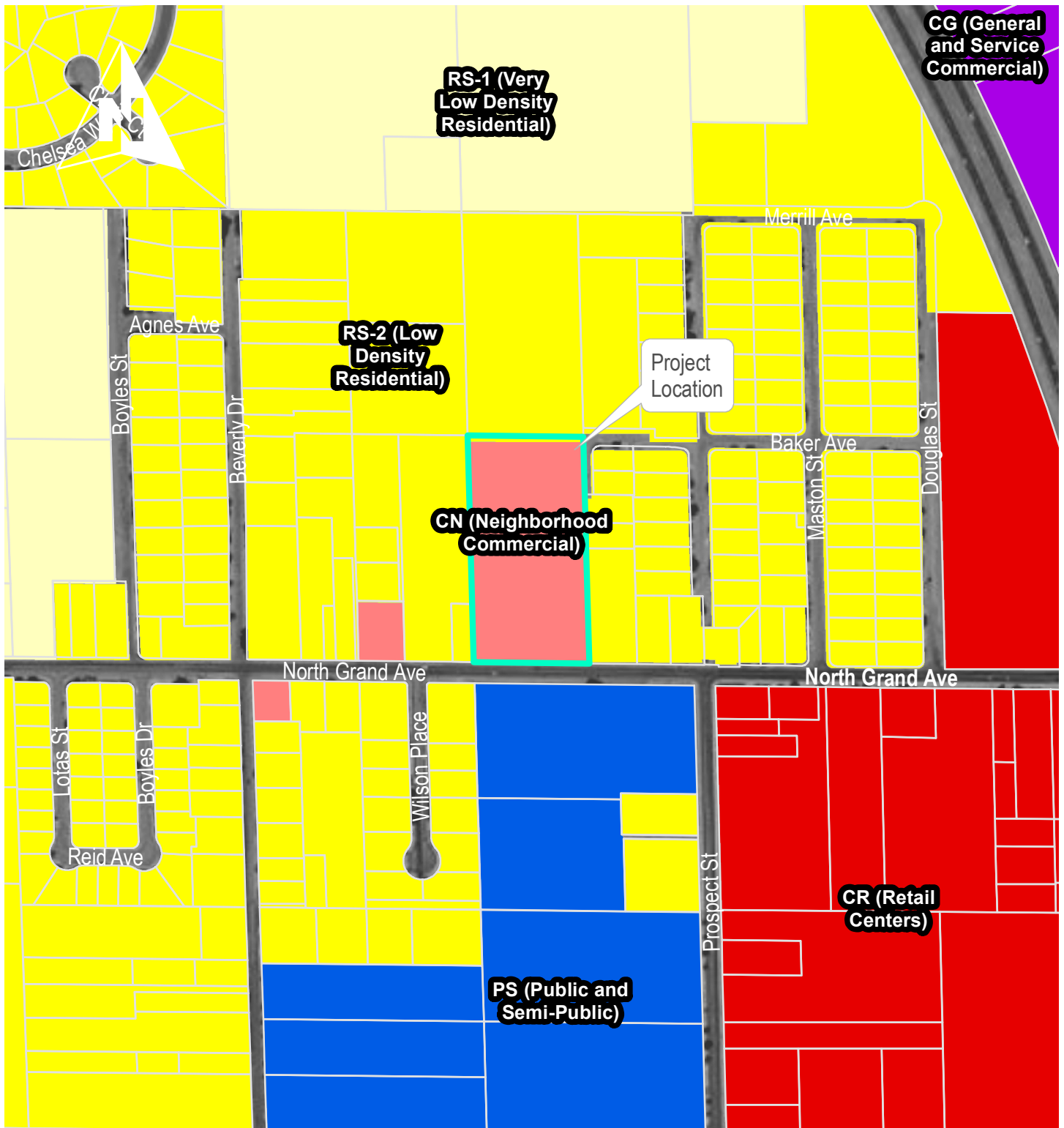
Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



PRC 2015-038
 Proposed 3 Phase Sikh Temple
 @ 1250 W North Grand
 Project Locator Map
 1" = 400 ft.



PRC 2015-038
 Proposed 3 Phase Sikh Temple
 @ 1250 W North Grand
 Zoning Land Use Map
 1" = 400 ft.

HILLMAN BUILDING DESIGNERS

SPECIALIZING IN CUSTOM DESIGNS

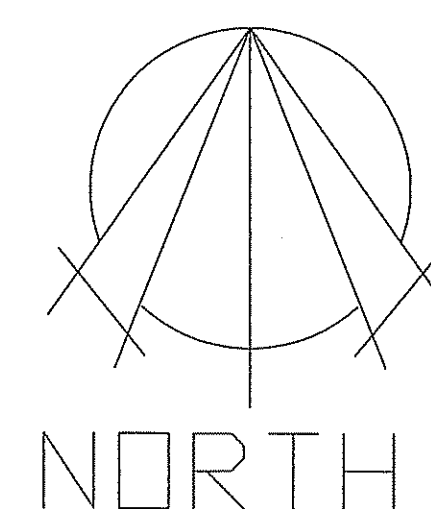
SINCE 1970
34583 Hwy. 190 Springville, CA 93265
Tel. (559) 781-1538

HECTOR TELLEZ ARCHITECT
LIC. C16430

PROPOSED NEW DEVELOPMENT FOR:
SIKH CENTER-PORTERVILLE

DATE	1-11-16
SCALE	AS SHOWN
DRAWN	MH
NOB	12017
SHEET	

A1.1



SITE PLAN

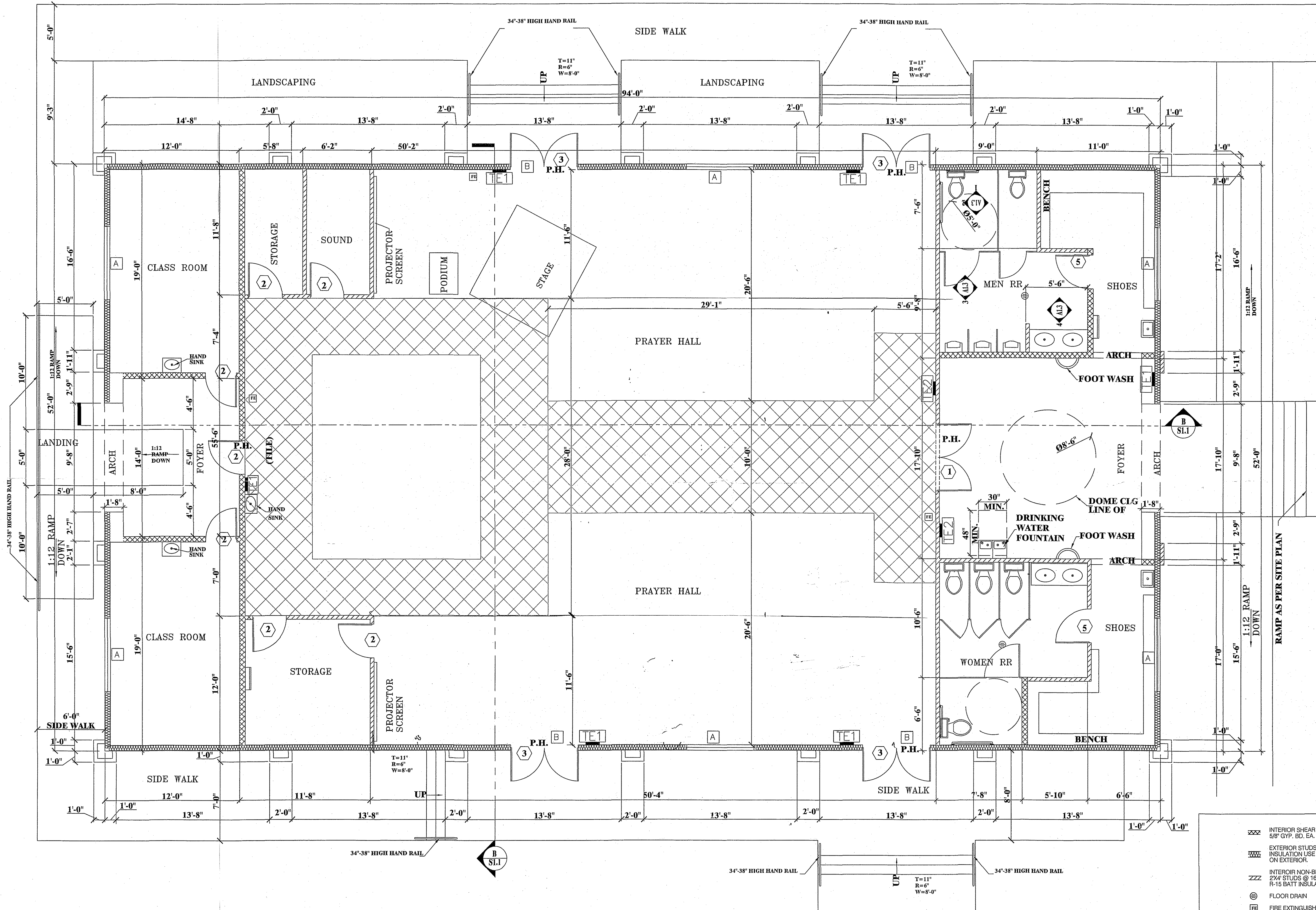
DESCRIPTION: APN# 243-240-15, IN THE
COUNTY OF TULARE, STATE OF CALIFORNIA

SCALE: 1"=40'

ASSESSOR'S PARCEL NUMBER: 123-240-15
PROJECT ADDRESS: SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
PROJECT DESCRIPTION: SIKH TEMPLE
ZONING:
JURISDICTION:

CODE ANALYSIS

1. OCCUPANCY CLASSIFICATION: A3 SEC. 303 (PRAYER HALL)
2. TYPE OF CONSTRUCTION: VB
3. FIRE SPRINKLERS: YES
4. HEIGHT:
ALLOWABLE: 60' (TABLE 503, SEC 504.2)
ACTUAL: 50'-0" (TOP OF DOME)
5. STORIES:
ALLOWABLE: 2 (TABLE 503, SEC 504.2)
ACTUAL: 1
6. AREA:
ALLOWABLE: 6000 SQ.FT. (AS PER TABLE 503)
ACTUAL: 4925 SQ.FT.
7. AREA BREAKDOWN:
GROSS SITE AREA: 4.86 AC (211850 SQ.FT)
SITE AREA IN SCOPE: 136697 SQ.FT (±3.13 ACRES)
PHASE-I
PROPOSED DARBAR HALL AREA: 4385 SQ.FT
PHASE-II
(N) FELLOWSHIP HALL (WITH KITCHEN) 2600 SQ.FT (FUTURE)
PHASE-III
(3) 40' X 60' CLASSROOM UNITS 7200 SQ.FT (FUTURE)
(N) 40' X 50' RESIDENCE TO 2000 SQ.FT (FUTURE)
REPLACE (E) MOBILE HOME
8. LOT COVERAGE
NET SITE AREA: 136697 SQ.FT (±3.13 ACRES)
PROPOSED GURUDWARA FOOTPRINT: 4385 SQ.FT (3.60%)
PROVIDED LANDSCAPE AREA: 43339 SQ.FT (19.38%)
PROVIDED PAVED AREA: 45,400± SQ.FT (68.39%)
9. OCCUPANT LOAD:
9.1) PRAYER HALL NET AREA: 2872/7=411
9.2) CLASS ROOM: 228/20=12
9.3) CLASS ROOM: 228/20=12
TOTAL OCCUPANT LOAD: 436
10. EXIT
REQUIRED: 2 (SEC. 1015.1)
PROVIDED: 10
10. REQUIRED FIRE RESISTANCE OF EXTERIOR
WALLS AND PROTECTION OF OPENINGS DUE
TO LOCATION ON PROPERTY NO
11. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS NO
12. SPECIAL INSPECTIONS REQUIRED: YES
13. CODE YEAR / TYPE: 2013 CBC
14. PROPOSED BUILDING USE: SIKH TEMPLE



FLOOR PLAN
Scale: 1/4" = 1'-0"

- [Hatched Box] INTERIOR SHEAR WALL W/ 2" X 6" STUDS @ 16" O.C. W/ 5/8" GYP. BD. EA. SIDE & R-19 BATT INSULATION
 [Hatched Box] EXTERIOR STUDS 2" X 6" STUDS @ 16" O.C. W/ R-19 BATT INSULATION USE 5/8" GYP. BD. INTERIOR & 7/8" STUCCO ON EXTERIOR
 [Hatched Box] INTERIOR NON-BEARING WALL NO SHEAR WALL USE 2X4 STUDS @ 16" O.C. W/ 5/8" GYP. BD. EA. SIDE USE R-15 BATT INSULATION
 [Circle with D] FLOOR DRAIN
 [Square with X] FIRE EXTINGUISHER 2A:20BC
 [A] SEE WINDOW SCHEDULE SHEET A1.4
 [3] SEE DOOR SCHEDULE SHEET A1.4

LEGEND

REVISIONS	BY
9-27-15	

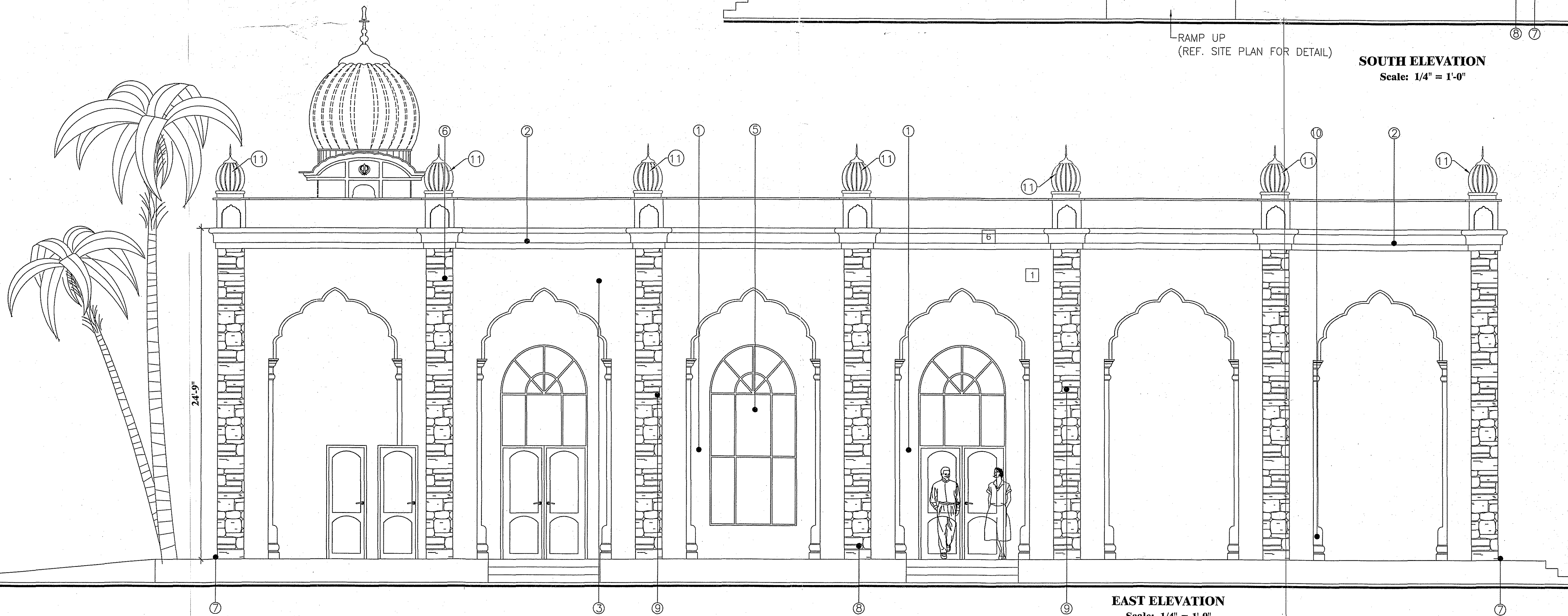
HILLMAN BUILDING DESIGNERS
SPECIALIZING IN CUSTOM DESIGNS
SINCE 1970
34583 Hwy. 190 Springville, CA 93265
Tel. (559) 781-1538
Email hillmandesigns@comcast.net

HECTOR TELLEZ ARCHITECT
33720 NEADOW DRIVE Springville, CA 93265
Tel. (559) 781-1538

