CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 15, 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 and Steve Kabot. Employee Organization: Porterville City Firefighters Association.
2 - Government Code Section 54956.95 – Liability Claim: Claimant: Danny Ceballos. Agency claimed against: City of Porterville.
3 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: 5 Cases.

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

Pledge of Allegiance Led by Council Member Reyes
Invocation

PRESENTATIONS

Outstanding Business

AB 1234 REPORTS

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

1. Local Agency Formation Commission (LAFCO) - March 2, 2016

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
2. Library & Literacy Commission - March 8, 2016
3. Arts Commission
4. Animal Control Commission - March 7, 2016
5. Youth Commission - March 14, 2016
6. Transactions and Use Tax Oversight Committee (TUTOC)

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 March 1, 2016

Re: Considering approval of the draft Minutes for March 1, 2016.

2. Purchase of Radio Headsets

Re: Considering authorization to negotiate the purchase of 14 radio headsets from Mallory Safety & Supply for $12,123.75.

3. Authorization to Advertise for Bids - Scranton Avenue Water Main Relocation

Re: Considering approval of the Plans and Project Manual for the project consisting of the extension of the existing steel encasement under State Route 65 at Scranton Avenue and installation of a new 12-inch water pipe to be reconnected to the City system.

4. Intent to Vacate Utility Easements on Parcel Map No. 5097

Re: Considering approval of a resolution of intent to vacate sewer, water and storm drain easement located within Parcel 1, Parcel 2, and Parcel 3 of Parcel Map No. 5097, and the scheduling of a Public Hearing on April 19, 2016.

5. **Appointment of Citizens' Advisory and Housing Opportunity Committee**
Re: Considering adoption of the 2016 Citizen Participation Plan and re-appointment of existing Citizens' Advisory and Housing Opportunity Committee members for a one-year term.

6. **Consideration of Appointment of CalTIP Board Member**
Re: Appointment of staff members to serve as Board Member and Alternate to represent the City of Porterville on the California Transit Systems Joint Powers Authority.

7. **Approval for Community Civic Event - American Cancer Society, Inc., and Razors Nation - Razors Nation Spring Ring Bully Fest - April 2, 2016**
Re: Considering approval of an event to take place on Saturday, April 2, 2016, from 8:00 a.m. to 6:00 p.m. at the Porterville Sports Complex.

8. **Approval for Community Civic Event - American Cancer Society, Inc., - Relay for Life Kickoff - April 2, 2016**
Re: Considering approval of an event to take place on April 2, 2016, at Veteran's Park, from 10 a.m. to 3:00 p.m.

9. **Approval for Community Civic Event - Porterville Unified School District, Porterville Optimist Club, and Burton School District - Porterville Celebrates Reading - April 9, 2016**
Re: Considering approval of an event on April 9, 2016, at Veteran's Park, from 10:00 a.m. to 2:00 p.m.

10. **Approval for Community Civic Event - St. Anne's Home and School - A Night at the Races - April 30, 2016**
Re: Considering approval of an event to take place on Saturday, April 30, 2016, from 5:00 p.m. to 11:00 p.m. on Park Street from Putnam Avenue to Olive Street.

11. **Approval for Community Civic Event - Greater Porterville Council of Senior Citizens - Rollin' Relics Car Show - May 14, 2016**
Re: Considering approval of an event to take place on Saturday, May 14, 2016, from 8:00 a.m. to 4:00 p.m., at Veteran's Park.

12. **Request for Proclamation - Kidney Awareness Month - March 2016**
Re: Considering approval of a request to proclaim the month of March 2016, as "Kidney Awareness Month" in the city of Porterville.

13. **Request for Proclamation - Library Week - April 10-16, 2016**
Re: Considering approval of a request to proclaim April 10-16, 2016, as "Library Week" in the city of Porterville.

14. Request for Proclamation - Volunteer Week - April 10-16, 2016
Re: Considering approval of a request to proclaim April 10-16, 2016, as "Volunteer Week" in the City of Porterville.

15. Request for Proclamation - MDA & Firefighter Month - May 2016
Re: Consideration of a request to proclaim May 2016 as "MDA & Firefighter Month" in Porterville.

16. Addendum No. 4 to Employment Agreement Between the City of Porterville and John D. Lollis
Re: Considering approval of Addendum No. 4 to Employment Agreement Between the City of Porterville and John D. Lollis.

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

PUBLIC HEARINGS

17. Modification No. 1 to Conditional Use Permit 2-88 for La Fuente Mexican Restaurant
Re: Consideration of a resolution approving a modification to the existing Conditional Use Permit 2-88 to allow for the upgrade of a Type 41 On-Sale (beer and wine) license to a Type 47 On-Sale General (beer, wine and distilled spirits) license for La Fuente Mexican Restaurant, located at 29 N. Main Street.

SCHEDULED MATTERS

18. Consideration of Appointments to City Commissions
Re: Consideration of appointments to fill vacancies on the City's Animal Control Commission and Arts Commission.

19. Sports Complex Football Field Utilization
Re: Consideration of utilization of the Sports Complex football field.

20. Consideration of Transition Plan for the General Treatment Area of the Porterville Developmental Center
Re: Consideration of the Transition Plan for the Porterville Developmental Center in regards to the proposed closure of the General Treatment Area.

21. Status and Review of Declaration of Local Drought Emergency
Re: Consideration of the continuance of the Declaration of Local Emergency.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

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

ADJOURNMENT - to the meeting of April 5, 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 – MARCH 15, 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 February 2016 show that a total of 36 Notice of Violations were issued for water wasting; 4 resulted in an Administrative Citation.

Water production for February 2016, shows a 13% 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 February 2016 was 169 million gallons, which, when compared to the production for the month of February 2013 of 197 million gallons, equates to a 14% reduction.

The reduction of 14% for February 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 increase as we approach the spring months; system demand is historically increased due to more outdoor irrigation. Residential consumption for February 2016 was 65 gallons per capita per day (GPCD). Projected conservation totals through the winter months are estimated to be short of the expiring 32% mandated. The compliance period for statewide conservation began June 1, 2015, and ended February 29, 2016, with Porterville's cumulative total conservation through February 2016 at 29.24%.

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 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.

The Extended 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 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 February 2016

Appropriated/Funded: MB

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

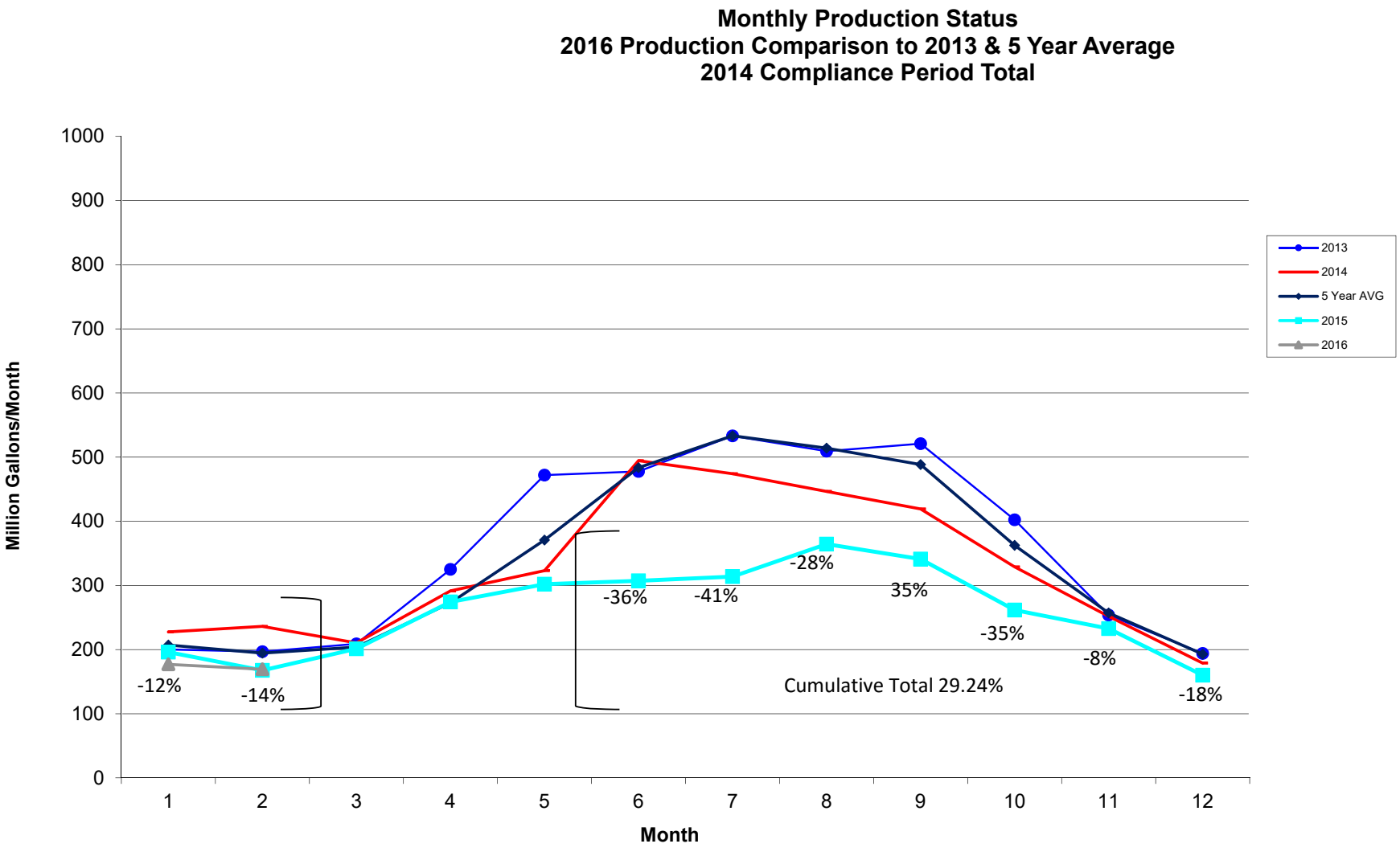
The washing of sidewalks and driveways is prohibited

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
2016 Production Comparison to 2013 & 5 Year Average
2014 Compliance Period Total
Million Gallons/Month
1000
900
800
700
600
500
400
300
200
100
0
1
2
3
4
5
6
7
8
9
10
11
12
Month
2013
2014
5 Year AVG
2015
2016
-12%
-14%
-36%
-41%
-28%
35%
-35%
-8%
-18%
Cumulative Total 29.24%

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: City Council Minutes of March 1, 2016

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of March 1, 2016, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of March 1, 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 16, 2016, 5:30 PM

Called to Order at 5:30 p.m.
Roll Call: Council Member A. Monte Reyes, Council Member Brian Ward, Council Member Virginia Gurrola, Vice Mayor Cameron Hamilton, Mayor Milt Stowe

ORAL COMMUNICATIONS

None

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

City Attorney Lew reported action pertaining to A-2, as follows:

A-2. On a MOTION made by Council Member Gurrola, and SECONDED by Council Member Ward the City Council unanimously rejected the claim filed by Pedro Castillo.

Documentation: M.O. 01-021616
Disposition: Claim rejected.

The Pledge of Allegiance was led by Vice Mayor Hamilton.
Invocation - a moment of silence was observed.

PRESENTATIONS

Introduction of New Employees

AB 1234 REPORTS

None

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
   Commissioner Lucero presented the Commission's report, which consisted of information pertaining to the following: the installation of fitness equipment at Fallen Heroes Park, installation of a bike rack at Santa Fe Depot, youth baseball and softball programs, online registration/reservation service Rec1, an upcoming Block Party event, and the donation of a park bench by the Women's Club.
2. Library & Literacy Commission - February 9, 2016
   Commission Chair Bailey reported on discussion of the library advocacy tool kit and branding of the library; presented December highlights; and extended an invitation to attend Dr. Seuss Day activities on March 2nd.
3. Arts Commission
   Commissioner Deanna Worthington spoke of vacancies and lack of commitment amongst existing members. She requested that the Council refer any interested individuals and stated that the next meeting was on Wednesday, February 24th, at 5:30 p.m. in City Hall.
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

- John Coffee, Porterville, commended staff for cleaning up the mistletoe in the slough at Veterans Park.
- Fred Beltran, Porterville, spoke regarding Item No. 7 and the need for a permanent solution to the water problem on the East side.
- Mr. Teran requested that the City go after funds to fund a permanent solution to the water problem in the East Vandalia area.
- Martha Flores, Porterville, extended an invitation to the Tulare/Kings Hispanic Chamber of Commerce Mixer at the El Patio restaurant in Lindsay on February 18th; and thanked staff for filling pot holes that she reported.
- Barry Caplan inquired about the organizations identified in staff report pertaining to Item No. 7.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve Items Nos. 1-5. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 2, 2016

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

Documentation: M.O. 02-021616
Disposition: Approved.

2. ADDENDUM NO. 1 TO LEASE AGREEMENT WITH SIERRA VIEW MEDICAL CENTER FOR 298 NORTH MAIN STREET

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.

Documentation: M.O. 03-021616
Disposition: Approved.

3. CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 2016-2017

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

Documentation: M.O. 04-021616
Disposition: Approved.

4. AMENDMENT TO EMPLOYEE PAY & BENEFIT PLAN - PORTERVILLE PEACE OFFICERS ASSOCIATION

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.

Documentation: Resolution No. 08-2016
Disposition: Approved.

5. APPROVAL FOR COMMUNITY CIVIC EVENT - ROTARY CLUB OF PORTERVILLE - 5K/10K RUN - APRIL 2, 2016

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.

Documentation: M.O. 05-021616
Disposition: Approved.

PUBLIC HEARINGS

6. MODIFICATION NO. 1 TO COUNTY SPECIAL USE PERMIT PSP 08-004 ZA (PRC 2015-038-C).

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.

City Manager John Lollis introduced the item, and Associate Planner Fernando Rios presented the staff report. During the report Mr. Rios requested that the first sentence of finding No. 3 on page 2 of the resolution be amended to replace "with" with "and."

The Public Hearing was opened at 7:11 p.m.

- Mark Hillman, stated that the applicant was in agreement with the conditions.
- John Coffee, spoke in favor of approval, and requested that the City urge the County to improve the maintenance of its neighboring property.
- Martha Flores, spoke in favor of approval.

The Public Hearing was closed at 7:14 p.m.

The Council briefly discussed the types of natural turf allowed, watering restrictions, and the property currently being serviced by a well.

COUNCIL ACTION: MOVED by Vice Mayor Cameron Hamilton, SECONDED by Council Member Brian Ward 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, as amended by staff. The motion carried unanimously.

Documentation: Resolution No. 09-2016
Disposition: Approved, as amended.

SCHEDULED MATTERS

7. 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. Consider 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. A discussion followed regarding the need for the County to identify a long-term solution, government competing with laundry local businesses, and the County's tank program.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Stowe that the City Council reconsider the request for connection to City water for a mobile laundry trailer to be placed in East Porterville.

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

Documentation: M.O. 06-021616
Disposition: Failed.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Mayor Stowe that the City Council approve the continued Declaration of Local Drought Emergency. The motion carried unanimously.

Documentation: M.O. 07-021616
Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, regarding the costs for those without water to wash laundry at a laundromat, requested that the Council consider the reduced costs in electricity associated with pumping of water from wells and running of washer and dryers at home.

OTHER MATTERS

- Council Member Gurrola thanked God for the water and snow.
- Council Member Ward requested that the commissions and committees reports appear on the agenda once per month, at the second meeting. The Council concurred and direction was given to staff.
- Vice Mayor Hamilton spoke of the upcoming City of Hope Spectacular on February 27th, and Rocky Hill Speedway event on May 6th.
- Mayor Stowe spoke of Porterville College's Hall of Fame Dinner on February 20th, and stated that he did have tickets for purchase.
- City Manager Lollis, reported that the City's flags were flying at half-mast due to deaths of Tulare County Sheriff personnel and Supreme Court Justice Scalia; thanked Acting Public Works Director Mike Reed and Acting City Engineer Javier Sanchez for their

presentation to the Measure R Oversight Committee; and spoke of Leadership Porterville Government Day on Thursday, and an upcoming meeting with Porterville Developmental Center regarding the future of the facility.

CLOSED SESSION

The Council took a five minute recess at 7:45 p.m. before reconvening in Closed Session. No reportable action was taken in Closed Session.

ADJOURNMENT

The Council adjourned at 8:35 p.m. to the meeting of March 1, 2016.

_____
Luisa M. Zavala, Deputy City Clerk

SEAL

_____
Milt Stowe, Mayor

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Purchase of Radio Headsets

SOURCE: Police

COMMENT: In 2014, the Police Department purchased new Motorola handheld radios for all sworn personnel, replacing the Kenwood handheld radios that were being used at the time. This purchase was made to replace the aging Kenwood radios which had reached the end of their service life.

At the time of this purchase, the Department's Special Weapons and Tactics Team continued to utilize the Kenwood radios during tactical operations due to the fact their pre-existing headsets were not compatible with the new handheld radios. As with the Kenwood radios, the current headsets have reached the end of their service life.

Since the purchase of the Motorola radios, Department staff has been researching various headset options which would meet the need of the Department's SWAT Team and which would be compatible with the Motorola radios. The purchase of Motorola compatible headsets would allow for the Department's SWAT Team to standardize the handheld radios being used by its members with the handheld radios currently being utilized by all sworn personnel during their regular duties.

In researching the various options, Department staff has identified three suitable replacements from three different vendors, with the lowest quote being $12,123.75 provided by Mallory Safety & Supply. Funds to make this purchase are currently available in the Department's Asset Forfeiture Account. Suitable quotes received are:

Mallory Safety & Supply provided a quote of $12,123.75 (which includes sales tax) for 14 headsets.

Atlantic Signal provided a quote of 12,225.00 (without sales tax) for 14 headsets.

TEA Headsets provided a quote of $22,947.13 (which includes sales tax) for 14 headsets.

Department staff finds the low quote acceptable.

RECOMMENDATION: That City Council authorize Police Department staff to negotiate the purchase and delivery of 14 radio headsets in the amount of $12,123.75.

ATTACHMENTS: 1. Headset Quotes

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager

Mallory Safety & Supply

Remit to Address:
Mallory Safety and Supply
P.O. Box 2068
Longview, WA 98632

Company:	Porterville Police Dept
Attention:	John Hall
Email:	jhall@ci.porterville.ca.us
Address:	Investigations/Services Division 350 N. D Street Porterville, CA 93257
Po / Proj:	3M Peltor
Phone:	559-333-6208
Fax:	

U.S. COMMUNITIES
GOVERNMENT PURCHASING ALLIANCE

Contract# 4400001839
www.USCommunities.org
www.safewaremallory.com

US Communities Quotation	
Terms: NET 30	
Date:	**3/6/2015**
Exp Date:	**Revised 2/23/2016**
Order#	
Order Date:	
Promise Date:	
Mallory REF # :	

Item #	Qty	Part #	IREF	Description	Unit Price	Unit	Extended
1	14	70071577640		3M Peltor COMTAC Tactical Communications and Hearing Protection Headset	$500.39	EA	$7,005.46
				Single COMM, O.D. Green, ARC MT17H682P3AD-47 GN			
2	14	70071562519		3M Peltor FL5063-02 Push-To-Talk (OTT) Adapter for Motorola APX Serices - NATO	$255.85	EA	$3,581.90
3	14	70071573656		3M Peltor Gel Earseals for Peltor Headsets HY80A	$41.90	EA	$586.60
				FOB: Destination			
				This pricing is for the Porterville Police Dept and is not eligible for other public or non profit agencies.			

Debbie Sanchez, Government Inside Sales
Ph: 800.713.4888 Fax: 888.909.5676
debbie.sanchez@malloryco.com
Matthew Feltes, Business Development Manager
Ph: 503.208.9637 x363
matthew.feltes@malloryco.com

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No Federal, State or Municipal taxes included unless definitely specified.
All orders subject to credit department approval.
F.O.B. Destination unless otherwise noted

Shipping within Continental US Included in Pricing

	Sub-Total	$11,173.96
8.50%	**Sales Tax**	$949.79
	Total	$12,123.75

atlantic signal

900 SW 39th Street : Topeka, KS 66609

Quotation

VALID FOR 30 DAYS.

Quote #	519091167
Date	2/24/2016
Rep	TJM

Quote Requested By:

Porterville Police Department
Attn: John Hall
350 North D Street
Porterville, CA 93257

Item	Qty	Description	Price Each	Total
ACH.ZGN.47	14	Comtac ACH Single Comm Headset (ARC Kit : OD Green)	595.00	8,330.00
XRY.GEL	14	Peltor ACH Replacement Gel Cups (Pair)	50.00	700.00
PTT.ASU.47	14	'ASU94' Push to Talk Assembly	105.00	1,470.00
CTR.M03.LC	14	Motorola APX/XPR Series: Long Coiled Connector	120.00	1,680.00
111111	1	Freight: Shipping/Handling/Insurance	45.00	45.00
Total				$12,225.00

Fax # 785-408-5897 **Phone #** 785-582-5823 **Web Site:** www.atlanticsignal.com

TEAHEADSETS.COM
Television Equipment Associates, Inc.
16 Mount Ebo Road South
Brewster, New York 10509

FORMAL PRICE QUOTATION

2/23/2016

PORTERVILLE PD

Attn: John Hall
350 NORTH D ST.
PORTERVILLE, CA 93257

QUOTE # 11279

TEA Part Number	Item Description	Quantity	Unit Cost	Item Totals
RAC5028RMDTRC	RAC-1 OPS HELMET HEADSET.FLEXIBLE DYNAMIC BOOM MIC,REAR RAIL HELMET MOUNT,ANR AND HEAR THROUGH CIRCUIT,PUSH BUTTON RELEASE.DESERT TAN NON WIRELESS	14	965.00	13,510.00
RAC/U93	ADAPTER CABLE. RAC-1 HEADSET SOCKET CONNECTOR TO MOLDED U93 4 POSITION CONNECTOR.	14	211.00	2,954.00
U94/XP-AMPV	SWITCH SOCKET ASSEMBLY MOLDED U94 AMPLIFIED VERSION ADAPTED FOR MOTOROLA APX/XPR SERIES RADIOS	14	325.00	4,550.00

Sub Total:	$21,014.00
Estimated Shipping Totals:	$332.17
Tax Totals:	$1,600.96
Grand Total:	**$22,947.13**

***PLEASE ENSURE YOU REFERENCE OUR QUOTE # 11279 WHEN ORDERING**
Estimated Delivery Date: Approximately 90 Days. **Quote is valid for 90 Days**
Payment Terms: NET 30 DAYS . FOB: BREWSTER, NY
Product Warranty: All TEA products have a 12 month warranty from the date of delivery.

Thanks for considering our equipment!

Gerard Rotunno
TEA Headsets | Television Equipment Associates, Inc.
Office: 805-386-2030
Email: gerard@TEAHeadsets.com
www.TEAheadsets.com

GSA Contract # GS-07F-0277K - Contract Period 5/1/15 - 4/30/20 I GSA Price List 10/08 - FSC GROUP 84, Part VI, Section A; SIN 426 4H; CLASS 5965
COR TRADING PARTNER, CAGE CODE 53283 I TEA IS A SMALL BUSINESS I FEDERAL ID 11 232 4791 I DUNS 04 654 2481
TEA I Television Equipment Associates, Inc. I 16 Mount Ebo Road South I Ste 6 (PO Box 404) I NY 10509

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Authorization to Advertise for Bids - Scranton Avenue Water Main Relocation

SOURCE: Public Works

COMMENT: The Plans and Project Manual have been prepared for the Scranton Avenue Water Main Relocation Project. The project consists of extending the existing steel encasement under State Route 65 at Scranton Avenue due to the upcoming State Route 65 widening project. This is a typical requirement for public and private utility providers that encroach within state right-of-way. Once the steel encasement has been extended to the limits defined by Caltrans, a new 12-inch water pipe will be installed through the steel casing and reconnected to the system.

The Plans and Project Manual are available for review, but are not attached to this report due to the significant size of the documents. The Estimate of Probable Cost for the project is $198,605 with $19,860.50 required for the construction contingency (10%). It is anticipated an additional $15,000 is required for construction management, construction surveying, quality control, and inspection services for a total estimated cost of $233,465.50.

In the past, contractors awarded a City project would have hired their own land surveyors. Due to a recent ruling by the State of California Board of Professional Engineers, Land Surveyors and Geologists, staff must directly engage the services of a land surveyor. The Board of Professional Engineers, et al., has ruled that a contractor is in violation of Business and Professional Code Sections 8726 and 8729 if he (contractor) hires the land surveyor.

Partial funding for the project is approved in the 2015/2016 budget. The funding source is the Water Developer Fee Fund and the allocated amount is $143,330.

In order to fully finance the project an additional $90,135.50 is required. Staff respectfully requests that the City Council appropriate $90,135.50 from the Water Developer Fee Fund. Funding for the requested appropriation is available.

RECOMMENDATION: That City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project;
3. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council

MO #02-100714; and
4. Authorize the Finance Director to appropriate $90,135.50 from the Water Developer Fees Fund to fully fund this project.

