



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 5, 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 54956.8 – Conference with Real Property Negotiators/Property: APN: 243-170-020. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Harlace Wallace. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Steve Kabot. Employee Organizations: Porterville City Firefighters Association and Fire Officers Series.
- 3** - Government Code Section 54956.95 – Liability Claim (Application for Late Filing of Amended Claim). Claimant: Hishmeh Enterprises, Inc. and Central Cities Pizza, Inc. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.95 – Liability Claim. Claimant: Carolyn Jones. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case in which facts are not yet known to potential plaintiff.
- 6** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Five Cases.

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

Pledge of Allegiance Led by Council Member Ward

Invocation

PROCLAMATIONS

Library Week - April 10-16, 2016

Volunteer Week - April 10-16, 2016

MDA & Firefighter Month - May 2016

PRESENTATIONS

Employee of the Month - Mark Graves

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - March 21, 2016
2. Tulare County Economic Development Corp. (TCEDC) - March 23, 2016
3. SJVAPCD Special City Selection Committee - March 29, 2016

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 June 2, 2015, and March 1, 2016**
Re: Considering approval of the draft Minutes for June 2, 2015, and March 1, 2016.
2. **Request Approval to Purchase Utility Vehicle for the Airport**
Re: Considering approval of the purchase of a John Deere Gator TX utility vehicle from Lawrence Tractor Co., Inc. for a total purchase price of \$9,391.05.
3. **Authorization to Purchase Equipment - Kubota Utility Tractor, Rotary Tiller, and Cultivator**
Re: Considering approval to negotiate the purchase of the Kubota tractor and rotary tiller and cultivator.
4. **Authorization to Purchase Equipment - Dorr-Oliver Check Valve Assembly**
Re: Considering approval of the purchase of specialized equipment (Dorr-Oliver Check Valve Assembly) from Best Process, LLC at a cost of \$18,778.10.
5. **Authorization to Purchase Specialized Repair Parts - JWC Headworks Grinder Compactor**
Re: Considering approval to purchase specialized repair parts (JWC Headworks Grinder Compactor) from JWC Environmental at a cost of \$12,071.57.

6. **Authorization to Issue a Request for Proposals for Banking Services**
Re: Considering approval of the issuance of a Request for Proposals for banking services.
7. **Summary Vacation of Irrevocable Offer of Dedication on Parcel 8 of Tract Map No. 696**
Re: Considering approval of the Resolution to Summarily Vacate the Irrevocable Offer of Dedication encumbering the north 30 feet of Lot 8 of Tract Map No. 696, 1977 N. Rose Street.
8. **Request for Additional Funds for the Waste Water Treatment Facility (WWTF) Sludge De-watering and Electric Air Blower Project**
Re: Considering approval of a \$33,964 appropriation from the Wastewater Treatment Facility Capital Reserve account to finance the final two changes for the WWTF Sludge De-watering and Electric Air Blower Project.
9. **Resolution Authorizing Submittal of Application to CalRecycle**
Re: Considering approval of a draft resolution authorizing the City Manager, or his designee, as the Signature Authority to execute all documents necessary to implement and secure funding from CalRecycle.
10. **Retirement of Police Service Dog "Chanto"**
Re: Considering approval of the sale of Police Service Dog "Chanto" to Officer Jennifer Rutledge for the amount of \$1.
11. **Retirement of Police Service Dog "Jackson"**
Re: Considering approval of the sale of Police Service Dog "Jackson" to Officer Aaron Stocker for \$1.
12. **Approval for Community Civic Event - Porterville Chamber of Commerce - Business After Hours Mixer - April 14, 2016**
Re: Considering approval of an event to take place at Centennial Park on Thursday, April 14, 2016, from 5:30 p.m. to 7:00 p.m.
13. **Approval for Community Civic Event - Porterville Chamber of Commerce - Iris Festival - April 23, 2015**
Re: Considering approval of an event to take place on Saturday, April 23, 2016, from 9:00 a.m. to 5:00 p.m. in downtown Porterville.
14. **City Council Member Requested Agenda Item - Request for the City Council to Consider the Installation of Additional Sports Field Lighting at the Sports Complex**
Re: Considering approval of a council member request to consider the installation of additional sports field lighting at the Sports Complex.

SCHEDULED MATTERS

15. Status and Review of Declaration of Local Emergency, and Connection of New Well and Permanent Water Connections for 500 East Porterville and Vandalia Avenue Residential Units

Re: Consideration of the continuance of the Declaration of Local Emergency, and modification to the draft agreement with the County of Tulare in regards to a new well and the permanent connections for water for 500 East Porterville and Vandalia Avenue residential units.

16. Water System - Consideration of Proactive Measures

Re: Considering approval to schedule Public Hearings regarding the Water Conservation Plan and consideration of a draft ordinance pertaining to well abandonment on May 3, 2016; and a Study Session to be held at 5:30 p.m. on April 12, 2016.

Adjourn to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
APRIL 5, 2016

Roll Call: Agency Members/Chairperson

WRITTEN COMMUNICATION

ORAL COMMUNICATIONS

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-17. Termination of Façade Easement Agreements

Re: Consideration of a resolution authorizing the termination of the Façade Agreements, subject to concurrence of the owners of the Properties subject to such Façade Agreements.

SA-18. Approve the First Amended and Restated Long Range Property Management Plan

Re: Consideration of a resolution approving the First Amended and Restated Long Range Property Management Plan.

Adjourn to a meeting of the Porterville City Council.

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 19, 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 – APRIL 5, 2016

SUBJECT: City Council Minutes of June 2, 2015, and March 1, 2016

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of June 2, 2015, and March 1, 2016, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of June 2, 2015, and March 1, 2016.

ATTACHMENTS:

1. Draft Minutes of June 2, 2015
2. Draft Minutes of March 1, 2016

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
JUNE 2, 2015, 5:30 PM**

Called to Order at 5:30 p.m.

Roll Call: Council Member Reyes, Council Member Ward, Council Member Gurrola, Vice Mayor Hamilton, Mayor Stowe

ORAL COMMUNICATIONS

- John Coffee, Porterville, noted trip hazards on sidewalks.
- Brock Neeley, stated that Barry Caplan might show up to speak regarding LGBT and indicated that he was not a representative of LGBT issues.

CITY COUNCIL CLOSED SESSION:

- A. Closed Session Pursuant to:
- 1 - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 253-182-009. Agency Negotiator: John Lollis and Jenni Byers.
Negotiating Parties: City of Porterville and Pacifica First National, Inc. Under Negotiation:
Terms and Price.
 - 2 - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: APN: 261-190-006. Agency Negotiator: John Lollis and Jenni Byers.
Negotiating Parties: City of Porterville and Dr. William Gnekow. Under Negotiation:
Terms and Price.
 - 3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Steve Kabot, and Patrice Hildreth. Employee Organizations: Porterville City Employees Association; Management and Confidential Series; Porterville Police Officers Association; Fire Officer Series; Porterville City Firefighters Association; Public Safety Support Unit; and all Unrepresented Management Employees.
 - 4 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: 28 Case(s).

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

City Attorney Lew reported that there was no reportable action taken in Closed Session.

The Pledge of Allegiance was led by Council Member Ward
Invocation – a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Manuel Azevedo

AB 1234 REPORTS

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

1. Council of Cities - May 20, 2015 – City Manager Lollis reported on an update of Closed Session litigation regarding SB7, action pertaining to TCAG’s consideration of projects and funding, and general discussion regarding the drought.
2. San Joaquin Valley Air Pollution Control District Board - May 21, 2015 – Council Member Gurrola reported on consideration of the budget. She also provided a report regarding the June 1st TCAG Rail Advisory Committee meeting, which consisted of discussion regarding funding for a corridor study for the eight miles of abandoned track that was purchased, and efforts to save a section of track that runs into the Tulare County area.
3. Tulare County Economic Development Corp. (TCEDC) - May 27, 2015 – Council Member Reyes reported on a re-cap of the Economic Summit and the scheduling of speakers to include PUSD Superintendent Dr. John Snavelly during the summer months.

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 – no report.
 2. Library & Literacy Commission – no report.
 3. Arts Commission - May 20, 2015 – Commission Chair Deana Worthington spoke in support of the mural proposed by WildPlaces.
 4. Animal Control Commission - June 1, 2015 – no report.
 5. Youth Commission - Summer Break
 6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.
- II. Staff Informational Reports
 1. Notice of Public Information Meeting - Full Solid Waste Facility Permit
 2. CalRecycle Tire-Derived Product Grant Award

ORAL COMMUNICATIONS

- Elva Beltran, PACC, reported on a recent water drive, donations received from throughout the United States, and the replacement of items stolen from donations.
- Fred Beltran, PACC, provided an update regarding people in need of water; thanked the Council for their support; and encouraged the City to be ahead of the curve when it comes to water conservation.
- Margaret Schaffer, Wilson Place resident, reported a recurring water problem due to a lack of drainage, and claimed that the City was liable for the needed repairs.

- Linda Hoy, Wilson Place resident, expressed concern regarding stagnant water, West Nile, and use of the cul-de-sac by children and neighbors; and requested approval of Item No. 5.
- Gerry Quinn, Porterville, suggested that the City place blue cans around town for use by those who do not have blue cans, and donate the proceeds from said cans to non-profits that serve youth.
- Daniel Mejia, WildPlaces Project Manager, spoke in support of Item No. 20; made himself available for questions; and invited the Council to participate in the mural project.
- Janell Martin, Village Gardens resident, expressed discontent regarding the use of water trucks to pump water from a nearby well.
- Jack Flores, Village Gardens resident, presented a petition to the Council requesting that the City stop hauling water from a nearby well for the provision of water to East Porterville residents.
- Barry Caplan, Porterville, spoke in support of the proposed WildPlaces mural, and of the President's National Proclamation for LGBT Pride Month.
- Jesse Harmon, Porterville, spoke of his own efforts to provide water for his daughter, and stated that he did not feel that East Porterville residents should be getting free water.
- Ernesto Teran, Porterville, spoke in support Assemblyman Mathis' proposed solution to the drought.
- Amber (last name not given), Porterville, spoke in support of the proposed mural.

CONSENT CALENDAR

Vice Mayor Hamilton abstained from Item No. 15, and Council Member Ward from Item Nos. 2 and 4 for conflicts pertaining to property ownership. Item No. 5 was pulled for further discussion, and considered prior to Public Hearing items.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve Item Nos. 1 through 4, and 6 through 15 with the noted abstentions. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF OCTOBER 7, 2014, AND JANUARY 27, 2015

Recommendation: That the City Council approve the Minutes of October 7, 2014, and January 27, 2015.

Documentation: M.O. 01-060215

Disposition: Approved.

2. LABORATORY INSTRUMENT SERVICE CONTRACTS

Recommendation: That the City Council:

1. Approve the service contract with Thermo Electron LLC for three (3) years;
2. Approve the service contract with Agilent Technologies for one (1) year; and

3. Authorize payment for these services from the laboratory operating budget.

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

Documentation: M.O. 02-060215

Disposition: Approved.