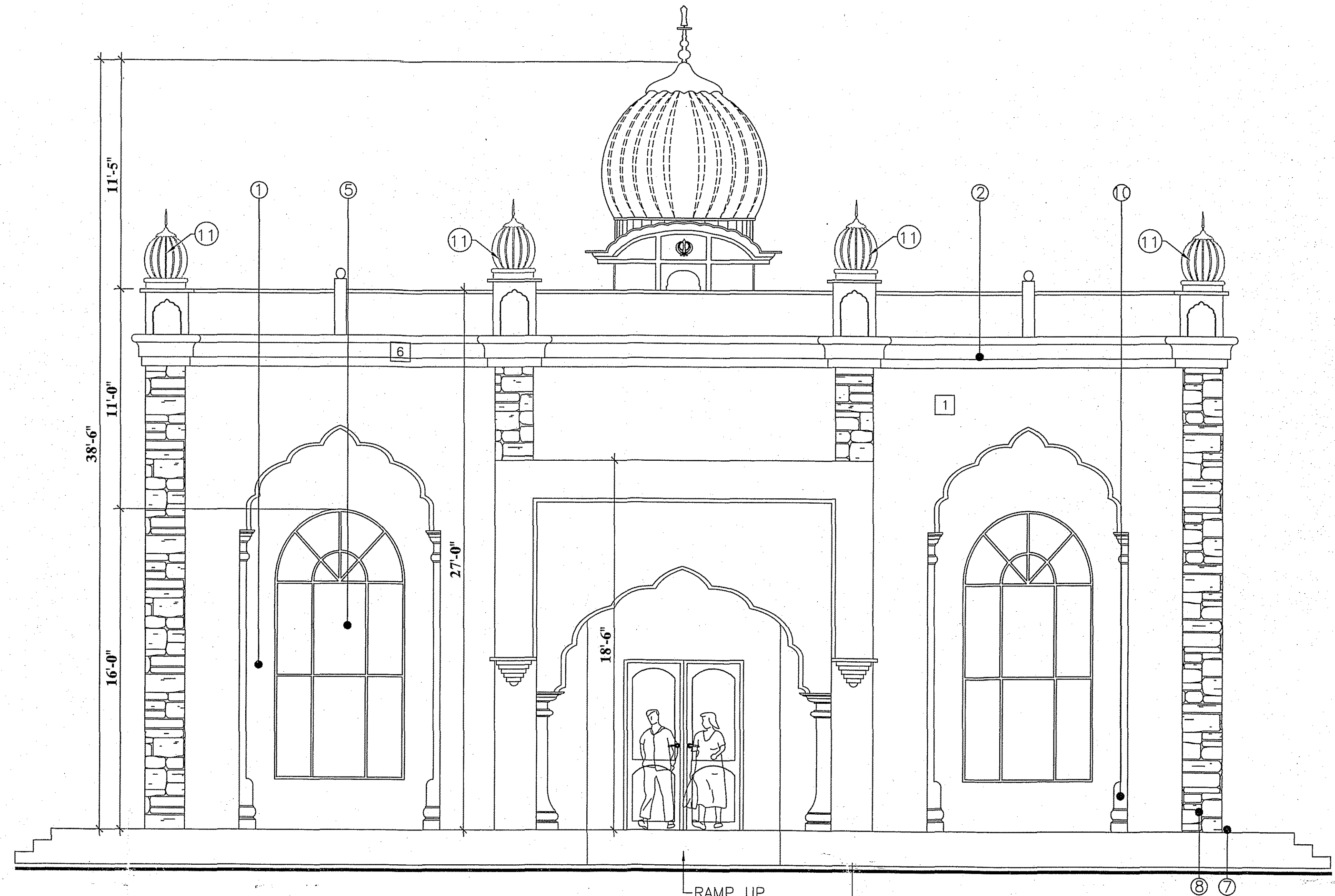
A NEW DEVELOPMENT FOR
SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
559-361-3655

DATE 7-31-15
SCALE AS SHOWN
DRAWN MH
JOB 12017
SHEET

A1.2



EAST ELEVATION
Scale: 1/4" = 1'-0"



RAMP UP
(REF. SITE PLAN FOR DETAIL)

SOUTH ELEVATION
Scale: 1/4" = 1'-0"

REVISIONS	BY
9-27-15	

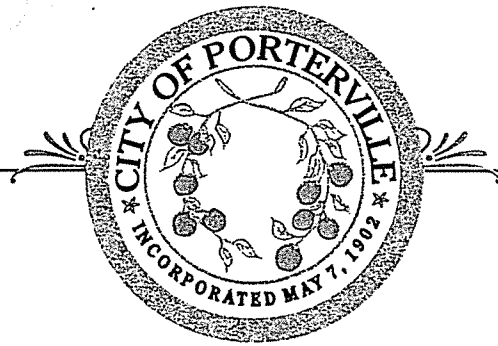
HILLMAN BUILDING DESIGNERS
SPECIALIZING IN CUSTOM DESIGNS
SINCE 1970
34583 Hwy. 190 Springville, CA 93265
Tel: (559) 781-1538
Email: hillmandesigns@ocsnet.net

HECTOR TELLEZ ARCHITECT
LIC. C16430
33720 MEADOW DRIVE Springville, CA 93265
Tel: (559) 781-1538

SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
559-361-3655

DATE 7-31-15
SCALE AS SHOWN
DRAWN MH
JOB 12017
SHEET

A1.5



Community Development
Department

February 11, 2008

Resource Management Agency
5961 South Mooney Blvd.
Visalia, Ca. 93277

Attention: April Hill, Project Planner

RE: PSP 08-004 (Sikh Center) APN 243-240-15.

Dear Ms. Hill:

Thank you for the opportunity to review the proposed use permit for the proposed church.

In regard to our discussion the other day, and my correspondence sent to you regarding this project without seeing the site plan, I will try to reiterate the City's comments regarding this project.

1. The subject site is located inside Porterville's Urban Development Area Boundary and Urban Area Boundary.
2. Porterville's General Plan designates the subject site for Low Density uses. Porterville's General Plan designates West Grand Avenue as an Arterial Street (84 feet). The plan indicates that 30 feet of right-of-way is proposed. The City is requesting that 42 feet of right-of-way from the center line of West Grand Avenue to the property line of the church be required.
3. The plan indicates that a 5 foot wide sidewalk is proposed. A field inspection indicates that major utility poles exit across the frontage of the property. The City Engineering Division requires that a minimum of 42 inches of sidewalk clearance around utility poles is required.
4. The internal circulation of the site meets Porterville's standards. The City request that the driveway to include all onsite and offsite improvements be constructed to City Standards.
5. If the site were within the City Limits of Porterville, the R-1 Zoning designation would be placed on the parcel. Pursuant to Section 221 A-5 of the Porterville Zoning Ordinance, churches, conducted wholly within a buildings, when on a lot of three (3) acres or more in size are allowed subject to a conditional use permit.

CountyPSP-08-004(ZA)

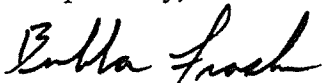
6. Section 2202 A-3 of the Porterville Zoning Ordinance requires that one (1) parking space is required for every five (5) seats in the main sanctuary. The site statistics indicates a total of 300 seats are proposed for the main sanctuary and that a total of 87 parking spaces are to be provided on the first phase. The parking is in excess of our requirements.
7. All landscaping shall be on an automatic watering system.
8. That all mechanical equipment such as heating and cooling be screened from public view.
9. The site plan does not indicate if a trash enclosure is to be provided. If in fact it is, the City requests that it be constructed to City standards.
10. Some type off barrier curb, chain length fence, wheel stops will be required to separate the proposed parking on Phase 1 from the future undeveloped area for Phase 2. Additionally, on completion of Phase2, the same requirement to prevent vehicular access to the undeveloped area to the north would be required.
11. Based on the Porterville City Engineers earlier decision on a previous church proposal, the use of the existing well will be allowed and the need to annex into the City of Porterville will not be required. It should be noted that a 12 inch water main exists in West Grand Avenue.

The Porterville Fire Department requires that any building in excess of 150 feet form the street is required to install a fire hydrant in an area in excess of 150 feet and sufficient area for a fire truck to maneuver. The back of the sanctuary is approximately 270± feet from the street. The proposed future residence and classrooms are 400± feet form the street. The concern of fire suppression should be addressed as a condition.

12. A 21 inch sewer main exists in West Grand Avenue. The site plan indicates that an existing system is located at the rear of the property located next to the future residence and a septic tank & leach lines proposed for Phase 1 per County of Tulare specs. The City is requesting that the existing system be abandoned. Prior to any final inspection on any and all new buildings, connection to the City sewer line must be required. The request for this connection can be made through the City Engineering Division.

Other than mentioned above, the City of Porterville has no other comments.

Respectfully,



Bubba Frasher, Assistant Planner

CC: Ben Kimball, City Planner
Jose Ortiz, Associate Planner

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF EXTENSION OF)
TIME EOT 14-008 FOR SPECIAL)
USE PERMIT NO. PSP 08-004 (ZA))

RESOLUTION NO. 9034

Resolution of the Planning Commission of the County of Tulare granting a two year extension of time until December 31, 2016, requested by the Sikh Center-Porterville, 1250 West Grand Avenue, Porterville CA 93257 (Attn: Piara S. Pannu, 2002 Chris Court, Porterville, CA 93257, agent: Hillman Building Designs, 250 N Main Street, Porterville CA 93257), to commence the use authorized by Special Use Permit No. PSP 08-004, for the establishment of a church facility on a 4.86 acre parcel in the R-1-217 (Single Family Residential – 217,000 square foot minimum) Zone, on property located at 1250 West North Grand Avenue (Avenue 170, about 300 feet west of Prospect Road 236), in Porterville.

WHEREAS, on December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 (ZA) by Zoning Administrator Decision No. 2987, to establish a church facility on a 4.86 acre parcel.

WHEREAS, on November 18, 2010, the Zoning Administrator considered Extension of Time No. EOT 10-008 at a regular meeting, and applicant was granted a two-year extension of time to December 31, 2012, and

WHEREAS, on January 23, 2013, the Planning Commission considered Extension of Time No. EOT 12-010 at a regular meeting, and applicant was granted a two-year extension of time to December 31, 2014, and

WHEREAS, on December 11, 2014, the applicant submitted an application for a two-year extension of time for the project, and

WHEREAS, said Use for which the Special Use Permit was obtained, has not begun, and

WHEREAS, said Use Permit would become null and void after December 31, 2014, unless an extension of time is granted, and

WHEREAS, Staff has recommended that a two-year extension of time would be appropriate, and

WHEREAS, the Planning Commission determined, after considering all the evidence presented, that extending the Use Permit for two years would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County of Tulare.

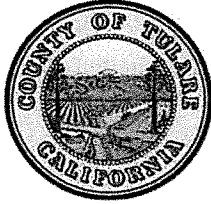
NOW, THEREFORE, BE IT RESOLVED THAT a two-year extension of time be granted subject to the conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA) to December 31, 2016. No physical alteration, addition of acreage, expansion of the church facility and originally approved site plan improvements is allowed without an approved amendment to this Special Use Permit.

The foregoing resolution was adopted upon motion of Commissioner Dias, seconded by Commissioner Elliott, at a regular meeting of the Planning Commission on January 14, 2015, by the following roll call vote:

AYES:	Pitigliano, Whitlatch, Millies, Gong, Elliott, Dias, Aguilar
NOES:	None
ABSTAIN:	None
ABSENT:	None

TULARE COUNTY PLANNING COMMISSION


Michael Washam, Secretary



5961 S. Mooney
Blvd
Visalia, CA 93277
624-7000 Phone
730-2653 Fax

**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
PLANNING COMMISSION
SUMMARY**

PLANNING COMMISSION

CHAIRMAN: Melvin Gong
VICE-CHAIR: Nancy Pitigliano
COMMISSIONERS:

Ed Dias
Wayne Millies
Charles Norman
Bill Whitlatch
John Elliott
Gil Aguilar (Alternate)

AIRPORT LAND USE COMMISSIONERS
(ALUC)

Doug Silveria
Vacancy

Project Number: EOT 14-008 for PSP 08-004 (ZA)	Agenda Date:	1-14-15
Applicant: The Sikh Center-Porterville	Agenda Item Number:	4A
Agent: Mark Hillman	AGENDA ITEM TYPE	
Subject: Request for a two-year extension of time to December 31, 2016 for Special Use Permit No. PSP 08-004 (ZA) for the establishment of a church facility in Porterville. Exceptions: None Waiver: None	Presentation	
	Consent Calendar	✓
	Unfinished Business	
	New Business	
	Public Hearing	
	Continued Public Hearing	
	Discussion	
Environmental Review: Previously approved Negative Declaration for PSP 08-004	ACTION REQUESTED	
Motion(s): One	Resolution – Board of Supervisors	
Contact Person: April Hill	Resolution – Planning Commission	✓
	Decision - Director	

That the Planning Commission:

Approve a two-year Extension of Time to December 31, 2016 for a Special Use Permit No. PSP 08-004 (ZA), as requested by the Sikh Center-Porterville (attn: Piara Panu), for the establishment of a church facility on a 4.86 acre parcel in the R-1-217 (Single Family Residential – 217,000 square foot minimum) Zone, on property located at 1250 West North Grand Avenue, Porterville.

ALTERNATIVES:

Alternative No. 1: Move to approve, subject to modifications as discussed by the Planning Commission.

Alternative No. 2: Move to deny.

Alternative No. 3: Refer back to staff for further study and report.

PROJECT OVERVIEW:

The applicant is requesting an extension of time for Special Use Permit No. PSP 08-004 (ZA), which was conditionally approved by the Zoning Administrator on December 31, 2008 by Decision No. 2987 and recorded in the Tulare County Clerk/Recorders Office on January 21, 2009. An Initial Study/Environmental Checklist resulted in the determination that a Negative Declaration was the appropriate environmental document for the project.

SUBJECT: EOT 14-008 for PSP 08-004 (ZA)

On November 18, 2010, an extension of time (EOT 10-008) was approved by Zoning Administrator Decision No. 3060, approving a two-year extension of time for PSP 08-004 (ZA) to December 31, 2012.

On January 23, 2013, an extension of time (EOT 12-010) was approved by Planning Commission Resolution No. 8790, approving a two-year extension of time for PSP 08-004 (ZA) to December 31, 2014.

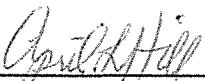
On December 15, 2014, the applicant applied for a two-year extension of time due to lack of congregational growth and fewer funds being collected to construct the proposed church facility.

Staff has reviewed the proposal, recent aerial photos available on Google, and the environmental documents to ensure that the facts are still relevant to the proposed projects and that there are no new issues to address.

ENVIRONMENTAL SUMMARY:

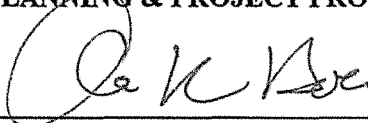
A Negative Declaration was approved by the Zoning Administrator on December 31, 2008 for PSP 08-004 (ZA).

PROJECT PLANNER



April Hill, Planner II

PLANNING & PROJECT PROCESSING DIVISION



Aaron R. Bock, Chief Planner

R.M.A. ASSISTANT DIRECTOR



Michael Washam

ATTACHMENTS:

- 1 - Draft Resolution
- 2 - Copy of Planning Commission Resolution No. 8790 approving EOT 12-010
- 3 - Copy of Zoning Administrator Decision No. 3060 approving EOT 10-008
- 4 - Copy of Zoning Administrator Decision No. 2987 approving PSP 08-004 (ZA)

ATTACHMENT NO. 2

BEFORE THE PLANNING COMMISSION

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF EXTENSION OF)
TIME EOT 12-010 FOR SPECIAL)
USE PERMIT NO. PSP 08-004 (ZA))

RESOLUTION NO. 8790

Resolution of the Planning Commission of the County of Tulare granting a two year extension of time until December 31, 2014, requested by Ashok Behl, 1475 N Highland Drive, Porterville, CA 93257 (agent: Hillman Building Designs, 250 N Main Street, Porterville CA 93257), to commence the use authorized by Special Use Permit No. PSP 08-004, issued to Sikh Center-Porterville, 1250 West Grand Avenue, Porterville CA 93257, for the establishment of a church facility on a 4.86 acre parcel in the R-1-217 (Single Family Residential – 217,000 square foot minimum) Zone, on property located at 1250 West North Grand Avenue (Avenue 170, about 300 feet west of Prospect Road 236), in Porterville.

WHEREAS, on December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 (ZA) by Zoning Administrator Decision No. 2987, to establish a church facility on a 4.86 acre parcel.

WHEREAS, on September 22, 2010, applicant Sikh Center-Porterville requested, in writing, an extension of time, and

WHEREAS, on November 18, 2010, the Zoning Administrator considered Extension of Time No. EOT 10-008 at a regular meeting, and applicant was granted a two-year extension of time to December 31, 2012, and

WHEREAS, on December 11, 2012, applicant Ashok Behl requested, in writing and on behalf of Sikh Center-Porterville, an extension of time, and

WHEREAS, said Use for which the Special Use Permit was obtained, has not begun, and

WHEREAS, said Use Permit would become null and void after December 31, 2012, unless an extension of time is granted, and

WHEREAS, Staff has recommended that a two-year extension of time would be appropriate, and

WHEREAS, the Planning Commission determined, after considering all the evidence presented, that extending the Use Permit for two years would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County of Tulare.

NOW, THEREFORE, BE IT RESOLVED THAT a two-year extension of time be granted subject to the conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA) to December 31, 2014. No physical alteration, addition of acreage, expansion of the church facility and originally approved site plan improvements is allowed without an approved amendment to this Special Use Permit.