ATTACHMENTS:

1. Locator Map - Scranton Avenue Water Relocation
2. Estimate - Scranton Water Relocation

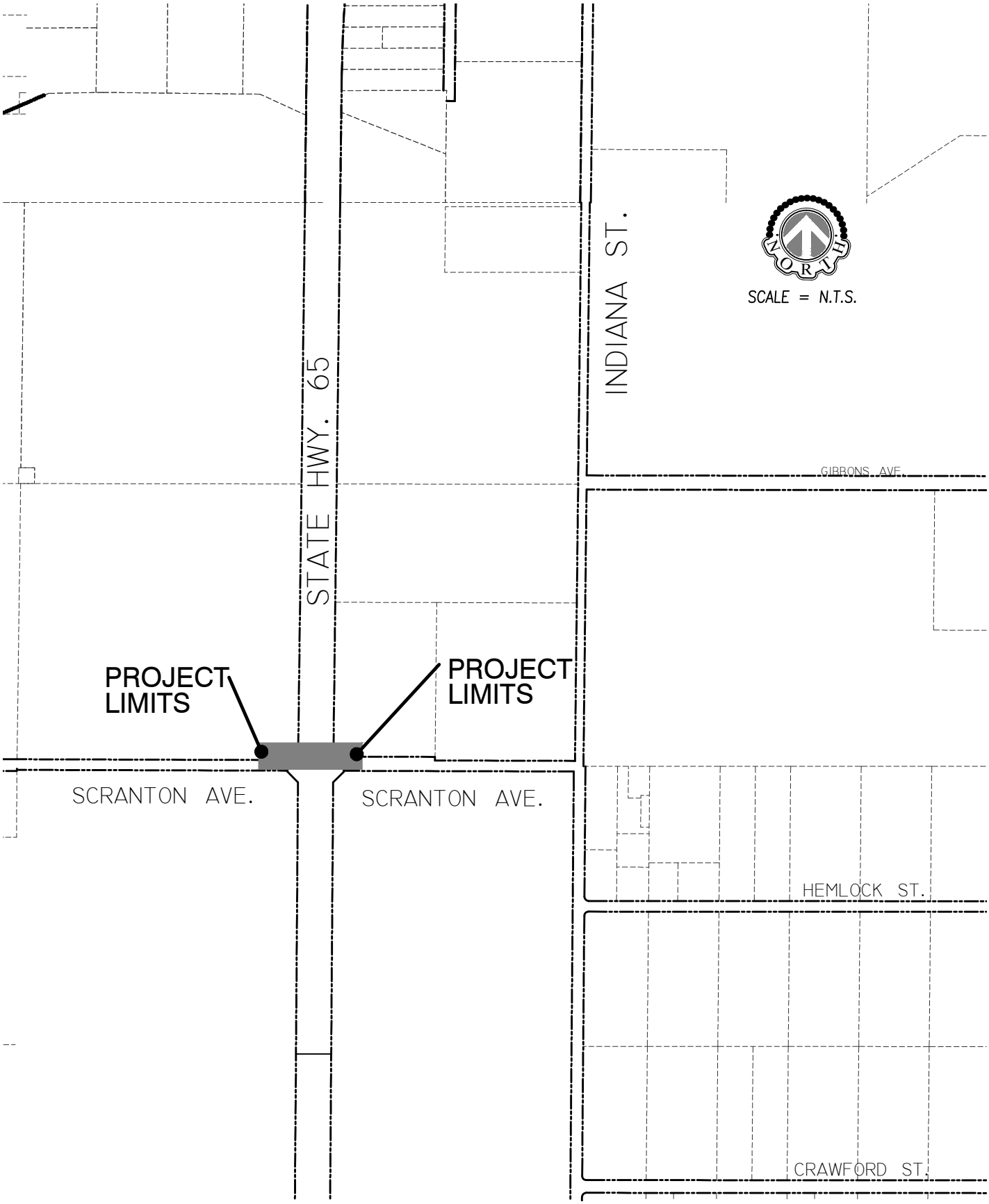
Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



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

SCRANTON AVENUE AND HIGHWAY 65 WATER MAIN RELOCATION PROJECT

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

Scranton and Highway 65 Water Project

City of Porterville
Scranton and Highway 65 Water Relocation Project

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE
1	Mobilization and Demobilization	LS	1	$ 10,000.00	$ 10,000.00
2	Traffic Control	LS	1	$ 10,000.00	$ 10,000.00
3	12" Class 150 PVC (AWWA C-900) or Class 50 Ductile Iron Pipe, including Tracing Wire	LF	125	$ 70.00	$ 8,750.00
4	12" Class 150 PVC (AWWA C-900) or Class 50 Ductile Iron Pipe, through steel casing with appropriate casing spacers, sand to fill annals, and all other appurtenances	LF	375	$ 180.00	$ 67,500.00
5	Weld Additional 24" Steel Casing to existing Steel Casing. Extend casing an additional 70 feet east and 80 feet west. Will include skids and all other appurtenances as shown in the detail.	LF	150	$ 200.00	$ 30,000.00
6	Remove Existing 12" Gate Valves and Re-install Valves at new Locations by cutting into pipe. Install all appropriate fittings and appurtenances.	EA	2	$ 5,000.00	$ 10,000.00
7	12" 45 degree Bend	EA	4	$ 1,000.00	$ 4,000.00
8	Install Trench Patch for removal and installation of new pipe.	LS	1	$ 15,000.00	$ 15,000.00
9	Remove Existing 12" Water Pipe including skids through the steel casing.	LF	225	$ 100.00	$ 22,500.00
10	Remove Existing 12" Water Pipe including pipe in steel casing.	LF	280	$ 10.00	$ 2,800.00
			Subtotal		$ 180,550.00
			10% Estimating Contingency		$ 18,055.00
			TOTAL		**$ 198,605.00**

Project Manager Date

Public Works Director Date

City Engineer Date

City Manager Date

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Intent to Vacate Utility Easements on Parcel Map No. 5097

SOURCE: Public Works

COMMENT: The City has received a request to vacate sewer, water and storm drain easements located within Parcel 1, Parcel 2, and Parcel 3 of Parcel Map No. 5097 (Exhibit "A"). These easements were originally included on Parcel Map No. 5097 in anticipation of the development of the site and contain no pipelines or facilities within the easements. The proposed development for the site has changed and the existing easements conflict with, and are not serviceable for, the proposed development. The applicant has paid all fees required to start the vacation process.

RECOMMENDATION: That City Council:
1. Pass a resolution of intent to vacate sewer, water and storm drain easement located within Parcel 1, Parcel 2, and Parcel 3 of Parcel Map No. 5097:
2. Direct the City Clerk to publish the Public Notice in the Porterville Recorder; and
3. Set the Council meeting of April 19, 2016, as the time and place for a public hearing.

ATTACHMENTS:
1. Exhibit "A" - Parcel Map No. 5097
2. Draft Resolution

Appropriated/Funded: N/A

Review By:

Department Director:

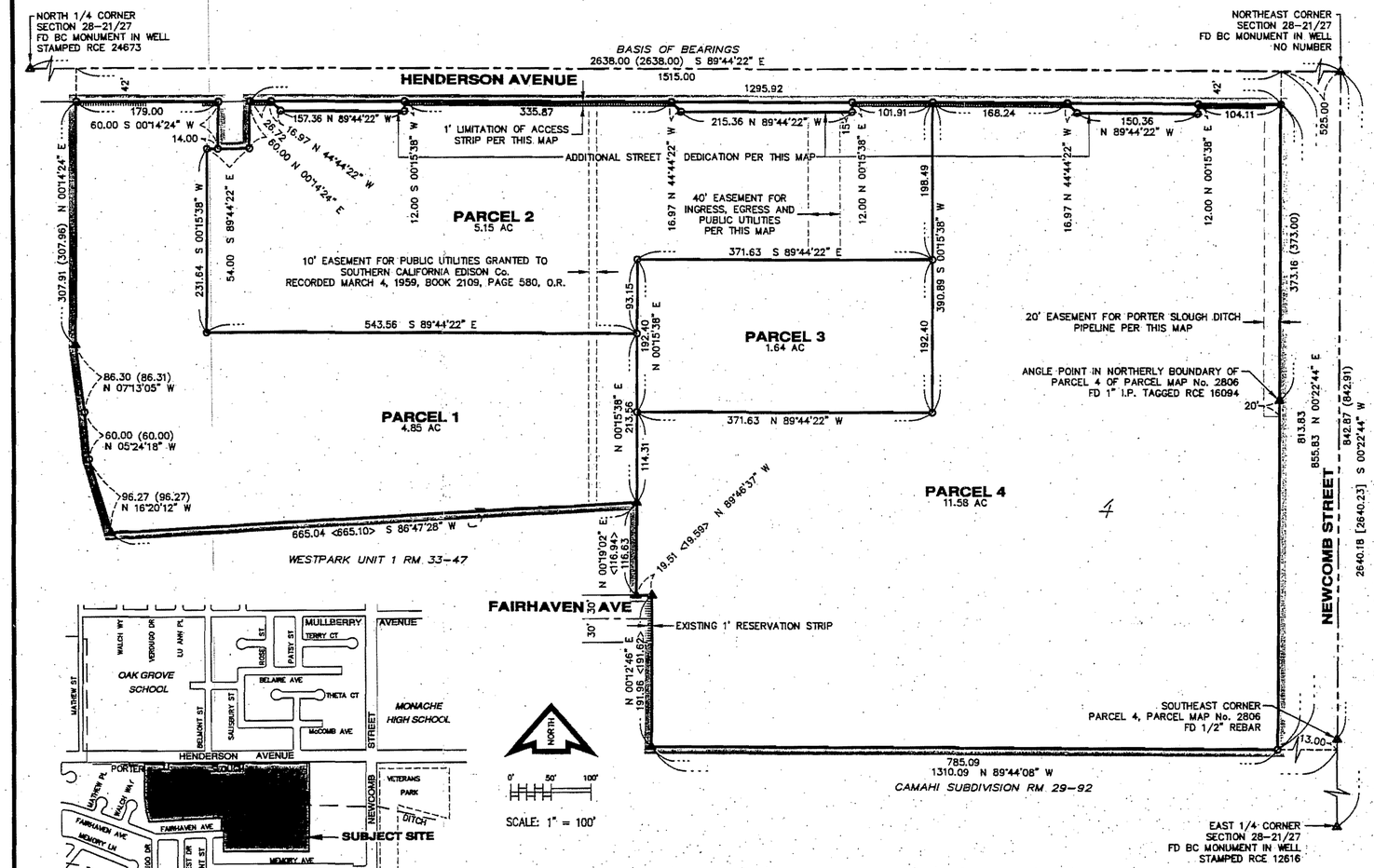
Mike Reed, City Engineer

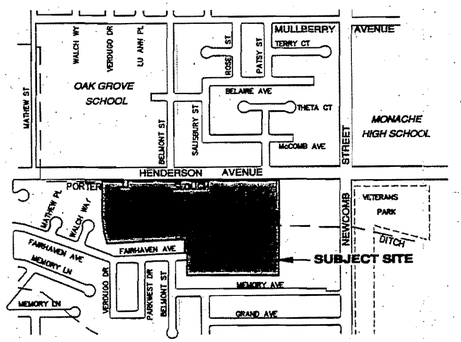
Final Approver: John Lollis, City Manager

TPM 2012-002

PARCEL MAP NO. 5097

BEING A DIVISION OF A PORTION OF PARCEL 3 AND OF PARCEL 4 OF PARCEL MAP No. 2806, PM 29-7, SITUATED IN THE NORTH EAST 1/4 SECTION 28, T.21S., R.27E., M.D.B.&M., IN THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA.





LOCATION MAP

NOT TO SCALE

THE PROPERTY SHOWN ON THIS MAP IS SUBJECT TO THE FOLLOWING EASEMENT THAT CAN NOT BE PLOTTED FROM THE RECORD:

1. AN EASEMENT FOR PUBLIC UTILITIES GRANTED TO MT. WHITNEY POWER AND ELECTRIC COMPANY, RECORDED IN BOOK 34, PAGE 298

IN ACCORDANCE WITH SECTION 66411.1 OF THE GOVERNMENT CODE, THE CONSTRUCTION OF ON-SITE AND OFF-SITE IMPROVEMENTS, SUCH AS BUT NOT LIMITED TO, CURBS, GUTTERS, SIDEWALKS, PAVEOUTS, PAVEMENT TRANSITIONS, TRAFFIC SIGNAGE AND MARKINGS MEDIAN ISLANDS AND THE MITIGATION MEASURES DESCRIBED IN THE PROJECT TRAFFIC STUDY PREPARED BY RUETTGERS AND SCHULER CIVIL ENGINEERS, UTILITIES, GRADING, PARKING LOT IMPROVEMENTS, WELL ABANDONMENT (IF ANY), REMOVAL OF IRRIGATION LINES (IF ANY), ETC., HAS BEEN DEFERRED UNTIL SUCH TIME AS A PERMIT OR OTHER GRANT OF APPROVAL FOR DEVELOPMENT OF THE PARCEL IS ISSUED. SUCH CONSTRUCTION MAY BE PHASED WHEN ONLY A PORTION OF THE PARCELS SHOWN HEREIN RECEIVE SUCH APPROVAL. THE PHASED CONSTRUCTION SHALL CONSIST OF ALL IMPROVEMENTS RELATED TO THE SPECIFIC PARCELS PLUS THAT REQUIRED TO MAKE THE INSTALLED IMPROVEMENTS FUNCTION.

BASIS OF BEARINGS

THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 28, T.21S., R.27E., M.D.B.&M., TAKEN AS: S 89°44'22" E, PER PARCEL MAP No. 2806.

LEGEND

ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

═══	PARCEL BOUNDARY
o	SET 1" I.P. TAGGED R.C.E. 16094
△	FOUND AND ACCEPTED AS DESCRIBED
▲	FOUND 3/4" I.P. PER WEST PARK UNIT No. 1
[ ]	RECORD DISTANCE PER PARCEL MAP No. 1941, BOOK 20, PAGE 42 OF PARCEL MAPS, TCR
( )	RECORD DISTANCE PER PARCEL MAP No. 2806, BOOK 29, PAGE 7 OF PARCEL MAPS, TCR, OR CALCULATED THEREFROM
< >	RECORD DISTANCE PER WEST PARK UNIT No. 1, BOOK 33, PAGE 47 OF MAPS, TCR
3	PARCEL No. PER PARCEL MAP No. 2806
|||||||||||	1 FT LIMITATION OF ACCESS PER THIS MAP

For:
HENDERSON MU-V, LP
1470 W. HERNDON AVENUE
FRESNO, CALIFORNIA 93711

By:
JAMES WINTON & ASSOCIATES
150 WEST MORTON AVENUE
PORTERVILLE, CALIFORNIA 93257

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY, TRUE AND COMPLETE AS SHOWN, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF PAUL OWHADI ON JUNE 10 20 13 I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP. ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED THIS 6TH DAY OF December 20 13

JAMES S. WINTON R.C.E. 16094

REGISTERED PROFESSIONAL ENGINEER JAMES S. WINTON No. 16094 CIVIL STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, AND I AM SATISFIED THAT IT IS TECHNICALLY CORRECT, AND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND THAT ALL OF THE PROVISIONS OF CHAPTER 2, DIVISION 2, TITLE 7 OF THE GOVERNMENT CODE AND ANY LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP, HAVE BEEN COMPLIED WITH.

DATED THIS 10TH DAY OF December 20 13

MICHAEL K. REED
City Engineer, P.L.S. 7514

LICENSED LAND SURVEYOR MICHAEL K. REED LS 7514 STATE OF CALIFORNIA

SOIL ENGINEER'S STATEMENT

I HEREBY STATE THAT A PRELIMINARY SOIL REPORT WAS SUBMITTED BY ME ON APRIL 6 20 13 IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE 900 OF THE MUNICIPAL CODE OF THE CITY OF PORTERVILLE AND THAT SAID REPORT IS ON FILE IN THE CITY BUILDING INSPECTOR'S OFFICE.

DATED THIS 23 DAY OF OCT 20 13

DALE H. WINN R.C.E. 23273

PLANNING DIRECTOR'S STATEMENT

I HEREBY STATE ON BEHALF OF THE PARCEL MAP COMMITTEE THAT THIS PARCEL MAP CONFORMS TO THE APPROVED TENTATIVE PARCEL MAP No. 2012-002

DATED THIS 10TH DAY OF DECEMBER 20 13

BRADLEY D. DUNCAN, Community Development Director

BOARD OF SUPERVISORS' STATEMENT

I, JEAN M. ROUSSEAU, COUNTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE, DO HEREBY STATE THAT SAID BOARD OF SUPERVISORS HAS APPROVED THE PROVISIONS MADE FOR THE PAYMENT OF TAXES AS PROVIDED IN DIVISION 2 OF TITLE 7 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATED THIS 19th DAY OF December 20 13

JEAN M. ROUSSEAU, County Administrative Officer/Clerk of the Board of Supervisors

BY: DEPUTY

RECORDER'S STATEMENT

DOCUMENT NUMBER: 2013-0080842

FEE PAID: $ 10.00

FILED THIS 23rd DAY OF DECEMBER 20 13 AT 8:00 A.M. IN BOOK 52 OF PARCEL MAPS, AT PAGE 4 AT THE REQUEST OF ~~CHICAGO TITLE CO.~~ NORTH AMERICAN TITLE

ROLAND P. HILL, Tulare County Assessor/Clerk-Recorder

BY: DEPUTY

DEDICATION STATEMENT

PURSUANT TO THE AUTHORITY CONFERRED BY CITY OF PORTERVILLE ORDINANCE No. 1590, ADOPTED FEBRUARY 20, 2001, THE UNDERSIGNED, ON BEHALF OF THE PUBLIC AND CITY COUNCIL OF THE CITY OF PORTERVILLE CONSENTS TO THE ACCEPTANCE AND RECORDATION OF THE STREET DEDICATION AND ACCESS LIMITATION STRIPS AS SHOWN ON THIS MAP. SEWER, WATER AND STORM DRAIN EASEMENTS.

DATED THIS 10TH DAY OF December 20 13

MICHAEL K. REED
City Engineer, P.L.S. 7514

STATE OF CALIFORNIA
COUNTY OF Los Angeles
ON Oct. 21, 2013 BEFORE ME, Kelley J. Curtis a Notary Public
PERSONALLY APPEARED Paul Owhadi and Jack Riley
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/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

SIGNATURE — PRINT NAME: Kelley J. Curtis

COUNTY OF PRINCIPAL PLACE OF BUSINESS: Los Angeles

MY COMMISSION EXPIRES: Nov. 24, 2015

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF, OR HAVE SOME RIGHT, TITLE OR INTEREST IN, THE REAL PROPERTY SHOWN ON THIS PARCEL MAP AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY FOR THE PREPARATION AND RECORDATION OF SAID PARCEL MAP AS SHOWN WITHIN THE BLUE BORDER LINES HEREON. WE CONSENT TO THE RECORDING OF SAID MAP AND HEREBY OFFER TO DEDICATE TO PUBLIC USE THE ADDITIONAL STREET RIGHT OF WAY AND ACCESS LIMITATION STRIPS SHOWN HEREON AS A DEDICATION TO THE CITY OF PORTERVILLE. SEWER, WATER AND STORM DRAIN EASEMENTS.

HENDERSON MU-V, LP

BY: PAUL OWHADI, Partner

BY: JACK RILEY, Partner

SHEET ONE OF TWO

3050

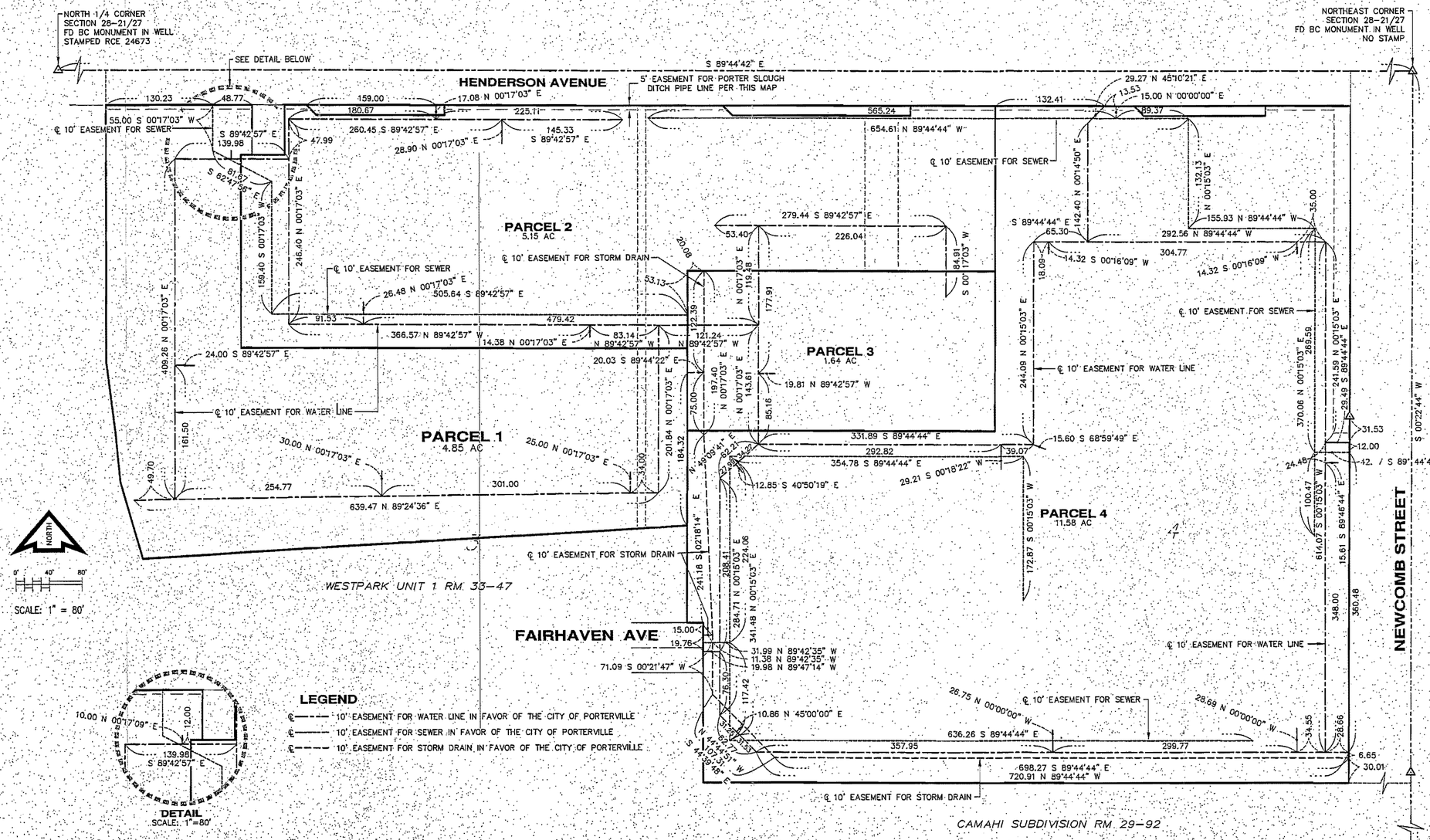
12-19-13

4

TPM 2012-002

PARCEL MAP NO. 5097

BEING A DIVISION OF A PORTION OF PARCEL 3 AND OF PARCEL 4 OF PARCEL MAP No. 2806, PM 29-7, SITUATED IN THE NORTH EAST 1/4 SECTION 28, T.21S., R.27E., M.D.B.&M., IN THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA.



SHEET TWO OF TWO

3050

12-19-13

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Appointment of Citizens' Advisory and Housing Opportunity Committee

SOURCE: Community Development

COMMENT: In preparation for the development of the Annual Action Plan to be submitted to the Department of Housing and Urban Development (HUD), the following items are required: 1) adoption of the 2016 Citizen Participation Plan and 2) the annual designation and appointment of a Citizens' Advisory and Housing Opportunity Committee.

HUD requires each jurisdiction that receives formula grants through its Community Development Block Grant Program to prepare and adopt a Citizen Participation Plan. The Plan provides guidelines for the participation of citizens in determining the use of CDBG funds. This Plan is reviewed annually for necessary revisions prior to Council's adoption of the CDBG Action Plan. In 2015 the Citizens' Participation Plan was developed by LeSar Development Consultants and is in compliance with Federal regulations. Only minor revisions were necessary to the 2016 plan to reflect updated contact information and dates (Attachment 1). The 2016 Citizens' Advisory and Housing Opportunity Committee Participation Plan Schedule is presented as Attachment 2.

A Citizens' Advisory Committee was established in 1981 to function in an advisory capacity to the Mayor and Council regarding program design, implementation, and assessment. This Committee consists of seven residents of the city, appointed annually by the Mayor and City Council. The Citizen Participation Plan places particular emphasis on obtaining representation of low- and moderate-income persons residing in slum and blight areas, members of minority groups, the elderly, the disabled, and residents of areas where use of funds is proposed.

All seven members of the 2015 Committee have expressed their willingness to serve as 2016 Committee Members:

Pat Contreras
Doug Heusdens
Kelle Jo Lowe
Grace Muñoz-Rios
Linda Mendez (Olmedo)
Rebecca Vigil
Maria Gonzalez

The 2016 Action Plan is in the process of being developed and will be presented to the City Council at the May 15, 2016, City Council meeting. It is anticipated that expenditures for activities will be consistent with previous years. More than half of the entitlement will be allocated to the debt service for the Section 108 loan for the Heritage Center, and the balance of the entitlement and program income will be allocated between the programs adopted in the 2015-2020 Five Year Consolidated Plan, which include the Housing Rehabilitation Program, the First Time Low-Income Homebuyer Program, the Public Utility Assistance Program, the Homebuyer Education Program, Permanent Supportive Housing Program for the Homeless, the Park Improvement Program, the Business Assistance Program, the Business Façade Improvement Program, and the Porterville Youth Center. As is typical of each year, not all programs in the Consolidated Plan will be allocated funding.