3. AUTHORIZATION TO ADVERTISE FOR BIDS - TRANSIT SIGNAL PRIORITY PROJECT

Recommendation: That the City Council:

1. Approve staff's recommended Plans and Project Manual; and
2. Authorize staff to advertise for bids for the purchase and installation of TSP equipment for the transit vehicles, and installation of the City-supplied transit signal priority equipment.

Documentation: M.O. 03-060215

Disposition: Approved.

4. AUTHORIZATION TO ADVERTISE FOR BIDS - REPLACEMENT OF DIGESTER MIXING PUMP & VALVES

Recommendation: That the City Council:

1. Authorize staff to advertise for bids for the replacement of the digester mixing pump and valves; and
2. Direct the Finance Director to appropriate \$55,000 from the Waste Water Treatment Facility Capital Reserve account to the 2014/2015 Annual Budget.

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

Documentation: M.O. 04-060215

Disposition: Approved.

6. AUTHORIZATION TO DISTRIBUTE A REQUEST FOR QUALIFICATIONS FOR ON-CALL ESCROW AND TITLE SERVICES

Recommendation: That the City Council authorize staff to distribute a Request for Qualifications for on-call Escrow and Title services.

Documentation: M.O. 05-060215

Disposition: Approved.

7. SECOND AMENDMENT TO THE AGREEMENT FOR TRANSIT SERVICE BETWEEN THE CITY OF PORTERVILLE AND THE TULE RIVER INDIAN TRIBE

Recommendation: That the City Council:

1. Approve the attached Second Amendment to the Agreement for Transit Services between the Tule River Indian Reservation and the City of Porterville;
2. Accept funding from the Tule River Indian Tribe in the amount of 30% of the operational costs to cover the required fare box return; and
3. Authorize the Mayor and City Attorney to execute the attached Agreement.

Documentation: M.O. 06-060215

Disposition: Approved.

8. AUTHORIZATION TO PURCHASE TAX-DEFAULTED PROPERTY AT ASSESSOR PARCEL NUMBER 245-150-054

Recommendation: That the City Council:

1. Adopt Resolution objecting to the sale of a tax-defaulted property, authorizing the submittal of an application to the County of Tulare to purchase the specified tax-defaulted property and authorizing the execution of an agreement to purchase the tax-defaulted property identified as Parcel 245-150-054; and
2. Authorize the Mayor to sign all necessary documents to complete the transaction.

Documentation: Resolution No. 54-2015

Disposition: Approved.

9. AUTHORIZATION TO PURCHASE TAX-DEFAULTED PROPERTY AT ASSESSOR PARCEL NUMBER 260-193-006

Recommendation: That the City Council:

1. Adopt a Resolution objecting to the sale of a tax-defaulted property, authorizing the submittal of an application to the County of Tulare to purchase the specified tax-defaulted property, and authorizing the execution of an agreement to purchase the tax-defaulted property identified as Parcel 206-193-006;and
2. Authorize the Mayor to sign all necessary documents to complete the transaction.

Documentation: Resolution No. 55-2015

Disposition: Approved.

10. CONFIRMATION OF CITY COUNCIL'S INTENT TO UTILIZE 287 N. HOCKETT STREET FOR AN ADMINISTRATIVE BUILDING FOR THE CITY'S GOVERNMENTAL PURPOSES

Recommendation: That the City Council adopt a Resolution confirming the Council's intent to utilize 287 N. Hockett Street as an Administrative Building for Governmental Use.

Documentation: Resolution No. 56-2015

Disposition: Approved.

11. STATE DEPARTMENT OF FINANCE - POPULATION ESTIMATES

Recommendation: That the City Council authorize the Mayor to sign a request for State certification for the City of Porterville, January 1, 2015 at a population of 55,852.

Documentation: M.O. 07-060215

Disposition: Approved.

12. POLICE VEHICLE REPAIR AUTHORIZATION

Recommendation: That the City Council:

1. Authorize repairs to Police Unit 3220; and
2. Authorize payment upon completion of repairs.

Documentation: M.O. 08-060215

Disposition: Approved.

13. COOPERATIVE AGREEMENT WITH PORTERVILLE COLLEGE FOR USE OF THE POLICE FIRING RANGE

Recommendation: That the City Council:

1. Approve the Agreement for the period of 07/01/15 through 06/30/16; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 09-060215

Disposition: Approved.

14. COOPERATIVE AGREEMENT WITH CALIFORNIA HIGHWAY PATROL
FOR USE OF THE POLICE FIRING RANGE

Recommendation: That the City Council:

1. Approve the Agreement for the period of 07/01/15 thru 06/30/18; and
2. Authorize the Chief of Police to execute the agreement on behalf of the City of Porterville.

Documentation: M.O. 10-060215

Disposition: Approved.

15. JOINT FUNDING AGREEMENT WITH PORTERVILLE UNIFIED SCHOOL
DISTRICT AND BURTON SCHOOL DISTRICT FOR SCHOOL RESOURCE
OFFICERS

Recommendation: That the City Council:

1. Approve the Agreement for Joint Funding for School Recourse Officers for the period of July 1, 2015, through June 30, 2016; and
2. Authorize the Mayor to execute the agreement of behalf of the City of Porterville.

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

Documentation: M.O. 11-060215

Disposition: Approved.

Vice Mayor Hamilton requested that Item No. 5 be taken prior to the Public Hearing and the Council concurred.

CONSENT CALENDAR (Item Pulled)

5. AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE WILSON PLACE
CONCRETE REPAIR PROJECT

Recommendation: That the City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project; and
3. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council MO #02-100741.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve staff's recommended Plans and Project Manual; authorize staff to advertise for bids on the project; and authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council MO #02-100741. The motion carried unanimously.

Documentation: M.O. 12-060215

Disposition: Approved.

PUBLIC HEARINGS

16. REQUEST FOR A MODIFICATION TO CONDITIONAL USE PERMIT 2014-033-C TO ALLOW FOR THE SALE OF ALCOHOL IN CONJUNCTION WITH THE OUTDOOR PATIO AREA FOR LOS PORTALES RESTAURANT LOCATED AT 377 E. ORANGE AVENUE

Recommendation: That the City Council adopt the draft Resolution approving the Modification to Conditional Use Permit (PRC 2014-033-C) subject to conditions of approval.

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

The Public Hearing was opened at 7:15 p.m.

- Brock Neeley inquired about the notification radius.
- Elva Beltran spoke in favor of approval.

The Public Hearing was closed at 7:17 p.m.

The Council briefly discussed the adjacent parking lot, and access to the patio from the outside. Ms. Byers noted that there would be an exit.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council adopt the draft Resolution approving the Modification to Conditional Use Permit (PRC 2014-033-C) subject to conditions of approval. The motion carried unanimously.

Documentation: Resolution No. 57-2015

Disposition: Approved.

17. GIBBONS AVENUE RECONSTRUCTION PROJECT

Recommendation: That the City Council adopt the resolution approving a Mitigated Negative Declaration for the Gibbons Avenue project, and authorize negotiation of right-of-way acquisitions.

City Manager Lollis introduced the item, and Community Development Manager Julie Philips presented the staff report.

The Public Hearing was opened at 7:24 p.m., and the Mayor closed the Public Hearing at 7:24 p.m. when no one came forward.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Reyes that the City Council adopt the resolution approving a Mitigated Negative Declaration for the Gibbons Avenue project, and authorize negotiation of right-of-way acquisitions. The motion carried unanimously.

Documentation: Resolution No. 58-2015

Disposition: Approved.

18. ANNUAL ADJUSTMENT OF FEES BY APPLICATION OF THE ENR COST INDEX

Recommendation: That the City Council:

1. Hold the Public Hearing and consider all Public testimony; and
2. Review the options presented herein and direct staff accordingly.

City Manager Lollis introduced the item, and Interim Public Works Director Mike Reed presented the staff report. During the staff report, the following options were presented to the Council for consideration:

1. Postpone the ENR Cost Index automatic increase for FY 2015/2016 (0% increase);
2. Activate the ENR Cost Index automatic increase only for FY 2015/2016 (3% increase);
or
3. Activate the ENR Cost Index automatic increase beginning FY 2010/2011 and every FY thereafter (17% increase).

The Public Hearing was opened at 7:31 p.m.

- Brock Neeley spoke in support of the annual adjustment.

The Public Hearing was closed at 7:32 p.m.

The Council discussed the purpose of impact fees, the impact of new development on the City's infrastructure, the proposed options and the Council's future consideration of the City's Master Plan.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve activation of the ENR Cost Index

automatic increase beginning FY 2010/2011 and every FY thereafter (17% increase).

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

Documentation: M.O. 13-060215

Disposition: Approved Option 3.

The Council took a five minute recess at 7:50 p.m.

19. PUBLIC HEARING – CONSIDER MOVING INTO PHASE III OF THE CITY’S WATER CONSERVATION PLAN

Recommendation: That the City Council:

1. Conduct the Public Hearing; and
2. Consider transitioning from Phase II to Phase III of the City’s Water Conservation Plan.

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

The Public Hearing was opened at 8:03 p.m.

- Gerry Quinn spoke of the importance of public awareness and promotion of the watering guidelines; and expressed concerns regarding the watering along Highway 65.
- Barry Caplan asked why staff was not recommending the City move to Phase IV.

The Public Hearing was closed at 8:08 p.m.

Staff addressed questions from the Council regarding enforcement, fines, watering by CalTrans, and promotion of the current phase of the Water Conservation Plan.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council approve moving to Phase III of the City’s Water Conservation Plan. The motion carried unanimously.

Documentation: M.O. 14-060215

Disposition: Approved.

SCHEDULED MATTERS

20. APPROVAL OF WILDPLACES MURAL TO BE LOCATED AT 466 E. PUTNAM AVENUE

- Recommendation: That the City Council:
1. Consider the mural design; and
 2. If approved, adopt the mural maintenance agreement with WildPlaces, and authorize and direct the Mayor to execute the same.

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

- Roberto De la Rosa, addressed questions from the Council regarding the mural's design, student participation and neighborhood outreach efforts to date.

The Council expressed concerns regarding the vibrant colors and location of a mural in a residential area; and discussed graffiti abatement, painting of the rest of the building in a complimentary color, and additional input from the community.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Reyes that the City Council approve the proposed mural.

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

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council reconsider the item at their next meeting to allow for additional community outreach efforts. The motion carried unanimously.

Documentation: M.O. 15-060215
Disposition: Reconsider the item on June 16, 2015.