The foregoing resolution was adopted upon motion of Commissioner Aguilar, seconded by Commissioner Norman, at a regular meeting of the Planning Commission on January 23, 2013 by the following roll call vote:

AYES: Pitigliano, Whitlatch, Gong, Elliott, Dias, Norman
NOES: None
ABSTAIN: None
ABSENT: Millies

TULARE COUNTY PLANNING COMMISSION

Michael C. Spata, Secretary

ATTACHMENT NO. 3

BEFORE THE PLANNING DIRECTOR

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF EXTENSION OF)
TIME UNTIL DECEMBER 31, 2012)
FOR SPECIAL USE PERMIT NO.)
PSP 08-004 (ZA))

DECISION NO. 3060

Decision of the Zoning Administrator of the County of Tulare granting a two-year extension of time until December 31, 2012, to commence the use authorized by Special Use Permit No. PSP 08-004 (ZA), issued to Sikh Center-Porterville, 2002 North Chris Street, Porterville, CA 93257, for the establishment of a church facility on a 4.86 acre parcel in the R-1-217 (Single Family Residential – 217,000 sq ft minimum) Zone, on property located at 1250 West North Grand Avenue, on the north side of West North Grand Avenue (Avenue 170), about 300 feet west of Prospect (Road 236), in Porterville.

1. On December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 (ZA) by Zoning Administrator Decision No. 2987 to establish a church facility on a 4.86 acre parcel.

2. The applicant not having commenced the use, said Use Permit would become null and void after December 31, 2010, unless an extension of time is granted.

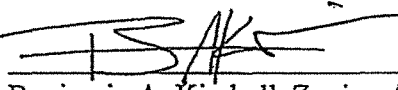
3. The applicant requested, in writing on September 22, 2010, a two-year extension of time for said Use Permit.

4. The Zoning Administrator considered the extension request at a regular meeting held on November 18, 2010.

5. The Zoning Administrator determined, after considering all the evidence presented, that extending the Use Permit for two-years would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County of Tulare.

NOW, THEREFORE, BE IT DETERMINED THAT a two-year extension of time until December 31, 2012, be granted to commence the use authorized by Special Use Permit No. PSP 08-004 (ZA).

TULARE COUNTY ZONING ADMINISTRATOR



Benjamin A. Kimball, Zoning Administrator

Date Approved: 11/18/10

8
ATTACHMENT NO. 4

RECORDING REQUESTED BY:

PIARA PANNU

AND WHEN RECORDED MAIL TO:

SIKH CENTER-PORTERVILLE

2002 N. CHRIS CT.

PORTERVILLE, CA-93257



2009-0003135

Recorded
Official Records
County of
Tulare
GREGORY B. HARDCASTLE
Clerk Recorder

REC FEE

44.00

12:08PM 21-Jan-2009

LC
Page 1 of 12

THIS SPACE FOR RECORDER'S USE ONLY

DECISION NO. 2987

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(ADDITIONAL RECORDING FEE APPLIES)

12/93

BEFORE THE ZONING ADMINISTRATOR

COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF SPECIAL USE PERMIT)

DECISION NO. 2987

APPLICATION NO. PSP 08-004 (ZA) .)

Decision of the Zoning Administrator of the County of Tulare, approving a Special Use Permit requested by the Sikh Center-Porterville, 2002 North Chris Street, Porterville, CA 93257 (agent: Mark Hillman , Hillman Building Designers, 250 North Main Street, Porterville CA 93257), for the establishment of a church facility on a 4.86 acre parcel in the R-1-217 (Single Family Residential – 217,000 sq ft minimum) Zone, on property located at 1250 West North Grand Avenue, on the north side of West North Grand Avenue (Avenue 170), about 300 feet west of Prospect (Road 236), in Porterville.

The Zoning Administrator hereby determines the following findings were relevant in evaluating this application:

1. An application for a Special Use Permit has been filed pursuant to the regulations contained in Section 16 of Ordinance No. 352, the Zoning Ordinance.
2. Under Board of Supervisors' Resolution No. 83-459, as amended, and Section 16 of the Tulare County Zoning Ordinance, the Zoning Administrator is authorized to approve or deny requests for special use permits for churches.
3. Staff has given notice of the Zoning Administrator's intention to consider the granting of a Special Use Permit as provided in Section 16 of said Ordinance No. 352 and as provided in Section 65905 of the Government Code of the State of California.
4. Staff has performed necessary investigations, prepared a written report and recommended certain conditions of approval if this application is approved by the Zoning Administrator.
5. Public hearings were conducted on August 14, 2008 and September 18, 2008, in the Planning Commission Meeting Room of the Resource Management Agency offices, in order to receive public testimony on the proposed application. The applicants, Ashok Behl and Dr. Sarjit Malh, and agent Mark Hillman, appeared at the August 14 hearing to speak in favor of the project. ~~No one appeared in opposition to the project.~~ Prior to the hearing, the City of Porterville reported receiving telephone calls from a resident living in the vicinity of the proposed project, who expressed concerns about the condition of the street pavement, excessive truck traffic and how this proposed development might exacerbate an existing traffic problem in the area. City staff reported to the City Council on August 5, 2008 that the roadway was in generally good condition. The Council was satisfied with this testimony and offered little other discussion, per City Planner, Benjamin Kimball.

6. The subject site is zoned R-1-217 (Single Family Residential – 217,000 sq ft minimum), a zone that permits churches upon the granting of a Special Use Permit, per Section 16 of the Zoning Ordinance. The parcel is 4.86± acres in size and contains a 12' x 40' mobilehome occupied by a worship leader, a 22' x 60' recreation room attached to a 24' x 40' converted shop with a covered patio, a domestic well and a septic system. Surrounding properties on the north are zoned R-1-217 and contain pasture land. Immediately to the south, Porterville city limits run along West North Grand Avenue and an active County Road Yard is across the street. To the east are R-1 (Single Family Residential) zoned residences and an M-1 (Light Manufacturing) zoned cabinet shop. To the west are R-1 zoned residences and a C-1 (Neighborhood-Commercial) zoned gas station with a convenience store.
7. The subject site is located within the Porterville Urban Area Boundary and Urban Development Boundary. The Open Space Element designates the site for "Urban Expansion." The Porterville Area Land Use Plan (GPA 87-06) designates the parcel for "Rural Residential (Low Density)". The City has no plans to annex the site.
8. The Porterville City Council has granted connection to City water, sewer and storm drain utilities prior to annexation, per a letter dated November 24, 2008. Connection is contingent upon applicant's submittal of an annexation application, with paid fees. Applicant is also required to pay impact fees for the utilities prior to obtaining a building permit from the County.
9. The applicant initially proposed to supply water with an existing on-site domestic well; however, the well exceeds the nitrate standard established for public water systems (45 milligrams per liter). County Environmental Health Services stated a permit to operate will not be issued and recommended this project not be approved until there is a potable source of water to serve the project, per a letter dated September 23, 2008.
10. This Special Use Permit would allow a church facility to be constructed in three phases. Currently the church has about 50 adult members; timing for future improvements would depend on the congregation's growth. In Phase 1, a 3,444 square foot (42'x82') sanctuary would be constructed to provide non-fixed seating for 300 people. In Phase 2, a 3,200 square foot (40'x80') fellowship/ dining hall with a kitchen would be constructed just west of the sanctuary. In Phase 3, three 40' x 60' classroom units and one 2,000 square foot (40' x 60') residence with an attached garage would be built. The residence would house a worship leader and replace an existing mobilehome.
11. The proposal does not include renting the kitchen facility to outside groups or other commercial use.

12. The proposal does not include private school use and children will usually not be present on the site except on weekends.
13. The facility would be open seven days per week between 8AM – 6PM. On Tuesdays, Wednesdays, Thursdays and Sundays, activities may extend until 10PM.
14. The northern 0.4-acre portion of the parcel would remain undeveloped, but would have access from North Grand via a 40-foot wide driveway or from County-maintained Baker or Westside Streets.
15. Previous considerations for special use permits for church facilities have resulted in locational criteria that may be used as a guideline for future developments. Generally, approvals have been based on the following criteria:

- a. The site is located within an Urban Development Boundary and, if applicable, the City does not oppose development of the site for a church.

Staff Comment: The site is within the Porterville Urban Development Boundary, just north of city limits. If the site were within the city limits, it would be designated for R-1 Zoning, which allows churches with approved conditional use permits, conducted wholly within buildings, when on a lot of three acres or more in size. The City did not express opposition to the proposed project and recommended conditions of approval.

- b. *The configuration of the site makes it unsuitable for agricultural production.*

Staff Comment: This criterion is not met. The 5-acre site's size and shape could be suitable for agriculture and vacant pasture borders the north end. However, the site is zoned for residential use, is less than the 10-acre size considered productive for agriculture and is surrounded on three sides by non-agricultural uses.

- c. *The site is adjacent to intensive commercial or residential development.*

Staff Comment: The site is zoned and designated for residential use and surroundings include residential, commercial and light manufacturing uses.

- d. *The site is located on a County arterial roadway.*

Staff Comment: The site has frontage on West North Grand Avenue, which is within Porterville City Limits. The City designates it as an arterial.

Since criteria a, c and d can be entirely met, the criterion b can be met in part and the City of Porterville has no objection to the project at this location, the project conforms to the criteria for past church approvals.

16. Per the County Zoning Ordinance's Section 15.C.c, all churches, schools, or similar institutions in an "R" Zone are required to have at least 25-foot yard areas, where no buildings may be erected, structurally altered or used for those purposes. In addition,

the 25 foot front and side yards may not be used for play or parking. The City of Porterville requires only a minimum five-foot side yard area in an "R" Zone, for a lot wider than 50 feet.

- a. A shop building that has existed on the site for about 30 years is set back about seven feet from the western lot line. The shop building was extended and allowed to convert to a recreation room with approved building permits in 2007. Because the use was residential at the time of the building permit application, it was not required to move and is now considered an existing non-conforming use that may be allowed to remain in place. If the current recreation room building is demolished in the future, any replacement building must comply with appropriate yard areas.
 - b. Other buildings on the June 2008 revised site plan comply with the County's R-1 Zone yard area requirements for churches.
17. According to the 1988 Noise Element, the subject site is not located in a noise-impacted area. Neighboring properties on the east and west contain houses, whose occupants might be disturbed by noise generated at the worship facility. Per the Noise Element Technical Reference Document, a noise environment of 50-60 dB Ldn is considered "normally acceptable" for residential uses. Educational land uses are not required to have solid masonry walls next to residential zones to muffle noise, as are commercial uses. Conditions of approval will limit operating hours to between 8AM and 10PM and will require landscaping around the perimeter of the site.
 18. Access to the site is on West North Grand Avenue, which is within the City of Porterville and designated as an "arterial" with 84 feet of right of way. The City requested dedication of 42 feet of right of way from the center line of North Grand, wider than applicant's initially proposed 30 feet of right of way. Dedicated right of way should remain unlandscaped, with no fences or other permanent structures until the street is widened.
 19. The City of Porterville requested that all onsite and offsite improvements be constructed to City Standards (including screening all mechanical equipment and trash enclosures).
 20. County Development Standards recommend one parking space for every three seats in places of assembly, such as churches. The City requires one space for every five seats in a main sanctuary. The applicant proposes 78± parking spaces for 300 seats, which is less than County recommendations and more than the City's, and supports a compromise ratio of one space to four seats, or 75±. The parking lot would be prepared and surfaced temporarily with decomposed granite, with paving anticipated 12-18 months after use permit approval.

21. One soil present on the northern portion of the site is San Joaquin Loam, which has a high shrink-swell potential. The current June 2008 site plan labels that portion as "undeveloped". Main buildings on such soils are required to have a soil report (foundation investigation) for the expansive properties of the building pads. The majority of the subject site contains Tujunga Sand that has low shrink-swell potential.
22. The subject site is located within Flood Hazard Zone C, which requires no specific flood avoidance measures.
23. The applicant proposes a ponding depression on the southeast corner of the site where water naturally flows, in order to retain stormwater drainage on the site. The depression will be engineered, landscaped and maintained.
24. County Development Standards recommend that landscaping cover at least five percent of the net area of a commercial facility, the most similar use to a worship center. Porterville City requires landscaping to be on an automatic watering system.
25. The Environmental Assessment Officer has approved a Negative Declaration for public review for the project, indicating that the project will not have any significant environmental impacts.

The Zoning Administrator hereby finds there is no substantial evidence that the proposed Special Use Permit will have a significant effect on the environment and determines that the Negative Declaration for said use permit has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 and that the Zoning Administrator has reviewed and considered the information contained in the Negative Declaration for the proposed project together with any comments received during the public review process prior to taking action on the Special Use Permit.

The Zoning Administrator, after considering all of the evidence presented, found that the establishment, maintenance, and operation of the use of building or land applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

NOW, THEREFORE, BE IT DETERMINED AS FOLLOWS:

The Zoning Administrator of the County of Tulare hereby approves Special Use Permit No. PSP 08-004 (ZA), subject to the following conditions:

1. Standardized conditions as set forth in Zoning Administrator Decision 2271 (Attachment 1).

Environmental Health Services

2. The applicant shall secure a potable source of water from the City of Porterville.

City of Porterville

3. The applicant shall provide proof of payment of all water, sewer and storm drain impact fees to the City of Porterville to the County of Tulare Resources Management Agency prior to, or concurrent with, the project's first building permit application being submitted, as stated in the City's November 24, 2008 letter to agent Mark Hillman.
4. The applicant shall connect to the City of Porterville water system prior to final inspection of any and all new buildings and pay applicable impact fees.
5. The applicant shall connect to the City of Porterville sewer system prior to final inspection of any and all new buildings and pay applicable impact fees.
6. The applicant shall submit an annexation application, including applicable fees, prior to connecting to City utilities.
7. Out of service wells, septic tanks and underground fuel storage tanks shall be abandoned per Tulare County and City of Porterville permit requirements.
8. The applicant shall dedicate to the City of Porterville a total of 42 feet of right of way along the north side of North Grand Avenue, as shown on the 6/05/08 site plan. Said dedication shall be in the form of a grant of easement if road improvements are required or in the form of an irrevocable offer if no road improvements are required.
9. The applicant shall construct all onsite and offsite improvements to Porterville City Standards, including the driveway; any required curb, gutter, paveout and sidewalk; landscaping and irrigation; screening of mechanical equipment such as for heating and cooling; and trash/recycling bin enclosures.
10. The applicant shall install some type of barrier curb, chain link fence, and/or wheel stops to separate the proposed parking on Phase 1 from the future undeveloped area for Phase 2. Additionally, upon completion of Phase 2, the applicant shall install similar barrier by the northern undeveloped portion of the parcel, in order to prevent vehicular access.
11. The applicant shall provide a minimum of one off-street parking space for each four seats in the sanctuary / place of assembly. All on-site parking areas and driveways shall be surfaced for all-weather conditions and be continually maintained so that dust and mud do not create conditions detrimental to the surrounding roadways.

Fire Department

12. The applicant shall provide surfaced year round access for emergency fire department response, including sufficient area for a fire truck to maneuver around the proposed sanctuary, existing mobilehome and future residence.
13. The applicant shall make provisions for Fire and Life Safety at the time of building permit, which shall be inspected by the Fire Warden prior to Final Fire Clearance. The provisions shall be either:
 - a. A Tulare County Fire Department approved municipal fire hydrant system
-OR
 - b. A water tank and pump of sufficient size to adequately supply domestic Tulare County Fire Department approved fire hydrant system AND
 - c. An automatic fire sprinkler system in the sanctuary, if the square footage allows 300 or more capacity.

Engineering

14. A Grading and Drainage Plan shall be prepared by a licensed Civil Engineer or licensed Architect and shall be submitted to and approved by the Resource Management Agency – Engineering Branch prior to the issuance of any building permits. The Plan shall include existing and proposed contours and detail the means of disposal of storm water runoff from the site in such a manner that all such runoff shall be collected and disposed of on-site. The Plan shall specify a means of disposal such that runoff is not diverted to adjacent property or road frontage. A Letter of Certification shall be prepared by a licensed Civil Engineer or licensed Architect. The Engineer or Architect shall affix their stamp and seal to the Letter. The Letter shall serve as the means to notify the County that construction was completed according to the approved Grading and Drainage Plan/Erosion Control Plan. The Letter shall be submitted to the Tulare County RMA – Engineering Branch prior to the issuance of final occupancy permits.

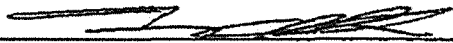
Planning Branch

15. The applicant shall ensure that the project's newly constructed buildings comply with all requirements of the R-1-217 Zone, including minimum 25-foot yard areas, measured from each property boundary line. Yard areas shall not be used for play or parking purposes. If the current recreation room building is demolished in the future, any replacement building must comply with appropriate yard areas.
16. The applicant shall have prepared, by a Registered Civil Engineer or Registered Geologist, a soil report (foundation investigation) for the expansive properties of any main building pads located on San Joaquin loam soil, which has high shrink-swell potential. The report shall be submitted to and approved by County Resource

"Management" Agency prior to issuance of a building permit for construction of any main buildings.