Community input from the Community Meeting to be held on March 17, 2016, will be presented to the Citizens' Advisory and Housing Opportunity Committee when they meet at the end of March. The Citizens' Advisory and Housing Opportunity Committee will give input on the 2016 Action Plan Draft. The Plan will then be available for a 30-day public comment period and will be taken to the City Council for final adoption in May.

RECOMMENDATION: That the City Council:
1. Adopt the 2016 Citizen Participation Plan; and
2. Appoint existing committee members Pat Contreras, Maria Gonzalez, Doug Heusdens, Kelle Jo Lowe, Linda Mendez, Grace Muños-Rios, and Rebecca Vigil, to the Citizens' Advisory and Housing Opportunity Committee for one-year terms.

ATTACHMENTS:
1. Citizens Advisory Committee Participation Plan
2. CDBG Advisory Board Schedule

Appropriated/Funded: MB

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

2016 CITIZENS' ADVISORY AND HOUSING OPPORTUNITY COMMITTEE PARTICIPATION PLAN

Citizen Participation Plan

Introduction

The City of Porterville (City) is a federal entitlement jurisdiction that receives federal grant funding from the U.S. Department of Housing and Urban Development (HUD).

The City receives federal entitlement grant funding for the following programs:

- Community Development Block Grants (CDBG)
- Home Investment Partnership Act (HOME)

As an entitlement jurisdiction, the City is required to prepare:

- A Five Year Consolidated Plan (Consolidated Plan) that includes a Citizen Participation Plan (CPP)
- An annual Action Plan (Action Plan)
- An annual Consolidated Annual Performance Evaluation Report (CAPER)

Under HUD's Code of Final Regulations for the Consolidated Plan (24 CFR Part 91 Sec. 91.105), the City must adopt a Citizen Participation Plan that sets forth the City's policies and procedures for citizen participation in the planning, execution, and evaluation of the Consolidated Plan, Action Plans, and CAPER. This CPP provides guidelines for the City to provide and encourage public participation by residents, community stakeholders, and grant beneficiaries in the process of drafting, implementing, and evaluating the Consolidated Plan and related documents. The citizen participation process includes outreach, public hearings, community forums, and opportunities for comment.

Definitions

- **Action Plan (Action Plan):** The Action Plan summarizes the activities that will be undertaken in the upcoming Fiscal Year (FY) to meet the goals outlined in the Consolidated Plan. The Action Plan also identifies the federal and non-federal resources that will be used to meet the goals of the approved Consolidated Plan.
- **Citizen Participation Plan (CPP):** The CPP provides guidelines by which the City will promote engagement in the planning, implementation, and evaluation of the distribution of federal funds as outlined in the Consolidated Plan, Action Plan, and CAPERs.
- **Community Development Block Grant (CDBG):** HUD's CDBG program provides communities with resources to address a wide range of housing and community development needs that benefit very low and low income persons and areas.
- **Consolidated Annual Performance Evaluation Report (CAPER):** The CAPER assesses the City's annual achievements relative to the goals in the Consolidated Plan and proposed activities in the Action Plan. HUD requires the City to prepare a CAPER at the end of each fiscal year.

ATTACHMENT 1

- **Department of Housing and Urban Development (HUD):** HUD is the federal government agency that creates and manages programs pertaining to federal home ownership, affordable housing, fair housing, homelessness, and community and housing development.
- **Displacement:** Displacement refers to the involuntary relocation of individuals from their residences due to housing development and rehabilitation activities paid for by federal funds.
- **Eligible Activity:** Activities that are allowable uses of the CDBG funds covered by the CPP as defined in the Code of Federal Regulations Title 24 for HUD.
- **Entitlement Jurisdiction:** A city with a population of at least 50,000, a central city of a metropolitan area, or a qualified urban county with a population of at least 200,000 that receives grant funding from HUD.
- **Five Year Consolidated Plan (Consolidated Plan):** HUD requires entitlement jurisdictions to prepare a Consolidated Plan every five years. The Consolidated Plan is a strategic plan that identifies housing, economic, and community development needs and prioritizes funding to address those needs over a five-year period.
- **Low and Moderate Income (LMI):** As defined annually by HUD, Low and Moderate Income (LMI) is 0-80 percent of area median family income (AMI) for a jurisdiction, with adjustments for smaller or larger families. This includes those individuals presumed by HUD to be principally LMI (abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS and migrant farm workers). HUD utilizes three income levels to define LMI households:
    - Extremely low income: Households earning 30 percent or less than the AMI (subject to specified adjustments for areas with unusually high or low incomes)
    - Very low income: Households earning 50 percent or less than the AMI (subject to specified adjustments for areas with unusually high or low incomes)
    - Low and moderate income: Households earning 80 percent or less than the AMI (subject to adjustments for areas with unusually high or low incomes or housing costs)
- **Public Hearing:** Public hearings are designed to provide the public the opportunity to make public testimony and comment. Public hearings related to the Consolidated Plan are to be advertised in local newspapers and made accessible to non-English speakers and individuals with disabilities.
- **Substantial Amendments:** Amendments are considered "Substantial" whenever one of the following is proposed:
    - A change in the allocation priorities or a change in the method of fund distribution
    - A substantial change which increases or decreases the amount allocated to a category of funding within the City's entitlement grant programs by 25 percent
    - To implement an activity using CDBG funds for new programs that were not described in the Consolidated Plan

- To change the purpose or intended beneficiaries of an activity approved for CDBG funding, e.g., instead of primarily benefitting lower income households the activity instead proposes to benefit mostly moderate income households

Roles, Responsibilities, and Contact Information

The City is a federal entitlement jurisdiction and is a recipient of grant funding from the federal government.

The City's Charter established a council and manager form of government. Porterville's City Council is the elected legislative body of the City and is responsible for approving its Consolidated Plan, Action Plans, Substantial Amendments, and CAPERs prior to their submission to HUD.

It is the intent of the City to provide for and encourage citizen participation, with particular emphasis on participation by lower income persons who are beneficiaries of, or impacted by, entitlement-funded activities. The City encourages participation in all stages of the Consolidated Planning process by all residents, including minorities and non-English speaking persons, as well as persons with mobility, visual or hearing impairments, and residents of assisted housing developments and recipients of tenant-based assistance.

In general, hearings will be held at City Hall due to its central location, convenient access, and disability accessibility. Translation services will be provided when there is an indication that non-English speaking persons will be attending. Other reasonable accommodations will be provided on a case-by-case basis.

The General Contact Information for the City's HUD Entitlement Programs is:

Jennifer M. Byers
Community Development Director
jbyers@ci.porterville.ca.us
291 N. Main Street
Porterville, CA 93257

Citizen Participation Policies

Public Hearings

The City will hold public hearings for Consolidated Plans, Annual Action Plans, CAPERs, amendments made to the CPP, and Substantial Amendments.

The Consolidated Plans, Annual Action Plans, CPP amendments, and Substantial Amendments require two public hearings. One required hearing is a City-staffed community meeting and one required hearing is before City Council for document adoption. The CAPER requires one hearing before City Council for document adoption.

Community hearings will be held in a community space with consideration for the convenience to beneficiaries of the entitlement program resources.

The City Council public hearings will be held at City Hall Council Chambers located at 291 N. Main Street, Porterville, CA 93257. Listening devices, interpretation services, and other assistance to disabled persons or those with limited English proficiency will be provided upon request, ranging up to five business days prior notification to the City Clerk. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging up to five business days. For this reason, it is important to provide as much advance notice as possible to ensure availability. Assistive Listening Devices (ALDs) are available upon request.

Notice of Hearings and Review Periods

To allow the public time to provide comments prior to the submission of approved documents to HUD, the City will hold a minimum 30-day public review and comment period for the Consolidated Plan, Action Plan, and Substantial Amendment. The City will establish a public review period of at least 15 days for each CAPER and amendments to the CPP. Copies of the draft plans will be available to the public at the Community Development Department, 291 N. Main Street, Porterville, CA 93257.

The City will place public notices at City Hall (291 N. Main Street), the Porterville Library (41 W. Cleveland Avenue), online through the City's website (www.ci.porterville.ca.us), and through advertisement in a local newspaper of general circulation in advance of a 30-day public review and comment period.

To ensure that the public, including minorities, persons with limited English proficiency, persons with disabilities, residents of public housing, and LMI residents are able to participate in the public review process, the City will provide residents, public agencies, and other stakeholders with notices on applicable public review periods and public hearings that adhere to the following:

- The notices will be published prior to the start of the public comment period and at least fifteen (15) days before the final public hearing and will include information regarding how to request accommodation and services available for persons with disabilities who wish to attend the public hearings.
- The notices will be distributed to persons and agencies on the contact list maintained by the City for those parties expressing interest in receiving information and updates related to the City's Consolidated Plan, Action Plan, CAPER, Substantial Amendments and CPP. Interested parties may request to be added to this contact list by sending an email to housing@ci.porterville.ca.us, by calling (559) 782-7460 or by writing to the Community Development Department, 291 N. Main Street, Porterville, CA 93257.
- The notices will be distributed through a variety of methods, including e-mail, newspaper publications and the City's website at www.ci.porterville.ca.us. The notices will include information on how to obtain a copy of the draft documents and scheduled hearing dates, times, and locations.

The public may file comments on draft plans in writing to the Community Development Department, 291 N. Main Street, Porterville, CA 93257; via email to Jennifer Byers at jbyers@ci.porterville.ca.us or Claudia Calderon at ccalderon@ci.porterville.ca.us; or by phone at (559) 782-7460. Comments may also be submitted in person at the Community Development Department, 291 N. Main Street, Porterville, CA 93257, Monday through Friday during business hours, and during the Council adoption hearing.

When necessary or applicable, the City may combine notices complying with several individual requirements into one comprehensive notice for dissemination and publication.

Comments/Complaints on Adopted Plans

Comments or complaints from residents, public agencies, and other stakeholders regarding the adopted Consolidated Plan or related amendments and performance reports may be submitted in writing or verbally to the General Contact at the Community Development Department, 291 N. Main Street, Porterville, CA 93257. Written comments or complaints will be referred to appropriate City staff for consideration and response. The City will attempt to respond to all comments or complaints within fifteen (15) business days and maintain a correspondence file for this purpose.

Availability of Draft and Approved Documents

The draft and final versions of the Consolidated Plan, Action Plan, CAPER, all related amendments, records, and regulations will be available online at the City's website: www.ci.porterville.ca.us. Hard copies of all documents will be available at the Community Development Department, 291 N. Main Street, Porterville, CA 93257 and upon written request. If the City is unable to provide immediate access to the documents requested, it will make every effort to provide the documents and reports within 15 business days from the receipt of the request.

During the 30-day public review and comment period, copies of the document will be available to the public for review at City Hall (291 N. Main Street), the Porterville Library (41 W. Thurman Avenue), and through the City's website at www.ci.porterville.ca.us.

Displacement Policy

As part of the CPP, the City must maintain a displacement policy. Displacement refers to the involuntary relocation of individuals from their residence due to housing development and rehabilitation paid for with federal funds. The City will continue to use existing federal and state relocation guidelines, as applicable, to minimize displacement and to alleviate the problems caused by displacement. Both the federal government and the State of California have specific requirements dictating the amount of benefits and assistance that must be provided to lower income persons and households relocated from their homes as a result of displacement. Depending on the funding source, displaced persons may be offered one or more of the following:

- A rent subsidy for another unit
- A cash payment to be used for rent or a down payment on the purchase of a dwelling unit
- Moving and related expenses

The City's rehabilitation programs may also incur relocation issues when they provide minor additions to existing dwellings in order to address overcrowding. Any temporary relocation costs are included in the rehabilitation loan package offered to clients.

Technical Assistance

The City will, to the extent feasible, respond to requests for technical assistance from entities representing LMI groups who are seeking federal entitlement funding in accordance with grant procedures. This may include, but is not limited to, providing information regarding how to fill out

applications, other potential funding sources, and referrals to appropriate agencies within and outside the City. "Technical assistance," as used here, does not include the provision of funds to the entities requesting such assistance. Assistance will also be provided by Community Development Department staff to interested individuals and resident groups who need further explanation on the background and intent of the Housing and Community Development Act, interpretation of specific HUD regulations, and project eligibility criteria for federal grants.

This plan describes how the City of Porterville will involve citizens in the planning, implementation, and assessment of the Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) Programs. The funds must be used for projects which benefit low- and moderate-income persons and/or aid in the elimination or prevention of slum and blight. These programs are intended to assist cities in undertaking neighborhood improvement, economic development, and homeowner assistance programs. Program regulations give ultimate responsibility for the design and implementation of the program to local elected officials, and also require that citizens be given an opportunity to serve in a key advisory role to these elected officials.

ADVISORY COMMITTEE

To ensure that Porterville residents are given a full opportunity to participate in the Program, a Citizens' Advisory Committee was established in 1981 to function in an advisory capacity to the Mayor and Council regarding program design, implementation, and assessment. This Committee consists of seven (7) residents of the City, appointed annually by the Mayor and City Council. Citizens and civic organizations are urged to make recommendations on allocation of the City's multi-purpose Community Development Block Grant since 1981/82. The Committee has provided direction in establishing the Housing Rehabilitation Loan Program (HRLP), and other worthwhile projects under CDBG Entitlement Cities and Home Programs which have benefitted low- and moderate-income households within the city of Porterville. In addition to the HRLP, the Committee has recommended the establishment of several revolving loan funds since 1982, including the Sewer and Water Connection Fund, the Public Utilities Revolving Loan Fund (merged in 2012 with HRLP), the First Time Low-Income Homebuyer Program and the Business Assistance Program. The Committee has also recommended the allocation of funds toward remodeling the Santa Fe Plaza Senior Citizens Center, and inventory of Industrial Land Resources, the Low-Income Residential Smoke Detector Installation Program, and the Porterville Enterprise Zone Area Infrastructure Improvement Program, the rehabilitation of the Porterville and Glennwood Hotels, the opening of the Porterville Youth Center, and four targeted Curb, Gutter Sidewalk, and Street Light, Neighborhood Improvement Projects, Lime Street Park Improvement Project, and Santa Fe Facility Improvement Project. In addition, the Committee has supported the establishment of economic development programs and public improvement activities such as the completion of the Heritage Center with Section 108 Loan Guarantee funds. Several years ago, the Committee recommended the establishment of the Homebuyer Education Program and the Murry Park Improvement Project. An expansion to the Park Improvement Program was approved in 2010 to include the Lime Street Neighborhood Park and in 2013, the Extension of Murry Park was included and is currently underway.

The City has taken steps to secure the services of concerned individuals to form the Advisory Committee for the purposes of program model design, implementation, assessment, and development of the Community Development Block Grant Program under the Entitlement Cities

criteria. The City places particular emphasis on obtaining representation of low- and moderate-income persons residing in slum and blight areas, members of minority groups, the elderly and persons with disabilities, and residents of areas where use of funds are proposed. In continuing its efforts to serve the needs of the public, the City Council has expanded the role of the Committee to incorporate efforts to expand housing opportunities, thereby changing the name to the Citizens' Advisory and Housing Opportunity Committee.

SCOPE OF CITIZEN PARTICIPATION

Citizens will be involved in all stages of the Community Development Block Grant Program, including the development of the consolidated plan, inclusive of the annual action plan, substantial amendments to the plan, program implementation, assessment of performance, and design of the citizen participation plan. Mechanisms for the citizen involvement include: The Citizens' Advisory and Housing Opportunity Committee, public hearings and ad hoc community meetings, individual citizen efforts in the form of comments, complaints, or inquiries submitted directly to the Mayor and/or Community Development Department, located in City Hall, 291 N. Main Street, or by telephone, (559) 782-7460.

Public Hearings

At least two (2) public hearings, open to the entire community, will be held annually. The hearings will provide an opportunity for citizens to identify community development needs, proposed projects, and assist in the development of an overall strategy for Porterville. The hearings will also be used to solicit comments on the citizen participation plan more sensitive to local needs and realign the plan with changes in Federal regulations, and to review the HUD annual community assessment, if available. The hearings are typically held in February or March and April or May of each program year.

Consolidated Plan

Participation in the development of the consolidated plan, inclusive of the annual action plan, will occur as follows: at least one (1) public hearing will be held before the proposed consolidated plan is published for comment. Before the City adopts a consolidated plan, the City will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive and the range of activities that may be undertaken, including the amount that will benefit persons of very low and low income.

The City will ensure that plans will be available to minimize the displacement of persons and to assist any persons displaced according to Federal regulation standards.

A summary of the proposed use of CDBG funds and, when applicable, HOME funds, will be made available in Spanish, which is predominate non-English language spoken in Porterville, at all public hearings.

Advisory Committee proposals and comments, with regard to development of the consolidated plan, will be obtained at Committee meetings or hearings scheduled either at the request of Committee members or program officials. The public is invited to attend these meetings.

The public will be notified of the period, not less than thirty (30) days, in which to receive comments from citizens on the consolidated plan. Any comments or views of citizens received in writing or orally

at the public meetings will be considered. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons, therefore, will be attached to the final consolidated plan.

Amendments

In the case of proposed substantial amendments to the consolidated plan, the City shall provide reasonable notice and an opportunity to comment on substantial amendments. The public will be notified of the period, not less than thirty (30) days, in which to receive comments on the substantial amendments before the amendment is implemented. The meetings regarding the proposed amendments are not required to be public hearings, but will be open to the public to attend. The City will consider any comments or views of citizens received in writing, or orally, at public hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted, and the reasons therefore, will be attached to the substantial amendment of the consolidated plan.

Amendments to the plan will be necessary whenever one of the following decisions is made:

1) To make a substantial change in the allocation priorities or a substantial change in the method of distribution of funds;

2) To carry out an activity using funds from any program covered by the consolidated plan (including program income) not previously described in the consolidated plan; or

3) To substantially change the purpose, scope, location, or beneficiaries of an activity.

Performance Report

Reasonable notice and an opportunity to comment on performance reports will be given to the public. The public will be notified of the period, not less than fifteen (15) days, in which to receive comments from citizens on the performance report that is to be submitted to HUD before its submission. Any comments or views of citizens received in writing or orally at public meetings will be considered, and a summary of the comments and views will be attached to the performance report.

Citizen Participation Plan

The Annual Action Plan includes noticing and public hearings. All meetings and hearings are publicized in accordance with applicable HUD, state and local regulations. Specifically the Action Plan includes community meetings, public noticing for 30 days, and a public hearing. The City will provide citizens a reasonable opportunity to comment on amendments or revisions to the citizen participation plan and will make the plan public.

Other Method of Participation

Informal, individual contact with citizens, initiated either by citizens or program officials, will also provide input to the consolidated plan. For example, an individual may contact the Community Development Department at (559) 782-7460 to request consideration of a special project; or program officials may seek the opinion of local business persons as to the need for commercial revitalization.

Program officials will also be available to advise citizens of the procedures for filing objections to the consolidated plan with the U.S. Department of Housing and Urban Development Area Office. Citizen participation in program implementation will occur primarily through consultation with the Citizens' Advisory and Housing Opportunity Committee. Citizens will be asked to review and comment on specific strategies for approved projects. They will also meet to review any substantial program amendments. All such changes will be discussed with the committee and their comments considered prior to the City taking final action. These meetings will be held on an as-needed basis.

Program assessment activities by citizens will occur in a variety of ways. Citizens will have the opportunity to comment on the City's performance for the prior program year during the public hearings for the consolidated and action plan adoption. The public will also be notified of the public comment period for the annual performance report before its submission to HUD.

The Citizens' Advisory and Housing Opportunity Committee shall function as a forum for public participation in the City's efforts to affirmatively further fair housing. Prior to the submission of the consolidated plan, the Committee shall discuss and recommend for Council adoption suggested methods of furthering fair housing. As part of the orientation to the program offered at the public hearing, citizens will be invited to submit comments on all aspects of the program performance throughout the program year.

Public comments or complaints regarding the consolidated plan, substantial amendments to the Plan, the Performance Report, or the Citizen Participation Plan should be submitted in writing to the Community Development Director, City of Porterville, 291 N. Main Street, Porterville CA 93257. If a public hearing is held, comments should be submitted within fifteen (15) working days from the date of the public hearing. A timely, substantive written response will be provided by the City within fifteen (15) working days. If the response is unsatisfactory, correspondence may then be addressed directly to the Mayor, City of Porterville, 291 N. Main Street, Porterville, CA 93257. The Mayor shall respond within fifteen (15) working days. If the citizen is still dissatisfied, he/she should write to the U.S. Department of Housing and Urban Development Area Office, 1 Sansome Street, Suite 1200, San Francisco, CA 94104, requesting investigation of the issue. Program staff will also be available during normal business hours to respond to citizen inquires.

TECHNICAL ASSISTANCE

Citizen organizations, non-profit organizations, and groups of low/moderate income persons or target area residents may propose their own specific program(s). The proposal for a specific program should include the program's design, its budget, and the scope of proposed activities. Also, the proposal should identify the specific individuals anticipated to carry out activities and provide a summary of their experience and training.

Technical assistance which may be provided by City staff is limited to proposals that are considered eligible uses of CDBG funds, and not intended to assist citizen organizations, non-profit organizations, and groups of low/moderate income persons or target area residents applying for funding from other grant sources. The Citizens' Advisory and Housing Opportunity Committee may direct staff to provide technical assistance that may consist of staff or local expert presentations, informational handouts, research of a specific issue, or other short-term efforts.

PUBLIC INFORMATION

The City will also undertake the following public information efforts to promote citizen participation:

- The public noticing pertaining to the community meetings, Council work session and public hearing are published in both English and Spanish. Public notices of all public hearings will be published in the *Porterville Recorder* and *Noticiero Semanal* at least ten (10) days before the scheduled hearing and fifteen (15) days prior to the final public hearing. These notices will indicate the date, time, location, and topics to be considered. Upon notification, arrangements will be made by the City to accommodate persons with disabilities. The public notices also will be made available in the form of press releases and as a public service announcement to local radio stations. Public hearing notices will indicate that summary statements of projected use of CDBG and/or HOME funds will be available in Spanish, the predominant non-English language spoke within the city. Additionally efforts will be made by providing notices to our local non-profit partners to share and publish for public viewing, and publishing on the City website which includes the Agenda and meeting minutes.
- Notices will also be published in the *Porterville Recorder* to notify the public of the period, not less than thirty (30) days for the consolidated plan or substantial amendments to the plan, or fifteen (15) days for the performance report, in which to receive comments from citizens before submission of the plan or report to HUD. All notices will include information that complete copies of the proposed plan or report will be available for public review at City Hall (291 N. Main Street) or at the City Library (41 W. Thurman Avenue). A reasonable number of free copies of the plan or report will be provided to citizens and groups that request it.
- Orientation information will be provided at the first public hearing conducted by the Citizens' Advisory and Housing Opportunity Committee. City staff will make a presentation which covers: the total amount of funds available and the basis for award; the range of eligible activities and those previously funded in the community; the planning process and the schedule of meetings and hearings, the role of citizens in the program, a summary of other important program requirements, such as: environmental policies, fair housing provisions, and contracting procedures. Some of these topics will be covered in written materials.
- A public file containing program documentation for the preceding five (5) years will be available for review at City Hall during normal business hours. Included will be copies of the Consolidated Plan, Environmental Review Record, the Citizen Participation Plan, and the Consolidated Annual Performance Evaluation Report. Other program documents are also available for citizen review on request at City Hall, consistent with applicable State and local laws regarding personal privacy and obligations of confidentiality. Upon request, materials will be made available in a form accessible to persons with disabilities.

CITIZENS' ADVISORY AND HOUSING
OPPORTUNITY COMMITTEE PARTICIPATION PLAN
SCHEDULE 2016

Advisory Committee Meetings	Annually or as deemed necessary by Committee
Public Hearings (2)	**March and May 2016**
Publication of Draft annual Action Plan	**April 2016**
Adoption of annual Action Plan	**May 2016**
Submission of annual Action Plan	**May 2016** (or when determined by HUD)

City Council hearings, unless otherwise specified, will be held in the City Hall Council Chambers at 6:30 p.m.

Citizens' Advisory Committee meetings and/or hearings, unless specified otherwise, will be held in the Coleman Conference Room in City Hall at 5:30 p.m.

ATTACHMENT 2

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Consideration of Appointment of CalTIP Board Member

SOURCE: Administrative Services

COMMENT: On January 20, 2004, the City Council authorized the City's participation in the California Transit System Joint Powers Authority, which does business as the California Transit Indemnity Pool ("CalTIP") for liability coverage and vehicle physical damage coverage for the City's transit fleet. Through its participation in the JPA, the City has realized significant savings in premiums over coverage previously purchased in the open market.

Each member of CalTIP is represented on the Board of Directors and plays an active role in the organization. The Board meets twice yearly for study sessions to conduct business of the pool, as well as to keep Board Members informed of trends in transit, including operations, risk exposures, and effective loss control mechanisms to help prevent claims and manage losses.

All Board Members are staff members of the entities belonging to the pool, with the majority being well-versed in transit, finance or risk management. The costs incurred by the Board Member attending the CalTIP meetings are reimbursed to the City of Porterville by CalTIP.

Currently, Ms. Patrice Hildreth serves as the Board Member, with the Alternate position being vacant due to the retirement of Mr. Baldo Rodriguez. It is now proposed that the City Council appoint Mr. Mike Reed to serve as the Board Member, with Patrice Hildreth serving as the Alternate. With a frequent focus on operational issues at CalTIP Board Meetings, the City's Transit Manager also regularly attends the meetings.