21. CARGO CONTAINER PERMIT - WAL-MART (1250 W. HENDERSON AVENUE)

- Recommendation: That the City Council:
1. Authorize staff to work with Wal-Mart to incorporate screening materials to completely screen the cargo containers from the Public right-of-ways to be in compliance with the standards identified in Resolution 08-2015; and
 2. Adopt the draft resolution approving the Cargo Container Permit to allow 16 cargo containers from the timeframe of January 16th through September 30th, and 26 Cargo Containers from the timeframe of October 1st through January 15th, for a period of four years located at 1250 W. Henderson Avenue (Wal-Mart).

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

The Council made inquiries regarding the square footage of the proposed cargo containers, the number of stalls occupied by the cargo containers, screening options, and impact fees associated with building permits.

- Min Win, Wal-Mart Store Manager, 1250 W. Henderson Avenue, spoke of the store's need for additional storage to keep up with demand and replenishment until a second store was opened.

A brief discussion regarding the importance of screening requirements followed.

COUNCIL ACTION: MOVED by Mayor Stowe, SECONDED by Vice Mayor Hamilton that the City Council adopt the draft resolution approving the Cargo Container Permit to allow 16 cargo containers from the timeframe of January 16th through September 30th, and 26 cargo containers from the timeframe of October 1st through January 15th, for a period of four years located at 1250 W. Henderson Avenue (Wal-Mart), as amended to include a screening requirement. The motion carried unanimously.

Documentation: Resolution No. 59-2015

Disposition: Approved.

22. UPDATE REGARDING TEMPORARY STRUCTURE PERMIT FOR STORAGE AND CONSIGNMENT OF EQUIPMENT AT 952 WEST NORTH GRAND AVENUE

Recommendation: That the City Council consider the following options and provide direction to staff:

1. Allow the existing Temporary Structure Permit to expire, and take no action.
2. Direct staff to return to the meeting of June 16, 2015, with a Conditional Use Permit to re-establish a legal, non-confirming use; and extend the expiration date of the existing Temporary Structure Permit until June 17, 2015.
3. Request action or information from the business owner and reschedule consideration of this item to a future meeting to determine course of action.

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

At the Council's request, the applicant Mr. Penn, provided clarification regarding his consignment business, and requested that he be allowed to continue use of the property for storage.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council direct staff to return to the meeting of June 16, 2015, with a Conditional Use Permit to re-establish a legal, non-confirming use; and extend the expiration date of the existing Temporary Structure Permit until June 17, 2015. The motion carried unanimously.

Documentation: M.O. 16-060215

Disposition: Approved Recommendation No. 2.

The Council took a ten minute recess at 9:31 p.m.

23. CITY OF PORTERVILLE 2015 WATER SYSTEM HYDRAULIC ANALYSIS

Recommendation: That the City Council:

1. Consider developments impacts to the water system in light of this historic drought; and
2. Require staff to carefully monitor the water system production and keep Council abreast of the City's ability to serve existing and future users.

City Manager Lollis introduced the item, and Acting Public Works Director Mike Reed presented the staff report. Following his report, Mr. Reed addressed questions from the Council regarding well production over time, the status of the well projects being funded by Self-Help, and water levels at the Village Gardens area well.

The Council directed staff to continue carefully monitoring the water system production and keep the Council abreast of the City's ability to serve existing and future users.

Documentation: None

Disposition: Direction given.

24. CONSIDERATION OF FISCAL YEAR 2015-2016 PROPOSED BUDGET AND SETTING DATE OF PUBLIC HEARING

Recommendation: That the City Council consider the proposed 2015-2016 Fiscal Year Budget, include any modifications so directed by the Council, and schedule a Public Hearing on the proposed Budget for Tuesday, June 16, 2015.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve the scheduling of a Public Hearing on the proposed Budget for Tuesday, June 16, 2015. The motion carried unanimously.

Documentation: M.O. 17-060215

Disposition: Approved.

Due to the lateness of the hour, Council Member Ward requested the postponement of Item Nos. 25, 27, 28 to the next meeting; and the incorporation of Item No. 26 into consideration of the budget. The Council approved the request by consensus.

25. CONSIDERATION OF HOW CITY EMPLOYEES MAY DONATE AND SUPPORT NON-PROFIT ORGANIZATIONS

Recommendation: That the City Council consider how City employees may donate and support non-profit organizations, and provide direction as appropriate.

Disposition: Item continued to June 16, 2015.

26. CONSIDERATION OF HIRING ADDITIONAL CODE ENFORCEMENT OFFICERS TO ENFORCE WATER RESTRICTIONS

Recommendation: That the City Council consider hiring additional Code Enforcement officers to enforce water restrictions, and direction as appropriate.

Disposition: Item continued to June 16, 2015.

27. CONSIDERATION OF ESTABLISHING A MORATORIUM ON NEW RESIDENTIAL DEVELOPMENT EXCEEDING TEN (10) UNITS, AS WELL AS COMMERCIAL PROJECTS THAT REQUIRE SIGNIFICANT WATER USAGE

Recommendation: That the City Council consider establishing a moratorium on new residential development exceeding ten (10) units, as well as commercial projects that require significant water usage.

Disposition: Item continued to June 16, 2015.

28. CONSIDERATION OF PROHIBITING THE INSTALLATION OF NATURAL GRASS IN COMMERCIAL AND INDUSTRIAL ZONED AREAS, AND TO REQUIRE A PERMIT FOR THE INSTALLATION OF NATURAL GRASS EXCEEDING 300 SQUARE FEET IN RESIDENTIAL ZONED AREAS

Recommendation: That the City Council provide direction, as appropriate.

Disposition: Item continued to June 16, 2015.

29. GOVERNOR'S EXECUTIVE ORDER FOR STATEWIDE MANDATORY WATER REDUCTIONS, STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY, AND PROVISION OF WATER FOR EAST PORTERVILLE RESIDENTS

Recommendation: That the City Council:

1. Receive the report of status and review of Declaration of Local Emergency and, determine the need exists to continue said Declaration;
2. Consider the Draft Agreement between the City and the County in regards to new well maintenance and responsibilities; and
3. Provide direction in regards to providing water for purchase in support of the County's Household Tank Program in East Porterville.

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

State representatives addressed questions from the Council regarding funding and timelines for various well projects, and commended the Council for their consideration of agenda items pertaining to water and conservation.

County representative Andrew Lockman, Office of Emergency Services, addressed questions regarding the draft agreement between the City and County; addressed concerns regarding the delivery of water to areas other than East Porterville; and requested the City's continued support of the County's Household Tank Program.

A brief discussion followed regarding the provision of 500k gallons to the County and the need to continuously monitor the City's system to ensure there was no impact to City residents.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council approve the continued Declaration of Local Emergency and the continued provision of water at 500K gallons/month for 90 days. The motion carried unanimously.

Documentation: M.O. 18-060215

Disposition: Approved.

The City Council adjourned at 10:46 p.m. to a joint meeting of the Porterville City Council, Porterville Public Improvement Corporation, and Porterville Public Financing Authority.

**JOINT CITY COUNCIL, PORTERVILLE PUBLIC IMPROVEMENT
CORPORATION, AND PORTERVILLE PUBLIC FINANCING AUTHORITY
291 N. MAIN STREET, PORTERVILLE, CA 93257
JUNE 2, 2015**

Roll Call: Reyes, Ward, Gurrola, Hamilton, and Stowe

WRITTEN COMMUNICATION

None

ORAL COMMUNICATIONS

None

JOINT SCHEDULED MATTERS

30. PREPAYMENT OF 2013 RABOBANK LEASE AGREEMENT AND REFINANCING OF THE 2002 CERTIFICATES OF PARTICIPATION

Recommendation: That the City Council, as the Board of Directors for the Porterville Public Improvement Corporation and Porterville Public Financing Authority, consider approval of the prepayment of the 2013 Rabobank Lease Agreement and refinancing of the 2002 Certificates of preparation, and authorize the Mayor (chair) and City Manager (Executive Director) to sign all draft resolutions, agreements, and documents as may be required.

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council, as the Board of Directors for the Porterville Public Improvement Corporation and Porterville Public Financing Authority, consider approval of the prepayment of the 2013 Rabobank Lease Agreement and refinancing of the 2002 Certificates of preparation, and authorize the Mayor (chair) and City Manager (Executive Director) to sign all draft resolutions, agreements, and documents as may be required. The motion carried unanimously.

Documentation: Resolution No. 60-2015; PIC M.O. 01-060215; and PFA M.O. 01-060215

Disposition: Approved.

The joint meeting was adjourned at 10:49 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Gurrola spoke regarding the Summer Strings Program at Porterville College.
- Vice Mayor Hamilton spoke of recent Memorial Day and graduation ceremonies.
- Council Member Ward stated that he would like to meet with the Vice Mayor to discuss the placement of remembrance flags for veterans.
- Council Member Reyes reminded everyone to thank those nearest and dearest to them for being a part of their lives.
- Mayor Stowe spoke of the Flag Day festivities on June 14th, 6:00 p.m., at the Smith's Shopping Center.
- City Manager Lollis spoke of recent Police Department promotions (to which Police Chief Kroutil elaborated); and announced that the 125th anniversary of the Fire Department was coming up.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 10:56 p.m. to the meeting of June 16, 2015.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 1, 2016, 5:30 PM**

Call to Order
Roll Call

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 and Steve Kabot. Employee Organization: Porterville City Firefighters Association.
 - 2 - Government Code Section 54956.95 – Liability Claim: Claimant: Belen Ramos. Agency claimed against: City of Porterville.
 - 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Flora Dearden. Agency claimed against: City of Porterville.
 - 4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Champeheuang v. City of Porterville, et al., Tulare County Superior Court Case No. 255956.
 - 5 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.
 - 6- Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: Mayor Stowe. Unrepresented Employee – City Manager.

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

City Attorney Lew reported action pertaining to A2 and A3, as follows:

- A-2. On a MOTION made by Vice Mayor Hamilton, and SECONDED by Council Member Reyes the City Council unanimously rejected the claim filed by Belen Ramos.

Documentation: M.O. 01-030116

Disposition: Claim rejected.

- A-3. On a MOTION made by Council Member Gurrola, and SECONDED by Council Member Ward the City Council rejected the claim filed by Flora Dearden.

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

Documentation: M.O. 02-030116
Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Gurrola.
Invocation - a moment of silence was observed.

PRESENTATIONS

Employee of the Month - Christina Carrillo
Employee Service Awards - Ted Penic, Augie Gonzalez, Tyson Tashiro, Yuliana Andrade,
Ted Williams, and Tristan Cardoza

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - February 22, 2016
Council Member Gurrola reported that she was unable to attend the meeting.
2. Tulare County Economic Development Corp. (TCEDC) - February 24, 2016
Council Member Reyes reported that he was unable to attend the meeting.
3. City Manager Lollis reported on TCAG's Federal Certification Review and the City's testimony pertaining to the Tribal Transit Program and Transit Manager Rich Tree's rock star status.

City Manager Lollis indicated that there had been a request to add an item to the agenda pertaining to a civic event. City Attorney Lew advised that because the proposed date of the event was before the next scheduled City Council meeting the item had met the necessary criteria for emergency consideration.