17. The applicant shall erect a six foot high fence or plant evergreen hedges along the west, north and east property lines.
18. The applicant shall limit signage to 1) one reader panel / bulletin board / digital display with 32 square feet and 2) one or two identification signs, with an aggregate area not exceeding 15% of the area of the front face of the building.
19. A detailed landscaping plan shall be submitted to and approved by the Planning Director, in accordance with the County's Water Efficient Landscaping Ordinance (Ord. No. 3029, effective 5-17-93). A User's Guide for the Ordinance was provided.
 - a. The landscaping plan shall be submitted concurrent with building plans for the first building permit. Installation of landscaping shall be completed and approved prior to the issuance of certificates of occupancy.
 - a. The landscaping plan shall include planting islands at the ends of each single row of parking.
 - b. All landscaped areas shall contain fertile, friable soils with adequate subsurface drainage, contain provisions for convenient irrigation in the form of hose bibs and/or sprinkler systems and be permanently maintained in a neat and viable condition.
 - c. No landscape material shall be used that constitutes a threat to human safety, nor shall any landscape material be located in such a manner as to impair the vision of motorists or endanger the life and safety of pedestrians.

TULARE COUNTY ZONING ADMINISTRATOR


David Claxton, Zoning Administrator

STATE OF CALIFORNIA
COUNTY OF TULARE
I, David Claxton, TULARE COUNTY ZONING ADMINISTRATOR,
DO HEREBY CERTIFY THAT THE ATTACHED DECISION IS A
FULL, TRUE AND CORRECT COPY OF AN ORIGINAL.

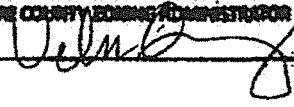
Date Approved: 12/31/08

DECISION MADE AND ENTERED BY ME 12-31-08
AS THE SAME APPEARS OF RECORD AND ON FILE AS MY OFFICE.

WITNESS MY HAND,

THIS 6 DAY OF January 20 09

TULARE COUNTY ZONING ADMINISTRATOR

BY: 

ATTACHMENT NO. 1

STANDARD CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT

(Reference Zoning Administrator Decision No. 2271)

1. Development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the Zoning Administrator (ZA Exhibit "A") and with the Site Plan Development Standards pertaining to a use of this type adopted by the Planning Commission on February 20, 1970.
2. Regardless of Condition No. 1 above, and in accordance with Section 18 (Minor Modifications-Director's Approval) of the Zoning Ordinance, the Planning and Development Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the Zoning Administrator. Such modifications shall be noted on the approved plans and shall be initialed by the Planning and Development Director.
3. All exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
4. The proposed facility shall be maintained and operated in accordance with all State and County health regulations.
5. Any structures built shall conform to the building regulations and the building line setbacks of the Ordinance Code of Tulare County insofar as said regulations and setbacks are applicable to such structures.
6. The conditions set down herein which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Zoning Administrator may grant exceptions to this condition upon request by the applicant.
7. This Special Use Permit shall automatically become null and void two (2) years after the date upon which it is granted by the Zoning Administrator, unless the applicant, or his/her successor, has actually commenced the use or variance authorized by the permit within said two year period. The Zoning Administrator may grant one or more extensions of said two year time, upon request by the applicant.
8. This Special Use Permit will not be effective until ten (10) days after the date upon which it is granted by the Zoning Administrator and until the applicant, at his own expense, has executed and filed with the County Recorder, a certified copy of the decision of the Zoning Administrator granting said permit with a duly authorized acceptance, in the form approved by the County Counsel, endorsed thereon.
9. All standard conditions and all special conditions of approval of this Special Use Permit must be complied with at all times in order to continue the use or uses allowed. Compliance with such conditions is subject to review at any time. Normally, an initial review of compliance shall be conducted by the Tulare County Zoning Administrator twelve (12) months after the granting of said permit; however, the Zoning Administrator may schedule the review sooner under certain circumstances. Additional reviews may be undertaken at the discretion of the Zoning Administrator.
10. This Special Use Permit shall automatically expire and become null and void two (2) years after the use for which it was granted is discontinued or abandoned. However, upon application by the applicant, or his/her successor, the Zoning Administrator may extend the expiration date in accordance with the procedures set forth in the Zoning Ordinance.

ACCEPTANCE

SIKH CENTER- PORTERVILLE

does hereby accept the Special Use Permit granted by the foregoing resolution of the Tulare County Zoning Administrator and agree that said corporation, its officers, directors, agents, administrators and assigns, will well and faithfully observe all of the conditions and qualifications to said Special Use Permit set forth in the foregoing resolution of the Tulare County Zoning Administrator attached thereto, and said corporation, acknowledges and agrees that should it, its officers, directors, agents, administrators or assigns, fail to observe any of the said conditions or qualifications to said Special Use Permit, the Tulare County Zoning Administrator or any body or officer designated by law or ordinance may, on its own motion, revoke or modify said Special Use Permit pursuant to the procedure established by law or ordinance and said Special Use Permit shall thereupon be null and void and of no further effect.

Ashok Behl

SIKH CENTER- PORTERVILLE

2002 N. CHRIS CT.

PORTERVILLE, CA-93257

(signatures)

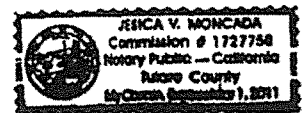
State of California }
County of Tulare }

On January 13th, 2009 before me, Jessica V. Moncada, Notary Public, personally appeared Ashok Behl who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Jessica V. Moncada
Signature of Notary Public



DO NOT RECORD UNTIL THIS SECTION HAS BEEN SIGNED OFF BY
THE RESOURCE MANAGEMENT AGENCY

Compliance Fees \$ 200.- Received by BW Receipt No 0900242 Date 1-21-09

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF MODIFICATION NO. 1 TO
TULARE COUNTY SPECIAL USE PERMIT NO. PSP 08-004 ZA (PRC 2015-038-C) THAT
WOULD ALLOW FOR A THREE-PHASED SIKH CENTER EXPANSION PROJECT
LOCATED AT 1250 W. NORTH GRAND AVENUE

WHEREAS: On December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 (ZA) by the Tulare County Zoning Administrator Decision No. 2987, to establish a church facility on a 4.86 acre parcel; and

WHEREAS: On December 31, 2008, the Tulare County Zoning Administrator found no substantial evidence that the proposed Special Use Permit would have a significant effect on the environment and determined that the Negative Declaration for said use permit has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970. The City of Porterville's Environmental Coordinator determined that, as directed by §15162 of the CEQA Guidelines, no further environmental review is merited because the proposed project modifications would not result in additional or substantially increased environmental effects; and

WHEREAS: On November 18, 2010, the Tulare County Zoning Administrator approved Extension of Time No. EOT 10-008 for a two-year extension of time through December 31, 2012; and

WHEREAS: On January 23, 2013, the Tulare County Planning Commission approved Extension of Time No. EOT 12-010 for an additional two-year extension of time through December 31, 2014; and

WHEREAS: On January 14, 2015, the Tulare County Planning Commission approved Extension of Time No. EOT 14-008 for a third two-year extension of time through December 31, 2016; and

WHEREAS: On July 14, 2015, Annexation 474 became effective, which incorporated the neighborhood that includes the subject property and thereby placed the project within the City of Porterville's jurisdiction; and

WHEREAS: On December 16, 2015, the applicant met with the Project Review Committee to discuss the proposed three-phased Sikh Center expansion project with Tulare County Entitlements which includes a sanctuary, dining hall, classrooms, and caretakers unit located at 1250 W. North Grand Avenue; and

WHEREAS: On December 23, 2015, the Environmental Coordinator made the determination that, as directed by §15162 of the CEQA Guidelines, no further environmental review is merited because the proposed project modifications would not result in additional or substantially increased environmental effects; and

WHEREAS: The applicant shall be subject to the conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA), unless otherwise stated herein in this Resolution. Where conflicts occurs between the conditions and regulations stated herein and conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA), the more restrictive provisions shall control, unless otherwise specified herein; and

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of February 16, 2016, conducted a public hearing to consider Modification No. 1 to Tulare County Special Use Permit No. 08-004.

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

1. That approval of 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.

This project supports and complies with Land Use Guiding Policy (LU-G-8) to allow and encourage efficient infill development in existing neighborhoods.

The project site is located on a 4.86 acre parcel fronting on a collector (North Grand Avenue) with single family residential units located east and west of the project site and the Tulare County Corporation yard located south of the project site.

2. The location, size, density, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conforms in all significant respects with the General Plan, the Development Ordinance and with any other applicable plan adopted by the City.

On December 31, 2008, the applicant was granted Special Use Permit No. PSP 08-004 (ZA) by the Tulare County Zoning Administrator Decision No. 2987, to establish a church facility on a 4.86 acre parcel. At this time the subject site was located within the City of Porterville Urban Development Boundary designated for R-1 Zoning (One-Family Zone), which allows churches, conducted wholly within the buildings, with review and approval of a Conditional Use Permit on lots three acres or more in size. A modification to the County Special Use Permit would be equivalent to the process for review of a Conditional Use Permit application whereas it is designed to evaluate possible adverse impacts and to minimize them where possible through the imposition of specific conditions.

3. That a logical and substantiated need exists for natural turf and shall be allowed with all other water conservation requirements of Ordinance No. 1830 shall apply.

A religious facility is a place of worship and gathering that includes outdoor activities. Natural turf will provide an area for physical activities which is an essential part of an individual's and congregation efforts to stay healthy, develop social ties, share experiences, socialize, and build a community bond.

BE IT FURTHER RESOLVED: That the City Council does hereby approve Modification No. 1 to County Special Use Permit No. PSP 08-004 ZA (PRC 2015-038-C), for the development of the three-phased Sikh Center expansion project as represented and incorporated herein as Exhibit A-D subject to the following conditions:

1. The developer/applicant shall be subject to the conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA), unless otherwise stated herein in this Resolution. Where conflicts occur between the conditions and regulations stated herein and conditions and limitations set forth under Special Use Permit No. PSP 08-004 (ZA), the more restrictive provisions shall control, unless otherwise specified otherwise.
2. Staff evaluated the County's parking requirements and found them to be in compliance with the Porterville Development Ordinance (PDO) and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Based on one space per every 50 square feet of assembly area and one space for every classroom, 62 parking spaces shall be required for the project. Additionally, two covered parking spaces shall be required for the single-family residential unit (phase three).
3. A six inch wide and six-inch-high concrete curb shall be provided along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Where a parking facility abuts an area planned for a future phase of a phased development, a timber barrier or other barrier not less than six inches high may be installed instead of a curb.
4. The 2,600 square feet dining hall, the 1,200 square feet recreation room and classrooms units (phase two and three) shall not be used as a sanctuary, unless additional required parking spaces are provided at the time of conversion.
5. A landscaped island at least six feet in all interior dimensions and containing at least one 15 gallon-size tree shall be provided at each end of each interior row of parking stalls and between every six consecutive parking stalls.
6. A minimum of ten percent of any parking lot area shall be landscaped. For the purpose of calculating required parking lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas.
7. All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement.
8. The developer/applicant shall comply with Ordinance No. 1830, as it relates to water conservation and landscaping irrigation. Ordinance No. 1830 contains landscaping design principals, irrigation design criteria, grading design requirements and other landscaping and irrigation requirements.

9. Natural turf is prohibited in commercial and industrial zone districts. However, when the City Council finds that a logical and substantiated need exists for natural turf, a conditional use permit may be approved with conditions specifying the reason natural grass is deemed necessary by the applicant. The allowed area of turf and all other water conservation requirements of Ordinance No. 1830 shall apply, regardless of the total landscape area. The total landscaping area provided is approximately one acre (43,339 sq. ft.). The applicant shall be permitted to install approximately a quarter acre (10,834 sq. ft.), approximately 25% of the overall landscape, with warm season grasses.
10. Public parking areas designed to accommodate ten or more vehicles shall be provided with a minimum of one-half (0.5) foot-candle and a maximum average of three foot-candles of light over the parking surface during the hours of use from one-half hour before dusk until one-half hour after dawn. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination. Parking lot lighting shall, to the maximum extent feasible, be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights-of-way, consistent with Chapter 306, Performance Standards.
11. A photometric plan shall be included with the building permit submittal that illustrates compliance to Section 304.10 (g), Parking Area Design and Development Standards, of the Porterville Development Ordinance.
12. The developer/applicant shall comply with Section 300.07 of the Porterville Development Ordinance (Lighting and Illumination). Light fixtures shall not exceed 16 feet in height. All lighting fixtures shall be shielded so as not to produce obstructive glare onto the public right-of-way or adjoining properties. Pedestrian Oriented lighting in the Neighborhood Commercial districts shall be provided for secure nighttime pedestrian environment at building entrances, on-site pedestrian walkways and open areas with a safe level of illumination with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
13. All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site.
14. The developer/applicant shall comply with Section 300.10 (a) and (b) (Screening), of the Porterville Development Ordinance. All mechanical and electrical equipment and antennas shall be screened or incorporated into the design of buildings so as not to be visible from the street, freeway, or adjacent residential districts. Such equipment includes, but is not limited to, all roof-mounted equipment, utility meters, cable equipment, telephone entry boxes, backflow prevention devices, irrigation control valves, electrical transformers and pull boxes. Screening devices shall be consistent with the exterior colors and materials of the buildings to which they are attached. Roof access ladders and fire sprinkler risers shall be located internally as allowed by the California Building Code.

15. The developer/applicant shall comply with Section 300.13 (Trash and Refuse Collection Areas) of the Porterville Development Ordinance as follows:
 - a. Solid waste and recycling storage areas located outside or on the exterior of any building shall be enclosed per City standards for refuse and recycling enclosures.
 - b. Enclosure material shall be solid masonry or concrete tilt-up with decorated exterior-surface finish compatible to the main structure(s).
 - c. Gate material shall be decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material. If not visible from a public street, public parking area, or residential area, the enclosure gates may be constructed of chain link with wood or plastic inserts.
 - d. Each solid waste and recycling enclosure serving a residential project shall be designed to allow walk-in access without having to open the main enclosure gate.
 - e. Pads shall be a minimum of six-inch-thick concrete.
 - f. Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and travel ways.
 - g. The perimeter of the recycling and trash enclosure, except for areas used for access, shall be planted, if feasible, with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines.
 - h. The area in front of all enclosure types shall be kept clear of obstructions, and shall be painted, striped, and marked "No Parking."
16. The Environmental Coordinator made the determination that, as directed by §15162 of the CEQA Guidelines, no further environmental review is merited because the proposed project modifications would not result in additional or substantially increased environmental effects.
17. Unless an extension of time is granted by the City Council, Modification No. 1 to County Special Use Permit (Application No. 08-004 ZA) shall expire and be declared null and void two years after the date of approval if not actively and continuously pursued.
18. Unless otherwise noted, the developer/applicant shall comply with the City Master Plans and Standard Drawings, Standard Specifications for Public Works Construction (2012 Edition), and Standard Plans and Specifications (2010 Standards), except where they are in conflict with current access compliance regulations, the current California Building Code, the Tulare County Hazardous Waste Management Plan, the California Manual on Uniform Traffic Control Devices, the Porterville Circulation Element, and the Tulare County Congestion Management Program.
19. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.
20. The developer/applicant shall comply with Appendix J, "Grading" of the current California

Building Code, including provision of a grading and drainage plan signed by a licensed civil engineer or architect. Drainage calculations must be submitted to verify that project drainage will be captured by an onsite drainage basin or by the City's storm drain line in North Grand Avenue. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

21. The developer/applicant shall submit design master plans consisting of combined grading and drainage and sewer and water utilities to ensure the proper functioning and/or phasing of the development.
22. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc. along the full parcel frontage, except where they exist and are determined to be in good condition and in compliance with current accessibility standards in the opinion of the City Engineer (Ordinance No. 1306). Existing frontage improvements were recently completed by the City for the North Grand Reconstruction Project and are compliant. A second access point with an all-weather surface is required per the City's Fire Department. If a new driveway is proposed to serve the development along North Grand Avenue, an accessible path of travel across the driveway must be provided by constructing per the attached commercial/office driveway standard plan. No pavement cuts are allowed along North Grand Avenue.
23. The developer/applicant shall construct a pedestrian path of travel from the City sidewalk to onsite walks in a manner that is compliant with current accessibility standards.
24. The developer/applicant shall comply with driveway vehicular sight distance requirements per Section 300.16 of the Development Ordinance and driveway separation from property line per City standards.
25. The developer/applicant shall design the parking lot in conformance with Chapter 304 of the Development Ordinance if the project includes establishment, alteration, expansion, or change in any use or structure. Minimum cross slopes within the parking lot shall be 1.5% for asphalt concrete or 1% for concrete paving areas.
26. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items to the satisfaction of the City Engineer before the issuance of a certificate of occupancy (for example, foundations, septic tanks, irrigation pipes, etc.). The existing septic tank for the existing mobile residence is allowed to remain in operation until the new residence is constructed as part of Phase Three of the development.
27. The developer/applicant shall abandon existing wells, only if not being used for landscaping irrigation purposes, after first getting an abandonment permit from the Tulare County Environmental Health Services Division. The developer/applicant is required to provide the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.
28. The developer/applicant shall assure compliance with Section 7-8, Work Site Maintenance of the Standard Specifications. Applicable requirements from both San Joaquin Valley Unified

Air Pollution Control District Regulation VIII, Fugitive PM₁₀ Prohibitions and the California Green Code Standards must also be met. During grading operations the "Supervising Civil Engineer" shall be responsible for enforcing the dust control provisions of Section 7-8 or the developer/applicant shall pay inspection fees on the grading cost to compensate the City for dust control inspection.