RECOMMENDATION: That the City Council:

1. Approve the draft resolution designating Mike Reed as the City's CalTIP Board Member, and Patrice Hildreth as the Alternate Member; and
2. Authorize the Mayor to execute said Resolution for submission to CalTIP.

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 DESIGNATING THE CITY'S REPRESENTATIVES TO THE CALIFORNIA TRANSIT INDEMNITY POOL BOARD OF DIRECTORS

WHEREAS, the City Council acted on January 20, 2004, approving the City of Porterville's membership in the California Transit Systems Joint Powers Authority, doing business as the California Transit Indemnity Pool (CalTIP); and

WHEREAS, the City of Porterville wishes to designate a representative of the City of Porterville to attend the CalTIP Board of Directors meetings and represent the City in its best interests; and

NOW, THEREFORE, BE IT RESOLVED that effective March 15, 2016, Mike Reed shall be designated CalTIP Representative for the City of Porterville and, as such, is hereby authorized to be the CalTIP Board Member on behalf of the City of Porterville.

BE IT FURTHER RESOLVED that effective March 15, 2016, Patrice Hildreth shall be designated CalTIP Alternate Representative for the City of Porterville and, as such, is hereby authorized to be the Alternate CalTIP Board Member on behalf of the City of Porterville.

PASSED, APPROVED AND ADOPTED this 15th day of March, 2016.

_____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

_____
By: Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Approval for Community Civic Event - American Cancer Society, Inc., and Razors Nation - Razors Nation Spring Ring Bully Fest - April 2, 2016

SOURCE: Finance

COMMENT: American Cancer Society, Inc., and Razors Nation are requesting approval to hold an ABKC sanctioned dog show on Saturday, April 2, 2016, from 8:00 a.m. to 6:00 p.m. at the Porterville Sports Complex.

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, Agreement and Exhibit A.

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from American Cancer Society, Inc., and Razors Nation, subject to the Restrictions and Requirements contained in the Application, Agreement and Exhibit A.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

NONPROFIT

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

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

Application date: 1·11·2016 Event date: 4·2·2016
2/29/16
Event time: 8Am - 6PM

Name of Event: Razors Nation Spring Ring Bully Fest

Sponsoring organization: American Cancer Society Phone # 451-0722
Address: 250 Williams St. 4th. Floor. Atlanta GA 30303

Authorized representative: Kynt Rowell Phone # 559·350·0512
Address: 20523 Rd. 252 Strathmore

Event chairperson: Phone # decinda1@gmail.com

Location of event Porterville Sports Complex
(Location map must be attached)

Type of event: ABKC Sanctioned Dog Show

Non-profit organization status: Lic# 4371 / IRS 501c3 attached
(IRS Determination)

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

Barricades (quantity): _____ Street sweeping Yes ____ No X
Police protection Yes ____ No X Refuse pickup Yes ____ No ____
Other: _____

Parks facility application required: Yes pd No ____ Attached X
Assembly permit required: Yes ____ No ____ Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

KR **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.**

KR **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.

KR **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.

KR **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.

Razors Nation	Mynt Newell	1·11·2016
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Razors Nation Spring Ring Bully Fest

Sponsoring organization: American Cancer Society

Location: Porterville Sports Complex Event date: 4.2.2016 Event time: 8AM-6PM

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

Vendor name	Address/Telephone	Business License required?	Type of Activity
~~Brent's BBQ Stand~~			
Brent's BBQ Stand	980 N. Jennifer way	PT0016314 1685	Food Vendor # 004622
Chuy's taco's	507 E Westfield Ave		Food vendor

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

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

CITY OF PORTERVILLE

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

Name of event: Razors Nation Spring Ring Bully Fest

Sponsoring organization: Razors Nation

Event date: 4.2.2016 Hours: 8AM - 6PM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity

NONE

Sidewalks	From	To	Activity

Parking lots and spaces	Location	Activity

Requirements For Community Civic Event
American Cancer Society, Inc. and
Razors Nation
Razors Nation Spring Ring Bully Fest
April 2, 2016

Finance Director: *M. Bemis*	
Public Works Director, Acting: *M. Reed*	
Community Development Manager: *J. Phillips*	
Deputy Public Works Director: *B. Styles*	No comments.
Fire Chief: *G. Irish*	No comment.
Parks and Leisure Services Director: *D. Moore*	Dogs to remain on leach while not in show area. Show area to be fenced off. Vehicles to remain off the grass. Dog waste to be picked up by owner.
Police Captain: *J. Hall*	No issues. Amplifier permit signed.
Administrative Services Director: *P. Hildreth*	Please see Exhibit A, page 2.

Requirements For Community Civic Event

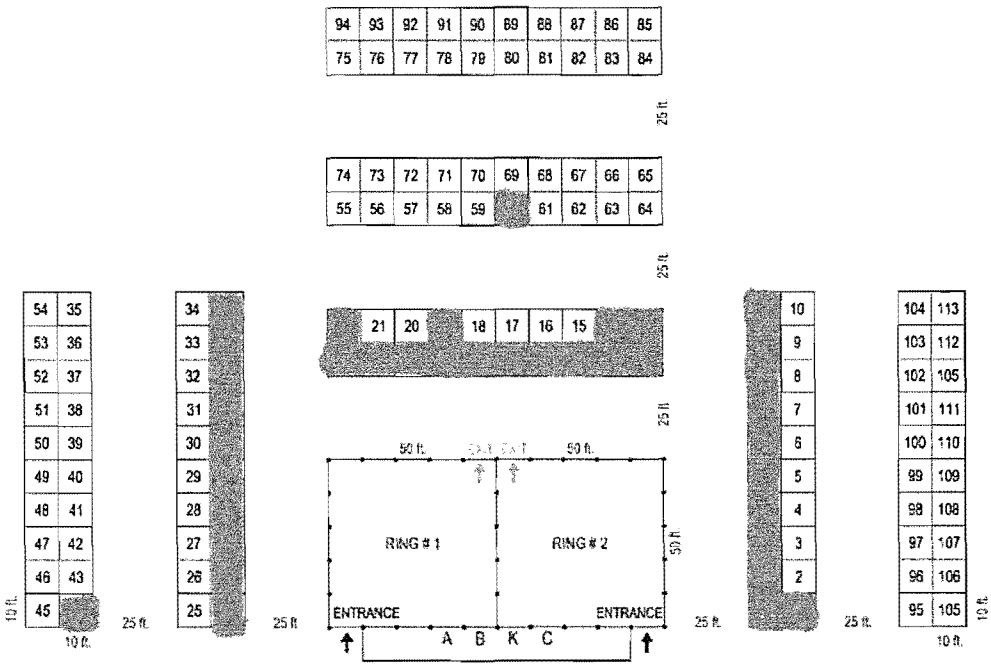
Sponsor:	American Cancer Society, Inc. and Razors Nation
Event:	Razors Nation Spring Ring Bully Fest
Event Chairman:	Kynt Rowell
Location:	Porterville Sports Complex
Date of Event:	April 2, 2016
Time of Event:	8:00 a.m. to 6:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That Kynt Rowell of Razors Nation provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers 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 that A: VII, and the insurance company must be an 'admitted' insurer in the State of California.



Porterville Sports Complex
Show Lay-out

Not to Scale

N

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: Kynt + Rachel Rowell
20523 Rd. 252. Strathmore, Ca 93267

2 Address where amplification equipment is to be used: 2701 W. Scranton Ave.

3 Names and addresses of all persons who will use or operate the amplification equipment: Kynt + Rachel Rowell 20523 Rd. 252. Strathmore, Ca 93267

4 Type of event for which amplification equipment will be used: ABKC Sanctioned Dog Show

5 Dates and hours of operation of amplification equipment: 10AM - 6pm APRIL 2, 2016

6 A general description of the sound amplifying equipment to be used: Microphone, Amplifier, Speaker to announce the Show Flow Chart

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 — Date 1/11/2016

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 — Date 3/8/16

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/02/2016

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: CPH & Associates 711 S DearbornSt, Ste 205 Chicago, IL 60605	CONTACT NAME: C. Philip Hodson PHONE (A/C, No, Ext): 312-987-9823 FAX (A/C, No, Ext): 312-987-0902 E-MAIL ADDRESS: info@cphins.com
INSURED: Kynt Rowell 20523 road 252 Strathmore, CA 93267	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Philadelphia Indemnity Insurance Company — 18058 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER REVISON 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 LTD	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PROJECT LOC			EV00883	04/02/2016	04/03/2016	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$1,000,000 $100,000 $0 $1,000,000 $3,000,000 $3,000,000
	AUTOMOBILE LIABILITY: ANY AUTO ALL OWNED SCHEDULED HIRED AUTOS NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) PROPERTY DAMAGE(Per accident) BODILY INJURY (Per accident)	$ $ $ $
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTIONS $						EACH OCCURENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPIETOR/PARTNER/EXECUTIVE OFFICE/MEMBER EXCLUDER? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Event: Dog / Cat Shows Effective Date: 04/02/2016 End Date: 04/03/2016 Venue Location: Porterville Sports Complex, 2701 w Scranton ave, Porterville, CA 93257

CERTIFICATE HOLDER	CANCELLATION
Proof of Coverage	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 C. Philip Hodson

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POLICY CHANGE DOCUMENT

POLICY NO.: EV00883

Philadelphia Indemnity Insurance Company

NAMED INSURED
Kynt Rowell

MAILING ADDRESS
20523 Road 252
Strathmore, CA 93267

POLICY PERIOD: FROM 04/02/2016 TO 04/03/2016 at
12:01 A.M. Standard Time at your mailing address shown above.

CHANGE EFFECTIVE 04/02/2016 CHANGE # 1

DESCRIPTION
In consideration of the premium reflected, the policy is amended as indicated below:

Policy is endorsed to include form PI-AS-010 effective 04/02/2016 for no additional premium.

Total Annual Additional Premium $ ADDITIONAL

Total Prorate Additional/Return Premium $ ADDITIONAL

COUNTERSIGNED BY

(Date) (Authorized Representative)

Issue Date _____
04/28/2015

Insurance Policy

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

ADDITIONAL INSURED: OWNERS AND / OR LESSORS OF PREMISES, LESSORS OF LEASED EQUIPMENT, SPONSORS OR CO-PROMOTERS

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

This policy is amended to include as an additional Insured any person or organization of the types designated below, but only with respect to liability arising out of your operations:

1. Owners and / or lessors of the premises leased, rented, or loaned to you, subject to the following additional exclusions:
    a. This insurance applies only to an "occurrence" which takes place while you are a tenant in the premises;
    b. This insurance does not apply to "bodily injury" or "property damage" resulting from structural alterations, new construction or demolition operations performed by or on behalf of the owner and / or lessor of the premises;
    c. This insurance does not apply to liability of the owners and / or lessors for "bodily injury" or "property damage" arising out of any design defect or structural maintenance of the premises or loss caused by a premises defect.

    With respect to any additional insured included under this policy, this insurance does not apply to the sole negligence of such additional insured.

2. Lessor of Leased Equipment, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person(s) or organization(s) subject to the following additional exclusions:
    a. This insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

3. Sponsors

4. Co-Promoters

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Approval for Community Civic Event - American Cancer Society, Inc., - Relay for Life Kickoff - April 2, 2016

SOURCE: Finance

COMMENT: The American Cancer Society, Inc., is requesting approval to hold a community civic event and fundraiser on April 2, 2016, at Veteran's Park, from 10 a.m. to 3:00 p.m. to kick off the 2016 Porterville Relay for Life.

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 the City Council approve the attached Community Civic Event Application and Agreement submitted by the American Cancer Society, Inc., subject to the stated requirements contained in the Application and Agreement, Exhibit A, and Exhibit B.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

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

Application date: 3/1/16 Event date: 4/2/16
3/2/16
Event time: 10am - 3pm

Name of Event: Relay For Life Kickoff

Sponsoring organization: American Cancer Society Phone # 559-794-0172
Address: 2222 W. Shaw Ave #201, Fresno CA 93711
Authorized representative: Michelle Blancas Phone # same
Address: Same as above
Event chairperson: Jeff Szeles Phone # 559-359-9221
24 W. Gibson Ave Porterville CA 93257
Location of event Veterans Park 1501 W. Henderson Ave Porterville CA 93257
(Location map must be attached)
Type of event: Kicking of the 2016 Relay For Life of Porterville season
Non-profit organization status: 501(c)3
(IRS Determination)

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

Barricades (quantity): n/a Street sweeping Yes ____ No X
Police protection Yes ____ No X Refuse pickup Yes ____ No X
Other: ____

Parks facility application required: Yes ~~X~~ No ____ Attached ✓
Assembly permit required: Yes ____ No ____ Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

JWS **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.** JWS **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. JWS **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. JWS **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.

Relay For Life of Porterville	Jeff Sigler	3-2-16
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Relay for Life Kickoff

Sponsoring organization: AMERICAN CANCER SOCIETY

Location: VETS PARK Event date: APRIL 2ND 2016 Event time: 10 AM - 3 PM

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

Vendor name	Address/Telephone	Business License required?	Type of Activity

DONE

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

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

CITY OF PORTERVILLE

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

Name of event: Relay for Life Kickoff

Sponsoring organization: _____

Event date: 4/2/16 Hours: _____

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity

Sidewalks	From	To	Activity

Parking lots and spaces	Location	Activity

None

Requirements For Community Civic Event
American Cancer Society, Inc.
Relay For Life Kickoff
March 21, 2015

Finance Director: *M. Bemis*	
Public Works Director, Acting: *M. Reed*	
Community Development Manager: *J. Phillips*	No comments.
Deputy Public Works Director: *B. Styles*	No comments.
Fire Chief: *G. Irish*	No comment.
Parks and Leisure Services Director: *D. Moore*	Vehicles to remain on the path while unloading/loading. No parking in the park on the grass per Municipal Code Section 17-10-13.
Police Captain: *J. Hall*	Please see Proposed Conditions/ Requirements for Event in Exhibit B.
Administrative Services Director: *P. Hildreth*	See Exhibit A, Page 2.

Requirements For Community Civic Event

Sponsor:	American Cancer Society, Inc.
Event:	Relay for Life Kickoff
Event Chairman:	Jeff Szeles
Location:	Veteran's Park
Date of Event:	April 2, 2016

RISK MANAGEMENT: Conditions of Approval

That the American Cancer Society, Inc., provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the Permitted operation and sponsorship of the aforementioned Community Civic Event

A. Said Certificate of Insurance shall be an original (fax and xerographic copies not acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than $1,000.

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A: VII, and the insurance company must be an 'admitted' insurer in the State of California.

PORTERVILLE POLICE DEPARTMENT

Conditions/Requirements for Community Event "Relay for Life" April 2, 2016

Your application to conduct/hold a community event at Veterans Park has been received and approved pursuant to the following concerns and conditions:

1. Participants/Pedestrians must remain on the sidewalks and obey all traffic related laws.

2. Participants/Pedestrians must not interfere with or impede the normal flow of vehicle or pedestrian traffic.

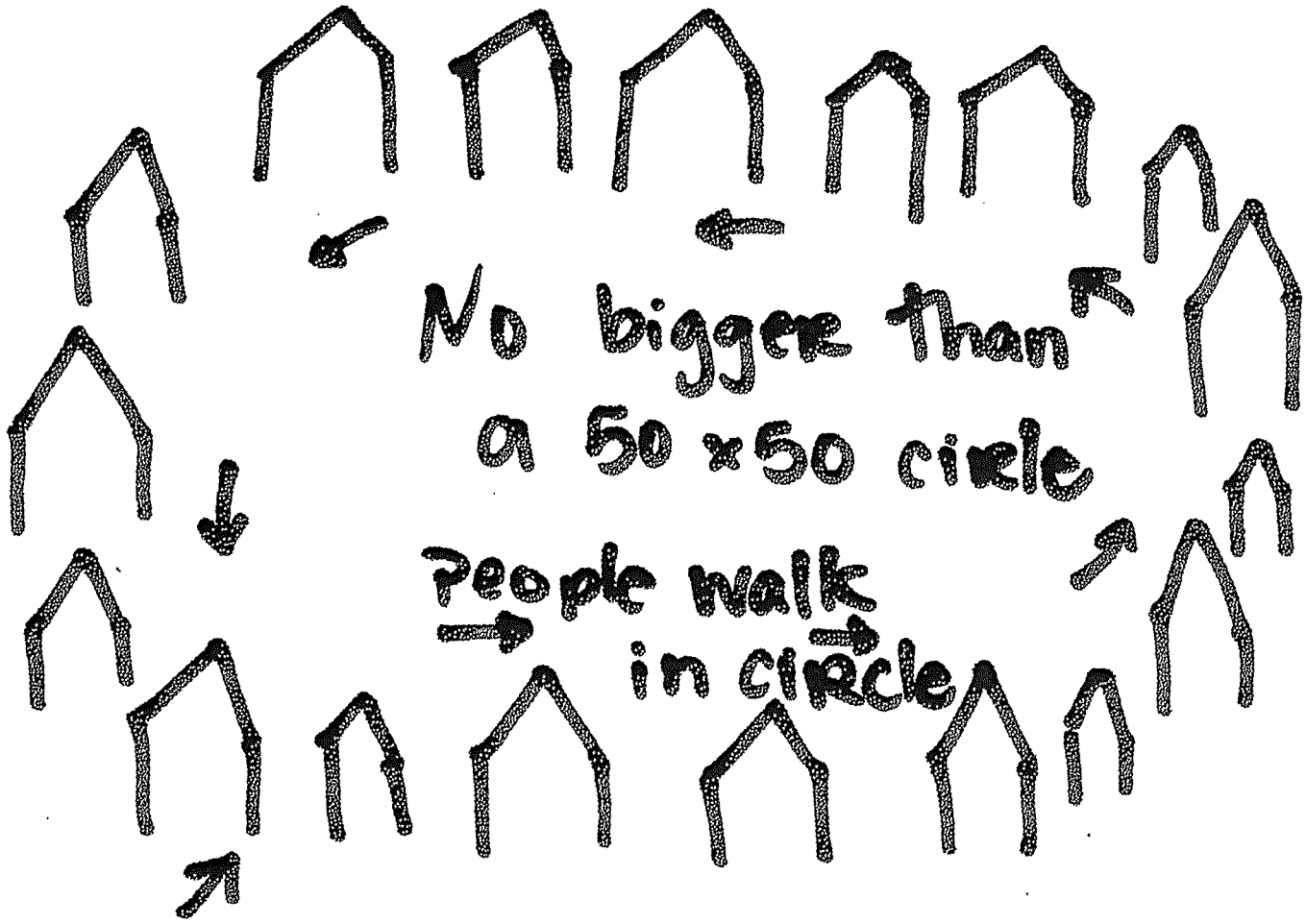
3. Event organizers should consider "follow up" vehicles that have first aid supplies, water, etc., so as to treat or pick up and transport any participant who becomes ill or is otherwise unable to complete the course.

4. Participants must ensure young children stay close to parent or adult, to avoid children running into the roadway and ensuring their safety.

John Hall, Captain
Porterville Police Department

Exhibit B

Area of Arbor 1



Small pop ups for teams
with formation

• Helicopter memorial.

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: 26 W. GIBSON AVE

PORTERVILLE, CA 93257

2 Address where amplification equipment is to be used: VETS PARK

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

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

5 Dates and hours of operation of amplification equipment: 10 AM - 3 PM 4-2-16

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

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.

Jeff Sz — 3-2-16

Signature of Applicant — *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.

3/7/16

City of Porterville, Chief of Police/Designee — *Date*

139199

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/3/2016

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
Commercial Lines – (404) 923-3700
Wells Fargo Insurance Services USA, Inc.
3475 Piedmont Road NE, Suite 800
Atlanta, GA 30305-2886

CONTACT NAME: Jennifer Lefler
PHONE (A/C, No, Ext): 404-923-3663 FAX (A/C, No): 877-362-9069
E-MAIL ADDRESS: jennifer.l.lefler@wellsfargo.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Federal Insurance Company	20281
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
American Cancer Society, Inc.
250 Williams Street
Atlanta, GA 30303

COVERAGES **CERTIFICATE NUMBER:** 10220518 **REVISION NUMBER:** See below

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	X COMMERCIAL GENERAL LIABILITY	X		35943463	09/01/2015	09/01/2016	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 25,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

Re: COIR00001800; Porterville Relay Kickoff; Veterans Park; Event Date: 04/02/2016 (mm)

Certificate holder and Success Agency to the Porterville Redevelopment Agency are included as an additional insured in accordance with the terms and conditions of the general liability policy.

CERTIFICATE HOLDER

City of Porterville
291 N. Main Street
Porterville, CA 93257

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

The ACORD name and logo are registered marks of ACORD © 1988-2014 ACORD CORPORATION. All rights reserved.

Liability Insurance

Endorsement

Policy Period	SEPTEMBER 1, 2015 TO SEPTEMBER 1, 2016
Effective Date	FEBRUARY 29, 2016
Policy Number	3594-34-63 RMG
Insured	AMERICAN CANCER SOCIETY INC
Name of Company	FEDERAL INSURANCE COMPANY
Date Issued	FEBRUARY 29, 2016

This Endorsement applies to the following forms:

GENERAL LIABILITY

Under Who Is An Insured, the following provision is added.

Who Is An Insured

Additional Insured - Scheduled Person Or Organization

Persons or organizations shown in the Schedule are **insureds**; but they are **insureds** only if you are obligated pursuant to a contract or agreement to provide them with such insurance as is afforded by this policy.

However, the person or organization is an **insured** only:

- if and then only to the extent the person or organization is described in the Schedule;
- to the extent such contract or agreement requires the person or organization to be afforded status as an **insured**;
- for activities that did not occur, in whole or in part, before the execution of the contract or agreement; and
- with respect to damages, loss, cost or expense for injury or damage to which this insurance applies.

No person or organization is an **insured** under this provision:

- that is more specifically identified under any other provision of the Who Is An Insured section (regardless of any limitation applicable thereto).
- with respect to any assumption of liability (of another person or organization) by them in a contract or agreement. This limitation does not apply to the liability for damages, loss, cost or expense for injury or damage, to which this insurance applies, that the person or organization would have in the absence of such contract or agreement.

Under Conditions, the following provision is added to the condition titled Other Insurance.

Conditions

Other Insurance – Primary, Noncontributory Insurance – Scheduled Person Or Organization

If you are obligated, pursuant to a contract or agreement, to provide the person or organization shown in the Schedule with primary insurance such as is afforded by this policy, then in such case this insurance is primary and we will not seek contribution from insurance available to such person or organization.

Schedule

Persons or organizations that you are obligated, pursuant to a contract or agreement, to provide with such insurance as is afforded by this policy.

City of Porterville

RE: ACS Contract #33814 American Cancer Society, Inc.; Bark for Life Event to be held Veterans Park; Event Date: March 12, 2016

All other terms and conditions remain unchanged.

Authorized Representative

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Approval for Community Civic Event - Porterville Unified School District, Porterville Optimist Club, and Burton School District - Porterville Celebrates Reading - April 9, 2016

SOURCE: Finance

COMMENT: Porterville Unified School District, Porterville Optimist Club, and Burton School District are requesting approval for their annual literacy fair, Porterville Celebrates Reading, on April 9, 2016, at Veteran's Park, from 10:00 a.m. to 2:00 p.m. This annual event includes free books and small group presentations for children and parents in order to encourage literacy development.

This request is being made under Community Civic Event Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. All requirements are listed on the attached Application, Agreement, and Exhibit A.

RECOMMENDATION: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Porterville Unified School District, Porterville Optimist Club, and Burton School District, subject to the stated requirements contained in the Application, Agreement and Exhibit A.

ATTACHMENTS:

1. Community Civic Event Application and Agreement, Exhibit A, Map, Outside Amplifier Permit.

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

5/15
4/5

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

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

Application date: 2/26/16 Event date: 4/9/16

2/29/16 Event time: 10:00 - 2:00 p.m.

Name of Event: Porterville Celebrates Reading

Sponsoring organization: Optimist / PUSD / BSD Phone # 793-2400

Address: PUSD - 600 W. Grand Ave.

Authorized representative: Dr. John Snavely Phone # 793-2400

Address: 600 W. Grand Ave, Porterville

Event chairperson: Catherine May Phone # cell 788-9053

Location of event Veteran's Park

(Location map must be attached)

Type of event: Literacy Fair for children ages preschool-up Elementary, middle and HighSchools along with community organizations have booths with literacy activities.

Non-profit organization status: 94-2676266

(IRS Determination)

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

Barricades (quantity): _____ Street sweeping Yes ____ No X

Police protection Yes ____ No X Refuse pickup Yes ____ No X

Other: _____

Parks facility application required: Yes X No ____ Attached ____

Assembly permit required: Yes ____ No X Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

_____**Authorized Representative Initials**

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

_____**Authorized Representative Initials**

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

Optimist/PUSD/BSD	Catherine E. May	2/26/16
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Porterville Celebrates Reading

Sponsoring organization: Optimist / PUSD / BSD

Location: Veteran's Park Event date: 4/9/16 Event time: 10-2

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

Vendor name		Address/Telephone		Business License required?		Type of Activity

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

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

CITY OF PORTERVILLE

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

Name of event: Porterville Celebrates Reading

Sponsoring organization: Optimist / PUSD / BSD

Event date: April 9th, 2016 Hours: 10-2pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name		From		To		Activity
Sidewalks		**From**		**To**		**Activity**
Parking lots and spaces		**Location**				**Activity**

Requirements For Community Civic Event
Porterville Optimist Club, Porterville Unified School District
And Burton School District
Porterville Celebrates Reading
April 9, 2016

Finance Director: *M. Bemis*	
Public Works Director, Acting: *M. Reed*	
Community Development Manager: *J. Phillips*	
Deputy Public Works Director: *B. Styles*	No comments.
Fire Chief: *G. Irish*	No comments.
Parks and Leisure Services Director: *D. Moore*	No vehicles allowed to park in the park. Vehicles to remain on path for loading and unloading.
Police Lieutenant: *C. Contreras*	
Administrative Services Director: *P. Hildreth*	Please see Exhibit A, page 2. No Insurance certificate was attached, so that will be required naming the City as an additional insured. If any activities include a bounce house or similar, signed liability waivers will be required for all participants.