Emergency Item. On a MOTION made by Council Member Gurrola, and SECONDED by Vice Mayor Hamilton the City Council unanimously approved the request to add the Emergency Item to the agenda as Item No. 9. The motion carried unanimously.

Documentation: M.O. 03-030116
Disposition: Addition approved.

ORAL COMMUNICATIONS

- Edith LaVonne, Porterville, reported on walking hazards around Veterans Park and potholes on Villa Street between Morton and Putnam Avenues.
- Jeff Szeles, Porterville, reported on circumstances surrounding the untimely filing of the community civic event paperwork (Item No. 9); and extended an invitation to the Bark for Life event on March 12th.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Vice Mayor Hamilton that the City Council approve Items Nos. 16. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF FEBRUARY 16, 2016

Recommendation: That the Council approve the draft Minutes for February 16, 2016.

Documentation: M.O. 04-030116

Disposition: Approved.

2. AUTHORIZATION TO INCREASE FUNDING FOR PURCHASE OF SPECIALIZED EQUIPMENT - UTILITY TRAILER

Recommendation: That City Council authorize an additional \$3,900 from the Water Equipment Replacement Fund to purchase a utility trailer.

Documentation: M.O. 05-030116

Disposition: Approved.

3. ACCEPTANCE OF HOMELAND SECURITY GRANT AND PURCHASE OF SWAT EQUIPMENT

Recommendation: That the City Council:

1. Authorize Department Staff to accept the grant;
2. Authorize Department Staff to negotiate the purchase and delivery of fourteen (14) sets of body armor and twenty-eight (28) ballistic plates as specified in the quote from The Uniform Connection;
3. Authorize Department Staff to negotiate the purchase and delivery of fourteen (14) helmets as specified in the quote from Mallory Safety & Supply; and
4. Authorize payment upon successful delivery of the negotiated items.

Documentation: M.O. 06-030116

Disposition: Approved.

4. ACCEPTANCE OF PROJECT - WASHER GRINDER EQUIPMENT REPLACEMENT

Recommendation: That City Council:

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

Documentation: M.O. 07-030116

Disposition: Approved.

5. ACCEPTANCE OF PROJECT - WELL NO. 32 PROJECT (PHASE 2 - PUMPING PLANT)

Recommendation: That the City Council:

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

Documentation: M.O. 08-030116

Disposition: Approved.

6. APPROVAL FOR COMMUNITY CIVIC EVENT - COMISION HONORIFICA MEXICANA AMERICANA - CINCO DE MAYO PARADE AND FIESTA - APRIL 30, 2016 - MAY 1, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Comision Honorifica Mexicana-Americana, Inc., subject to the restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 09-030116

Disposition: Approved.

SCHEDULED MATTERS

7. TULE SUBBASIN SUSTAINABLE GROUNDWATER MANAGEMENT ACT UPDATE - AUTHORIZATION TO EXECUTE THE EASTERN TULE GSA MEMORANDUM OF UNDERSTANDING

Recommendation: That the City Council:

1. Receive the staff report as an update on staff's progress towards the formation of a Groundwater Sustainability Agency under the Act and efforts leading towards a MOU with the seven other parties of the proposed Eastern Tule GSA; and
2. Approve the Eastern Tule GSA Memorandum of Understanding.

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

Staff addressed questions from the Council regarding unincorporated, benefits of the proposed GSA, and sovereignty of the Council as it pertained to City water; and spoke of the importance of strategy, cooperation, diversification, and conservation.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Gurrola that the City Council approve the Eastern Tule GSA Memorandum of Understanding. The motion carried unanimously.

Documentation: M.O. 10-030116

Disposition: Approved.

8. STATUS AND REVIEW OF DECLARATION OF LOCAL DROUGHT EMERGENCY

Recommendation: That the City Council receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration.

City Manager Lollis introduced the item and presented the staff report. A brief discussion followed regarding the Department of Water Resources' long-term permanent water connection plan for East Porterville.

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

Documentation: M.O. 11-030116

Disposition: Approved.

9. APPROVAL FOR COMMUNITY CIVIC EVENT – AMERICAN CANCER SOCIETY – BARK FOR LIFE – MARCH 12, 2016

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

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

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Council Member Reyes that the City Council approve the Community Civic Event Application and Agreement from the American Cancer Society, subject to the Restrictions and Requirements contained in the Application, Exhibit A and Exhibit B of the Community Civic Event Application. The motion carried unanimously.

Documentation: M.O. 11-030116

Disposition: Approved.

Mayor Stowe recognized Tule River Tribal Council Member Gary Santos who was in attendance.

ORAL COMMUNICATIONS

- Brock Neeley recommended that the Council reconsider swimming pool permits for in-ground and above-ground pools to ensure water conservation.
- Jeff Szeles recommended that the City go straight to Phase IV to conserve more water, and agreed that swimming pools be regulated for water use.
- Edith LaVonne spoke of water conservation efforts used to sustain her potted plants and the need to inform the public of water conservation measures.

OTHER MATTERS

- Council Member Gurrola stated that Strathmore High's Basketball team was in the midst of a playoff game against Fresno Christian High School.
- Vice Mayor Hamilton congratulated Strathmore High's Girls Soccer team, Central Section Division IV champions, and praised the City of Hope Spectacular event.
- Council Member Reyes noted that Porterville High School's Basketball team was playing a semi-finals game in Fresno; and encouraged those residents still purchasing plants to consider the need to conserve water.
- Mayor Stowe congratulated the Porterville Bulldogs, a flag football team made up of 10- to 12-year olds, who won its second consecutive state championship.
- City Manager Lollis thanked Deputy City Clerk Luisa Zavala for successfully live streaming the council meeting audio; and spoke of the upcoming Public Safety Dinner on Thursday where Lieutenant Mike Hildreth and Officer Bruce Sokoloff would be recognized as Public Safety Employees of the Year.
- Community Development Director Jenni Byers announced that there was going to be a Downtown Sidewalk Sale on Saturday, March 5th.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:54 p.m. to the meeting of March 15, 2016.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Request Approval to Purchase Utility Vehicle for the Airport

SOURCE: Finance

COMMENT: The Porterville Municipal Airport is requesting approval to purchase a 4x2 utility vehicle which will be used in conjunction with the recently purchased 50-gallon weed sprayer. It will also be used for tree and shrub pruning, repairs of the irrigation systems and squirrel abatement at the airport. Airport staff is currently using an F-150 pickup truck. A smaller vehicle would be better suited to maneuver in confined spaces and would less likely damage sprinkler heads. In addition, fuel consumption is expected to be substantially reduced with the utility vehicle.

Staff researched and received quotes for the following equipment:

John Deere Gator TX	\$ 9,391.05
Kubota RTV 500-H	\$10,212.00
Yamaha Viking	\$13,028.01

After careful evaluation, airport staff recommends the purchase of the John Deere Gator TX. Funds are available in the Airport Operating Fund.

RECOMMENDATION: That the City Council approve the purchase of the John Deere Gator TX utility vehicle from Lawrence Tractor Co., Inc. for a total purchase price of \$9,391.05.

ATTACHMENTS: 1. Utility Vehicle Price Quotations

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



Quote Summary

Prepared For:
City Of Porterville
291 N Main St
Porterville, CA 93257

Prepared By:
Bobby Hartman
Lawrence Tractor Co., Inc.
2530 E Main Street
Visalia, CA 93292
Phone: 559-734-7406
bobh@lawrencetractor.com

Quote Id: 12860677
Created On: 29 February 2016
Last Modified On: 29 February 2016
Expiration Date: 31 March 2016

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE Gator TX - California Model (MY16)	\$ 9,987.54	\$ 8,648.89 X	1 =	\$ 8,648.89
Equipment Total				\$ 8,648.89

Quote Summary

Equipment Total	\$ 8,648.89
CA TIRE RECYCLE FEE	\$ 7.00
SubTotal	\$ 8,655.89
Sales Tax - (8.50%)	\$ 735.16
Total	\$ 9,391.05
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 9,391.05

Salesperson : X _____

Accepted By : X _____

Confidential



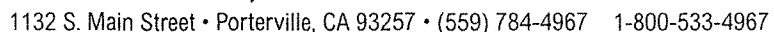
JOHN DEERE

Selling Equipment

Quote Id: 12860677

Customer: CITY OF PORTERVILLE

JOHN DEERE Gator TX - California Model (MY16)			
Hours:			Suggested List
Stock Number:			\$ 9,987.54
			Selling Price
			\$ 8,648.89
Description	Qty	Unit	Extended
Gator TX - California Model (MY16)	1	\$ 8,399.00	\$ 8,399.00
Standard Options - Per Unit			
AT (All Terrain) Tires	1	\$ 0.00	\$ 0.00
Non Adjustable Seat	1	\$ 0.00	\$ 0.00
Deluxe Cargo Box with Paint and Reflectors	1	\$ 0.00	\$ 0.00
Less Power Lift	1	\$ 0.00	\$ 0.00
Less Front Protection Package	1	\$ 0.00	\$ 0.00
Less Rear Protection Package	1	\$ 0.00	\$ 0.00
Standard Options Total			\$ 0.00
Dealer Attachments			
CANOPY	1	\$ 774.99	\$ 774.99
Drawbar, 1.25 In. (38mm)	1	\$ 38.55	\$ 38.55
Dealer Attachments Total			\$ 813.54
Other Charges			
Freight	1	\$ 450.00	\$ 450.00
Setup	1	\$ 325.00	\$ 325.00
Other Charges Total			\$ 775.00
Suggested Price			\$ 9,987.54
Customer Discounts			
Customer Discounts Total		\$ -1,338.65	\$ -1,338.65
Total Selling Price			\$ 8,648.89



MASSEY FERGUSON • JOHN BEAN SPRAYERS
KUBOTA TRACTORS

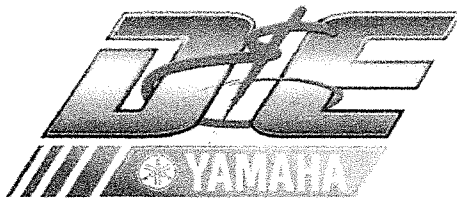
PHONE:

PRICES QUOTED ARE VALID FOR:

____ DAYS

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what both



SALESPERSON: Jeff Merrill

DATE: 2/17/16

NAME :	City of Porterville Att: Jim McDonald		
ADDRESS :	1893 S Newcomb		
CITY,STATE,ZIP :	Porterville, CA 93257	DL # :	
PHONE # :	559-782-7540	DOB :	

MODEL :	2016 Yamaha Viking		
STOCK # :		TAX RATE :	8.50%

<u>TRADE IN</u>		<u>ACCESSORIES</u>	
UNIT:		PRETAX TOTAL:	
VIN:		SALES TAX:	\$ -
		TOTAL W/TAX:	\$ -
TRADE VALUE:		LABOR:	
AMOUNT OWED:		TAX:	\$ -
BALANCE	\$ -	LABOR W/TAX:	\$ -