29. The developer/applicant shall not allow onsite runoff or debris outside of the limits of the property during construction. Applicable best management practices (BMPs) shall be implemented to protect the City's drainage system and inhibit vehicle track-out onto City streets. The improvement plans shall show the location of BMPs and areas designated for erosion and waste control. The developer/applicant shall remove and properly dispose of waste and spills deposited in the project area.
30. The developer/applicant shall install a dual refuse container enclosure that will accommodate solid waste and recyclable materials removal or collection according to City Standards (Section 13-15). The enclosure location is to be approved by the City prior to the issuance of the building permit. The enclosure should be oriented for direct pick up. An accessible path to the enclosure must be provided for employee use to comply with current accessibility standards. The developer/ applicant shall also sign a waiver of liability for refuse truck damage to the parking lot if the refuse container location requires refuse trucks to travel on the parking lot.
31. The developer/applicant shall comply with City Standard for "backflow" prevention pursuant to Resolution No. 9615 (1981). A double backflow preventer is required off the water main and is to be located in an above-ground enclosure.
32. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance to the on-site water mains.
33. The developer/applicant is hereby notified that the installation of an additional water meter, servicing the irrigation system if used by City water, is required for monitoring actual water usage if the landscape area is 1000 square feet or more. The City will require payment of impact fees based on estimated usage and will monitor actual water usage for one year. The City will bill/credit the owner the difference between the estimated impact fees paid and the actual water usage.
34. The developer/applicant proposes to construct an ornamental water feature. The water feature will be allowed if the feature's water system is capable of recycling water to conserve water use.
35. The developer/applicant shall design on-site water systems meeting the requirements of the current California Plumbing and Fire Codes. It shall be noted that the City water system complies with Title 22 of the California Administrative Code and any assurance to effectively provide water pressure for multi-story buildings is the sole responsibility of the owner/builder.
36. The developer/applicant shall construct drainage facilities as required to serve the property (Ordinance No. 1306). The parking lot is to be designed to convey water to the City drainage

system without crossing driveways.

37. The developer/applicant is advised that they are obligated to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for discharge of Storm Water associated with construction activity (except operations that result in disturbance of less than one acre of total land area and which are not a part of a larger common plan of development or sale). Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). The proponent must also prepare a Storm Water Pollution Prevention Plan (SWPPP) for the entire project before construction begins. The SWPPP must contain, at a minimum, all items listed in Section A of the permit, including descriptions of measures to be taken to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, detention basins, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into water of the United States. If portions of the project area are to be sold off before the entire project is completed, the proponent must submit to the California Regional Water Quality Control Board a change of information form identifying the new owners along with a revised site map clearly depicting those portions that were sold and those that are remaining. The proponent is also responsible for informing each new owner of their responsibility to submit their own NOI, site map, and appropriate fee to the SWRCB and to prepare their own SWPPP.
38. The developer/applicant is hereby notified that the property is subject to pay development fees per a future resolution to be adopted soon. The fee is associated with the construction of concrete improvements along North Grand Avenue by the City. Impact fees will also be due for utilities (sewer, water, storm drainage) constructed along the frontage of the property as part of the North Grand Reconstruction project.
39. The developer/applicant shall submit three complete sets of plans, signed by a licensed Architect or Engineer, including two sets of energy calculations and structural calculations.
40. Plan submittals shall comply with current access laws (both State and Federal). The most stringent Code shall prevail. The following items were noticed during the review of the submitted site and grading plans:
 - a. All paths to and out of the buildings must be accessible and all exits shall offer ramps and stairs and not just the stairs as proposed.
 - b. The exception being that a non-required exit is provided at or greater than a height of twenty-four (24) inches above grade.
 - c. The sidewalks shall interconnect all buildings.
 - d. The proposed platform requires an accessible ramp.
41. Plan submittals shall comply with all current applicable Codes. As discussed in the Project Review Committee meeting, please pay special attention to the following requirements/Codes:
 - a. The platform construction shall comply with Chapter 4 of the California Building Code.

- b. One service/mop sink is required per Table 422.1 of the California Plumbing Code.
- 42. The developer/applicant shall make payment of the required plan check fees at the time of building permit plan submittal.
- 43. The developer/applicant shall provide soil compaction test(s) as required by the applicable building code sections.
- 44. The developer/applicant shall pay School Development fees and all other City fees at the time table determined by current City Ordinance.
- 45. The developer/applicant shall pay all fees according to the Municipal Code and State Law.
- 46. Restrooms, main entrance(s), and paths of travel from the required accessible parking stalls shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.
- 47. Plan submittals shall include the installation of Clean Air parking stall(s) if ten or more parking stalls are required for the project (per California Green Code).
- 48. Compliance forms and worksheets are required to be included on all plan submittals (per California Green Code).
- 49. All construction offices, storage containers, etc., planned and/or intended for temporary use during construction must receive approval from the Chief Building Official through a separate permit process prior to their installation and/or placement on the property and must be removed from the jobsite prior to final occupancy being requested and/or approved.
- 50. Signs require separate plan submittal.
- 51. The Building Official has designated the proposed construction to be an "A-3" Occupancy Classification.
- 52. Allow two weeks review time for the initial plan check submittal and an additional two weeks review time for each subsequent re-submittal.
- 53. Plans submitted with deferred items will automatically be rejected and are not guaranteed a complete plan review prior to said rejection.
- 54. A grease trap or grease interceptor may be required.
- 55. No obstructions, including walls, trees, light and signposts, meter, shall be placed within three feet of any hydrant.
- 56. Areas identified as "Fire Lanes" must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Section 22500.1.

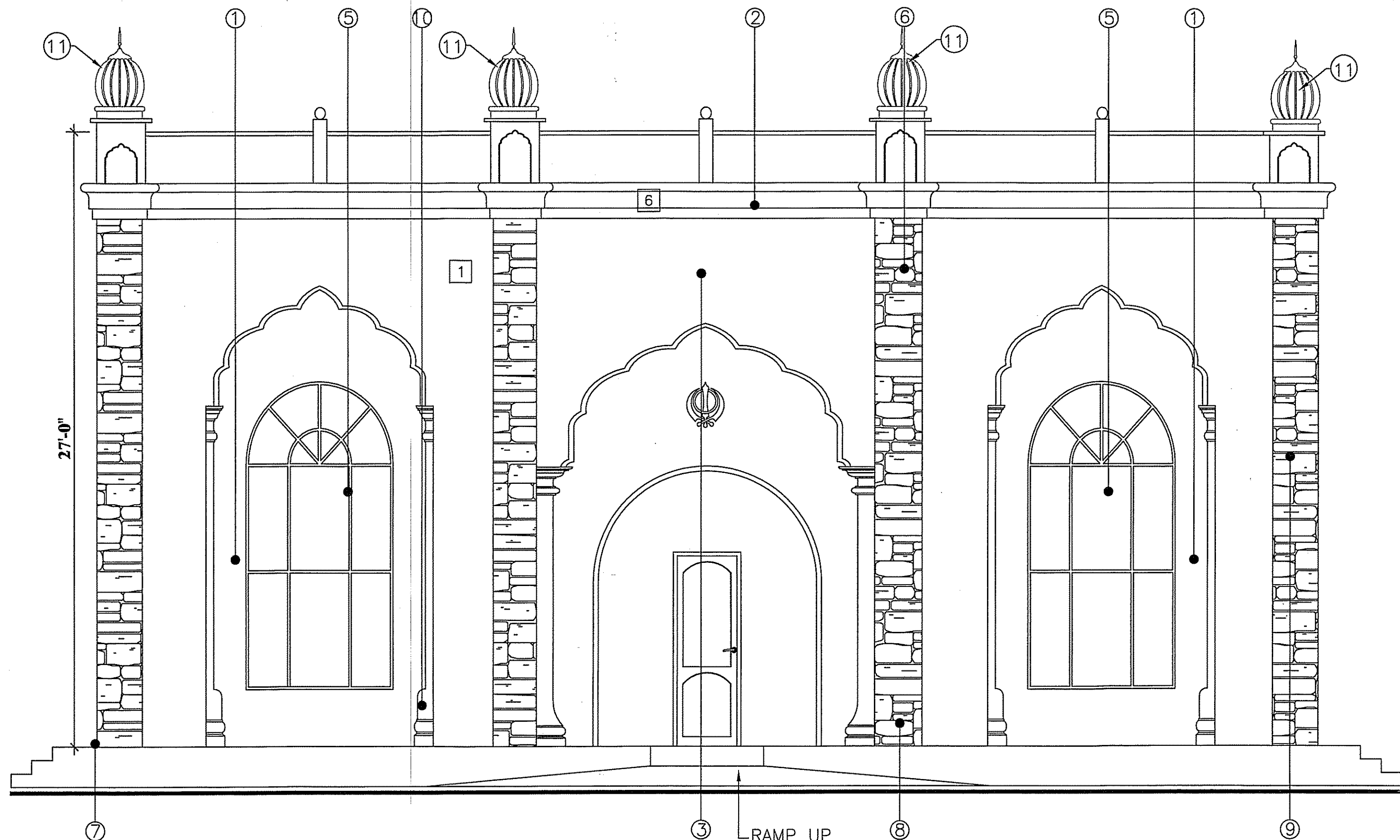
57. A Knox Box will be required. A “Grand Master” key that opens all locked areas including locked gates will also be required and placed inside the Knox Box. An application and ordering is done online at the Knox Box web page. <http://www.knoxbox.com/>
58. All structures shall be provided with a 13 fire sprinkler system in accordance with current adopted California Building and Fire Code. Underground and above ground plans must be submitted at the same time. A hydrant will be required within fifty (50) feet of the Fire Department Connection. A fire alarm system shall be installed in all buildings in accordance with California Building and Fire Code requirements.
59. Fire extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire Department.
60. A fire monitoring system shall be installed on the interior of the structure near the fire alarm annunciator panel.
61. Emergency lighting is required when more than one exit is required.
62. Two improved access roads, minimum 20 ft., are required capable of supporting 75,000 pounds.

PASSED, APPROVED AND ADOPTED this 16st day of February 2016.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



NORTH ELEVATION
Scale: 1/4" = 1'-0"

RAMP UP
(REF. SITE PLAN FOR DETAIL)

KEY NOTES:

- ① EXTERIOR WALLS: "LA HABRA STUCCO" CEMENT PLASTER, COLOR AND TEXTURE SELECTION BY OWNER.
- ② TRIMS: CEMENT PLASTER FINISH OVER 2x4 FOAM SHAPES, COLOR TO MATCH WALLS.
- ③ BUSINESS SIGN SHALL CONSIST OF SINGLE LETTERS INSTALLED OVER THE FINISHED STUCCO. PROVIDE INDIRECT LIGHTING FOR SIGN-LETTER ILLUMINATION AS APPROVED BY PLANNING DEPARTMENT. EACH LETTER SHALL BE ILLUMINATED BY A SEPARATE LIGHT. SUBMIT FIXTURES TO PLANNING FOR APPROVAL PRIOR TO ORDER/INSTALLATION.
- ④ FASCIA/ GUTTER: 2x8 FASCIA BOARD w/ 5-1/2" OGEE G.I. FASCIA GUTTER, PAINTED. COLOR SELECTION BY OWNER.
- ⑤ WINDOWS: VINYL DUAL PANE WINDOWS BY "MILGAURD" OR EQUIVALENT. COLOR SELECTION BY OWNER.
- ⑥ BUILT-UP COLUMN BEYOND WALL w/ STUCCO FINISH.
- ⑦ WEEP SCREED @ +4" MINIMUM ABOVE FINISH GRADE (2" ABOVE PAVED AREAS).
- ⑧ STONE VENEER WAINSCOTT: VERIFY COLOR WITH OWNER.
- ⑨ PILLARS MANUFACTURED BY "TUSCAN" w/ BASE AND CAP.
- ⑩ FOAM BUILD UP FOR SAME SIZE AS INSTALLED WINDOW w/STUCCO FINISH INSIDE THE FOAM BORDER. PROVIDE DIFFERENT STUCCO COLOR WITHIN THE INSTALLED FOAM. TYPICAL FOR ALL SECTIONS SHOWN.
- ⑪ DOME (NOT A PART OF THIS PERMIT) FUTURE INSTALLATION

GENERAL NOTES

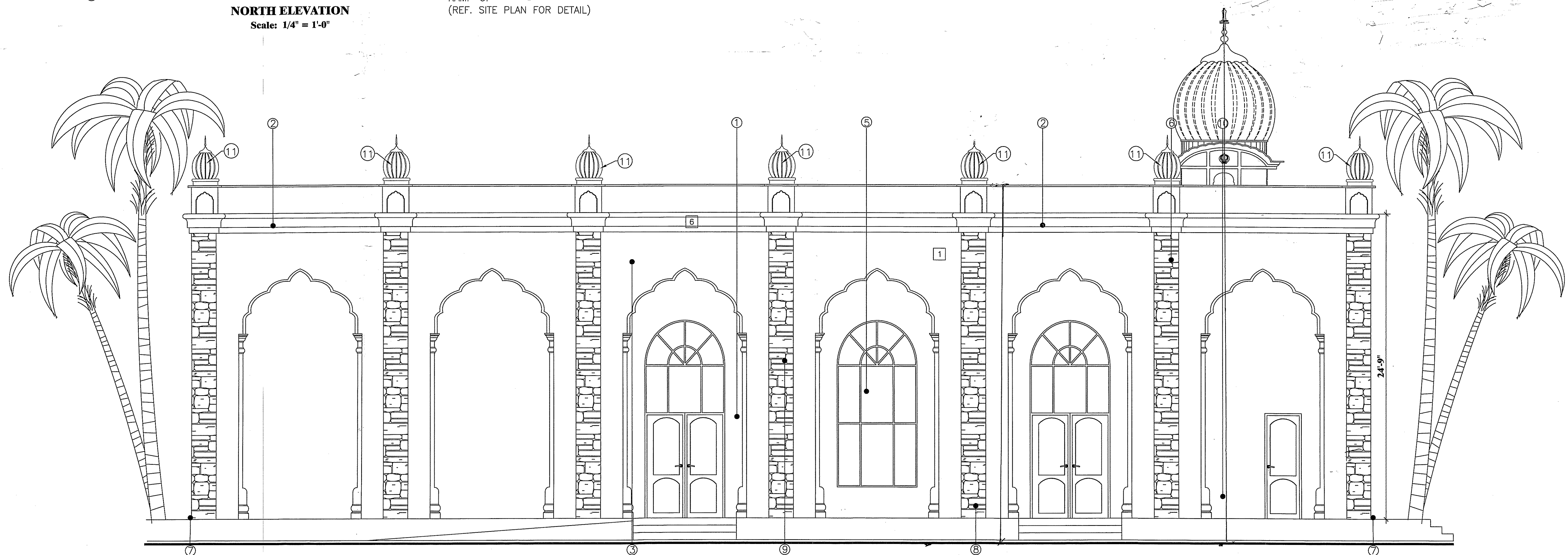
1. CAULK ALL WALL AND ROOF PENETRATIONS.
2. APPLY ONE COAT OF WATERPROOFING TO ALL HORIZ. STUCCO SURFACES.
3. SEE SPECIFICATIONS FOR NAILING AND REQUIREMENTS FOR EXTERIOR GRADE PLYWOOD.
4. CAULK ALL WINDOWS AND DOOR FRAMES AT HEAD, SILL AND JAMB (EXTERIOR & INTERIOR).
5. STUCCO FINISH TO BE "LIGHT LACE" AS SPECIFIED BY THE STUCCO MANUFACTURERS ASSOCIATION. ALTERNATE - "MEDIUM DASHED", MACHINE APPLIED.
6. PROVIDE BUILDING ADDRESS # ON FRONT WALL (LEFT SIDE) OR AS DIRECTED BY LOCAL AUTHORITY AND AS SPECIFIED HEREIN.