Requirements For Community Civic Event

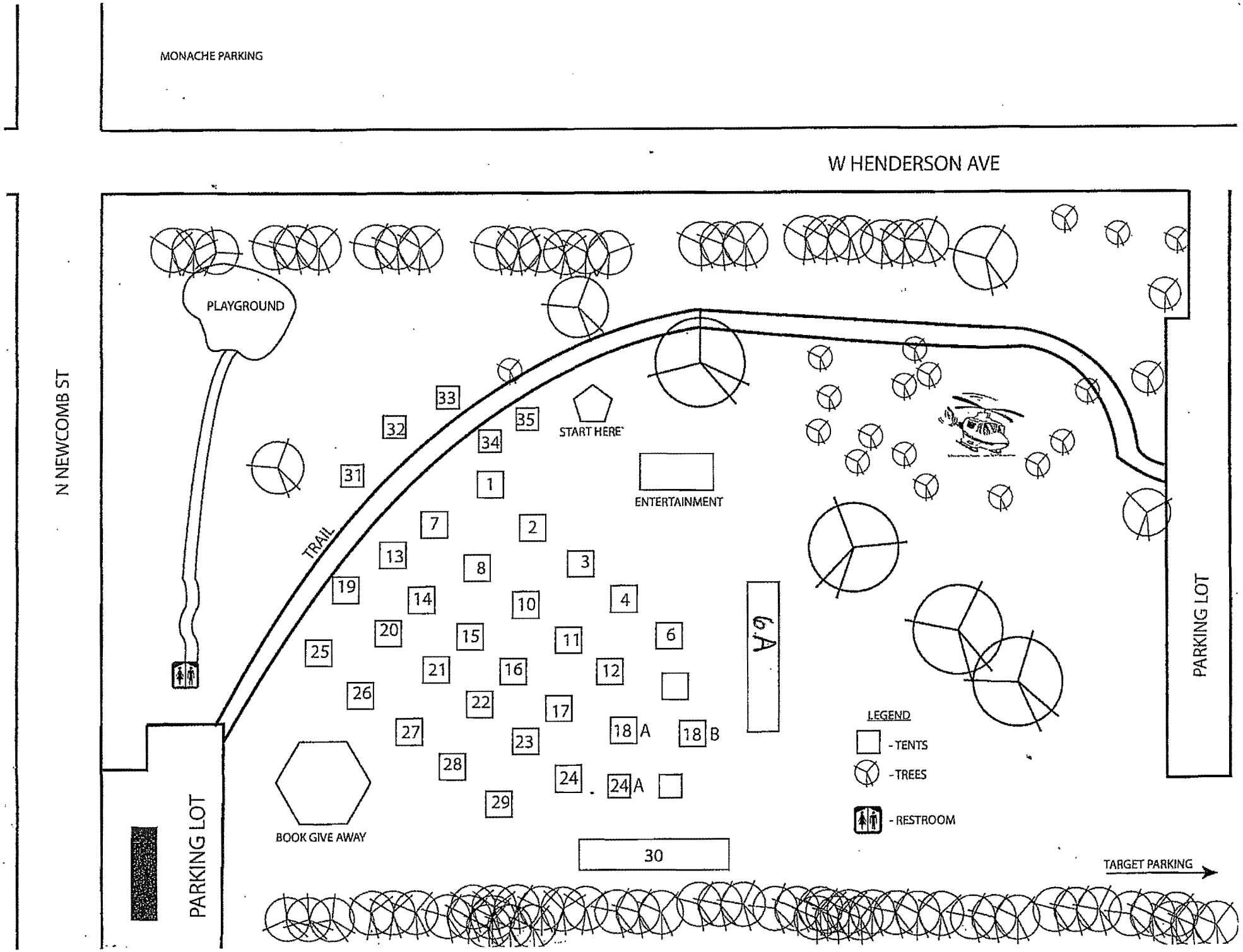
Sponsor:	Porterville Unified School District, Porterville Optimist Club and Burton School District
Event:	Porterville Celebrates Reading
Event Chairman:	Catherine May
Location:	Veterans Park
Date of Event:	April 9, 2016
Time of Event:	10:00 a.m. to 2:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Unified School District, Porterville Optimist Club or Burton School District provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers 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 <u>not</u> acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than $1,000.

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less than A:VII, and the insurance company must be an "admitted" insurer in the State of California.


MONACHE PARKING
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N NEWCOMB ST
PLAYGROUND
TRAIL
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ENTERTAINMENT
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PARKING LOT
BOOK GIVE AWAY
30
TARGET PARKING
LEGEND
- TENTS
- TREES
- RESTROOM
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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: catherine may
770 Phillips Circle, Porterville, CA 93237

2 Address where amplification equipment is to be used: Veteran's Park

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

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

5 Dates and hours of operation of amplification equipment: 4/9/16 10:00-2:00pm

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

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.

Catherine E. May — 2/26/16
Signature of Applicant — *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 — 3/8/16
Date

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Approval for Community Civic Event - St. Anne's Home and School - A Night at the Races - April 30, 2016

SOURCE: Finance

COMMENT: St. Anne's Home and School will be holding their annual school spring dinner, A Night at the Races, on Saturday, April 30, 2016, from 5:00 p.m. to 11:00 p.m. The following street and parking lots are requested to be closed and used for attendance parking:

STREETS:
Park Street from Putnam Avenue to Olive Street;

PARKING LOTS:
Municipal Pool parking lot on Park Street;
Lot across from 30 North Park;
Vacant lot across the Municipal Pool on Park Street.

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

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from St. Anne's Home and School, 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, Map, Outside Amplifier Permit and Certificate of Insurance.

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Item No. 10.

Final Approver: John Lollis, City Manager

Anita @ 782-7451

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

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

Application date: 3-7-2016 Event date: April 30, 2016
Event time: 5:00pm

Name of Event: A Night at the Races

Sponsoring organization: St. Anne's Home & Sch. Phone # 559-784-4096
Address: 385 North F Street, Porterville, 93257
Authorized representative: Megan Bidart Phone # 559-310-0157
Address: 10823 Rd 256 Terra Bella 93270
Event chairperson: Candace Moody Phone # 559-361-2202
30 N. Park Street, Porterville, CA 93257
Location of event 30 North Park Street, Porterville, CA 93257
(Location map must be attached)

Type of event: Dinner / Auction / Dance

Non-profit organization status: 501C3
(IRS Determination)

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

Barricades (quantity): 0 Street sweeping Yes ____ No X
Police protection Yes ____ No X Refuse pickup Yes ____ No X
Other: ____

Parks facility application required: Yes ____ No X Attached ____
Assembly permit required: Yes ____ No X Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

MB **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.**

MB **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.

MB **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.

MB **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.

St. Annes Home & School	[signature]	3-7-16
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: A Night at the Races

Sponsoring organization: St. Anne's Home and School

Location: 30 North Park St. Porterville Event date: 4-30-16 Event time: 5:00pm

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

Vendor name	Address/Telephone	Business License required?	Type of Activity
None			

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

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

CITY OF PORTERVILLE

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

Name of event: A Night at the Races

Sponsoring organization: St. Annes Home and School

Event date: April 30, 2016 Hours: 5:00pm - 11:00pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity
~~Put~~ Park St.	Putnam	Olive	Parking

Sidewalks	From	To	Activity

Parking lots and spaces	Location	Activity
Parking Lot	on Park St. at Swimming Pool	Parking
Parking Lot	on Park St. accross 30 N. Park	Parking
Parking Lot	Vacant lot across from Swimming Pool on Park St.	Parking

Requirements for Community Civic Event
St. Anne's Home and School
A Night at the Races Spring Dinner
April 30, 2016

Finance Director: *M. Bemis*	
Public Works Director, Acting: *M. Reed*	
Community Development Manager: *J. Phillips*	No comments.
Deputy Public Works Director: *B. Styles*	They will need to obtain barricades for the street closure. Barricades may be obtained and returned at 555 N. Prospect St
Fire Chief: *G. Irish*	The proposed area to be closed includes several residences and municipal facilities. Access for emergency vehicles shall be maintained at all times during the event.
Parks and Leisure Services Director: *D. Moore*	No comments.
Police Captain: *J. Hall*	Please see recommendations and requirements in Exhibit B.
Administrative Services Director: *P. Hildreth*	Please see Exhibit A, page 2.

Requirements For Community Civic Event

Sponsor:	St. Anne's Home and School
Event:	A Night at the Races
Event Chairman:	Megan Bidart
Location:	Municipal Pool parking lots
Date of Event:	April 30, 2016
Time of Event:	5:00 p.m. to 11:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That St. Anne's Home and School provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers 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 <u>not</u> acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than $1,000.

B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A:VII, and the insurance company must be an "admitted" insurer in the State of California.

CITY OF PORTERVILLE

APPLICATION FOR COMMUNITY CIVIC EVENT

Proposed Event: A Night at the Races Dinner/Auction/Dance

Date of Event: April 30, 2016/5:00 pm – 11:00 pm

Location of Event: 30 N. Park

Recommendations/Requirements:

- City Council approval is required for all street/sidewalk closures.
- If a street closure is approved event organizers shall ensure adequate barriers and signs are in place reflecting the closure and preventing vehicular traffic from entering the event.
- Event organizers must contact the City of Porterville-Parks & Leisure Department to ensure there is no conflict with other organizations or persons intending to use the same park or space during the same time period.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- An Outside Amplifier Permit has been requested or approved. However, event organizers shall not allow music or other sound amplifications to be broadcasted so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area. The Outside Amplifier Permit is only valid between 5:00 p.m. and 10:00 p.m. on the date of the event.
- At conclusion of event, event organizers shall ensure that affected parks/streets/sidewalks are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling in the area, as well as any other related materials such as signs, pamphlets and fliers.

John Hall / Captain
Porterville Police Department

Exhibit B

Requesting to close Park Street from Putnam to Olive
Putnam
Mill
Utilize parking at pool
Murry Park
Utilize parking at vacant lot
Park
Utilize parking at park
Corona
30 N. PARK
Event Location
Olive
Fairway
Road Closure
Roads
N

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: ~~Ga~~ Megan Bidart (VP St. Anne's Home and School) 10823 Rd 256, Terra Bella 93270

2 Address where amplification equipment is to be used: 30 North Park, Porterville, CA 9325

3 Names and addresses of all persons who will use or operate the amplification equipment: Rene Velarde 583 S. Cloverleaf St. Porterville 93257 - 559-920-2688

4 Type of event for which amplification equipment will be used: Dinner / Auction / Dance

5 Dates and hours of operation of amplification equipment: April 30, 2016 5:00pm - ~~11:00~~pm. 10pm

6 A general description of the sound amplifying equipment to be used: Speakers for announcing auction details and dinner details along with some music.

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 — *Date* 3-7-16

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 — *Date* 3/8/16

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/04/2016

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			
K&K Insurance Group, Inc. 1712 Magnavox Way Fort Wayne IN 46804	CONTACT NAME:	Mass Merchandising Underwriting	
	PHONE: (A/C, No. Ext):	1-800-328-2317	FAX: (A/C, No): 1-260-459-5502
	E-MAIL ADDRESS:	info@eventinsurance-kk.com	
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	Nationwide Mutual Insurance Company	23787
INSURED	INSURER B:		
UNITED STATES CONFERENCE OF CATHOLIC BISHOPS DBA: ST. ANNE'S HOME AND SCHOOL 385 NORTH F STREET PORTERVILLE, CA 93257 A Member of the Sports, Leisure & Entertainment RPG& Entertainment RPG	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** W00780132 **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/YY)	POLICY EXP (MM/DD/YY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			6BRPG0000005854200	04/30/2016 12:01 AM EDT	05/01/2016 12:01 AM	EACH OCCURRENCE	$1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$300,000
							MED EXP (Any one person)	$5,000
							PERSONAL & ADV INJURY	$1,000,000
	X Host Liquor Liability Included						GENERAL AGGREGATE	$5,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:							
	POLICY PRO-JECT LOC						PRODUCTS-COMP/OP AGG	$1,000,000
	OTHER						PROFESSIONAL LIABILITY	
							LEGAL LIAB TO PARTICIPANTS	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea Accident)	
	ANY AUTO						BODILY INJURY (Per person)	
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	
	Not provided while in Hawaii							
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	
	DED RETENTION							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE / OTHER	
	ANY PROPRIETORSHIP/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					E.L. EACH ACCIDENT	
							E.L. DISEASE – EA EMPLOYEE	
							E.L. DISEASE – POLICY LIMIT	
	MEDICAL PAYMENTS FOR PARTICIPANTS						PRIMARY MEDICAL	
							EXCESS MEDICAL	

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

Event Name: ST. ANNE'S SCHOOL SPRING DINNER; Event Date: 04/30/2016 to 04/30/2016; # of attendees: 250

Event Location: 30 N. PARK ST, PORTERVILLE, California 93257

Liquor Liability (as provided by CG 00 01 04 13) applies only if the insured is not in the business of manufacturing, distributing, selling, serving or furnishing alcoholic beverages.

CERTIFICATE HOLDER	CANCELLATION
Evidence of Coverage	**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

Coverage is only extended to U.S. events and activities.

** NOTICE TO TEXAS INSUREDS: The Insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas

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CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Approval for Community Civic Event - Greater Porterville Council of Senior Citizens - Rollin' Relics Car Show - May 14, 2016

SOURCE: Finance

COMMENT: Greater Porterville Senior Council and the Rollin' Relics Car Club are requesting approval to hold a car show on Saturday, May 14, 2016, from 8:00 a.m. to 4:00 p.m., at Veteran's Park. The Rollin' Relics Car Club is asking for the ability to park cars, along with vendor booths, on the grassy area between the playground at Newcomb Street and Henderson Avenue.

This request is made under Community Civic Event Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all the departments involved. The requirements are listed on the attached copy of the Application and Agreement, Exhibit A and Exhibit B.

RECOMMENDATION: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Greater Porterville Senior Council and the Rollin' Relics Car Club, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

✓ *DO YOU HAVE?* *Event Flyer?* Not Yet *E-mail address?* dbader49@gmail.com *Website?*

✓ Application date: 3-1-16 (3/1/2016) Event date: MAY 14 2016

Event time: 8:00 - 4:00pm

Name of Event: Rollin Relics Car Show

Sponsoring organization: Porte Council Sr Citizens Phone # 562-6867

Address: 280 4th St Porterville, Ca

Authorized representative: Don Bader Phone # 310-0861

Address: 555 Brandy Porterville Ca

Event chairperson: Danny Hall Phone # 359-6099

Don Boydstun 788-2260

Location of event Veterans Park

(Location map must be attached)

Type of event: Car Show

Non-profit organization status: Working on Non-Profit BL# 00005

(IRS Determination)

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

Barricades (quantity): None Street sweeping Yes ____ No ✓

Police protection Yes ____ No ✓ Refuse pickup Yes ____ No ✓

Other: ____

✓ Parks facility application required: Yes pd ✓ No ____ Attached ✓

Assembly permit required: Yes ____ No ✓ Attached ____

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

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

CITY OF PORTERVILLE

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

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

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

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

_____ **Authorized Representative Initials**

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

_____ **Authorized Representative Initials**

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

Rollin Relics Car Club	Kendall Baba	3-1-16
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Rollin Relics Car Club

Sponsoring organization: Greater Porterville Council Sr Citizens / Rollin Relics

Location: Veterans Park Event date: 5-14-16 Event time: 8-4pm

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

Vendor name	Address/Telephone	Business License required?	Type of Activity
	Don't Know Vendor's @ this Time		
	if any.		
	Will send list to city later		

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

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

CITY OF PORTERVILLE

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

Name of event: Rollin Relics Car Show

Sponsoring organization: Council of Senior Citizens / Rollin Relics Car Club

Event date: May 14, 2016 Hours: 8 - 4:00pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity

N/A

No Streets to be closed

Sidewalks	From	To	Activity

Parking lots and spaces	Location	Activity

Requirements for Community Civic Event
Greater Porterville Senior Council
And Rollin' Relics Car Club
Rollin' Relics Car Show
May 14, 2016

Finance Director: *M. Bemis*	
Public Works Director, Acting: *M. Reed*	
Community Development Manager: *J. Phillips*	
Deputy Public Works Director: *B. Styles*	No comments.
Fire Chief: *G. Irish*	No comments.
Parks and Leisure Services Director: *D. Moore*	Be cognizant of sprinkler heads and other appurtenances in the park while driving on the grass. Vehicles should use park trail as much as possible while driving in and out of park.
Police Captain: *J. Hall*	Please see conditions and requirements in Exhibit B.
Administrative Services Director: *P. Hildreth*	Please see Exhibit A, page 2.

Requirements for Community Civic Event

Sponsor:	Greater Porterville Senior Council and Rollin' Relics Car Club
Event:	Rollin' Relics Car Show
Event Chairman:	Don Bader
Location:	Veterans' Park
Date of Event:	May 14, 2016

RISK MANAGEMENT: Conditions of Approval

That the Rollin' Relics Car Club provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than $1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers 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 that A:VII, and the insurance company must be an 'admitted' insurer in the State of California.

CITY OF PORTERVILLE

APPLICATION FOR COMMUNITY CIVIC EVENT

Proposed Event:

Rollin Relics Car Show, May 14, 2016

Staff Comments: Conditions/Requirements by Police Department

- No street closures have been requested or approved. All street closures require City Council approval well in advance of the event.
- No procession has been mentioned, but participants in any procession on city roadways must comply with all traffic laws and rules of the road. Additionally, they shall not impede vehicular or pedestrian traffic or generally interfere with the normal flow of traffic.
- There shall be no sales, possession or consumption of alcoholic beverages in the park during the event.
- Event organizers shall contact Porterville Police Lieutenant Richard Standridge well in advance of the event for informational purposes and to identify any additional policing concerns/requirements. Lieutenant Standridge can be contacted at 559-782-7400.

John Hall / Captain
Porterville Police Department

Exhibit B

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

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

1 Name and home address of the applicant: Don Bader 555 Brandy Way Porterville CA 93257

2 Address where amplification equipment is to be used: Veterans Park

3 Names and addresses of all persons who will use or operate the amplification equipment: Don Bader 555 Brandy Way Porterville Ca

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

5 Dates and hours of operation of amplification equipment: 9-3 pm MAY 14, 2016

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

Section 18-9 It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, jukebox, record player, loudspeaker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or steep 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)

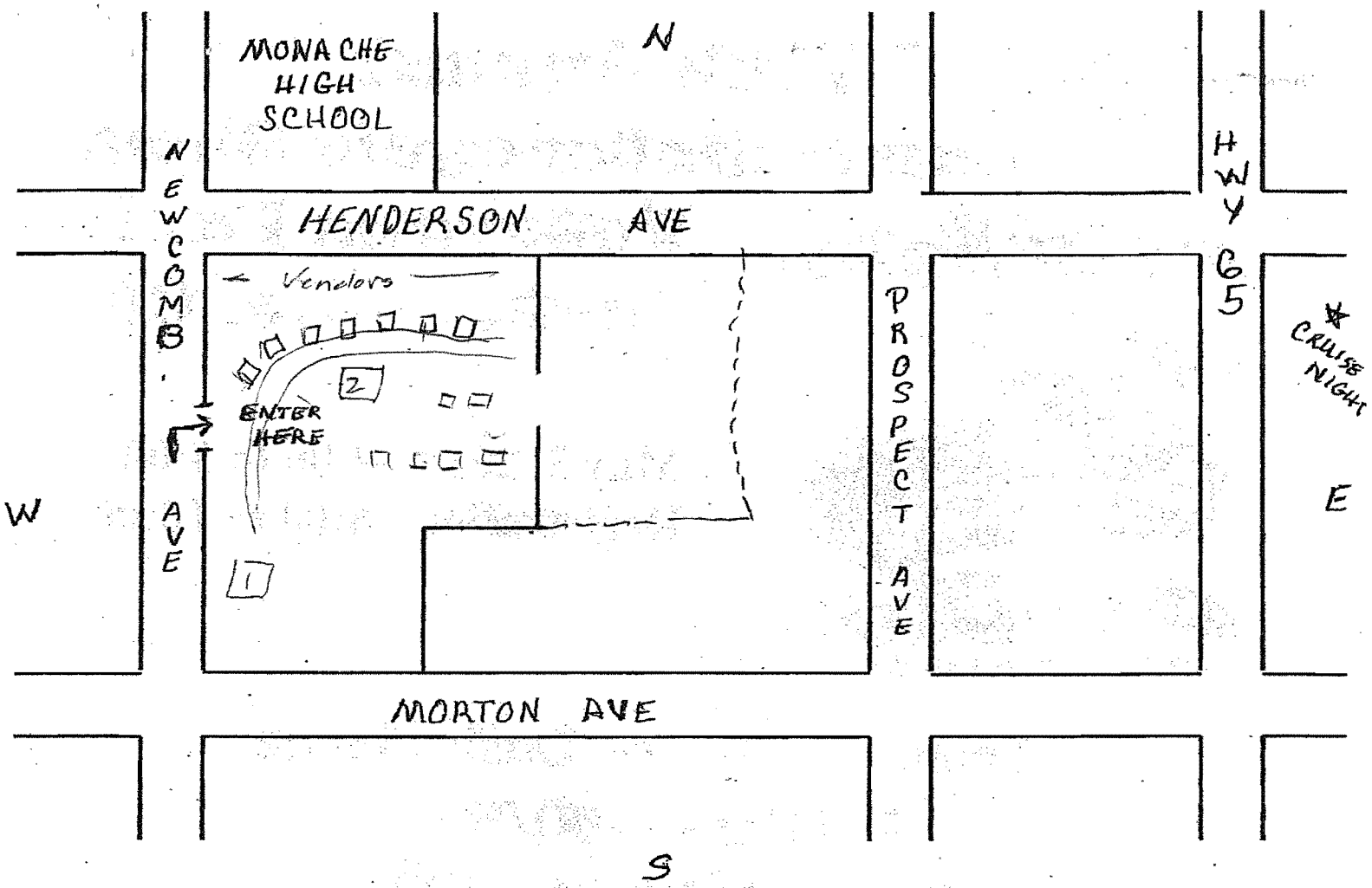
Penal Code Section 415 (2) Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars ($400), or both such imprisonment and fine: (2) Any person who maliciously and wilfully disturbs another person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

Donald Bader — 3-1-16
Signature of Applicant — *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.

3/8/16
City of Porterville, Chief of Police/Designee — *Date*



Name:_____ Phone:_____

Address:_____ City:_____ Zip:_____

Vehicle Year:_____ Make:_____ Model:_____

Motorcycle: _____ Stock_____ Custom_____

Club Affiliation:_____

Shirt Size: S____ M____ L____ XL____ 2XL____ 3XL____

Signature of Applicant:_____ Date:_____

Make checks payable to: Rollin' Relics Car Show
1454 W. Thurman Ave Porterville, CA 93257

Liability: In consideration of the acceptance of the right to participate and by execution of this entry form, entrants & participants, release and discharge the sponsors of any and all damages, injuries & or loss.

For more information call Don Howard (559) 781-0726

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 2/29/2016

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
Hagerty Insurance Agency LLC
141 River's Edge Drive

Traverse City MI 49684-3265

CONTACT NAME:
PHONE (A/C, No. Ext): (800) 922-4050 FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Markel Insurance Company	38970
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED (559) 781-2612
Rollin' Relics Car Club

555 Brandy Way

Porterville CA 93257

COVERAGES **CERTIFICATE NUMBER:** Cert ID 1294 **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	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR			3602SS386871-3	3/13/2016	3/13/2017	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 3,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 1,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N	N/A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Include as additional insured: Certificate Holder but only with respects to the named insured's actions and / or negligence with regards to the Rollin' Relics Car Club Car Show to be held at Veterans Park on 5/14/2016.

CERTIFICATE HOLDER

City of Porterville

291 N. Main Street

Porterville CA 93257

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - STATE OR GOVERNMENTAL AGENCY OR SUBDIVISION OR POLITICAL SUBDIVISION - PERMITS OR AUTHORIZATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision:
All States or Political Subdivisions-Issuing such permits to the Insured
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II - Who Is An Insured is amended to include as an insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

2. This insurance does not apply to:

   a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or

   b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

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CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Request for Proclamation - Kidney Awareness Month - March 2016

SOURCE: Administrative Services

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

The American Nephrology Nurses' Association, San Joaquin Valley Chapter, has requested that the Council consider approval of a proclamation to proclaim the month of March 2016, as "Kidney Awareness Month" in Porterville. Council Member Gurrola is sponsoring this proclamation request. If approved, the proclamation will be presented after its approval on March 15th.