<u>UNIT</u>		<u>WARRANTY</u>	
PRICE :	\$ 11,999.00	EXT. WARRANTY:	
	\$ 1,000.00	<u>TOTAL</u>	
	\$ 10,999.00	UNIT OTD :	\$13,028.01
DOC FEE :	\$ 55.00	TOTAL ACC. :	\$0.00
FREIGHT	\$ 700.00	TOTAL LABOR:	\$0.00
SETUP	\$ 199.00	WARRANTY:	\$0.00
TAXABLE TOTAL:	\$ 11,953.00	TOTAL OTD:	\$13,028.01
SALES TAX :	\$ 1,016.01	- TRADE IN	\$0.00
DMV FEE :	\$ 52.00	- DOWN PAYMENT	\$0.00
CA TIRE TAX :	\$ 7.00		
O.T.D:	\$ 13,028.01	AMOUNT DUE:	\$13,028.01
DOWN PAYMENT:	\$ -	PAYMENT METHOD:	
		MONTHLY PAYMENT:	



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Authorization to Purchase Equipment - Kubota Utility Tractor, Rotary Tiller, and Cultivator

SOURCE: Parks and Leisure Services

COMMENT: In June 2015, the City of Porterville was awarded \$117,281 from the California State Parks Off-Highway Motor Vehicle Recreation Division, Grants & Cooperative Agreement Program. The grant is for operations and maintenance of the City of Porterville OHV Park. The Porterville City Council approved matching funds in the amount of \$41,207 for a total project cost of \$158,488.

The project scope included the purchase of a Kubota tractor. At the time of application, based on quotes received, the cost estimate for the tractor purchase was listed as \$53,714. Staff has since then received a proposal from Berchtold Equipment Company for the purchase of the tractor for approximately \$46,577 and a rotary tiller and cultivator for \$10,335.

Staff has received approval from the OHV Division for the purchase of the additional equipment with the funds remaining from the tractor purchase and from savings in the vehicle maintenance account.

The City's Purchasing Policy and Procedure Manual, as amended by Resolution No. 122-87, adopted by City Council on October 20, 1987, allows for occasional purchases to be made by negotiation with prior Council approval. Staff therefore requests authorization from Council to negotiate with Berchtold Equipment Company for the purchase of the tractor and the rotary tiller and cultivator.

RECOMMENDATION: That the City Council authorize the purchase by negotiation of the Kubota tractor and rotary tiller and cultivator and authorize payment for said equipment upon satisfactory delivery.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Authorization to Purchase Equipment - Dorr-Oliver Check Valve Assembly

SOURCE: Public Works

COMMENT: The Wastewater Treatment Facility's (WWTF's) primary clarifier Dorr-Oliver check valve assemblies are in need of replacement. The valves have been in operation since 1994 and have lost pumping efficiency over time. To maximize pumping operations and digester operation, staff recommends the replacement of all the sludge pump check valve assemblies.

Staff has received three (3) bids for the Dorr-Oliver check valve assemblies. The bids are listed below:

Best Process, LLC - \$18,778.10

FL Smidth - \$19,237.92

CMS Engineered Products - \$23,834.20

Staff is seeking authorization to purchase the Dorr-Oliver check valve assemblies from Best Process, LLC at a cost of \$18,778.10. The funding source is the 2015/2016 WWTF Operating Budget.

RECOMMENDATION: That City Council authorize the purchase of specialized equipment (Dorr-Oliver Check Valve Assembly) from Best Process, LLC at a cost of \$18,778.10.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Authorization to Purchase Specialized Repair Parts - JWC Headworks Grinder Compactor

SOURCE: Public Works

COMMENT: The Wastewater Treatment Facility (WWTF) JWC Environmental Grinder Compactor has been in constant operation since October 2008. The unit has several broken and worn internal components that must be replaced. This unit is a critical piece of equipment that grinds and compacts material collected on the barscreens which could damage downstream pumps.

JWC Environmental is the manufacturer of the grinder compactor and the sole source for all repair parts.

Staff is seeking authorization to purchase specialized repair parts from JWC Environmental at a cost of \$12,071.57. The funding source is the 2015/2016 WWTF Operating Budget.

RECOMMENDATION: That City Council authorize the purchase of specialized repair parts (JWC Headworks Grinder Compactor) from JWC Environmental at a cost of \$12,071.57.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Authorization to Issue a Request for Proposals for Banking Services

SOURCE: Finance

COMMENT: The Government Finance Officers Association (GFOA) recommends that local governments should periodically initiate a process of competitive procurement in accordance with state and local laws and regulations, for major banking services, through a request for proposals (RFP). The process would give us the opportunity to reevaluate banking services and costs.

The City conducted its last banking services RFP in 2007 and entered into an agreement with its current banking services provider, Union Bank, for the period January 1, 2008, to June 30, 2013. Except for a few of the bank fees, Union Bank has continued to charge the City the same contract pricing, even after the term of the agreement expired.

With the continual changes in technology, treasury management practices, and banking industry structure, staff is recommending the release of a Request for Proposals for banking services, in order to achieve appropriate and cost-effective banking services.

RECOMMENDATION: That the City Council authorize the issuance of a Request for Proposals for banking services.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Summary Vacation of Irrevocable Offer of Dedication on Parcel 8 of Tract Map No. 696

SOURCE: Public Works

COMMENT: The property owner of an undeveloped lot at 1977 N. Rose Street (Lot 8 of Tract Map No. 696), is seeking to secure a building permit for a new residence. This property was created by a land division project under the County's jurisdiction and was annexed into the City of Porterville on December 7, 2015. The northern portion of this property is encumbered by a 30 foot wide Irrevocable Offer of Dedication. The County reserved this area for the future westerly extension of a road to serve the surrounding areas, which equates to half of a road.

Subsequent County land division projects (parcel maps) for residential purposes to the north and west of the property in question were not subject to the same reservation, making it difficult to exercise a right to construct a future road as originally intended by the County. Attached is map of the Irrevocable Offer of Dedication and the proposed residential site plan for the Council review.

Currently, as proposed, the property owner's residential structure and amenities will encroach into the Irrevocable Offer of Dedication, which is not allowed per the City of Porterville Municipal Code. Only an approval by the City Council can vacate the 30 foot wide area along the north property line, which must be vacated in order for the property owner to secure a permit. Staff believes there is merit in vacating this area due to the lack of similar reservation rights on the previously mentioned surrounding land division projects. Without similar irrevocable offers, connectivity of future road extensions west of Rose Street is problematic, if not virtually impossible.

As of December 7, 2015, City of Porterville has the rights to the herein discussed Irrevocable Offer of Dedication and the City Council has the authority to summarily vacate the right without holding a public hearing in accordance with Section 8330 through Section 8336, Part 3, Division 9, of the Streets and Highways Code of the State of California. These sections of the Streets and Highways Code provide the criteria and procedures to summarily vacate undeveloped street dedications and easements. Section 8331, states that:

“The legislative body of a local agency may summarily vacate a street or highway if both of the following conditions exist:

a) For a period of five consecutive years, the street or highway has been impassable for vehicular travel; and

b) No public money was expended for maintenance on the street or highway during such period.”

Summarily vacating the Irrevocable Offer of Dedication on the north 30 feet of Lot 8 of Tract Map No. 696 (1977 N. Rose Street) does not affect other agencies or other utility companies.

RECOMMENDATION: That the City Council:

1. Adopt the Resolution to Summarily Vacate the Irrevocable Offer of Dedication encumbering the north 30 feet of Lot 8 of Tract Map No. 696, recorded in Book 38 of maps, at page 68 of Official County Records and as described in the attached legal description; and
2. Authorize the City Clerk to record the attached Resolution.

ATTACHMENTS:

1. Draft Resolution
2. Summary Vacation Legal Description - Exhibit "A"
3. Summary Vacation - Exhibit "B"
4. Proposed Site Plan

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

RESOLUTION NO. __-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ORDERING THE SUMMARY VACATION OF AN IRREVOCABLE OFFER OF
DEDICATION RELATED TO LOT 8 OF TRACT MAP NO. 696

WHEREAS, the County of Tulare required an Irrevocable Offer of Dedication that is located within the north 30 feet of Lot 8 of Tract Map, No. 696 for the purpose of extending a future road westerly from Rose Street, which is generally located west of Newcomb Street and north of North Grand Avenue and shown on Exhibit “B;” and

WHEREAS, subsequent land division projects within the County of Tulare to the north and west where not encumbered by Irrevocable Offers of Dedications, being essential to the westerly extension of a future road from Rose Street; and

WHEREAS, the land within Tract No. 696 and surrounding northerly and westerly properties are now within the City of Porterville’s jurisdiction, effective December 7, 2015, by the recording of Annexation No. 480; and

WHEREAS, the City Council has the authority to evoke dedication rights or summarily vacate the irrevocable offer of dedication encumbering Lot 8 of Tract Map No. 696; and

WHEREAS, the City Council can summarily vacate the irrevocable offer of dedication when the present or prospective use of the land for public purposes is no longer needed based on the following facts: 1) that the subject dedication has been impassable for vehicular traffic for a period of five consecutive years; and 2) that no public monies were expended for maintenance of the land during that period.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville as follows:

SECTION 1: The Council hereby finds, from all the evidence submitted, that the irrevocable offer of dedication hereinafter described is unnecessary for present or prospective use, and the City Council hereby makes its order to summarily vacate said dedication for the north 30 feet of Lot 8 of Tract Map No. 696, which is described in the legal description attached hereto, marked Exhibit "A," illustrated on Exhibit “B” and by reference made a part hereof.

SECTION 2: The City Clerk shall cause a copy of this resolution to be recorded in the office of the Clerk-Recorder of Tulare County, California.

SECTION 3: The City Clerk shall certify to the passage and adoption of this resolution and it shall thereupon take effect and be in force.

PASSED, APPROVED AND ADOPTED this 5th day of April, 2016.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

SUMMARY VACATION LEGAL DESCRIPTION

Exhibit "A"

APN: 243-310-055

Irrevocable Offer of Dedication

That portion of the North half of the Southeast quarter of Section 16, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California, more particularly described as follows:

The north 30 feet of Lot 8 of Tract Map No. 696 recorded June 8th, 2000 in Book 38 of maps, at page 68 in the office of the County Recorder of Tulare County.

CONTAINING: 8,730.60 square feet (0.20 acres) more or less.