STUCCO NOTES

1. COLD JOINTS WILL NOT BE ACCEPTABLE UNDER ANY CIRCUMSTANCES.
2. MESH AS SPECIFIED SHALL NOT OVERLAP AT CONTROL JOINTS.
3. MESH OVERLAPS SHALL NOT COINCIDE WITH PLYWOOD JOINTS.
4. MESH WITH GRID EXCEEDING 2'x2' WILL BE REJECTED.
5. USE OF FASTENERS OTHER THAN GALVANIZED WILL NOT BE ACCEPTED.
6. SCARIFICATION AS SPECIFIED SHALL ALWAYS BE IN THE HORIZONTAL DIRECTION.
7. INTERIOR DRYWALL SHALL ALWAYS BE INSTALLED PRIOR TO APPLICATION OF STUCCO.

EXTERIOR FINISH SCHEDULE

SURFACE	COLOR
STUCCO - FIELD COLOR	① OMEGA PRODUCTS 232-SONOMA
STUCCO - FACIAL BOARD	② OMEGA PRODUCTS 221-HARVEST GOLD
STUCCO - FACIAL BOARD	③ OMEGA PRODUCTS 415-ONIONSKIN TAN
STUCCO - FACIAL BOARD	④ OMEGA PRODUCTS 236-ANTIQUE GREEN
FOAM	⑤ OMEGA PRODUCTS BRONZE COLOR
COLUMNS AND MOLDING	⑥ OMEGA PRODUCTS BONE WHITE



WEST ELEVATION
Scale: 1/4" = 1'-0"

REVISIONS	BY
9-27-15	

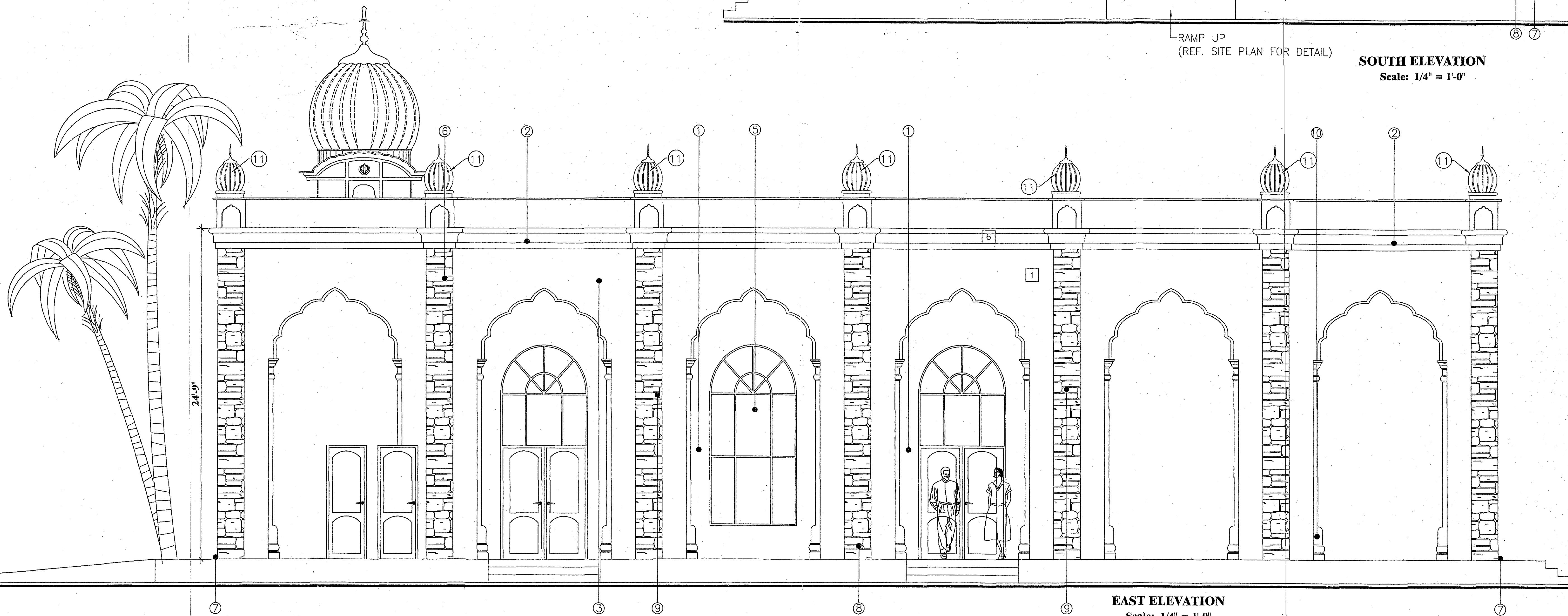
HILLMAN BUILDING DESIGNERS
SPECIALIZING IN CUSTOM DESIGNS
SINCE 1970
34583 Hwy. 190 Springfield, CA 93265
Tel. (559) 781-1538
Email hillmandesigns@ocsnet.net

HECTOR TELLEZ ARCHITECT
LIC. C16430
33720 MEADOW DRIVE Springfield, CA 93265
Tel. (559) 781-1538
Fax: 559-781-1538

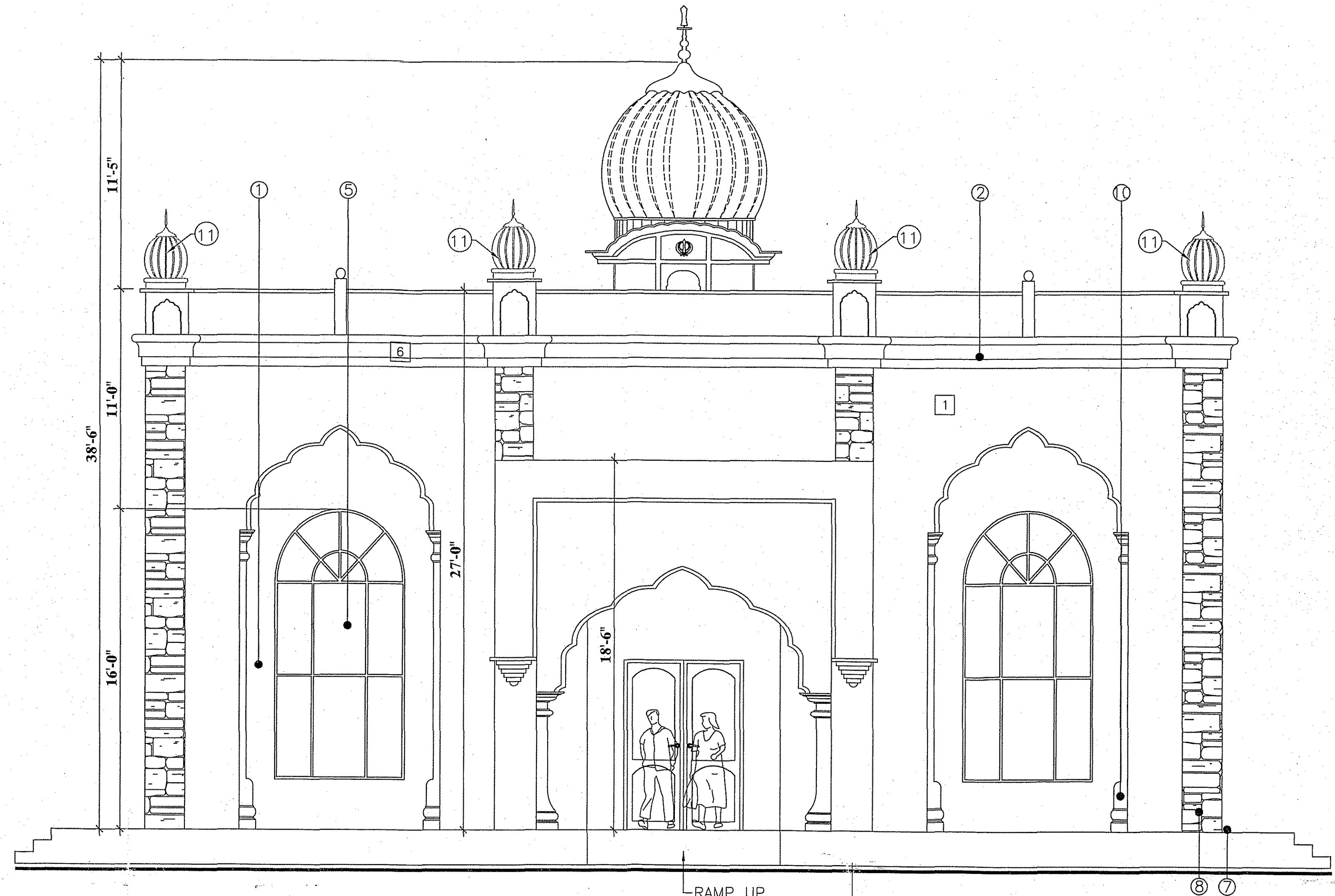
SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
559-361-3655

DATE 7-31-15
SCALE AS SHOWN
DRAWN MH
JOB 12017
SHEET

A1.4



EAST ELEVATION
Scale: 1/4" = 1'-0"



RAMP UP
(REF. SITE PLAN FOR DETAIL)

SOUTH ELEVATION
Scale: 1/4" = 1'-0"

REVISIONS	BY
9-27-15	

HILLMAN BUILDING DESIGNERS

SPECIALIZING IN CUSTOM DESIGNS
SINCE 1970

34583 Hwy. 190 Springville, CA 93265
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Email: hillmandesigns@ocsnet.net

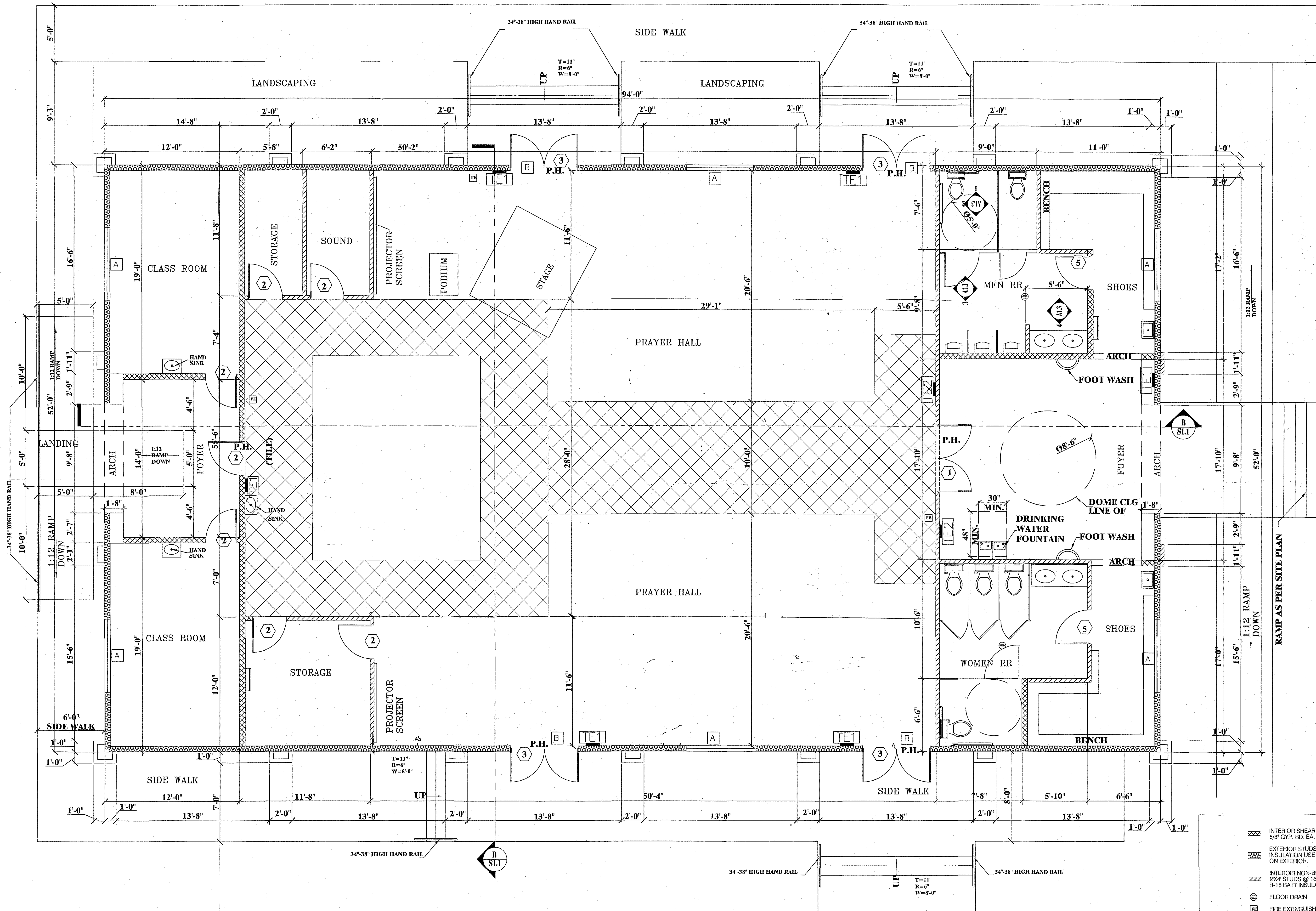
HECTOR TELLEZ ARCHITECT

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33720 MEADOW DRIVE Springville, CA 93265
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SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
559-361-3655

DATE	7-31-15
SCALE	AS SHOWN
DRAWN	MH
JOB	12017
SHEET	

A1.5



FLOOR PLAN
Scale: 1/4" = 1'-0"

- LEGEND**
- INTERIOR SHEAR WALL W/ 2" X 6" STUDS @ 16" O.C. W/ 5/8" GYP. BD. EA. SIDE & R-19 BATT INSULATION
 - EXTERIOR STUDS 2" X 6" STUDS @ 16" O.C. W/ R-19 BATT INSULATION USE 5/8" GYP. BD. INTERIOR & 7/8" STUCCO ON EXTERIOR
 - INTERIOR NON-BEARING WALL NO SHEAR WALL USE 2X4 STUDS @ 16" O.C. W/ 5/8" GYP. BD. EA. SIDE USE R-15 BATT INSULATION
 - FLOOR DRAIN
 - FIRE EXTINGUISHER 2A:20BC
 - SEE WINDOW SCHEDULE SHEET A1.4
 - SEE DOOR SCHEDULE SHEET A1.4

REVISIONS	BY
9-27-15	

HILLMAN BUILDING DESIGNERS
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34583 Hwy. 190 Springville, CA 93265
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33720 NEADOW DRIVE Springville, CA 93265
Tel. (559) 781-1538

A NEW DEVELOPMENT FOR
SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA
559-361-3655

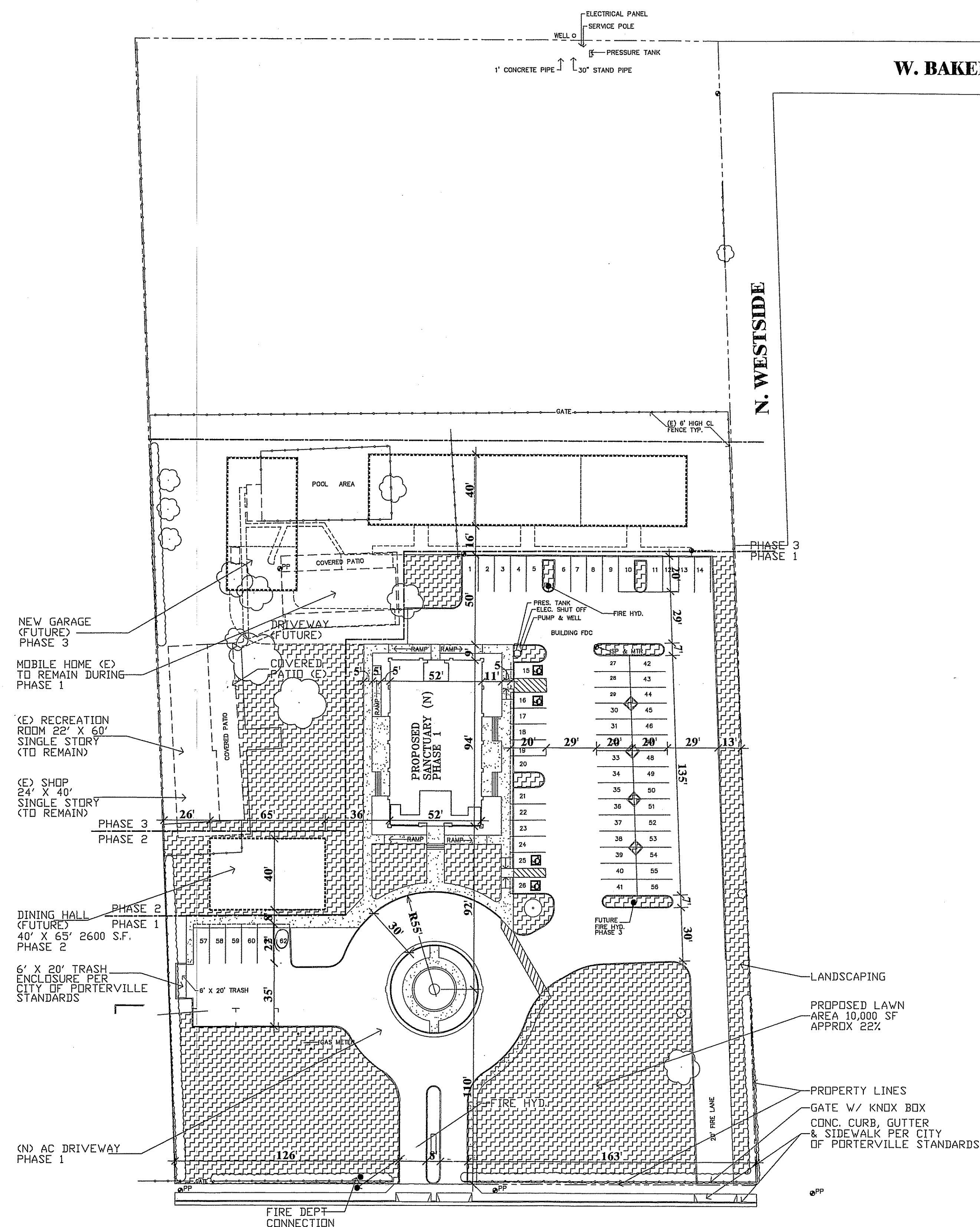
DATE 7-31-15
SCALE AS SHOWN
DRAWN MH
JOB 12017
SHEET

A1.2

HILLMAN BUILDING DESIGNERS
SPECIALIZING IN CUSTOM DESIGNS
SINCE 1970

34583 Hwy. 190 Springville, CA 93265
Tel.: (559) 781-1538
Email: hillmandesigns@comcast.net

PROPOSED NEW DEVELOPMENT FOR:
SIKH CENTER-PORTERVILLE
1250 NORTH WEST GRAND
PORTERVILLE, CA



WEST NORTH GRAND AVE.