RECOMMENDATION: That the City Council consider approval of the request to proclaim the month of March 2016, as "Kidney Awareness Month" in the city of Porterville.

ATTACHMENTS: 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

City of Porterville
REQUEST FOR PROCLAMATION

RECEIVED
FEB 25 2016
CITY OF PORTERVILLE
CITY CLERK OFFICE

Date of Request: 2/25/2016

Name of Event/Individual: National Kidney Awareness Month
i.e. "Porterville Tourism Week", "Mr. John Doe"

Name of Sponsoring Organization: ANNA (American Nephrology Nurses' Association) San Joaquin Valley Chapter

Name of Contact Person: Sonia Duran-Aguilar

Address: 983 W. Cleo Avenue Porterville, CA 93257

Phone: (310) 384-5372 or 624-5940 FAX: 784-4367

E-mail: sduranaguilar@gmail.com

I would like the proclamation: ☒ presented at a Council Mtg. ☒ mailed ☒ call for pick-up
(whatever is most convenient)

Date(s) of Event: March 2016 - Entire Month

Date of Council Meeting to be presented, if applicable: March 15, 2016
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

Sonia Duran-Aguilar, ANNA Chapter #532 Secretary

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

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

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

City Clerk's Section

Request Received: 2/25/16 @ 3:57pm Sponsored by: Gurrola Date: 3/1/16

Approved by Council: yes ☐ no ☐ Date: _____

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

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

Comment: _____

Milt Stowe
Mayor of Porterville, California
291 N. Main Street
Porterville, CA 93257
February 23, 2016

Dear Mayor Stowe

March is *National Kidney Awareness Month*. This month provides an excellent opportunity for our City to demonstrate its commitment to creating awareness regarding kidney disease in our community. A recent study conducted in the United States identified that there are 26 million Americans currently living with chronic kidney disease and in fact one in three adults is at risk for developing kidney disease and may not even know it. Ultimately undiagnosed kidney disease can lead to chronic kidney failure.

Common risk factors contributing to kidney failure include diabetes and high blood pressure, both conditions disproportionately affecting our community. People whose kidneys fail require life sustaining dialysis treatment. Some people who are lucky enough may end up getting a kidney transplant, however there are limited kidneys available for transplantation.

Why should the people in our community, in the City of Porterville be concerned with kidney disease? The burden of disease is clearly evident in our community. Porterville currently has three dialysis centers all open, functioning and providing life sustaining dialysis to patients in our community. These dialysis centers are all within a 5-mile radius of each other. The prevalence of kidney failure is evident and palpable in our community of 55,000 residents.

Now is the time to educate our community about the seriousness of kidney failure and the prevalence of this epidemic in our lives. We must raise awareness and encourage people in our community to become familiar with the risk factors leading to kidney failure.

The American Nephrology Nurses Association (ANNA) would be honored if you would sponsor an official proclamation to recognize March as *National Kidney Awareness Month* in Porterville. Your proclamation would lend official recognition to the important work of raising awareness about kidney disease as well as emphasize your personal commitment to prevent and ameliorate the rates of kidney disease in our community. I have enclosed a sample to guide your office in composing a proclamation for our City.

If you or your staff have any questions about this request, the sample proclamation or *National Kidney Disease Awareness and Prevention Month*, please call me at (310) 384-5372. I will follow up with your office in the next few days. We appreciate your support and thank you for your consideration of this vital issue.

Sincerely,

Sonia Duran-Aguilar, MSN, MPH, RN, PHN, CNL
ANNA Chapter #532 Secretary

Enclosure

NATIONAL KIDNEY AWARENESS MONTH, MARCH 2016
A PROCLAMATION

WHEREAS, 26 million Americans have kidney disease and one in three adults in the United States is affected by kidney disease; and

WHEREAS, kidney disease often times has no symptoms and can go unnoticed until it is advanced; and

WHEREAS, kidney disease kills more people than breast and prostate cancer combined; and

WHEREAS, people naturally lose kidney function as they age; and

WHEREAS, Tulare County to include Porterville has a disproportionate amount of residents with kidney disease as a result of co-morbid conditions like diabetes and high blood pressure; and

WHEREAS, diabetes and high blood pressure contribute to kidney disease and undiagnosed kidney disease leads to kidney failure; and

WHEREAS, people with kidney failure necessitate life sustaining dialysis treatment three to four times per week; and

WHEREAS, the majority dialysis treatments are paid by the Medicare and Medicaid System; and

WHEREAS, by providing general awareness and education to the community regarding the prevention, early detection and screening for kidney disease; and

WHEREAS, it is essential to raise community awareness and encourage community members to screen for kidney disease; and

WHEREAS, the establishment of National Kidney Awareness Month will benefit all community members afflicted with kidney disease and or kidney failure, their families, schools and communities regardless of socioeconomic status, gender, sexual orientation or ethnicity; and

WHEREAS, everyone has the right to obtain information and make informed decisions regarding the importance of avoiding kidney disease and kidney failure,

NOW, THEREFORE, I, **Milt Stowe, Mayor of Porterville, California**, do hereby proclaim March 2016, National Kidney Awareness Month, throughout **Porterville, California**. I urge all Porterville residents to work toward reducing the burden of kidney disease and kidney failure by encouraging early screening in all community residents especially populations at risk for kidney failure such as people with high blood pressure, diabetes, family history of kidney disease, and engaging in discussions with health care professionals to detect, treat and prevent kidney failure in our community.

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Request for Proclamation - Library Week - April 10-16, 2016

SOURCE: Administrative Services

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

The Parks and Leisure Services Library Division has requested that the Council consider approval of a proclamation to proclaim April 10 through 16, 2016, as "Library Week" in Porterville. Council Member Ward is sponsoring this proclamation request. If approved, the proclamation will be presented at the April 5, 2016, City Council meeting.

RECOMMENDATION: That the City Council consider approval of the request to proclaim April 10-16, 2016, as "Library Week" in the city of Porterville.

ATTACHMENTS: 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RECEIVED

FEB 17 2016

CITY OF PORTERVILLE
CITY CLERK OFFICE

City of Porterville
REQUEST FOR PROCLAMATION

Date of Request: 2.17.16

Name of Event/Individual: National Library Week
i.e. "Porterville Tourism Week", "Mr. John Doe"

Name of Sponsoring Organization: City of Porterville - Library Division

Name of Contact Person: Yuliana Andrade

Address:

Phone: Ext. 7479 FAX:

E-mail:

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

Date(s) of Event: April 10 - 16

Date of Council Meeting to be presented, if applicable: April 5
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

Staff will select a patron

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

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

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

City Clerk's Section

Request Received: 2/17/16 Sponsored by: Ward Date: 2/29/16

Approved by Council: yes ☐ no ☐ Date:

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

Items (s) ☐ mailed ☐ faxed ☐ picked up

Comment:

National Library Week 2016 - Proclamation

WHEREAS, libraries help transform lives in their communities, campuses and schools; and

WHEREAS; librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls; and

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues; and

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

WHEREAS, libraries offer programs to meet community needs, providing residents with resume writing classes, homework help and bridging the gap between local employers and eager residents looking for work by providing job fairs; and

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, I, Milt Stowe, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim National Library Week, April 10-16, 2016. I encourage all residents to visit the library this week to take advantage of the wonderful library resources available @ your City library. Libraries transform lives.

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Request for Proclamation - Volunteer Week - April 10-16, 2016

SOURCE: Administrative Services

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

The Parks and Leisure Services Library Division has requested that the Council consider approval of a proclamation to proclaim April 10 through 16, 2016, as "Volunteer Week" in Porterville. Council Member Ward is sponsoring this proclamation request. If approved, the proclamation will be presented at the April 5, 2016, City Council meeting.

RECOMMENDATION: That the City Council consider approval of the request to proclaim April 10-16, 2016, as "Volunteer Week" in the city of Porterville.

ATTACHMENTS: 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RECEIVED
FEB 17 2016
CITY OF PORTERVILLE
CITY CLERK OFFICE

City of Porterville
REQUEST FOR PROCLAMATION

Date of Request: 2.17.16

Name of Event/Individual: National Volunteer Week
i.e. "Porterville Tourism Week", "Mr. John Doe"

Name of Sponsoring Organization: City of Porterville Library Division

Name of Contact Person: Yuliana Andrade

Address:

Phone: Ext. 7479 FAX:

E-mail:

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

Date(s) of Event: April 10 - 16

Date of Council Meeting to be presented, if applicable: April 5
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

1 Volunteer from the Read to Succeed Program.

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

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

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City Clerk's Section

Request Received: 2/17/16 Sponsored by: Ward Date: 2/29/16

Approved by Council: yes ☐ no ☐ Date:

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

Items (s) ☐ mailed ☐ faxed ☐ picked up

Comment:

National Volunteer Week 2016

WHEREAS, the entire Porterville community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like the Porterville City Library's Read to Succeed Adult Literacy program; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, during this week all over the nation, service projects will be performed and volunteers will be recognized for their commitment to service; and

WHEREAS, the giving of oneself in the service of another empowers both the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 63 million is a great treasure; and

WHEREAS, the City of Porterville volunteers are vital to our future as a caring and productive community; and

WHEREAS, it is fitting for the Porterville City Library to join in this celebration in giving special recognition to the dedicated volunteers who contribute immensely to the city library.

NOW, THEREFORE, I, Milt Stowe, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim April 10-16, 2016, National Volunteer Week in the City of Porterville, California, and urge my fellow citizens to volunteer in their respective communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Request for Proclamation - MDA & Firefighter Month - May 2016

SOURCE: Administrative Services

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

Porterville Firefighters and the Muscular Dystrophy Association (MDA) have requested that the Council consider approval of a proclamation to proclaim May 2016, as "MDA & Firefighter Month." Vice Mayor Hamilton is sponsoring this proclamation request. If approved, the applicants request that the proclamation be presented at the April 5th Council meeting.

RECOMMENDATION: That the City Council consider approval of the request to proclaim May 2016, as "MDA & Firefighter Month" in Porterville.

ATTACHMENTS: 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RECEIVED
MAR 08 2016
CITY OF PORTERVILLE
CITY CLERK OFFICE

City of Porterville
REQUEST FOR PROCLAMATION

Date of Request: March 7, 2016

Name of Event/Individual: Porterville Fire Local 2169 Fill the Boot
i.e. "Porterville Tourism Week", "Mr. John Doe"

Name of Sponsoring Organization: Muscular Dystrophy Association

Name of Contact Person: Carrie Danny, Executive Director

Address: 1943 N. Gateway #101, Fresno CA 93727

Phone: 559 453 9822 FAX: 559 453 9829

E-mail: cdanny@mdausa.org

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

Date(s) of Event: May 10, 2016 + May 25, 2016

Date of Council Meeting to be presented, if applicable: April 5, 2016
(Council meets 1st and 3rd Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:
Sabrina Barrios, Firefighter + Carrie Danny

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

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

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

City Clerk's Section

Request Received: 3/7/16 Sponsored by: Hamilton Date: 3/8/16

Approved by Council: yes ☐ no ☐ Date: _____

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

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

Comment: _____

CITY OF PORTERVILLE FILL THE BOOT PROCLAMATION

Muscular Dystrophy refers to a group of more than 40 muscle diseases that cause progressive muscle weakness in the arms, legs, heart and lungs. Those affected can lose the ability to walk, speak, swallow and even breathe independently. The average life span is 25 years of age, this has doubled since the MDA was founded in 1950 due to advances in medical treatment and research.

The Muscular Dystrophy Association (MDA) is a non-profit organization providing medical clinics, medical equipment, support groups and a 100% wheelchair accessible youth summer camp. Donations made to the MDA Central California Chapter will remain local to provide services to hundreds of local adults and children with living with disabilities due to muscle diseases.

Whereas, the **Porterville Fire Fighters Local 2169** exemplifies the most time-honored American ideals of public service and sacrifice, protecting the citizens of our community from tragedy on the home front; and

Whereas, **Porterville Fire Fighters Local 2169** members are highly trained and dedicated individuals who demonstrate daily an extraordinary caliber of character and courage in the face of danger; and

Whereas, **Porterville Fire Fighters Local 2169** members selflessly donate their time and energy to supporting the battle against muscle disease by Filling the Boot each year for the Muscular Dystrophy Association; and

Whereas, since 2007 **Porterville Fire Fighters Local 2169** has raised over $118,000 for local families served by MDA through their annual Fill the Boot campaign; and
Whereas, **Porterville Fire Fighters Local 2169** endless service to MDA has given so much hope for families fighting neuromuscular diseases.

Now therefore, I, Milt Stowe, Mayor of Porterville, CA hereby proclaim May as

"MDA & FIREFIGHTER MONTH"

in the city of Porterville and urge all citizens to support the Porterville Firefighters and the local chapter of the Muscular Dystrophy Association by making a donation to Fill-the Boot May 10th and 25th!

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Addendum No. 4 to Employment Agreement Between the City of Porterville and John D. Lollis

SOURCE: City Attorney

COMMENT: As requested by the City Council, attached is a proposed Addendum to the City Manager's Employment Agreement with the City. The terms of the Addendum extend the term of the Agreement to December 31, 2021, provide for an increase in the base salary from $12,661.50 to $13,294.58, (with 2% annual increases thereafter), and revise the vehicle allowance from $400 to $600 per month. Pursuant to Section 5 of the Employment Agreement, the City Manager remains subject to the same pension and health care contributions that apply to all other management employees of the City.

All other terms and conditions as set forth in the 2009 Agreement and Addenda Nos. 1-3 not inconsistent with this Addendum remain in effect.

RECOMMENDATION: That the City Council approve Addendum No. 4 to Employment Agreement Between the City of Porterville and John D. Lollis.

ATTACHMENTS:

1. Addendum No. 4 to Employment Agreement
2. Employment Agreement

Appropriated/Funded: MB

Review By:

Department Director:
Final Approver: Maria Bemis, Finance Director

ADDENDUM NO. 4 TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PORTERVILLE AND JOHN D. LOLLIS

This Addendum No. 4 is made a part of the Employment Agreement between the City of Porterville ("City") and John D. Lollis ("City Manager") entered into on September 2, 2008, and effective as of January 14, 2009.

1. The term of the Employment Agreement is extended to December 31, 2021.

2. Section 8 of the Employment Agreement shall be amended to read as follows: "The City agrees to provide the City Manager with a vehicle allowance in the amount of $600.00 per month. This allowance shall not be considered part of City Manager's salary for the purposes of PERS final compensation."

3. Commencing January 1, 2016, the City agrees to pay the City Manager at the rate of the sum of $13,294.58 per month as compensation for the retention of the City Manager's services specified in the Employment Agreement, and such compensation as the City Council may, from time to time, determine, consistent with the provisions set forth in Section 1 of the Employment Agreement. Commencing January 1, 2017, and annually thereafter through the remainder of the term of this Agreement, the City Manger's base salary shall be increased by 2%.

4. All other terms as outlined in the Employment Agreement and Addenda Nos.1 through 3, and not inconsistent with this Addendum, shall remain in effect.

IN WITNESS WHEREOF, the parties have executed this Addendum No. 4 on March ____, 2016.

"CITY"

_____
Milt Stowe
Mayor of the City of Porterville

"CITY MANAGER"

_____
John D. Lollis

ATTEST:

_____
By: Patrice Hildreth, Deputy City Clerk

APPROVED AS TO FORM:

_____
Julia M. Lew, City Attorney

EMPLOYMENT AGREEMENT

EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PORTERVILLE AND JOHN D. LOLLIS.

WHEREAS, the City of Porterville, hereafter referred to as "City," desires to hire JOHN D. LOLLIS, as its City Manager;

WHEREAS, JOHN D. LOLLIS, desires to be employed as the City Manager of the City of Porterville;

WHEREAS, it is the desire and intent of the parties to create an employment agreement;

WHEREAS, the City desires to employ the services of Mr. Lollis, as City Manager of the City as provided by Section 17 of the Charter of the City of Porterville, upon the retirement of the City's current City Manager, John R. Longley, as of January 14, 2009;

WHEREAS, it is the desire of the City Council to provide certain benefits, establish certain conditions of employment and to set working conditions of the City Manager; and

WHEREAS, it is the desire of the City Council to:

(1) Secure and retain the services of the City Manager and provide inducement for him to remain in such employment;

(2) To make possible full work productivity by assuring the City Manager's morale and peace of mind with respect to future security; and

(3) To provide a just means for terminating the City Manager's services at such time as he may be unable to discharge his duties or when the City may desire to otherwise terminate his employ.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree to enter into this Employment Agreement, as follows:

Section 1. Compensation

Commencing January 14, 2009, and thereafter, City agrees to employ and pay the City Manager at the rate of the sum of $11,010.00 per month as compensation for the retention of the above mentioned services, and such compensation thereafter as the City Council may, from time to time, determine; provided that, at a minimum, after the first year of this Agreement, the City Manager shall receive an annual percentage increase equal to the average cost of living adjustment awarded to other city Department Directors for the preceding year; and provided further that City Manager may additionally request, on or about December 1 of each year (commencing on December 1, 2009), a performance based salary increase not to exceed five percent (5%) which the City Council may approve in whole or part within thirty (30) days of receipt of such request, after first conducting a written evaluation of City Manager's work performance of the prior year. Said compensation shall be paid at the same times and in the same manner as other employees of the City are paid.

Section 2. Term of Service

The City Manager's term of employment shall be through December 31, 2011. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Council to terminate the services of the City Manager at any time, provided that such termination shall be subject to the provisions of Section 3 herein below. The City Manager may be removed by a four fifths (4/5) vote of the total City Council members. Before voluntarily resigning his position, the City Manager agrees to give the City Council at least three (3) months notice in writing of his intention to resign stating the reasons therefore. It is specifically noted and agreed that City Manager's employment with the City is in an "at will" capacity and as such, he may be terminated at any time, with or without cause. Any termination of City Manager shall be made by giving him written notice thirty (30) days in advance. Upon receipt of such notice, City Manager shall have the right to request the reasons for such termination be specified in writing and shall further have the right, if he so requests, to address the City Council, in a closed session, regarding his termination. Any such written explanation of the reasons provided for termination

shall be a confidential communication between employer and employee and shall not be disclosed to third parties.

Section 3. Severance Pay

In the event of involuntary separation of the City Manager, he shall be entitled to receive a lump sum payment as and for severance pay in an amount equal to twelve (12) months salary. In addition to any such salary, the City Manager shall be paid any other amounts that would be due to a City employee upon termination of employment with the City. The City and the City Manager understand that in the event of involuntary separation, the City Manager desires to obtain a position with the City similar to the position he held prior to the effective date of this Agreement. In the event he applies for and is hired for such a position during the twelve-month period following his separation as City Manager, he agrees that he will reimburse the City for the balance of the lump sum paid representing the remainder, if any, of said twelve-month period.

Notwithstanding the above provisions of this Section, in the event the City Manager is terminated and a court of competent jurisdiction finds and determines that he is guilty of an illegal act involving moral turpitude or personal gain, then, in that event, the City shall have no obligation to pay the aggregate severance sum designated hereinabove in this Section.

Section 4. Dues, Travel and Conferences

The City hereby agrees to annually budget and allocate sufficient funds to pay for the dues and expenses of the City Manager's necessary travel and living while representing the City at the Annual International City/County Management Association Conference, the Annual League of California Cities Conference, conferences of the City Manager's Department of the League of California Cities and conferences or meetings of state committees or commissions upon which the Manager serves as a member, said membership on said committees or commissions being subject to the approval of the Council, and for such other official conferences, meetings and/or travel as are reasonably necessary for the City Manager to carry out his professional responsibilities as the appointed executive of the City.

Section 5. Regular Benefits

All provisions of the City Charter and Code and Rules and Regulations of the City relating to vacation, sick leave, retirement and pension system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended shall apply to the City Manager as they would to other management employees of the City, in addition to any other benefits enumerated herein specifically for the benefit of the City manager, except as otherwise provided in this Agreement.

Section 6. Supplemental Benefits

In addition to the regular benefit provided for in Section 5 herein above, the City Manager shall be entitled to the following supplemental benefits:

a. He shall be enrolled in the PERS retirement system and the City shall pay the employer's required contribution and he shall pay the employee's required contributions to said Program;

b. He shall be provided, at City expense, a cellular telephone; provided that he shall be available and accessible to City Council members by means of these communication devices seven (7) days a week, twenty four (24) hours a day, unless he has first otherwise notified the Council of his unavailability for an approved reason or basis;

c. The City Manager shall be entitled to receive an annual physical from the Sansom Institute, paid by the City.

d. The City Manager shall be entitled to receive a laptop computer for City use, provided a program is developed for the provision of such computers (with internet and e-mail capabilities and systems) to City Council Members and other appointed or designated officials, for City use. The costs for the laptops will be amortized over the remaining term of the official's contract or the terms for the elected Council Members. If the official resigns, leaves or is otherwise removed from employment/office,

for any reason, and wishes to retain the laptop, he will be responsible for paying the balance owed for the remainder of his contract/term.

Section 7. General Expenses

The City recognizes that certain expenses of a non-personal job related nature will be incurred by the City Manager while on City business. Such expenses include, but are not limited to, meals with potential tenants, developers, representatives of businesses interested in locating in the City, or already located in the City, and other federal, state and local agency officials. City agrees to reimburse or to pay said general expenses and the Finance Director is hereby authorized to disperse such money upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits. Such receipts and supporting documentation shall be made available to the Mayor and City Council, and the City Council may designate one of its members or another individual to audit the City Manager's expenses.

Section 8. Automobile Allowance

The City agrees to provide the City Manager with a vehicle allowance in the amount of $400.00 per month. This allowance shall not be considered part of City Manager's salary for the purposes of PERS final compensation.

Section 9. Other Terms and Conditions of Employment

The parties shall, by amendment to this Agreement, fix such other terms and conditions of employment from time to time as may be determined relating to the performance of the City Manager of the City, provided such terms and conditions are not inconsistent or in conflict with the provisions of this Agreement or City Charter.

Section 10. Annual Evaluation

The City Manager's performance and compensation shall be evaluated on an annual basis on or about the month of December by the City Council. Said evaluation process shall include written goals and objectives for the City Manager being set for the next year by the City Council.

Section 11. General Provisions

If a provision or any portion thereof contained in this Agreement is held to be unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed to be severable, shall not be affected and shall remain in full force and effect.

DATED this 2nd day of September, 2008.

"CITY"

Cameron Hamilton
Mayor of the City of Porterville

"CITY MANAGER"

John D. Lollis

ATTEST:

City Clerk and Clerk of the
Council of the City of Porterville

APPROVED AS TO FORM:

Julia M. Lew
City Attorney

ADDENDUM NO. 1 TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PORTERVILLE AND JOHN D. LOLLIS

This Addendum No. 1 is made a part of the Employment Agreement between the City of Porterville ("City") and John D. Lollis ("City Manager") entered into on September 2, 2008, and effective as of January 14, 2009.

1. The term of City Manager's employment is hereby extended through December 31, 2016.

2. With regard to Section 3 of the Employment Agreement, and consistent with the provisions of AB 1344, which shall go into effect January 1, 2012, in the event of involuntary separation of the City Manager, he shall be entitled to receive the lesser of the following: a lump sum payment in the amount equal to 12 months salary, or equal to his monthly salary multiplied by the number of months left on the unexpired term of this Agreement or any further Addendums. Any cash settlement provided by the City related to termination of the City Manager shall be fully reimbursed to the City if City Manager is convicted of a crime involving an abuse or his office or position, as defined by AB 1344. To the extent the Agreement allows for paid leave salary pending any investigation, and/or the payment of a legal criminal defense of City Manager, any funds expended by the City for these purposes shall be fully reimbursed to the City if City Manager is convicted of a crime involving an abused of his office or position. Said reimbursements are required if such payments are made, even if the payments were made by the City in the absence of any contractual requirement to do so.

3. All other terms as outlined in the Employment Agreement, executed on September 2, 2008, and not inconsistent with this Addendum, shall remain in effect.

IN WITNESS WHEREOF, the parties have executed this Addendum No. 1 on December 20, 2011.

"CITY"

Ronald L. Irish
Mayor of the City of Porterville

"CITY MANAGER"

John D. Lollis

ATTEST:

By: Patrice Hildreth, Chief Deputy City Clerk

APPROVED AS TO FORM:

Julia M. Lew, City Attorney

ADDENDUM NO. 2 TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PORTERVILLE AND JOHN D. LOLLIS

This Addendum No. 2 is made a part of the Employment Agreement between the City of Porterville ("City") and John D. Lollis ("City Manager") entered into on September 2, 2008, and effective as of January 14, 2009.

1. The City Council acknowledges that the City Manager may live outside the city limits from approximately July 1, 2014 to June 30, 2015, and consents to this to the extent legally required per Porterville Charter Section 21.

2. All other terms as outlined in the Employment Agreement and Addendum No.1, and not inconsistent with this Addendum, shall remain in effect.

IN WITNESS WHEREOF, the parties have executed this Addendum No. 2 on June 17, 2014.

"CITY"

Cameron Hamilton
Mayor of the City of Porterville

"CITY MANAGER"

John D. Lollis

ATTEST:

By: Patrice Hildreth, Deputy City Clerk

APPROVED AS TO FORM:

Julia M. Lew, City Attorney

ADDENDUM NO. 3 TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF PORTERVILLE AND JOHN D. LOLLIS

This Addendum No. 3 is made a part of the Employment Agreement between the City of Porterville ("City") and John D. Lollis ("City Manager") entered into on September 2, 2008, and effective as of January 14, 2009.