END OF DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

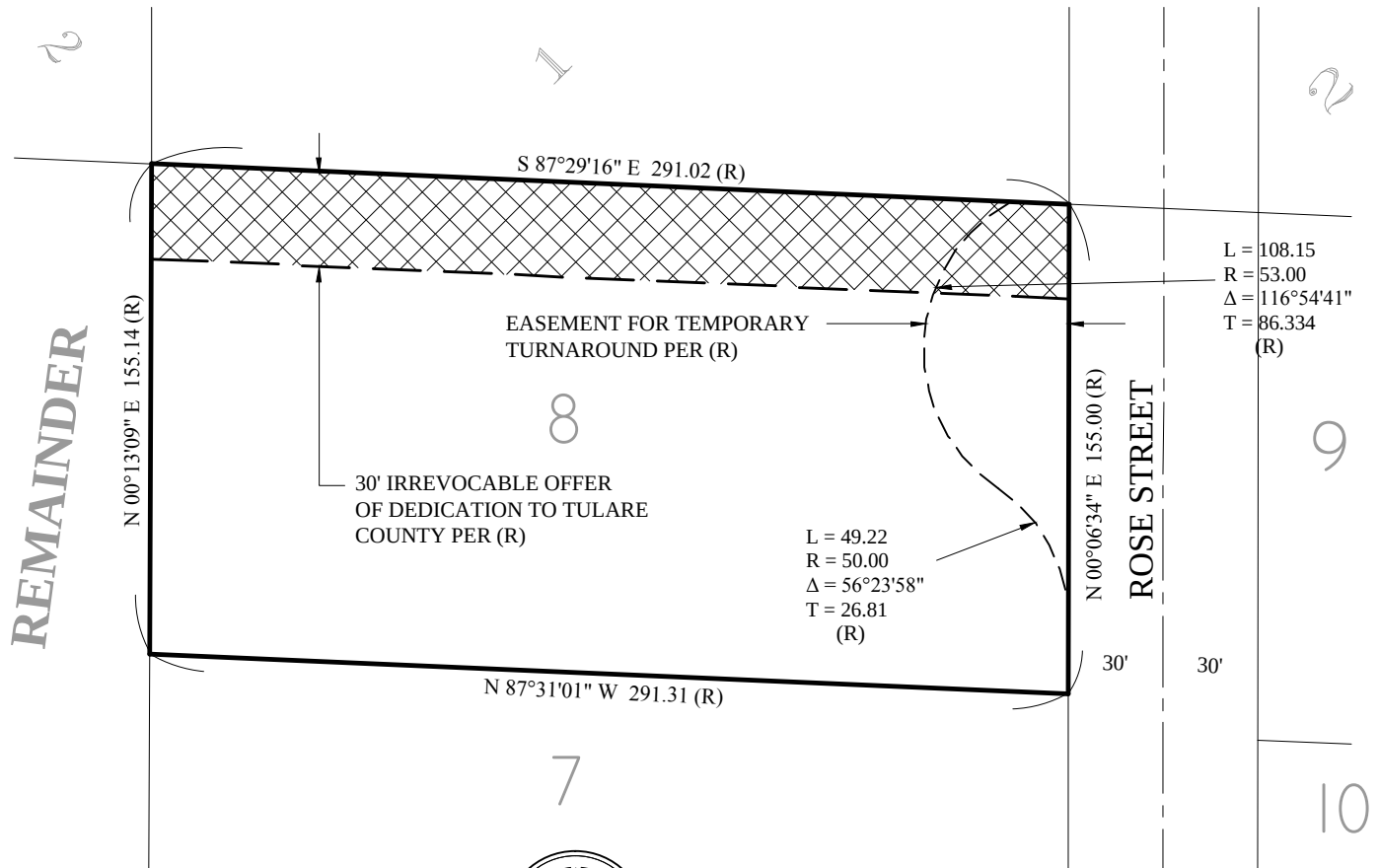
Signature: Michael K. Reed
Michael K. Reed, Licensed Land Surveyor

Date: 3-25-2016



ROSE STREET VACATION MAP

EXHIBIT "B"



REMAINDER

LEGEND

8
REM

PARCEL # PER
TRACT 696,
R.M. 38-68 (R)

LOT # PER
PARCEL MAP 4735,
R.M. 48-40

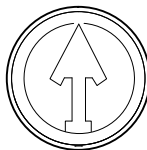
LOT # PER
PARCEL MAP 4735,
R.M. 48-40

LOT # PER
PARCEL MAP 4198,
R.M. 43-2

(R) RECORD PER TRACT 696

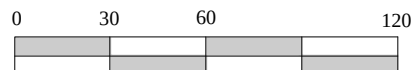


VACATION AREA
8,731 SQ. FT.



NORTH

SCALE 1"=60'



SCALE: 1"=60'

VICINITY MAP



NORTH
NO SCALE

SUBJECT
PROPERTY



CITY OF PORTERVILLE

ENGINEERING DIVISION

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

That portion of the north half of the Southeast Quarter of Section 16, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the City of Porterville, County of Tulare, State of California. The north 30 feet of Lot 8 of Tract 696, recorded June 8, 2000, in Book 38 of maps, at page 68, T.C.R.

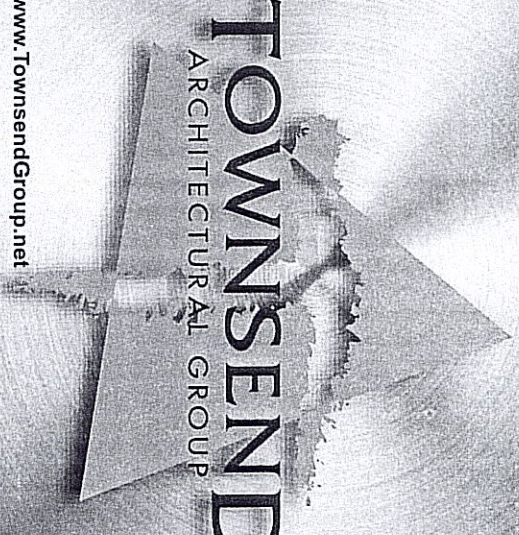
OWNER	DR. JONATHAN RICHEY
APN	243-031-055
AREA	8,731 +/- S.F.
ACRES	.20 +/- AC.
SCALE	1" = 60'
DATE	3-28-16
DRAWN BY	CAL
CHECKED BY	MKR

GRADING/ EARTHWORK NOTES

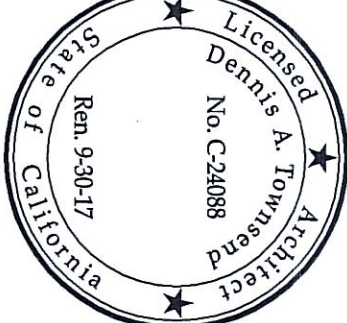
1. ANY INSPECTION TO BE PERFORMED BY THE COUNTY SHALL REQUIRE A 24 HOUR NOTICE.
2. ALL IMPROVEMENTS TO CITY/COUNTY STANDARDS EXCEPT WHERE INDICATED OTHERWISE.
3. ALL FILL WITHIN BUILDABLE AREA SHALL BE COMPACTED TO 90% RELATIVE COMPACTION (RC) PER ASTM D1557 TEST METHOD.
4. ALL EXTERIOR CONCRETE FLOWERS SHALL HAVE A MEDIUM BROOK FINISH.
5. ALL SITE CONCRETE CURBS, GUTTERS, DRIVE APPROACHES, AND WALKS TO BE CLASS "B" CONCRETE (5" MIN. W/ 2.00 PSI IN 28 DAYS).
6. ALL TRENCHES IN PAVED AREAS SHALL BE COMPACTED TO A MINIMUM 95% RELATIVE COMPACTION (RC) OF 2" OR THEREAFTER.

CLEARING AND GRUBBING NOTES

1. REMOVE ALL STRUCTURES AS DIRECTED BY OWNER, BOTH SURFACE AND SUBSURFACE, ORGANIC MATERIAL AND OTHER DETRIMENTAL MATERIALS.
2. REMOVE ALL TREES, AND SHRUBS AS DIRECTED BY OWNER, EXCEPT THOSE SPECIFICALLY NOTED TO REMAIN.
3. ALL ROOTS LARGER THAN ONE INCH (1") IN DIAMETER.