SITE PLAN

DESCRIPTION: APN# 243-240-15, IN THE
COUNTY OF TULARE, STATE OF CALIFORNIA

SCALE: 1"=40'

ASSESSOR'S PARCEL NUMBER: _____ 243-240-15
PROJECT ADDRESS: _____ SIKH CENTER - PORTERVILLE
1250 W. NORTH GRAND AVE.
PORTERVILLE, CA

PROJECT DESCRIPTION: _____ SIKH TEMPLE
ZONING: _____
JURISDICTION: _____

CODE ANALYSIS

1. OCCUPANCY CLASSIFICATION: _____ A3 _____ SEC. 303 (PRAYER HALL)

2. TYPE OF CONSTRUCTION: _____ VB
3. FIRE SPRINKLERS: _____ YES
4. HEIGHT: _____
ALLOWABLE: _____ 60' (TABLE 503, SEC 504.2)
ACTUAL: _____ 50'-0" (TOP OF DOME)
5. STORIES: _____
ALLOWABLE: _____ 2 (TABLE 503, SEC 504.2)
ACTUAL: _____ 1
6. AREA: _____
ALLOWABLE: _____ 6000 SQ.FT. (AS PER TABLE 503)
ACTUAL: _____ 4925 SQ.FT.
7. AREA BREAKDOWN:
GROSS SITE AREA: _____ 4.86 AC (211850 SQ.FT)
SITE AREA IN SCOPE: _____ 136697 SQ.FT (+3.13 ACRES)
PHASE-I
PROPOSED DARBAR HALL AREA: _____ 4385 SQ.FT
PHASE-II
(N) FELLOWSHIP HALL (WITH KITCHEN) _____ 2600 SQ.FT (FUTURE)
PHASE-III
(3) 40' X 60' CLASSROOM UNITS _____ 7200 SQ.FT (FUTURE)
(N) 40' X 50' RESIDENCE TO _____ 2000 SQ.FT (FUTURE)
REPLACE (E) MOBILE HOME _____
8. LOT COVERAGE
NET SITE AREA: _____ 136697 SQ.FT (+3.13 ACRES)
PROPOSED GURUDWARA FOOTPRINT: _____ 4385 SQ.FT (3.60%)
PROVIDED LANDSCAPE AREA: _____ 43339 SQ.FT (19.38%)
PROVIDED PAVED AREA: _____ 45,400± SQ.FT (68.39%)
9. OCCUPANT LOAD:
9.1) PRAYER HALL NET AREA _____ 2872/7=411
9.2) CLASS ROOM _____ 228/20=12
9.3) CLASS ROOM _____ 228/20=12
TOTAL OCCUPANT LOAD _____ 436
10. EXIT
REQUIRED: _____ 2 (SEC. 1015.1)
PROVIDED: _____ 10
11. REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS AND PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY _____ NO
12. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS _____ NO
13. SPECIAL INSPECTIONS REQUIRED: _____ YES
14. CODE YEAR / TYPE: _____ 2013 CBC
PROPOSED BUILDING USE: _____ SIKH TEMPLE



CITY COUNCIL AGENDA – FEBRUARY 16, 2016

SUBJECT: Status and Review of Declaration of Local Drought Emergency

SOURCE: City Manager's Office

COMMENT: Governor Brown issued Executive Order B-29-15 on Wednesday, April 1, 2015, which established drought-related mandates and restrictions in addition to those already stipulated in previous Executive Orders B-26-14 and B-28-14. Of significance, the Governor directed the State Water Resources Control Board to impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016, in comparison to the amount used in 2013, and with consideration given to per capita usage as a basis. The Governor further directed the Board to impose additional restrictions on commercial, industrial, and institutional properties with significant landscaping (cemeteries, golf courses, parks, schools, etc.), to also achieve a 25% reduction in potable water usage. Also of significance, the Board is directed to prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems.

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. 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 benefitted 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 is being considered (2%).

At its last meeting on February 2nd, the City Council took action in the continued affirmation of the adoption of a Resolution of Declaration of Local Emergency, due to local residences within the city having been identified as having wells that are now dry as a result of the drought. Approximately twenty-five (25) residences within the city have been determined to currently have dry wells, most of which are concentrated in the vicinity of E. Vandalia Avenue between Main and Plano Streets, and it is anticipated that more could likely occur through the coming months. City staff has submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry. As previously reported, City staff has resubmitted the E. Vandalia water connection project to the State for grant-funding consideration, which the State Department of Public Health/Division of Drinking Water (DDW) is considering funding as part of a

larger deficient water system connection project. City and DDW staff have been in communication, and will soon be meeting toward advancing the proposed project.

As was reported to the Council at its February 2nd meeting, the Tulare County Office of Emergency Services (TCOES) recently contacted the City to seek approval to locate and connect a mobile laundry trailer to the City's water system in support of East Porterville residents. The laundry trailer is comprised of ten (10) high-efficiency washers and ten (10) dryers, which each wash load utilizes between 5 and 20 gallons of water dependent upon the size and weight of the wash load. The trailer can be supplied with water either by direct connection or by a portable water source (tank). A collection of non-profit agencies have collaborated with the United Way in the donation of \$85,000 to fund the operation of the mobile laundry trailer for a twelve (12) month period of time, proposed to be located at Iglesia Emmanuel Church. A mobile shower trailer is currently located at the church site, and has been averaging approximately 500 gallons per day of water use. The contract vendor that operates the mobile shower trailer would also operate the mobile laundry unit, and has indicated that the water connection provided for the showers can also be used to serve the laundry. Sewer services are provided by the Porter Vista Public Utility District. TCOES has indicated that the onsite drought service center will screen residents wishing to use the laundry services, in an attempt to prevent misuse by residents that are not without residential water. TCOES also reports that the three privately-operated laundromats located in the East Porterville area declined to participate in a voucher program due to concerns of their own private wells being sustainable. At its February 2nd meeting, the Council took action to deny TCOES's request, which the United Way and the contributing non-profits are now requesting that the Council again consider approval of the connection.

RECOMMENDATION: That the City Council:

- 1) Receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration; and
- 2) Consider the connection to City water of a mobile laundry trailer to be placed in East Porterville.

ATTACHMENTS:

1. Resolution 49-2015 - Declaration of Local Emergency
2. Governor's Executive Order
3. County Agenda Report - Mobile Laundry Trailer
4. CalOES Drought Update

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE DECLARING A DROUGHT EMERGENCY
WITHIN THE CITY OF PORTERVILLE

WHEREAS: in response to the ongoing severe drought, the State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement; and

WHEREAS: as we enter the fourth year of severe drought, long-term forecasts indicate no relief of the current drought conditions, and suggest a warmer-than-average summer, resulting in increased domestic demand for water; and

WHEREAS: public and private potable water supplies continue to be threatened due to decreasing supplies of groundwater caused by the precipitation deficit and an extended state of groundwater overdraft; and

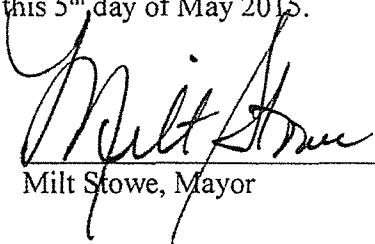
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

NOW, THEREFORE, BE IT RESOLVED: that the City Council of the City of Porterville does hereby proclaim that, due to drought conditions, a Local Emergency now exists in the city of Porterville and shall remain in effect for the duration of the emergency; and

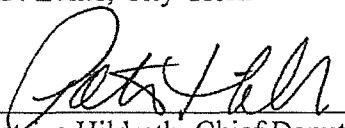
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, to include a Presidential Declaration of Emergency and Individual Assistance and Public Assistance programs as applicable; and

BE IT FURTHER RESOLVED: that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services.

PASSED, APPROVED, AND ADOPTED this 5th day of May 2015.


Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk


By: Patrice Hildreth, Chief Deputy City Clerk

Executive Department
State of California

EXECUTIVE ORDER B-29-15

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

WHEREAS a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS new expedited actions are needed to reduce the harmful impacts from water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my January 17, 2014 Proclamation, my April 25, 2014 Proclamation, and Executive Orders B-26-14 and B-28-14 remain in full force and effect except as modified herein.

SAVE WATER

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.
3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.
4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.
5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.
6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.
7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

INCREASE ENFORCEMENT AGAINST WATER WASTE

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.

13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

INVEST IN NEW TECHNOLOGIES

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

STREAMLINE GOVERNMENT RESPONSE

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

20. The Department shall take actions required to plan and, if necessary, implement Emergency Drought Salinity Barriers in coordination and consultation with the Water Board and the Department of Fish and Wildlife at locations within the Sacramento - San Joaquin delta estuary. These barriers will be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for essential human health and safety uses in 2015 and in the future.
21. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals for the purpose of installation of the Emergency Drought Salinity Barriers.
22. The Department shall immediately consider voluntary crop idling water transfer and water exchange proposals of one year or less in duration that are initiated by local public agencies and approved in 2015 by the Department subject to the criteria set forth in Water Code section 1810.
23. The Water Board will 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. As the Department of Public Health's drinking water program was transferred to the Water Board, any reference to the Department of Public Health in any prior Proclamation or Executive Order listed in Paragraph 1 is deemed to refer to the Water Board.
24. The California Department of Forestry and Fire Protection shall launch a public information campaign to educate the public on actions they can take to help to prevent wildfires including the proper treatment of dead and dying trees. Pursuant to Government Code section 8645, \$1.2 million from the State Responsibility Area Fire Prevention Fund (Fund 3063) shall be allocated to the California Department of Forestry and Fire Protection to carry out this directive.
25. The Energy Commission shall expedite the processing of all applications or petitions for amendments to power plant certifications issued by the Energy Commission for the purpose of securing alternate water supply necessary for continued power plant operation. Title 20, section 1769 of the California Code of Regulations is hereby waived for any such petition, and the Energy Commission is authorized to create and implement an alternative process to consider such petitions. This process may delegate amendment approval authority, as appropriate, to the Energy Commission Executive Director. The Energy Commission shall give timely notice to all relevant local, regional, and state agencies of any petition subject to this directive, and shall post on its website any such petition.

26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.

31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have
hereunto set my hand and caused the
Great Seal of the State of California to
be affixed this 1st day of April 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: January 26, 2016 **REVISED**

Public Hearing Required	Yes ☐	N/A ☒
Scheduled Public Hearing w/Clerk	Yes ☐	N/A ☒
Published Notice Required	Yes ☐	N/A ☒
Advertised Published Notice	Yes ☐	N/A ☒
Meet & Confer Required	Yes ☐	N/A ☒
Electronic file(s) has been sent	Yes ☒	N/A ☐
Budget Transfer (Aud 308) attached	Yes ☐	N/A ☒
Personnel Resolution attached	Yes ☐	N/A ☒
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes ☐	N/A ☒

CONTACT PERSON: Timothy W. Lutz PHONE: 624-8000

SUBJECT: Ratify acceptance of a donation from United Way of Tulare County

REQUEST(S):

That the Board of Supervisors:

Ratify acceptance of a donation for a mobile laundry trailer to be placed in East Porterville for a period of up to 12 months.

SUMMARY:

As part of the ongoing community approach to drought relief, the Tulare County Office of Emergency Services (OES), Self Help Enterprises, United Way of Tulare County, Community Service Employment Training (CSET), local faith based organizations, and other partners are continually engaged with numerous potential donors interested in supporting drought relief efforts.

Over the past 3 months, OES, United Way, California Resources Corporation, the Western States Petroleum Association, and the League of United Latin American Citizens have been engaged in discussions regarding a potentially large donation for the heavily drought-impacted East Porterville area. California Resources Corporation, the Western States Petroleum Association, and the League of United Latin American Citizens decided to fund a mobile laundry trailer for 12 months, which has been placed at Iglesia Emmanuel Church. The donation was made to United Way of Tulare County, who in turn, contracted with the County's existing mobile shower vendor to provide the mobile laundry trailer. The Governor's Office of Emergency Services (Cal OES) has confirmed that this action meets the

SUBJECT: Ratify acceptance of a donation from United Way of Tulare County
DATE: January 26, 2016

requirements set forth in California Code of Regulations (CCR) §2910(c)(2) as a donated resource and will contribute as an offset to the County's local match requirements. The projected value of this donation is approximately \$84,000.

The County's obligation is to pay for ongoing utility costs for the laundry trailer. The costs will be variable based on usage, but is estimated to be less than \$1,000 per month; however, 75% of the utility costs are eligible for reimbursement under the California Disaster Assistance Act (CDAA).

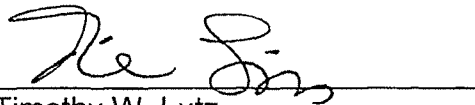
FISCAL IMPACT/FINANCING:

The total estimated cost of providing utilities is \$12,000 per year. This cost will be invoiced to the State for 75% reimbursement under the California Disaster Assistance Act (CDAA), yielding an annual net cost to the County General Fund of \$3,000. All associated expenses and revenues are included in the drought 012 contingency fund adopted by the Board of Supervisors.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five year strategic plan includes the Safety and Security initiative, with direction to plan and provide coordinated emergency preparedness, response, recovery and mitigation capabilities for both natural and man-made disasters. This action demonstrates a coordinated, whole-community approach to disaster response and recovery.

ADMINISTRATIVE SIGN-OFF:



Timothy W. Lutz
Director of Fiscal Operations

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) None

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RATIFY)
ACCEPTANCE OF A DONATION) RESOLUTION NO. _____
FROM UNITED WAY OF TULARE) AGREEMENT NO. _____
COUNTY)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Ratified acceptance of a donation for a mobile laundry trailer to be placed in East
Porterville for a period of up to 12 months.



Drought Update

Wednesday, February 3, 2016

KEY ACTION ITEMS FROM THIS WEEK

- **State Keeps Meeting Cumulative Goal; As Monthly Conservation Rate Drops, Residential Water Users Urged to Continue Saving Water:** On February 2, the State Water Board [announced](#) that Californians reduced water use in December by a total of 18.3 percent, which equates to approximately 75,719 acre-feet, compared to 20.4 percent in November. In contrast, the average statewide water use declined from 76 gallons per person per day in November to 67 gallons in December– the second lowest per-person rate since water-use reporting began in June 2014.

Overall, Californians continue to reduce water use by a total of 25.5 percent, which equates to almost 1.1 million acre-feet since the emergency conservation regulations took effect in June. This amount is more than 91 percent of the way to meet the Governor's target of 25%, or 1.2 million acre-feet, goal by February 2016.

- **DWR Increases 2016 State Water Project Allocation from 10% to 15%:** On January 26, the Department of Water Resources [announced](#) a small increase to its initial allocation for the State Water Project (SWP) from 10 percent to 15 percent. For 2016, the 29 contractors that receive SWP water requested more than 4.1 million acre-feet of water. With the latest allocation increase, they will receive 631,115 acre-feet of requested supplies. State Water Project contractors serve approximately 25 million Californians and just under a million acres of irrigated farmland.
- **State Water Board Adopts 2016 Emergency Conservation Regulation:** On February 3, the State Water Board [adopted](#) an emergency conservation regulation that extends mandatory urban conservation through October. The regulation would allow urban water suppliers to apply for an adjustment of no more than 8% to their individual state-imposed conservation target. The climate adjustment, where applicable, could reduce a supplier's target by up to 4% for suppliers located in warmer regions of the state.