1. Commencing March 1, 2015, the City agrees to pay the City Manager at the rate of the sum of $12,661.50 per month as compensation for the retention of the City Manager's services specified in the Employment Agreement, and such compensation as the City Council may, from time to time, determine, consistent with the provisions set forth in Section 1 of the Employment Agreement.

2. All other terms as outlined in the Employment Agreement and Addenda Nos.1 and 2, and not inconsistent with this Addendum, shall remain in effect.

IN WITNESS WHEREOF, the parties have executed this Addendum No. 3 on February 17, 2015.

"CITY"

Milt Stowe
Mayor of the City of Porterville

ATTEST:

By: Patrice Hildreth, Deputy City Clerk

APPROVED AS TO FORM:

Julia M. Lew, City Attorney

"CITY MANAGER"

John D. Lollis

SUBJECT: Modification No. 1 to Conditional Use Permit 2-88 for La Fuente Mexican Restaurant

SOURCE: Community Development

BACKGROUND:

On July 18, 1989, the City Council of the City of Porterville approved Conditional Use Permit 2-88 (Resolution 94-89) to allow the sale of beer and wine under an on-sale license within an existing restaurant in conjunction with expansion of the facility to accommodate an addition of 80+/- patrons.

COMMENT: The applicant is requesting approval of a modification to the existing Conditional Use Permit 2-88 to allow for the upgrade of a Type 41 On-Sale (beer and wine) license to a Type 47 On-Sale General (beer, wine, and distilled spirits) license for La Fuente Mexican Restaurant, a Bona-Fide Public Eating Place, located at 29 N. Main Street.

ANALYSIS: On February 10, 2016, the Project Review Committee met with the applicant to discuss the proposed alcohol license upgrade to a Type 47 On-Sale General (beer, wine and distilled spirits). The site is located in the DR-N (Downtown Retail - North of Olive) zone and is located within Census Tract 38.02.

The California Department of Alcoholic Beverage Control District (ABC) allows a specific number of licenses per census tract population. In Census Tract 38.02, three on-sale and four off-sale licenses are allowed. Currently the tract contains ten on-sale (including La Fuente's existing license) and seven off-sale licenses. Approval of this on-sale license would not increase the number of licenses as it is replacing an existing license. However, because there is an over concentration of on-sale licenses, a Letter of Public Convenience or Necessity by the applicant will be required.

The request for the upgrade in alcohol license is not projected to cause a negative impact on the surrounding community. The project is conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare and to prevent the use from becoming a nuisance. Given the project's Downtown Main Street location, alcohol advertising is proposed to be prohibited on the exterior façade and windows of the establishment, and shall comply with all laws, ordinances, and regulations regarding the sale of alcohol.

The applicant has indicated that all alcohol shall be kept and maintained in a

secure area, accessible only by employees. The applicant also stated the hours of operation shall be 10:00 a.m. to 12:00 a.m. Monday through Friday, and 9:00 a.m. to 12:00 a.m. Saturday and Sunday. The project is conditioned to only sell alcoholic beverages during hours of operation and that all activities associated with the proposed use shall be exclusively confined to the interior of the building. The Police Department has indicated that La Fuente Mexican Restaurant currently has sufficient exterior lighting to illuminate the parking lot and the entire site during business hours. The Police Department also indicated there have not been any alcohol or ABC violations regarding this location.

The site is consistent with the Downtown Retail North of Olive zoning and General Plan policies that promote the Downtown District and the accessibility of services and goods within a convenient distance. The Downtown District overlay is intended to attract specialty retail and restaurant businesses that will enhance Porterville's unique character. The restaurant is a permitted use in the DR-N (Downtown Retail - North of Olive) zone and the sale of alcohol may be permitted with review and approval of a CUP.

ENVIRONMENTAL REVIEW:

On February 29, 2016, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to the "General Rule" exemption, Section 15061(b)(3) of the California Code of Regulation.

RECOMMENDATION: That the City Council adopt the draft Resolution approving Modification No. 1 to Conditional Use Permit 2-88.

ATTACHMENTS:

1. Locator Map
2. Floor Plan
3. Existing Licenses in Census Tract 38.02
4. Resolution 89-94
5. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

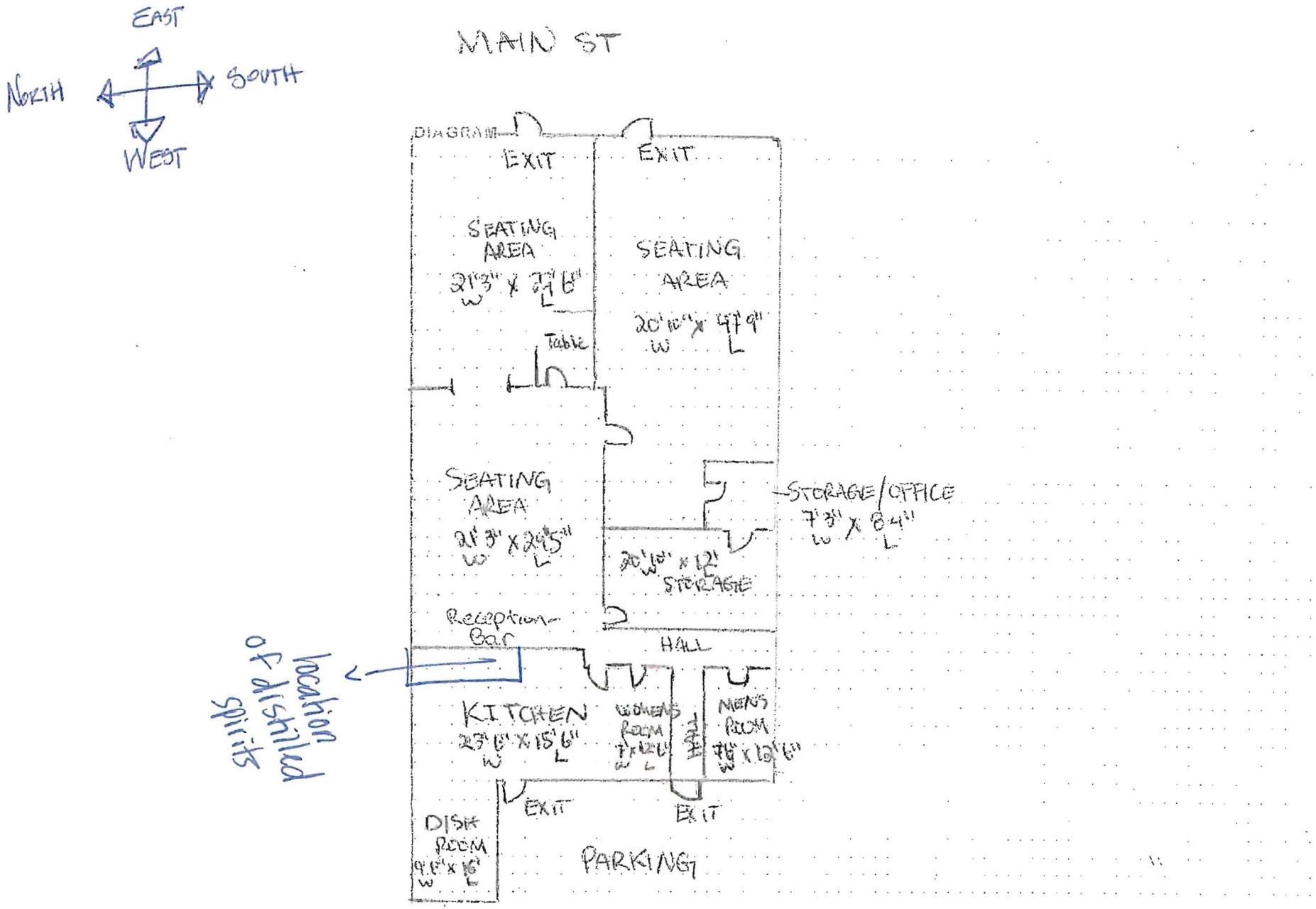
Jenni Byers, Community Development Director

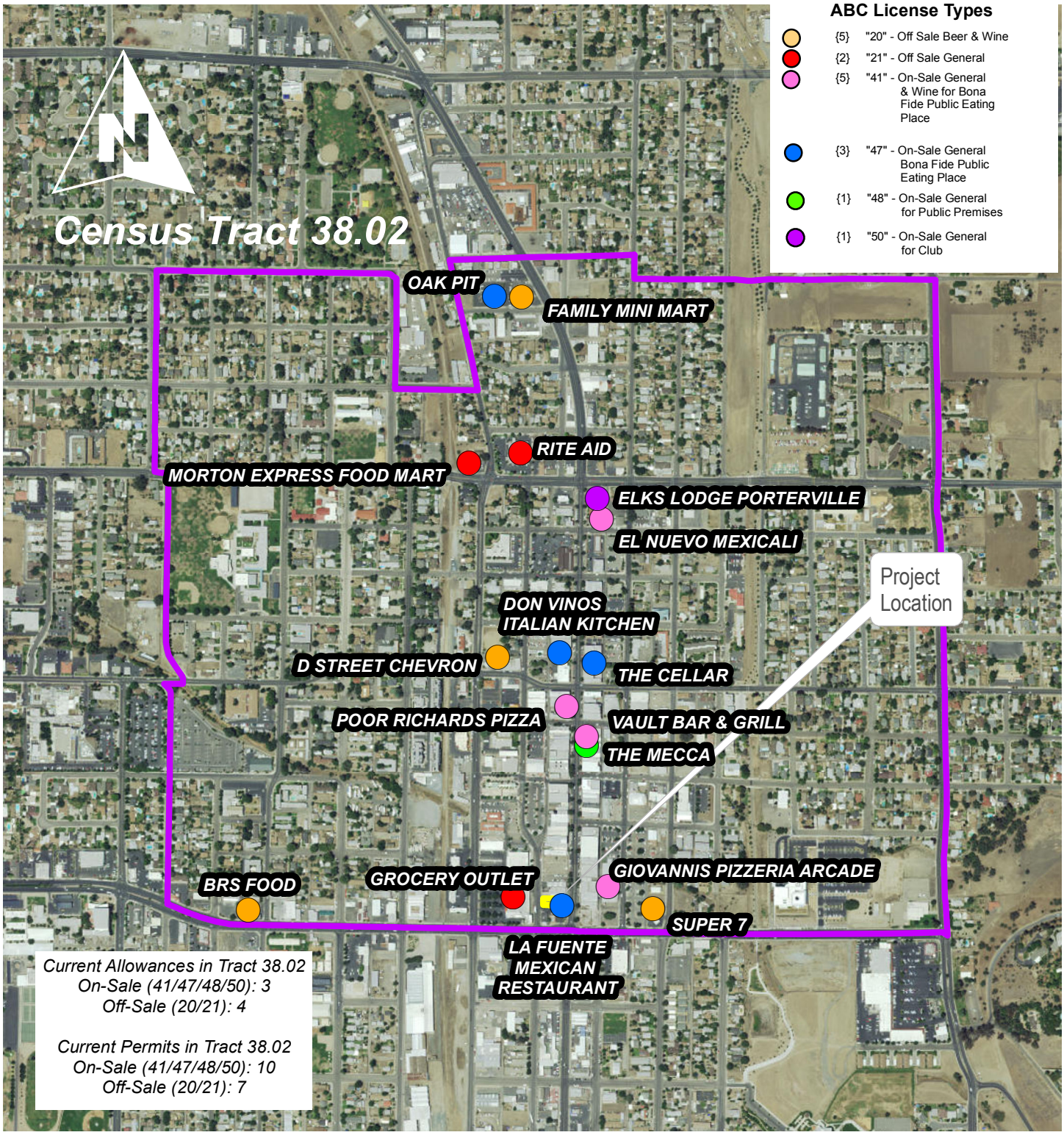
Final Approver: John Lollis, City Manager

A Division of the Community Development Department

Geographic Information Systems

PRC 2016-003
CUP for Alcohol Upgrade @ 29 N. Main La Fuente Mexican Restaurant
Project Locator Map
1" = 400 ft.


EAST
NORTH
SOUTH
WEST
MAIN ST
DIAGRAM
EXIT
EXIT
SEATING AREA
21'3" W x 7'1 6" L
SEATING AREA
20'10" W x 47'9" L
Table
SEATING AREA
21'3" W x 29'5" L
STORAGE/OFFICE
7'3" W x 8'4" L
20'10" W x 12' STORAGE
Reception Bar
HALL
location of distilled spirits
KITCHEN
23'6" W x 15'6" L
WOMENS ROOM
7'x12'6" W L
HALL
MENS ROOM
7'6" W x 10'6" L
EXIT
EXIT
DISH ROOM
9'6" W x 16' L
PARKING



A Division of the Community Development Department

Geographic Information Systems

PRC 2016-003
CUP for Alcohol Upgrade
@ 29 N. Main La Fuente Mexican Restaurant
ABC Permit Map
1" = 900 ft.

RESOLUTION NO. 94-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF CONDITIONAL USE PERMIT 2-88 TO ALLOW THE SALE OF BEER AND WINE UNDER AN ON-SALE LICENSE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 27 AND 29 NORTH MAIN STREET

WHEREAS: The City Council at its regularly scheduled meeting of July 18, 1989 conducted a public hearing to consider Conditional Use Permit Permit 2-88, being a request to allow the sale of beer and wine under an on-sale license within an existing restaurant situated in the C-2 (Central Commercial) Zone at 27 and 29 North Main Street in conjunction with expansion of the facility to accommodate an addition 80± patrons; and

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

WHEREAS: The City Council made the following findings:

1. That the proposed project is consistent with the General Plan.

2. That the design and improvements of the proposed project are consistent with the General Plan.

3. That the site is suitable for the proposed use in a C-2 zoned area.

4. That the proposed use of the project or the proposed improvements are not likely to cause substantial environmental damage.

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

6. That the standards of population density, site area, dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

7. The proposed sale of alcholic beverages under an on-sale license is allowed in a C-2 Zone pursuant to the provisions of Section 2100 B of the Zoning Ordinance which requires approval of a Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit 2-88, subject to the following conditions:

1. That the hours of operation shall be as follows:

   Restaurant: Open daily for breakfast, lunch and dinner

   8:00 a.m. to 9:00 p.m. Sunday through Thursday
   8:00 a.m. to 11:00 p.m. Friday and Saturday

2. That the availability of space for seating capacity shall be determined by the Porterville Fire Department.

3. That alcoholic beverages shall only be sold when food is being served during the hours of operation referenced in Condition No. 1.

4. That live entertainment shall be limited to a maximum of twelve (12) times a year.

5. That any exterior signing to be added to the existing restaurant shall require prior approval (sign permit) from the City Building and Planning Divisions prior to installation.

6. That night club/bar type acitivites (i.e. dancing, card tables, pool tables, etc.) shall not be permitted at the subject site at any time during operation under an on-sale alcoholic beverage license.

7. That any future change in operation which substantially alters the condition or nature of the subject business will require a public hearing by the City Council if alcoholic beverages are to be served.

Theodore G. Ensslin, Mayor

ATTEST:

C. G. Huffaker, City Clerk

STATE OF CALIFORNIA)
(SS
COUNTY OF TULARE)

I, C. G. HUFFAKER, the duly appointed City Clerk of the City of Porterville, do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted at a regular meeting of the Porterville City Council regularly called and held on July 18, 1989.

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

COUNCILMEN	PRUITT	LOK	LEAVITT	SMITH	ENSSLIN
AYES	X	X	X	X	X
NOES					
ABSENT					
ABSTAIN					

C. G. HUFFAKER, City Clerk

Georgia Hawley

Georgia Hawley, Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF MODIFICATION NO. 1 TO CONDITIONAL USE PERMIT 2-88 (PRC 2016-003-M) TO ALLOW FOR THE UPGRADE OF ALCOHOL LICENSE FROM A TYPE 41 ON-SALE (BEER AND WINE) TO A TYPE 47 ON-SALE GENERAL (BEER, WINE AND DISTILLED SPIRITS) FOR LA FUENTE MEXICAN RESTAURANT, A BONA FIDE EATING PLACE, LOCATED 29 N. MAIN STREET

WHEREAS: On July 18, 1989, the City Council of the City of Porterville approved Conditional Use Permit 2-88 (Resolution 94-89) to allow a Type 41 On-Sale alcohol license for the sale of beer and wine in conjunction with expansion of the facility to accommodate an addition of 80 patrons at La Fuente Mexican Restaurant located at 29 N. Main; and

WHEREAS: The City Council of the City of Porterville, at its regular scheduled meeting of March 15, 2016, conducted a public hearing to consider Modification No. 1 to Conditional Use Permit 2-88(PRC 2016-003-M), to allow for the upgrade of alcohol license from a Type 41 On-Sale to a Type 47 On-Sale General for La Fuente Mexican Restaurant, a Bona-Fide Public Eating Place; and

WHEREAS: On February 29, 2016, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to the "General Rule" exemption, Section 15061(b)(3) of the California Code of Regulation (CEQA Guidelines); and

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

WHEREAS: The City Council made the following findings:

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

   The site is consistent with the DR-N (Downtown Retail - North of Olive) zone and General Plan policies that promote accessibility of services and goods within a convenient distance. The Downtown District overlay is intended to attract specialty retail and restaurant businesses that will enhance Porterville's unique character.

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

Conditions of approval are included herein to ensure adequate development standards are met. The project is located within an existing building and is conditioned that all activities associated with the restaurant shall be exclusively confined to the interior of the building. Additionally the project is conditioned to preserve the public safety, health and welfare to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit.

3. This project is Categorically Exempt pursuant to CEQA Guidelines §15061(b), (3) - General Rule: the approval of the alcohol sales creates no physical change to the environment.

4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an "undue concentration" of licenses is determined to exist. The subject site is located within Census Tract 38.02; this tract contains 17 licenses for alcohol sales: ten on-sale, and seven off-sale. In Census Tract 38.02, three on-sale and four off-sale are allowed without being deemed over-concentrated. Approval of this on-sale license would not increase the number of licenses since it is replacing an existing license.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Modification No. 1 to Conditional Use Permit 2-88 (PRC 2016-003-M) subject to the following conditions:

1. Census Tract 38.02 contains 17 licenses for alcohol sales; ten on-sale and seven off-sale. The California Department of Alcoholic Beverage Control allows a specific number of licenses per census tract population. In Census Tract 38.02, three on-sale and four off-sale are allowed. Due to the over-concentration of on-sale licenses a Findings of Public Convenience or Necessity from the applicant will be required.

2. Upon approval of the conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council if such modification involves the sale of alcoholic beverages.

3. No alcohol advertising shall be displayed and/or viewed from the outside of the building.

4. Upon approval of the conditional use permit, any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department resulting from the sales of alcohol may result in revocation of the conditional use permit.

5. At all times, the facility shall be operated and maintained to comply with State Laws, the City of Porterville Zoning Ordinance, adopted Building Codes and all other applicable laws and ordinances.

6. Unless an extension of time is granted by the City Council, the conditional use permit shall expire two years after the date of approval if the on-sale Type 47 (on-sale general for a bona fide public eating place) is not active or actively pursued.

7. The City Council may approve a one-year extension of any permit or approval granted under this ordinance upon receipt of a written application with the required fee before the permit expires.

8. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in Section 601.10 of the Porterville Development Ordinance.

9. The elements of the conditional use permit approving on-site alcohol sales will be subject to modification or revocation if the on-sale license is sanctioned by the State of California.

10. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner.

11. The hours of operation during which alcoholic beverages may be sold shall be as follows:
    10:00 a.m. to 12:00 a.m. Monday through Friday
    9:00 a.m. to 12:00 a.m. Saturday and Sunday

12. The applicant/owner shall maintain all exterior lighting.

13. All activities associated with the proposed use shall be exclusively confined to the interior of the building.

PASSED, APPROVED AND ADOPTED this 15th day of March, 2016.

_____
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Consideration of Appointments to City Commissions

SOURCE: Administrative Services

COMMENT: Vacancies currently exist on two of the City's Commissions: Animal Control Commission and the Arts Commission. Staff has publicized these vacancies and has received interest from two individuals.

Commissioner Shawn Schwartzenberger's recent relocation out of the city has created a vacancy on the Animal Control Commission with a term due to expire in September of this year. Staff has received one Request for Appointment from Mr. Daniel Penaloza, which is attached hereto for Council's consideration.

In addition, as the Council is aware, vacancies currently exist on the City's Arts Commission. Staff has received one Request for Appointment for this Commission from Ms. Donna Raquel Serna, which is also herein provided for Council's consideration.

RECOMMENDATION: That the City Council consider the appointment of one individual to the Animal Control Commission for a term to expire in September 2016, and the appointment of one individual to the Arts Commission for a term to expire in February 2017.

ATTACHMENTS:

1. Request for Appt - Penaloza
2. Request for Appt - Serna

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

RECEIVED
FEB 24 2016
CITY OF PORTERVILLE
ADMINISTRATIVE SERVICES

Please complete all blanks.

Name: Daniel Peñaloza
(Please Print)

Appointment to: Animal Control Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 550 West Springville Drive
Apt- E101 Porterville, CA, 93257

Mailing Address: Same as above

Name of Business: N/A

☐ Own ☐ Operate

Business Address:

Telephone: Home
Work (714)-599-4368
FAX
E-mail dpenaloza@chirla.org

City of Porterville resident:
☑ Yes
☐ No

Registered Voter:
☑ Yes
☐ No

Qualifications: I do not any qualifications that give me any advantage in being part of the Animal Control commission. I am 22 years old, a graduate of Granite Hills High School, and a current Porterville College student. What I can bring to the Animal Control commission is commitment to help my community and animals. I am aware that animal control is in need of help. I would love to become a member of this commission because I have a heart for dogs and animals. I want to help animal control in Porterville by assisting nd facilitate that animals can transition easier from the streets to caring homes. f given the opportunity to be a member of this commission, I want to engage the outh of Porterville with animal control.

☑ Resume attached

☑ Letter of request attached

Submitted By: David Peralta 02/24/16
Date

Received by: L. Zavala

Forwarded to: City Clerk ☑ Date: 2/24/16

City Council ☐ Date:

City Manager ☐ Date:

Applicable Dept. ☐ Date:

Tentative Council Mtg Date:

Daniel Penaloza

550 West Springville Drive • Porterville, Ca • 93257
CELL (714)-599-4368 • **E-MAIL** dpenaloza@chirla.org

PROFILE

I want to be employed in an area that fulfills my experience and education. I would like to further my skills within non-profit organizations and develop the skills needed to work in my local government.

EDUCATION

Associates Degree
Porterville College, Community College, Ca, 92357
Current Student
High School Diploma
Granite Hills High School Porterville, Ca, 93257
Graduated in 2011

SKILLS

Energetic worker Independent People oriented Innovative Cooperative Attentive Adaptable Dedicated Fork-lift certified

EXPERIENCE

Coalition for Humane Immigrant Rights of Los Angeles
May 2014-Present
Duties: I schedule meetings in public areas to inform people on Covered California, the health care law. Also, I organize monthly member meetings and community forums to inform the public on pro-immigrant laws. I build relationships with schools, businesses, churches, and other organizations in the area.

Utility Partners of America
October 2013-May 2014
Duties: I took inventory for Southern California Gas company trucks. Developed knowledge us use of MTU's and advanced gas meters. Worked in a warehouse environment lifting crates with a fork-lift.

Porterville Unified School District
January 2012-June 2013
Duties: Instructed students in a variety of subjects, including Chemistry, Algebra, and Biology. I worked with an average of 30 students per class.
June 2011- July 2011

Central California Conference of Seven-Day Adventists
June 2011- July 2011
Duties: Developed communication skills talking to people one on one. I would go door to door selling various books.

References

Diana Collin
CHIRLA Action Fund Director
(562)-332-3249

Antonio Bernabe
CHIRLA Organizing Director
(818)-915-8646

RECEIVED
MAR 01 2016
CITY OF PORTERVILLE
CITY CLERK OFFICE

CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Donna Raquel Serna
(Please Print)

Appointment to: Art Committee
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 574 South Main St. Spc. 18

Mailing Address: Same as Street Address

Name of Business: NA

☐ Own ☐ Operate

Business Address: NA

Telephone: Home
Work (559) 339-9553
FAX
E-mail donnaserna1997@gmail.com

City of Porterville resident:
☑ Yes
☐ No

Registered Voter:
☑ Yes
☐ No

Qualifications: I am eighteen years old and fresh out of high school. While I was in school I was part of the Digital Design and Communications Pathway / Academy. I was in Choir all four years of high school and my senior year I was choir President. I was also part of the schools weekly TV show (GTV). I took classes in video production, Graphic design, photography and 3D design throughout my four years in high school.

☐ Resume attached

☑ Letter of request attached

Submitted By: [signature] 2/29/16
Date

Received by: J. Castaneda

Forwarded to: City Clerk ☑ Date: 3/1/16

City Council ☐ Date:

City Manager ☐ Date:

Applicable Dept. ☐ Date:

Tentative Council Mtg Date:

SUBJECT: Sports Complex Football Field Utilization

SOURCE: Parks and Leisure Services

COMMENT: Porterville Youth Football (PYF) signed a five-year agreement with the City in 2011. The agreement specified that PYF had the intent and commitment within the term of the agreement to fund and construct a restroom/snack bar facility in exchange for the exclusive use of the lights and designated area during their season. The designated area referenced was the southeast portion of the Sports Complex and the timeframe was July through December. PYF installed a temporary fence to segregate the area during these months, as well as charge admission on game days. The City purchased and installed lights in 2011 to illuminate the main field, as well as a practice area. The total cost of the project was $152,000.