481 NORTH PROSPECT STREET, SUITE 100
PORTERVILLE, CA 93257
(559) 789-9999 FAX (559) 781-3201



The Richey Residence

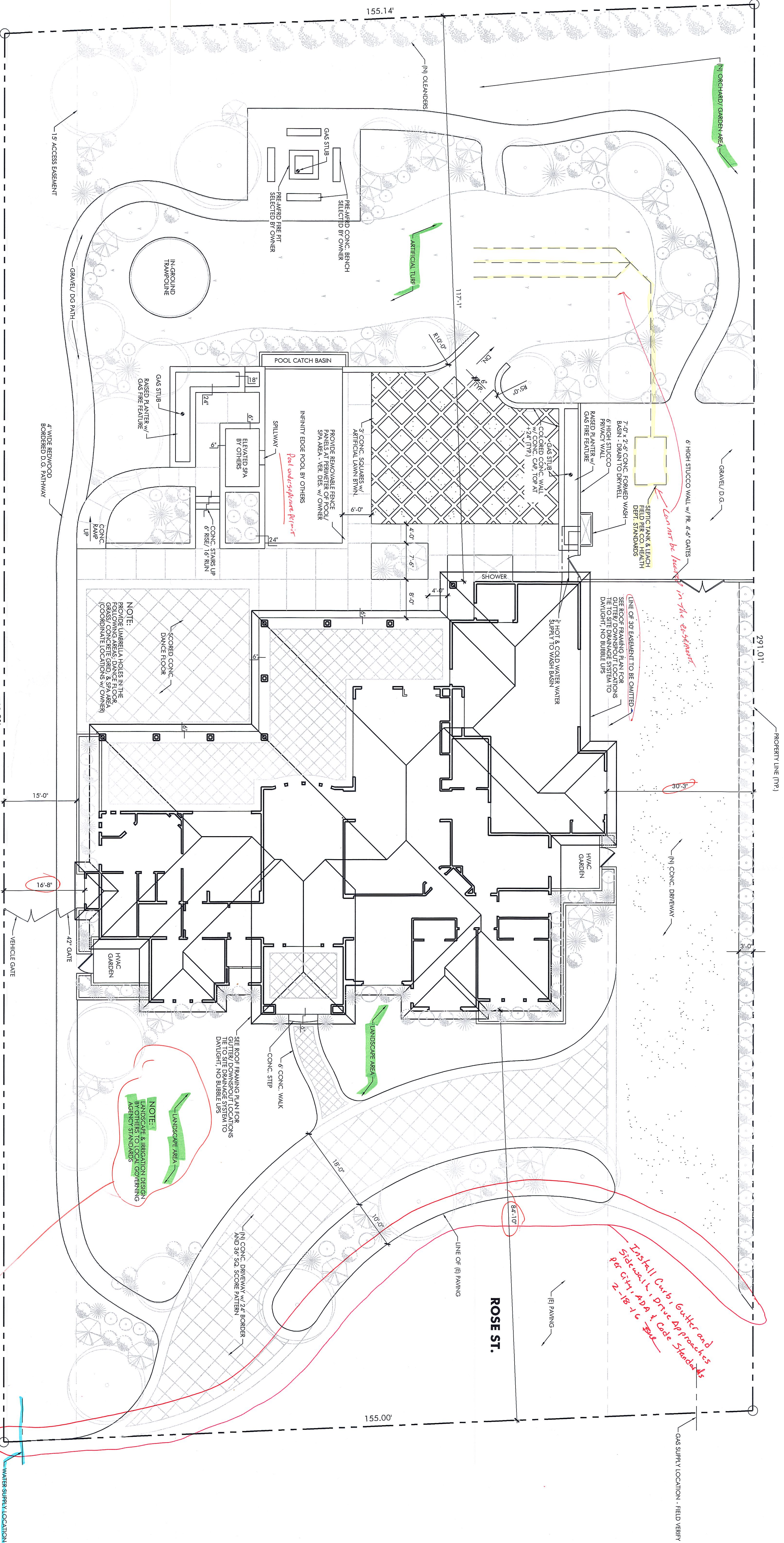
Porterville, CA 93257

DRAWN BY: D. Brown
CHECKED BY: D. Brown
PROJECT NO.: 15128
CLIENT: D. Brown

REVISION

DESCRIPTION	DATE

TOWNSEND ARCHITECTURAL GROUP (TAG) HAS BEEN SELECTED BY THE CLIENT TO PREPARE ARCHITECTURAL AND ENGINEERING PLANS FOR THE PROJECT. THE CLIENT HAS AGREED TO HOLD TAG HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, AND EXPENSES, INCLUDING ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST TAG BY ANY THIRD PARTY, WITHOUT REGARD TO WHETHER SUCH CLAIMS, DAMAGES, LOSSES, AND EXPENSES ARE CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE, ACTIVE OR PASSIVE, OF TAG OR ANY OF ITS REPRESENTATIVES. THIS AGREEMENT SHALL REMAIN IN FULL FORCE AND EFFECT, EVEN IF THE PROJECT IS ABANDONED OR THE CLIENT CANCELS THE PROJECT.



SITE PLAN

SCALE: 1" = 10'-0"



SHEET	NUMBER
A-1	15128



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Request for Additional Funds for the Waste Water Treatment Facility (WWTF) Sludge De-watering and Electric Air Blower Project

SOURCE: Public Works

COMMENT: On May 5, 2015, the City Council awarded the WWTF Sludge De-watering and Electric Air Blower Project to Cushman Contracting Corporation. The project consists of installing screw press de-watering equipment and three electric air blowers, which would increase efficiencies of the WWTF through energy cost reduction.

The project is now at the final stage of completion. The de-watering screw press and electric air blowers have been installed, tested and are in operation, including the underground piping between the equipment and the essential facilities within the WWTF. The only remaining items of work include the MCC-1 electrical upgrade and the interconnection to the City's WWTF Supervisory Control and Data Acquisition (SCADA) system. The WWTF SCADA system alerts staff of any equipment that has completely stopped running or is not operating within pre-defined settings or tolerances. The SCADA system overall is vital to the WWTF day-to-day operation.

At the time the contract was awarded, the City Council authorized a 10% contingency to cover unforeseen construction costs. This project has encountered several unexpected construction issues leading to 99% of the contingency to be expended as of this report. The major issue that was encountered during construction occurred at several underground pipe points of connection. The planned connection points were either deteriorated beyond repair or the existing pipe and fittings leaked air, which prevented efficient blower operation. These connection points have been in the ground since 1976.

There were three changes that occurred which exhausted 60% of the total contingency. The attached exhibit has been provided in order to clarify the proposed work/changes, and the issues are as follows:

1) The first major occurrence was in Area B, which involved the connection of piping within the blower building to the existing below-ground air lines. When potholing the existing utilities and air lines, staff and the contractor realized the existing pipe was substantially deteriorated, creating a severe loss of air while the blowers were operating. The existing pipe ran under the blower building, columns and footing, which in turn complicated the removal and replacement of the existing pipe in original locations. Staff decided to place the

air pipe above ground within the building and re-connect to existing pipe outside of the building. The decision was made in large part because of the work and cost involved to maintain the structural integrity of the Blower Building. Additionally, the new pipe connects to smaller piping which supplies air to a clarifier (Clareator No. 2) through a series of strategically placed risers. The existing risers had leaks that were not known at the time the project was initially approved. Without correction, the blowers would not have worked as designed and the warranty for the blowers would not be executed by the manufacturer and contractor.

2) The second major change also involved the clarifier identified as Clareator No. 2 in Area B. During excavation, the existing electrical conduit which supplied power to the clarifier was found to be deteriorated, unsafe, and not salvageable. In order to locate the existing cables inside the remaining portion of existing conduit, excavation through the foundation of the Sludge Pump Station just south of Clareator No.2 would have been needed. Instead, in an effort to reduce labor costs, the new wire was placed in a new conduit above ground to get power to the clarifier.

3) The third major change involved discrepancies between the “as-builts” and the existing environment between Clareator 1 and the Control Building in Area B. During excavation, the contractor encountered numerous electrical duct banks and existing pipes that were not shown on the plans. Additionally, the existing connection point was corroded and leaking air. To avoid costly excavation cost and avoid connection to corroded pipe, the air line was placed above ground and the connection point was moved to a location on one of the existing walkways of Clareator 1.

Additional minor issues that resulted in the expenditure of the remaining contingency included:

- Existing infrastructure that had to be relocated around the new equipment footings;
- Extra fittings required in order to clear existing utilities;
- Additional parts that were not included in the plans and specifications in order to complete the intended purpose of the design;
- Worn-out parts encountered during excavation that were not included in the original project; and
- Various miscellaneous electrical and programming changes that were required in order to have a complete and thorough project.

During the final stage of construction, two unexpected costs occurred, which in turn will push the project over the 10% contingency threshold. The first cost results from the need to place additional wire and conduit to supply power to relays which in turn communicate with the SCADA system. The second is the additional programming of a maintenance cycle for the blowers. The blowers, as designed, are intended to work properly during the hot summer months and during peak times. The programming of a maintenance cycle for the off-peak times and during the winter months is necessary so that energy costs of these new blowers could be controlled during these times. The cost of these final

additional changes will be \$33,964.

Council awarded the contract to Cushman Contracting Corporation in the amount of \$3,561,739 with an additional \$356,173.90 necessary for the construction contingency (10%) for a total cost of \$3,917,912.90. The additional contingency being requested, \$33,964, is an additional 0.01% to the total contract amount.

The funding source for this project is the Wastewater Treatment Facility Capital Reserve account which was approved in the 2014/2015 Annual Budget. Appropriation of additional funds from this account, which are available, is necessary to fully finance and complete the project.

RECOMMENDATION: That City Council authorize the appropriation \$33,964 from the Wastewater Treatment Facility Capital Reserve account to finance the final two changes for the WWTF Sludge De-watering and Electric Air Blower Project.

ATTACHMENTS: 1. Council Site Map - WWTF Dewatering and Blower Project

Appropriated/Funded: MB

Review By:

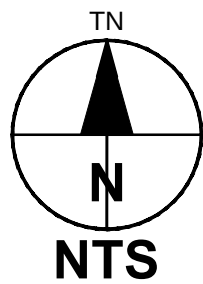
Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

D:\GIS\PROJECTS\PORTERVILLE\PORTERVILLE_BLOWER_AND_DEWATERING\PORTERVILLE_BLOWER_AND_DEWATERING.dwg
DATE: 2/10/2015 1:49 PM
DRAWN BY: JPF
CHECKED BY: JPF
DESIGNED BY: CKG
PROJECT ENGINEER: JAMES T. GARDINER
REG NUMBER: C 48280
EXP DATE: 6-30-2016
PROJECT NUMBER: 60237640
CADD STANDARDS: AECOM
AECOM Technical Services, Inc.
1360 E. Spruce Avenue, Suite 101
Fresno, California 93720
T 559.448.8222 F 559.448.8233
www.aecom.com

COORDINATE LIST			
ITEM	NORTHING	EASTING	DESCRIPTION
1	1910799.54	6547110.85	NW CORNER OF DEWATERING SLAB
2	1910766.54	6547110.85	SW CORNER OF DEWATERING SLAB
3	19108799.54	6547167.15	NE CORNER OF LOADING RAMP
4	1910769.59	6547167.00	SE CORNER OF LOADING RAMP
5	19104731.24	6547125.89	CENTER LF MANHOLE
6	1910772.41	6547256.61	NW CORNER OF TRANSFER PUMP PAD
7	1910753.41	6547256.29	SW CORNER OF TRANSFER PUMP PAD
8	1910878.32	6547435.62	NW CORNER OF 14" AIR LINE
9	1910878.29	6547514.32	NE CORNER OF 14" AIR LINE
10	1910990.73	6547380.44	NW CORNER OF BLOWER PAD
11	1910957.73	6547380.43	SW CORNER OF BLOWER PAD
12	1910891.42	6547377.58	NE CORNER OF 12" AIR LINE
13	1910891.42	6547304.72	NW CORNER OF 12" AIR LINE
14	191084178	6547304.72	SW CORNER OF 12" AIR LINE
15	1910816.25	6547676.56	WEST CORNER OF 18" AIR LINE
16	1910816.17	6547743.27	EAST CORNER OF 18" AIR LINE



KEY AREA LIST			
AREA	PROCESS	DESCRIPTION	PLANS
A	20	GRIT REMOVAL	C-10-01
			M-20-01
			M-20-02
B	30	BIOLOGICAL TREATMENT BLOWER BUILDING	C-10-01
			C-10-02
			C-10-03
			C-10-04
			M-30-01
			M-30-02
C	40	BIOLOGICAL TREATMENT	C-40-01
			C-10-05
			C-50-01
			M-50-01
			M-50-02
	50	SOLIDS DEWATERING	M-50-03

REV	DATE	DESCRIPTION	APPR

VERIFY SCALES
BAR IS ONE INCH ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

DESIGNED BY
CKG
DRAWN BY
JPF
CHECKED BY
—
DATE
FEB. 2015

PROJECT ENGINEER
JAMES T. GARDINER
REG NUMBER
C 48280
EXP DATE
6-30-2016
PROJECT NUMBER
60237640
CADD STANDARDS
AECOM



AECOM
AECOM Technical Services, Inc.
1360 E. Spruce Avenue, Suite 101
Fresno, California 93720
T 559.448.8222 F 559.448.8233
www.aecom.com

CITY OF PORTERVILLE
BLOWER AND DEWATERING IMPROVEMENTS
KEY AREA AND SITE PLAN

DRAWING
G-01-07
SHEET
7
OF 68 SHEETS



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Resolution Authorizing Submittal of Application to CalRecycle

SOURCE: Public Works

COMMENT: Pursuant to Public Resources Code section 14581(a)(3)(A) of the California Beverage Container Recycling and Litter Reduction Act, the Department of Resources Recycling and Recovery (CalRecycle) is distributing \$10,500,000 in FY 2015-2016 to eligible cities and counties specifically for beverage container recycling and litter cleanup activities.