In addition, the growth adjustment, as proposed, would provide a mechanism to account for water-efficient growth since 2013. To qualify for the adjustment, suppliers would have to provide specific data to the State Water Board by March 15. For more information, please visit the State Water Board's [Water Conservation Portal](#).

- **Final 2016 Drought Contingency Plan Released:** On January 19, the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation [finalized](#) the 2016 Drought Contingency Plan outlining the State Water Project and the Central Valley Project operations for February-November 2016. The key purpose of the plan is to communicate goals for 2016 water management and the actions needed to reach the goals for the water resources stakeholders and the public. The plan was developed in coordination with staff from state and federal agencies, and information contained in the plan will be updated as water supply conditions change later this winter.

- **State Water Board Authorizes Sale of \$1.2 Billion in Bonds for Clean Water State Revolving Fund:** On January 5, the State Water Board [adopted](#) a resolution authorizing the sale of \$1.2 billion in revenue bonds for the Clean Water State Revolving Fund ([Clean Water Fund](#)) to meet financing demands and commitments for water projects. This is due to a nearly 40 percent increase in commitments in fiscal year 2014-15, and a greater demand expected in fiscal year 2015-16 and beyond.

The Clean Water Fund is a financial assistance program, associated with the federal Clean Water Act and state water quality laws. The fund provides financial assistance for construction or implementation of projects that address water quality problems and prevent water pollution. The program also provides low-interest loans and other financial tools for construction of publicly-owned wastewater treatment facilities, water recycling facilities, storm water treatment facilities and management tools plans.

- **DWR Announces \$232 Million in Grants to Improve Water Management across California:** On January 13, the Department of Water Resources (DWR) [announced](#) approximately \$232 million in grant funding for 26 proposals for Integrated Regional Water Management (IRWM) projects will leverage hundreds of millions of local and federal dollars. These grants will support projects and programs to meet California's long-term water management needs, including delivery of safe drinking water, enhancement of recycled water, water conservation, flood risk, watershed protection, ecosystem restoration and water management of groundwater. For a detailed list of projects and grant requests, please click [here](#).
- **CDFW Awards \$31.4 Million to Fund Ecosystem and Watershed Restoration Projects:** On January 13, the Department of Fish and Wildlife (CDFW) [announced](#) 24 projects that will receive \$31.4 million in funding from its Water Quality, Supply and Infrastructure Improvement Act of 2014 (Prop 1) Restoration Grant Programs. These projects will further the objectives of the California Water Action Plan, establishing more reliable water supplies, restoring important species and habitat, and creating a more resilient and sustainably managed water resources system. For a list of projects approved for funding through the Watershed Restoration Grant Program, click [here](#).
- **State Water Board Approves Emergency Regulation Requiring Annual Reporting for Water Diversions:** On January 19, the State Water Board [approved](#) its revised Emergency Regulation for Measuring and Reporting the Diversion of Water, which requires all surface water right holders to report their diversions annually instead of every three years. The regulation is expected to affect approximately 12,000 water right holder and claimants. For more details, please view the State Water Board's full press release [here](#).
- **21 Groundwater Basins Identified as Critically Overdrafted:** On January 21, the Department of Water Resources (DWR) [identified](#) twenty-one (21) [groundwater](#) basins where excessive groundwater pumping has resulted in major overdraft. Overdraft impacts can include seawater intrusion and land subsidence, in addition to chronically lowered groundwater levels. As a result, those basins and subbasins identified by DWR as significantly overdrafted must have groundwater sustainability plans prepared by January 31, 2020. A full list of the critically overdrafted basins statewide can be found [here](#).

- **California's Water Conservation Education Program Campaign:** This past week, the Save Our Water [PSA](#) featuring Golden State Warrior stars, Stephen Curry & Klay Thompson ("Splash Brothers"), will continue to air on the Comcast SportsNet (CSN) Bay Area through the end of January. Save Our Water also updated their social media pages and website with the new [Keep your Sprinklers Off](#) Campaign which serves as a one-stop shop for homeowners and professionals looking for information and online resources for water-efficient irrigation.

In addition, Save Our Water continues to promote the "[Claim your Turf Replacement](#)", and "[Claim Your Toilet](#)" rebate programs. For more tips and tools to help conserve water and keep trees healthy during the drought, please visit Save Our Water's website, which is available in both [English](#) and [Spanish](#), or connect with the program on [Facebook](#), [Twitter](#) or [Instagram](#).

Governor's Drought Task Force: The Task Force continues to take actions that conserve water and coordinate state response to the drought. During the January 21 meeting, the Department of Water Resources indicated that the next manual snowpack survey will be conducted on February 2.

In addition, the Labor Workforce Development Agency announced that the federally funded Drought Temporary Jobs program has enrolled 834 participants at 136 worksite projects in 24 counties. The program is funded through the U.S. Department of Labor's National Dislocated Worker Grant program which offers 6 months of employment on drought-related public works projects for up to 1,000 workers affected by the drought.

ONGOING DROUGHT SUPPORT

- **Emergency Food Aid, Utility and Employment Assistance:** The Department of Social Services (CDSS) Drought Food Assistance Program (DFAP) provides food assistance to affected communities that suffer high levels of unemployment from the drought. To date, over 1,136,740 boxes have been provided to community food banks in drought-impacted counties, with an average of approximately 13,250 food boxes per week since June 2014. Approximately 1,021,826 boxes of food have been picked up by 524,810 households.

Food boxes distributions vary by county and occur 1-4 times per month. Nearly 73% of the food distributions have occurred in the Tulare Basin (Fresno, Kern, Kings and Tulare). Approximately 11,700 boxes are scheduled for delivery to Fresno, Kern, Riverside, Tulare and Ventura counties by February 5.

The Department of Community Services and Development (CSD) allocated an additional \$600,000, under the federally-funded Community Services Block Grant (CSBG), to continue the [Drought Water Assistance Program \(DWAP\)](#) which provides financial assistance to help low-income families pay their water bills. As of January 15, CSD has reported a total of \$597,315 has been issued to 2,973 households. As a result, all funds for water assistance payments have been expended.

CSD is in the process of allocating \$400,000, under CSBG, to continue the Migrant and Seasonal Farmworker (MSFW) drought assistance program, which provides assistance in employment training and placement services to individuals impacted by the drought. This program provides employment training and placement services to migrant and seasonal farmworkers suffering job loss or reduced employment due to the drought. To date, CSD has reported that a total of \$184,000 has been expended with 93 participants enrolled.

In response to California's historic drought, CSD has received \$7.5 million in General Fund to implement the Drought Emergency Assistance Program (DEAP) to provide emergency relief and support services to drought-impacted individuals and their families and households. As of January 15, \$5.1 million has been issued to 3,862 households.

- **Drought Response Funding:** The \$687 million in state drought funding that was appropriated last March through emergency legislation, as well as \$142 million provided in the 2014 Budget Act, continues to advance toward meeting critical needs. To date, \$468 million has been committed, and nearly \$625 million of the emergency funds appropriated in March came from sources dedicated to capital improvements to water systems. Since March, the Department of Water Resources has expedited grant approvals, getting \$21 million immediately allocated to grantees that were pre-approved for certain projects.

As planned in March, the next \$200 million of expedited capital funding was awarded in October, and the remaining \$250 million will be granted by fall 2015. The 2014 Budget Act appropriated an additional \$53.8 million to CAL FIRE over its typical budget to enhance firefighter surge capacity and retain seasonal firefighters beyond the typical fire season.

As a result of continuing drought conditions, emergency legislation was enacted in March 2015 that appropriated over \$1 billion of additional funds for drought-related projects and activities. The Administration's May Revision proposal includes an additional \$2.2 billion for programs that protect and expand local water supplies, improve water conservation, and provide immediate relief to impacted communities.

CURRENT DROUGHT CONDITIONS

- **Recent Precipitation:** A series of storms moved through the state this past week increasing precipitation totals. Highest amounts occurred in the Sacramento Valley with 7-day totals ranging from 0.5 to 12.5 inches. 2 to 6 inches occurred along the North Coast, 0.5 to 2.5 inches in the Bay Area, and 1 to 5 inches in the Sierras. The Central Coast received 0.5 to 3.5 inches of rainfall and .1 inches in the Los Angeles and San Diego regions.

Below are precipitation totals (in inches) from January 22 through January 29, and year-to-date rainfall based on the water year cycle (October 1, 2015 to September 30, 2016).

- | | |
|--|---|
| • Bakersfield: 0.07" (2.35") | • Redding: 1.55" (20.75") |
| • Paso Robles: 0.13" (4.75") | • Riverside: 0.00" (3.62") |
| • Fresno: 0.57" (8.56") | • Sacramento: 0.49" (8.64") |
| • Yosemite: 1.64" (20.92") | • San Diego: 0.00" (5.88") |
| • Los Angeles: 0.00" (3.41") | • Mount Shasta: 2.88" (20.98") |
| • Stockton: 0.42" (9.08") | • South Lake Tahoe: 0.94" (11.16") |
| • San Francisco: 5.00" (13.15") | • Monterey: 0.72" (13.28") |

- **Fire Activity:** Since the beginning of the year, firefighters from CAL FIRE and the U.S. Forest Service have responded to over 8,397 wildfires across the state, burning 846,895 acres. Fire activity across California is low resulting in 14 combined wildfires in just the past week. In 2015, there was a 38% increase in the number of wildfires.

- **CAL FIRE Burn Suspension Status:** Due to cooler temperatures and recent rains, CAL FIRE has lifted the burn suspension in the State Responsibility Area in Northern California and portions of Central California, allowing residential outdoor burning of landscape debris with a permit.

CAL FIRE continues to monitor weather conditions closely and has the ability to increase staffing should the weather conditions change or if there is a need to support wildfire activity and any other emergencies in the State. For additional information on preparing for and preventing wildfires, please visit <http://www.readyforwildfire.org/>.

- **Dry Well Reports:** With California at the end of its fourth year of a severe, hot drought, the Governor's Drought Task Force continues to monitor and identify communities and local water systems in danger of running out of water. Over the summer, a cross-agency team, led by DWR, developed a new system that improves and streamlines data collection and reporting for [household water shortages](#) for California water systems with fewer than 15 household connections.

As of January 13, approximately 2,520 wells statewide have been identified as critical or dry, affecting an estimated 12,600 residents. Cal OES reported that 2,373 of the 2,520 dry wells are concentrated in the inland regions within the Central Valley. If you are experiencing a water supply shortage, please [submit a report](#) on DWR's website.

Vulnerable Water Systems: The State Water Board continues to provide technical and funding assistance to several communities facing drinking water shortages, and is monitoring water systems across the state. Since January 2014, 105 out of the 147 projects approved to receive emergency funding for interim replacement drinking water have been executed. On May 19, the State Water Board adopted Guidelines for administering the latest emergency drought appropriations of \$19 million announced this past March. To date, the State Water Board has received requests for \$10.2 million of those funds.

- **Projected Reservoir Management:** Since the last report on January 22, Central Valley reservoirs from Shasta and Trinity in the North to Isabella in the South had a net gain in storage of 793,996 acre-feet (AF), with a total gain of 817,199 AF and a total loss of 23,203 AF. Shasta Reservoir increased by 334,920 AF, while San Luis Reservoir, an off-stream reservoir for the Central Valley Project and State Water Project, increased its storage by 50,766 AF.
- [Reservoir Levels](#) as of January 28 have increased, including: Castaic Lake 35% of capacity (42% of year to date average); Don Pedro 40% of capacity (58% of average); Exchequer 13% of capacity (27% of average); Folsom Lake 43% of capacity (83% of average); Lake Oroville 40% of capacity (61% of average); Perris Lake 36% (45% of average); Millerton Lake 39% of capacity (62% of average); New Melones 16% of capacity (27% of average); Pine Flat 19% of capacity (41% of average); San Luis 32% of capacity (42% of average); Shasta Reservoir 49% of capacity (73% of average); and Trinity Lake 27% of capacity (38% of average). An update of water levels at other [smaller reservoirs](#) is also available.

Weather Outlook: A cold front is expected to move along Northern California throughout the weekend. Wet weather is expected to start Friday night over the Sierra and will move east into northern Nevada Friday night into Saturday morning.

Another low pressure system is expected to move across the Pacific bringing precipitation to central and southern California on Sunday. The system will move south to the US/Mexico border by Sunday bringing 1 inch of precipitation or less. The weather is expected to dry up mid-week with possible light precipitation along the California-Oregon border.

Local Government

- **Local Emergency Proclamations:** A total of 63 local Emergency Proclamations have been received to date from city, county, and tribal governments, as well as special districts:

29 Counties: Butte, Colusa, Calaveras, El Dorado, Fresno, Glenn, Inyo, Humboldt, Kern, Kings, Lake, Madera, Mariposa, Merced, Modoc, Plumas, San Bernardino, San Joaquin, San Luis Obispo, Santa Barbara, Shasta, Siskiyou, Sonoma, Stanislaus, Sutter, Trinity, Tulare, Tuolumne, and Yuba.

- o **13 Cities:** City of Live Oak (Sutter County), City of Lodi (San Joaquin County), City of Manteca (San Joaquin County), City of Montague (Siskiyou County), City of Porterville (Tulare County), City of Portola (Plumas County), City of Ripon (San Joaquin County), City of San Juan Bautista (San Benito County), City of Santa Barbara (Santa Barbara County), City of Rancho Cucamonga (San Bernardino County), City of West Sacramento (Yolo County), City of Willits (Mendocino County) and the City of Fort Bragg (Mendocino County).

9 Tribes: Cortina Indian Rancheria (Colusa County), Hoopa Valley Tribe (Humboldt County), Karuk Tribe (Siskiyou/Humboldt Counties), Kashia Band of Pomo Indians of the Stewarts Point Rancheria (Sonoma County), Picayune Rancheria of Chukchansi Indians (Madera County) Sherwood Valley Pomo Indian Tribe (Mendocino County), Tule River Indian Tribe (Tulare County), Yocha Dehe Wintun Nation (Yolo County), and Yurok Tribe (Humboldt County).

12 Special Districts: Carpinteria Valley Water District (Santa Barbara County), Goleta Water District (Santa Barbara County), Groveland Community Services District (Tuolumne County), Lake Don Pedro Community Services District (Mariposa Stanislaus County), Mariposa Public Utility District (Mariposa County), Meiners Oaks Water District (Ventura County), Montecito Water District (Santa Barbara County), Mountain House Community Service District (San Joaquin County), Nevada Irrigation District (Nevada County), Placer County Water Agency (Placer County), Tuolumne Utilities District (Tuolumne County), and Twain Harte Community Services District (Tuolumne County).

- **Water Agency Conservation Efforts:** The Association of California Water Agencies (AWCA) [has identified](#) several hundred local water agencies that have implemented water conservation actions. These water agencies [are responding to the drought](#) by implementing conservation programs, which include voluntary calls for reduced water usage and mandatory restrictions where water shortages are worst.

ACWA [released](#) a Drought Response Toolkit to assist water agencies as they take action to meet state-mandated water conservation target and communicate information about water use restrictions, enforcement and other issues with their customers, media and other audiences.

- **County Drought Taskforces:** A total of 33 counties have established drought task forces to coordinate local drought response. These counties include: Butte, Colusa, Glenn, Humboldt, Kern, Kings, Lake, Madera, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Orange, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Siskiyou, Stanislaus, Solano, Sutter, Tehama, Trinity, Tulare, Tuolumne, and Yolo.
- **Tribal Taskforce:** A total of 7 tribes have established drought task forces to coordinate tribal drought response. These tribes include: Hoopa Valley Tribe (Humboldt County), Hopland Tribe (Mendocino County), Karuk Tribe (Siskiyou County), La Jolla Band of Luiseno Indians (San Diego County), Sherwood Valley Tribe (Mendocino County), Trinidad Tribe (Humboldt County), and Yurok Tribe (Humboldt and Del Norte County).

DROUGHT RELATED WEBSITES FOR MORE INFORMATION

[Drought.CA.Gov](#): California's Drought Information Clearinghouse

State's Water Conservation Campaign, [Save Our Water](#)
Local Government, [Drought Clearinghouse and Toolkit](#)

California Department of Food and Agriculture, [Drought Information](#)
California Department of Water Resources, [Current Water Conditions](#)
California Data Exchange Center, [Snow Pack/Water Levels](#)
California State Water Resources Control Board, Water Rights, [Drought Info and Actions](#)
California Natural Resources Agency, [Drought Info and Actions](#)
State Water Resources Control Board, Drinking Water, [SWRCB Drinking Water Program](#)
California State Water Project, [Information](#)

[U.S. Drought Monitor](#) for Current Conditions throughout the Region
[U.S. Drought Portal](#), National Integrated Drought Information System (NIDIS)
National Weather Service [Climate Predictor Center](#)
USDA Drought Designations by County [CA County Designations](#)
USDA Disaster and Drought Assistance Information [USDA Programs](#)
U.S. Small Business Administration Disaster Assistance Office