The agreement expired December 31, 2015, and no building was constructed. A new group of individuals have formed Porterville Youth Tackle Football (PYTF) to replace the now disbanded PYF. PYTF is interested in using the same area to hold its practices and games. A second youth tackle football organization in the city, Porterville Cougars, has also expressed an interest in utilizing the facility during the season. The Porterville Cougars was established in 2009, and have been playing games and practicing at Porterville High School. Due to scheduling conflicts, planned campus construction, and other circumstances, the Cougars are looking for another place for their organization to conduct practices. They can still hold their home games at PHS. Though no specific request has been received, the subject of fencing and charging admission has been discussed.

The Parks and Leisure Services Commission discussed this item at their February 4, 2016 meeting. The recommendation of the Commission was to allow both youth tackle football organizations to utilize the Sports Complex, and for the Parks and Leisure Services Director to work out the schedule. Both organizations prefer to practice Tuesday, Wednesday, and Thursday evenings. There isn't enough room in the lighted southeast portion of the Sports Complex to hold both organizations simultaneously.

Aside from the two lighted fields at the Sports Complex, the other City operated lighted areas of grass are in the outfields of softball/baseball fields, and whose seasons do not conflict with youth football. Those include the Sports Complex (2), Hayes Field (3), Burton Elementary School (2), and Pioneer Middle School (1). In recent years, the former Porterville Youth Football would

reserve Pioneer Middle School while the other fields would not be used. However, the only two City fields with football goal posts are at the Sports Complex.

It should also be noted that in addition to youth tackle football, there is a flag football league and four soccer leagues that all use the Sports Complex the same season, so the possibility to grant more space for youth tackle football is not a viable option. The current fees to use a City athletic field include $15 per day for the reserved area, and $10 per hour for lights, if needed. There is also a Sports Complex $1.50 per player, per game, fee that the City Council adopted for field maintenance.

RECOMMENDATION: That the City Council provide direction to staff regarding utilization of the Sports Complex football field.

ATTACHMENTS:

1. Porterville Cougars Letter
2. Porterville Youth Tackle Football Letter
3. Sports Complex Map

Appropriated/Funded: MB

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

PORTERVILLE COUGARS YOUTH FOOTBALL INC.
PROPOSAL FOR USE OF:

Porterville Sports Complex

To: Donnie Moore
Parks and Leisure Services Director **January 28, 2016**
City of Porterville
291 N. Main St.
Porterville, CA 93257
(559) 782-7536

OVERVIEW

Porterville Cougars Youth Football Inc. is pleased to submit this proposal for use of the Porterville Sports Complex. Thank you for reviewing our request. We are very proud of this elite program that gives children the experiences that build their appreciation for and understanding of leadership, teamwork, and discipline. We feel this is an amazing tool called –Youth Football!

The Porterville Cougar Youth Football Inc. program has been organized exclusively for charitable and educational purpose introducing youth to football fundamentals. In so doing, Cougar Football is doing their part in keeping the sport of football alive in America.

The Porterville Cougar program promotes close relationships among the people interested in the sport of football and the organizations that they represent. We are a member of the All Valley Youth Football League as well as Heads-Ups Football where we work together closely with both organizations to better ourselves, our coaches and our players.

We feel we would be a great asset to the Porterville Sports Complex as we bring some of the most talented youth football players, cheerleaders and coaches over to play at your facility.

Our Program:

Porterville Cougars Youth Football currently consists of three football divisions. We will be adding a fourth division this year.

- Bantam Football-added 2016
- Pee Wee Football and Cheer
- Junior Football and Cheer
- Senior Football and Cheer
    - With these four football teams and three cheer squads we would expect approximately 190 kids.

Porterville Cougars Youth Football game schedule starts in August and we play Saturdays through November. Our game times range from 10am-6pm. With set up starting approximately 6am and clean up finishing by 8pm. We practice three days a week. Tuesday, Wednesday and Thursday from 5:45pm-8pm starting in July. We do offer a passing league that is available to players that want a jump start to the season and that starts up during summer break in June. These passing league tournaments are usually Saturday afternoons and we travel for those to other cities. There is opportunity to host these events but nothing planned for Cougars to host at this time.

Porterville Cougars Youth Football does own three C-train's that we currently sell our concessions out of, store our football uniforms (helmets, pads and clothing) and store our field gear in. These C-trains would need to be placed at the Sports Complex Field for our continued use unless other facilities are available to us.

The Opportunity

Our vision for the Porterville Sports Complex would be to eventually gather enough funds to help improve the field, help install a permanent score board, build a permanent concession area and add more bleacher seating for fans and parents. With that said, we will be implementing more fund raisers and asking for more sponsors for the 2016 season. We also now possess a 501C-3 that we plan to use to our advantage.

- Goal #1: secure our new Bantam team for 2016 with new helmets and uniforms.
- Goal #2: set aside enough funds to replace eight year old, reconditioned helmets with new ones for the safety of our players.
- Goal #3: Raise enough funds to give back to Porterville Sports Complex by improving the items mentioned above and to work closely to upgrade the football area.

CONCLUSION

Our 2016 Porterville Cougars Youth Football Board consists of fourteen individuals that are dedicated to see this program blossom further. We feel that the Porterville Sports Complex would be a great addition to our program and that we in turn, could help the Porterville Sports Complex prosper. We appreciate your time and consideration. If you have any questions please feel free to contact myself or our Board President- Ben Rodriguez.

Sincerely,

Anne Marie Wallace
Porterville Cougars Youth Football, Inc.
Board Secretary
559-359-5191

Ben Rodriguez
Porterville Cougars Youth Football, Inc.
Board President
559-361-0762

Est. 2016

Porterville Youth Tackle Football

1279 W. Henderson Avenue #343, Porterville, Ca. 93257

January 23, 2016

Porterville Youth Tackle Football
1279 W. Henderson Avenue #343
Porterville, Ca. 93257

City of Porterville
Parks and Leisure Services
291 N. Main Street
Porterville, Ca. 92357

Donnie Moore - Director

RE: Sports Complex Usage Proposal

This is a letter of our intent to request the use of the Sports Complex football fields, located at 2701 W. Scranton Avenue, for our youth football program. We are requesting an opportunity to meet with the city to negotiate a mutual beneficial agreement for the park site. We are in need of a township place to call, "home".

We understand that there will be terms and condition for such use. We know there must be a strong commitment between both parties and a willingness to negotiate in good faith. We are asking the city to co-venture in our youth program that will benefit our community and our city.

Our new organization, "Porterville Youth Tackle Football", is a non-profit youth football league with 16 teams and 9 cheering squads. Our staff consists of approx. 25 adults. Our board is made up of volunteers, who are aware of the importance of youth programs and the negative correlation of juvenile delinquency. Our mission is to provide a much needed safe organized sports program to promote a better quality of life perspective for our community.

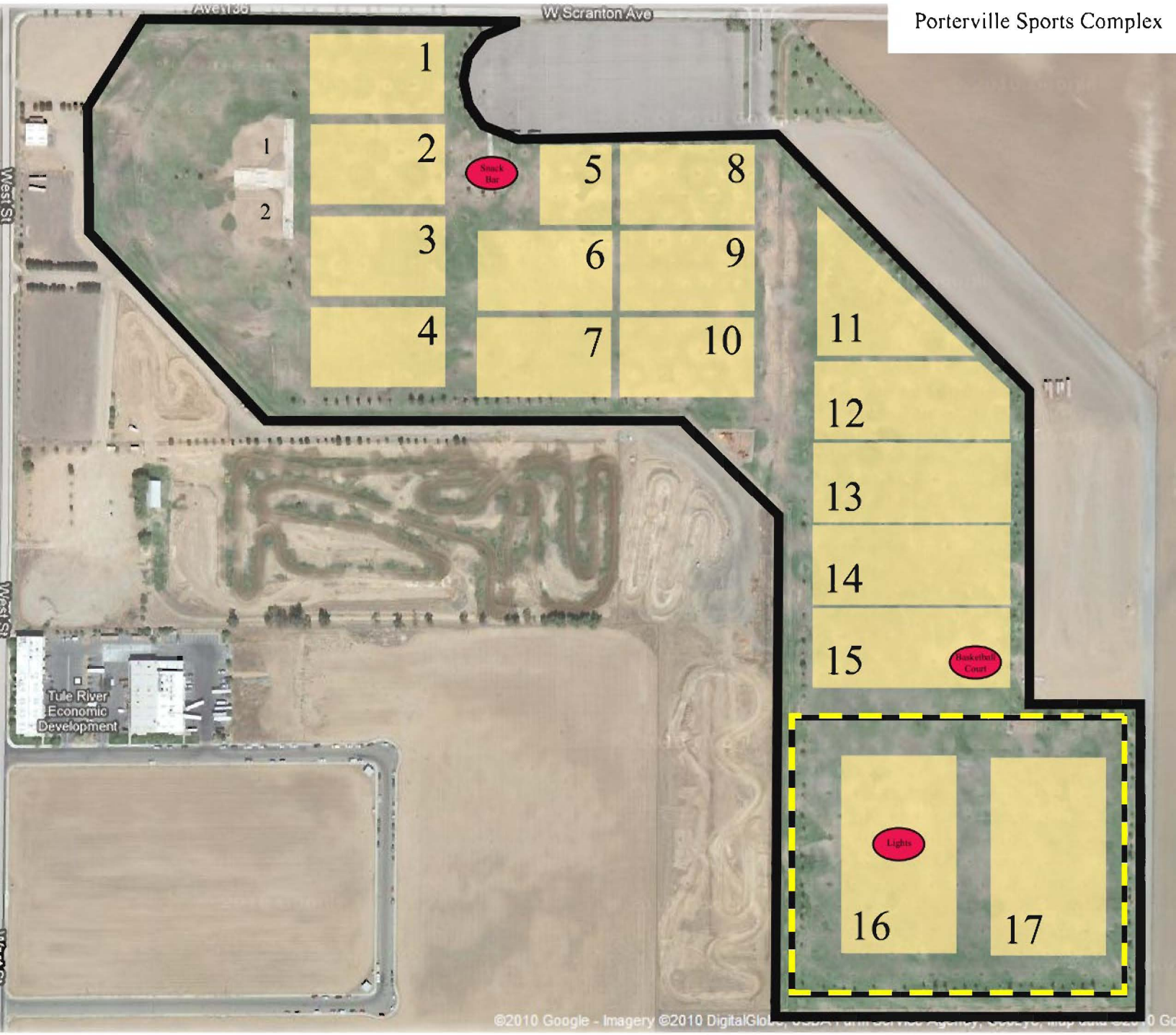
Our football teams and cheer squads support approx 470 participants. For statistical purposes if you include parents, siblings and visiting team participants, there is an additional approx. 1,980 persons involved.

We are looking forward to meeting you on your February 4th meeting to discuss our proposal. At that time, we will present our agenda and address any concerns you may have.

Sincerely,

Javier John Rivera
President – 559-788-7036

Porterville Sports Complex



CITY COUNCIL AGENDA – MARCH 15, 2016

SUBJECT: Consideration of Transition Plan for the General Treatment Area of the Porterville Developmental Center

SOURCE: City Manager's Office

COMMENT: Porterville Developmental Center (PDC) opened in 1953 and is one of four State-operated facilities within the California Department of Developmental Services (CDDS) serving people with developmental disabilities. PDC provides 24-hour residential services for individuals 18 years or older who have serious medical and/or behavior problems for which appropriate services are not currently available through community resources. Located on approximately 650 acres in southeast Porterville, PDC currently serves approximately 360 people with developmental and intellectual disabilities, with approximately 180 in the General Treatment Area and 180 in the Secure Treatment Program. A portion of the property (190 acres) is dedicated to the Yaudanchi Ecological Preserve. CDDS owns the preserve, but it is managed by the Department of Fish and Game.

The individuals served at PDC in the General Treatment Area have an intellectual disability, and many have severe chronic medical or behavioral problems. The individuals within the Secure Treatment Program are in the mild to moderate range of intellectual disability, have come in contact with the legal system, have been determined to be a danger to themselves or others and/or incompetent to stand trial, and have been determined by the Court to meet the criteria requiring treatment in a secure area.

Legislation in 2012 placed a moratorium on new admissions into the State's developmental centers (with limited exemption for crisis situations), and a State Task Force in 2014 recommended that the State move its developmental center residents away from institutional-style facilities into more community-based living arrangements. In the May 2015 State Budget Revise, Governor Brown proposed the closure of three of the four facilities: the Sonoma Developmental Center would close December 31, 2018, and both Fairview Developmental Center (Costa Mesa) and PDC would close December 31, 2021. Canyon Springs Developmental Center (Cathedral City) would remain open, as would the Secure Treatment Program at PDC. The purpose of the closures and the alternative community housing placement is reportedly to save money ($200,000 per year per patient according to the Legislative Analysts Office) and to give residents more freedom and more normal lives.

PDC currently employs approximately 1,300 full-time employees, of which 320

are specifically in the General Treatment Area. While the General Treatment Area is proposed for closure, the Secure Treatment Program is planned for expansion, as exemplified in the recent expansion of the facility and addition of individual capacity from 170 to 211. With the expected expansion of the Secure Treatment Program, the State anticipates to offer the majority of the affected General Treatment Area employees positions in the Secure Treatment Program. Due to the difference in the treatment programs, the State expects that not all employees will accept reassignments.

In planning for the proposed PDC General Treatment Area closure, the Department of Developmental Services must present a facility closure plan report to the State Legislature by April 1, 2016. As part of the report, a transition plan must be prepared in the potential repurpose of the existing General Treatment Area facilities, which includes between 250 and 300 acres and numerous structures.

City, County and State representatives met on Friday, February 26th to discuss the proposed closure and potential repurposing of the affected facilities, which given PDC is located within city limits, the County deferred to the City in proposing potential repurposes. PDC has a General Plan land use designation and zoning designation of Public/Semi-Public, and is connected to City sewer, but owns and operates its own independent water system.

The State indicated that ideally the property would be sold for private development, i.e., affordable/market rate housing or industrial/manufacturing. However, due to continuing and expected expansion of the Secured Treatment Program, private investment may be challenging to secure. Such a development would also require a General Plan Amendment and zone change. Accordingly, during the meeting with State representatives, much of the discussion involved new public reuses of the property. In the recent past, the City has heard "rumors" of the possibility of either California Department of Forestry and Fire Protection (CalFire), Highway Patrol and/or Department of Corrections and Rehabilitation establishing academies and/or training facilities for public safety at the site. In addition, without a California State University or University of California campus located in Tulare County, the property and area may be ideally suited for education programs in Agriculture, Behavioral Science, Criminal Science, Cultural and Biological Resources, Environmental Studies, Fire Protection, Forestry, Geology, Psychology, and Wildlife Management. Given the unmet needs of sports facilities in the community, the property may also provide some existing facilities and open space benefits.

RECOMMENDATION: That the City Council provide input to the California Department of Developmental Services on the Transition Plan for the Porterville Developmental Center in regards to the proposed closure of the General Treatment Area.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Final Approver: John Lollis, City Manager

CITY COUNCIL AGENDA – MARCH 15, 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 March 1st, 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.

On Friday, March 11th, representatives for the City, DDW and Department of Water Resources (DWR) will meet to continue discussions of residential units lacking water both within and outside the city. It has been reported by DWR representatives that the State is beginning a feasibility study of a long-term permanent water connection plan for East Porterville, which is estimated to take approximately six (6) months to complete for the estimated 1,800 expected connections. Recognizing the City's water system plays a critical role in that plan, DWR has requested that City staff coordinate with the consultant assigned to the project so that the planning study reflects the City's water system requirements and specifications. Although approximately 200 portable storage tanks are currently located in the East Porterville area, DWR expects up to 500 to be in place by December of this year, which DWR would like to begin a City waterline extension project in early 2017 to begin permanently connecting those 500 residences to the City's water system. To provide source water for the extension project, DWR indicated that the drilling and equipping of three (3) new municipal wells would be considered part of the project, in addition to extension of water lines to serve residences that have been annexed into the city and are without water. It is expected that City, County, and State representatives would continue to meet at least every other week in support of this planning effort.

RECOMMENDATION: That the City Council receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration.

ATTACHMENTS:

1. Resolution 49-2015 - Declaration of Local Emergency
2. Governor's Executive Order
3. CalOES Drought Update

Appropriated/Funded:

Review By:

Department Director:
Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

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

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

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

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

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

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

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

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

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

Executive Department
State of California

EXECUTIVE ORDER B-29-15

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

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

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

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

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

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

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

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

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

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

IT IS HEREBY ORDERED THAT:

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

SAVE WATER

2. The State Water Resources Control Board (Water Board) shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016. These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

3. The Department of Water Resources (the Department) shall lead a statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The Department shall provide funding to allow for lawn replacement programs in underserved communities, which will complement local programs already underway across the state.

4. The California Energy Commission, jointly with the Department and the Water Board, shall implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.

5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets mandated by Directive 2 of this Executive Order.

6. The Water Board shall prohibit irrigation with potable water of ornamental turf on public street medians.

7. The Water Board shall prohibit irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

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

INCREASE ENFORCEMENT AGAINST WATER WASTE

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.

10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.

11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.

12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.

13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.

14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.

15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.

16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

INVEST IN NEW TECHNOLOGIES

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

STREAMLINE GOVERNMENT RESPONSE

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.

19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

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

Drought Update
Wednesday, March 2, 2016

KEY ACTION ITEMS FROM THIS WEEK

- **Californians Save 1.1 Million Acre-Feet of Water, Urged to Stay Focused on Conservation:** On February 25, the State Water Board announced that Californians missed Governor Brown's 25 percent water conservation mandate in January, as urban water suppliers reported a cumulative savings of 24.8 percent for the eight months since mandatory conservation began. With more than 1.1 million acre-feet of water conserved since June 2015 through January 2016, the state is 96 percent of its goal of 1.2 million acre-feet of water to be saved by the end of February.

  Statewide, the conservation rate decreased from 18.4 percent in December 2015 to 17.1 percent in January, which equates to approximately 62,644 acre-feet. However, the average per capita water use declined from 67 gallons per person per day in December 2015 to 61 gallons in January 2016, the lowest per-person rate since water-use reporting began in June 2014.

- **2016 Emergency Regulation Takes Effect; Information Updated on State Water Board Website:** On February 12, the Office of Administrative Law approved the 2016 Emergency Conservation Regulation adopted by the State Water Board, which extends the original 2015 regulation through October 2016. Under the 2016 regulation, water suppliers may request an adjustment to their individual conservation standard by submitting required information through a new online tool at the Drinking Water Information Clearing House (DRINC) Portal. The tool is now available through March 15. For more information, please visit the State Water Board's Water Conservation Portal.

- **DWR Increases 2016 State Water Project Allocation Estimate to 30%:** On February 24, the Department of Water Resources (DWR) announced an increase to its estimated State Water Project (SWP) delivery allocation to 30 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 1.27 million acre-feet of requested supplies, however, extended dry weather could force an allocation reduction. State Water Project contractors serve approximately 25 million Californians and just under a million acres of irrigated farmland.

- **California's Three Traditionally Wettest Months End with Statewide Snowpack Water Content Less than Average:** On March 1, the Department of Water Resources (DWR) announced that the statewide snowpack, which is the source for about 30 percent of California's water supply, is at 83 percent of the March 1 average. Although readings at Phillips Station are higher than the previous year in March, snowpack levels are still below what would be considered adequate for any reasonable level of recovery at this point.

  DWR conducted its third media-oriented manual snowpack survey of the season at Phillips Station, 90 miles east of Sacramento just off Highway 50 in the Sierra Nevada. The snow course is one of more than 250 snow courses that will be measured manually several times this winter to determine the water content of the snowpack.

- **DWR Releases Draft Regulations on SGMA, Comment Period Opens:** On February 18, the Department of Water Resources (DWR) released draft regulations that will assist local public agencies and groundwater sustainability agencies to meet their requirements of the 2014 Sustainability Groundwater Management Act (SGMA). The regulations were developed after conducting public information sessions and extensive outreach around the state to gather perspectives from advisory groups, statewide stakeholders, partners, local agencies, and the public. The draft regulations are available for public comment until March 25.

- **CDFW Awards $16.7 Million to Fisheries Habitat Restoration, Forest Legacy and Drought Projects:** On February 19, the Department of Fish and Wildlife (CDFW) announced 67 projects that will receive $16.7 million in funding from its Fisheries Restoration Grant Program (FRGP). These projects will further the objectives of the state and federal recovery plans which include removing barriers to fish migration, restoring riparian habitat, and creating a more resilient and sustainably managed water resources system that can better withstand drought conditions. Visit the FRGP website for a complete list of projects approved for funding.

- **California's Water Conservation Education Program Campaign:** This past week, the Save Our Water PSA featuring Golden State Warrior stars, Stephen Curry and Klay Thompson ("Splash Brothers"), will continue to air on NBC Bay Area through April. In addition, Save Our Water promoted an Associated Press article which highlighted ten days of record heat and a shortage of rain in February which continues to raise concerns for California's drought in 2016.

  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 February 25 meeting, the Task Force provided an update on water conditions, water operations and environmental habitat, water conservation, and drought impacts and response. In addition, Save Our Water provided a summary of the current water conservation efforts planned for 2016, and highlighted the drought conservation efforts accomplished in 2015.

  The Labor Workforce Development Agency announced that the federally funded Drought Temporary Jobs program has enrolled 949 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 1,171,506 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 1,056,023 boxes of food have been picked up by 547,813 households.

Food boxes distributions vary by county and occur 1-4 times per month. Nearly 60% of the food distributions have occurred in the Tulare Basin (Fresno, Kern, Kings and Tulare). Approximately 18,140 boxes were scheduled for delivery for the week ending February 26 to Fresno, Kern, Kings Riverside, San Joaquin, Siskiyou, Stanislaus, and Tulare counties.

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 31, CSD has reported a total of $598,259 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 $327,335 has been expended with 109 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 February 19, $5.8 million has been issued to 4,428 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:** Last week, a series of weak storms moved through the state with the highest amounts of average rainfall in the North Coast ranging from 0.3 to 2.0 inches. Additional areas that received precipitation include 0.01 to 0.3 inches in the Bay Area, and 0.1 to 1.5 inches in the Northern Sierras.

Below are precipitation totals (in inches) from February 19 through February 26, and year-to-date rainfall based on the water year cycle (October 1, 2015 to September 30, 2016).

- **Bakersfield:** 1.11" (3.46")
- **Paso Robles:** 0.61" (5.36")
- **Fresno:** 1.38" (9.94")
- **Yosemite:** 3.94" (24.86")
- **Los Angeles:** 1.12" (4.53")
- **Stockton:** 0.80" (9.88")
- **San Francisco:** 1.38" (14.53")
- **Redding:** 2.44" (23.19")
- **Riverside:** 0.28" (3.90")
- **Sacramento:** 1.04" (9.68")
- **San Diego:** 0.20" (6.08")
- **Mount Shasta:** 3.49" (24.47")
- **South Lake Tahoe:** 2.27" (13.43")
- **Monterey:** 2.18" (15.46")

- **Weather Outlook:** At the end of the week, Northern California can expect a return to a wetter weather pattern which will continue into the weekend bringing gusty winds and periods of rain. Southern California can expect cooler weather by Friday with chances for rainfall on Sunday into at least the early part of next week.

- **Snow Survey:** The March manual snowpack survey recorded California snowpack at 83 percent of normal to date, and 73 percent of the April 1 average. Regionally, the Northern Sierra Nevada is at 89 percent of average to date, the Central Sierra is at 85 percent of average to date, and the Southern Sierra Nevada is at 73 percent of average to date.

- **Projected Reservoir Management:** Since the last report on February 19, Central Valley reservoirs from Shasta and Trinity in the North to Isabella in the South had a net gain in storage of 419,241 acre-feet (AF), with a total gain of 428,228 AF and a total loss of 8,987 AF. Shasta Reservoir increased by 113,714 AF, while San Luis Reservoir, an off-stream reservoir for the Central Valley Project and State Water Project, increased its storage by 56,817 AF.

  Reservoir Levels as of March 1 have increased, including: Castaic Lake 28% of capacity (32% of year to date average); Don Pedro 47% of capacity (66% of average); Exchequer 18% of capacity (35% of average); Folsom Lake 62% of capacity (111% of average); Lake Oroville 53% of capacity (76% of average); Perris Lake 34% (41% of average); Millerton Lake 52% of capacity (79% of average); New Melones 19% of capacity (31% of average); Pine Flat 27% of capacity (51% of average); San Luis 44% of capacity (51% of average); Shasta Reservoir 61% of capacity (83% of average); and Trinity Lake 35% of capacity (47% of average). An update of water levels at other smaller reservoirs is also available.

- **Dry Well Reports:** As California faces the fifth year of drought, the Governor's Drought Task Force continues to monitor and identify communities and local water systems in danger of running out of water. In 2015, a cross-agency team, led by the Department of Water Resources (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 February 24, approximately 2,591 wells statewide have been identified as critical or dry, affecting an estimated 12,955 residents. Cal OES reported that 2,371 of the 2,591 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, 109 out of the 150 projects approved to receive emergency funding for interim replacement drinking water have been executed. On May 19, 2015, 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 $12.8 million of those funds.

- **Fire Activity**: Since the beginning of the year, firefighters from CAL FIRE and the U.S. Forest Service have responded to over 200 wildfires across the state, burning 88 acres. Fire activity across California is low resulting in 41 combined wildfires in just the past week.

- **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/.

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.

    - **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