Local governments (cities, counties, or cities and counties) in California, as identified by the California Department of Finance, are eligible to receive funding under this Program, unless otherwise determined by CalRecycle. Each city is eligible to receive \$5,000, or an amount calculated by CalRecycle on a per capita basis, whichever is greater. The per capita calculation is based upon the population as of January 1, 2015, in the incorporated areas of a city. The City of Porterville received \$14,894 as part of the FY 2014-2015 Program.

In February 2016, some changes were made to the eligibility criteria, evaluation process, and program management for the Beverage Container Recycling City/County Payment Program. Among those changes was the additional requirement of all recipients to submit an approved resolution identifying the job title of the signature authority who shall be authorized to sign the funding request and all expenditure reporting.

In the past, the funding application process was handled by the Consolidated Waste Management Authority (CWMA) Administrator. With the dissolution of the CWMA, the City will need to apply for these funds individually.

RECOMMENDATION: That City Council approve the draft Resolution authorizing the City Manager, or his designee, as the Signature Authority to execute all documents necessary to implement and secure funding from CalRecycle.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

RESOLUTION NO. __-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE AUTHORIZING SUBMITTAL OF APPLICATION FOR PAYMENT
PROGRAMS AND RELATED AUTHORIZATIONS

WHEREAS: Pursuant to Public Resources Code sections 48000 et seq., 14581, and 42023.1(g), the Department of Resources Recycling and Recovery (CalRecycle) has established various payment programs to make payments to qualifying jurisdictions; and

WHEREAS: In furtherance of this authority, CalRecycle is required to establish procedures governing the administration of the payment programs; and

WHEREAS: CalRecycle's procedures for administering payment programs require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the payment program.

NOW, THEREFORE, BE IT RESOLVED: That the City of Porterville is authorized to submit an application to CalRecycle for any and all payment programs offered; and

BE IT FURTHER RESOLVED: That the City Manager, or his/her designee, is hereby authorized as Signature Authority to execute all documents necessary to implement and secure payment; and

BE IT FURTHER RESOLVED: That this authorization is effective until rescinded by the Signature Authority or this governing body.

PASSED, APPROVED AND ADOPTED this 5th day of April, 2016.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Retirement of Police Service Dog "Chanto"

SOURCE: Police

COMMENT: In June 2012, the City of Porterville purchased "Chanto," a two-year-old German Shepard for use as a police service dog. Chanto has been working at the police department as a police service dog for nearly four years. The general expectation for years of service from a police service dog is five to seven years. Some are able to work longer, but five years of service is a reasonable expectation.

In 2015, Chanto's performance began to deteriorate. Earnest efforts were made by Chanto's handler and our Department trainer to increase Chanto's performance level. Unfortunately, due to circumstances beyond the control of the Department, Chanto has not been in service for a significant period of time in the past six months. This has caused a significant gap in training for Chanto.

Based on the above information, Department canine experts and supervisors, as well as our Department trainer, have carefully evaluated the viability of "Chanto" to meet the stringent requirements the California Peace Officers Standards and Training (POST) Commission places on police service dog programs. Significant discussions were held with regard to the future ability of Chanto to meet POST requirements when circumstances allowed for his return to duty. However, the expert opinion of our Department trainer and Department experts is that, even with extensive retraining, it would be unlikely that Chanto's performance would return to an acceptable level for duty as a police service dog.

Based on the above information, and our belief that Chanto no longer is viable as a police service dog, it is staff's recommendation that Chanto be retired from service. When a police service dog is retired, the two options available are to either euthanize the animal or enter into a contract to sell it at fair market value to a person who has experience in handling police service dogs and who is willing to assume all liability for the animal upon the sale. Chanto's current handler, Officer Jennifer Rutledge, has experience in handling police service dogs and is willing to assume all liability for the animal. As such, she has requested to purchase Chanto. Because Chanto is no longer able to perform as a police service dog, the fair market value of Chanto is \$1.00.

RECOMMENDATION: That the City Council:

- 1) Approve the sale of Police Service Dog "Chanto" to Officer Jennifer Rutledge for the amount of \$1; and
- 2) Authorize the Mayor to execute the agreement and document the sale of "Chanto" to Officer Jennifer Rutledge.

ATTACHMENTS: 1. Agreement to Purchase Police Service Dog

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager

AGREEMENT TO PURCHASE CITY PROPERTY

This agreement to Purchase City Property (hereinafter referred to as "AGREEMENT") is made and entered into by and between Jennifer Rutledge (hereinafter referred to as "Rutledge") and the CITY OF PORTERVILLE (hereinafter referred to as "CITY") and the Porterville Police Department (hereinafter referred to as "PPD") and (hereinafter collectively referred to as "PARTIES").

RECITALS

WHEREAS, RUTLEDGE is currently a Police Officer with the PPD, and

WHEREAS, RUTLEDGE is the current canine handler of "Chanto", a four-year-old German Shepard, and

WHEREAS, RUTLEDGE has offered to purchase "Chanto", from the CITY at the time "Chanto" ceases to work as a police service dog for the PPD, and

WHEREAS, RUTLEDGE understands that "Chanto" is a trained police service dog and assumes any liability arising out of, connected with, or resulting from the actions of "Chanto" from and after the date of this agreement, and

WHEREAS, the PARTIES desire to enter into this AGREEMENT, and

NOW, THEREFORE, in consideration of the mutual promises herein contained, the PARTIES hereby agree as follows:

1. RUTLEDGE shall purchase "Chanto" from the CITY for the sum of one dollar (\$1.00) and ownership shall pass to RUTLEDGE as of the DATE OF THIS AGREEMENT.
2. RUTLEDGE shall assume all risk of loss and expenses related to the care and maintenance of "Chanto" as of the DATE OF THIS AGREEMENT.
3. RUTLEDGE shall assume all liability arising out of, connected with, or resulting from the actions of "Chanto" as of the DATE OF THIS AGREEMENT.

Executed at Porterville, California, this ____ day of April, 2016.

Jennifer Rutledge, POLICE OFFICER

Milt Stowe, MAYOR



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Retirement of Police Service Dog "Jackson"

SOURCE: Police

COMMENT: In March, 2015, the City of Porterville purchased “Jackson,” a three-year-old Belgian Malinois, for use as a police service dog. Jackson was purchased from Top Dog Training Center - the City of Porterville contract vendor. During his initial phases of training, and the ensuing months, Jackson was a promising police service dog.

In just the last few days, Jackson has physically deteriorated considerably and was taken to an emergency veterinarian as well as the City of Porterville contract veterinarian. It was determined that Jackson is suffering from low blood sugar, which is caused by either an overactive liver or pancreatic cancer. Emergency treatment allowed for Jackson to be stabilized, however his health is still such that he is unable to perform his duties as a police service dog.

Staff spoke to Dr. Albers at Sierra Veterinary Center and he determined that a complete diagnosis of the deteriorating health of Jackson would require additional medical treatment and extensive exploratory surgery. Even after such extra efforts, it is the opinion of both Dr. Albers, our Department trainer, and Department K-9 experts that these efforts will not guarantee the viability of Jackson and should medication be able to keep his current condition stabilized for an indeterminate amount of time, the long-term health of Jackson cannot be determined.

Based on the above, it has been determined that Jackson is no longer viable as a police service dog as he will not be able to regain the physical level needed to work in a police environment. Due to the above factors, Jackson is being retired from service. Because Jackson will no longer be able to act in the capacity of a police service dog, the fair market value of Jackson is one dollar (\$1.00.)

Due to the fact that Jackson is a police service dog, the options upon retirement are either euthanasia or the sale of the animal to someone with knowledge of police service dogs and their previous work. Jackson’s current handler, Officer Aaron Stocker, has volunteered to assume ownership of Jackson, including all responsibilities and liabilities related to such ownership.

In addition, because the onset of Jackson’s medical issues occurred only one year after his purchase, Department staff has contacted our current police service dog vendor, Top Dog Training Center, who has agreed to replace

Jackson with another police service dog at no cost to the City.

RECOMMENDATION: That the City Council:
1) Approve the sale of Jackson to Officer Aaron Stocker for one dollar (\$1.00); and
2) Authorize the Mayor to execute the agreement and document to sell Jackson to Officer Aaron Stocker.

ATTACHMENTS: 1. Agreement to Purchase Police Service Dog

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager

AGREEMENT TO PURCHASE CITY PROPERTY

This agreement to Purchase City Property (hereinafter referred to as "AGREEMENT") is made and entered into by and between Officer Aaron Stocker (hereinafter referred to as "Stocker") and the CITY OF PORTERVILLE (hereinafter referred to as "CITY") and the Porterville Police Department (hereinafter referred to as "PPD") and (hereinafter collectively referred to as "PARTIES").

RECITALS

WHEREAS, STOCKER is currently a Police Officer with the PPD; and

WHEREAS, STOCKER is the current canine handler of "Jackson," a four-year-old Belgian Malinois; and

WHEREAS, STOCKER has offered to purchase "Jackson" from the CITY and the PPD at the time "Jackson" ceases to work as a police service dog for the CITY; and

WHEREAS, STOCKER understands that "Jackson" is a trained police dog and assumes any liability arising out of, connected with, or resulting from the actions of "Jackson" from and after the date of this agreement; and

WHEREAS, the PARTIES desire to enter into this AGREEMENT;

NOW, THEREFORE, in consideration of the mutual promises herein contained, the PARTIES hereby agree as follows:

1. STOCKER shall purchase "Jackson" from the CITY for the sum of one dollar (\$1.00) and ownership shall pass to STOCKER as of the DATE OF THIS AGREEMENT.
2. STOCKER shall assume all risk of loss and expenses related to the care and maintenance of "Jackson" as of the DATE OF THIS AGREEMENT.
3. STOCKER shall assume all liability arising out of, connected with, or resulting from the actions of "Jackson" as of the DATE OF THIS AGREEMENT.

Executed at Porterville, California, this ____ day of April, 2016.

Aaron Stocker, POLICE OFFICER

Milt Stowe, MAYOR



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Approval for Community Civic Event - Porterville Chamber of Commerce - Business After Hours Mixer - April 14, 2016

SOURCE: Finance

COMMENT: The Porterville Chamber of Commerce is requesting approval to hold a Business After Hours Mixer, an Iris Festival kick-off, at Centennial Park on Thursday, April 14, 2016, from 5:30 p.m. to 7:00 p.m. No street closures are requested.

This application 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, Agreement, Exhibit A and Exhibit B.

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Chamber of Commerce, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

ATTACHMENTS:

1. Community Civic Event Application, Agreement, Exhibit A, Exhibit B, Outside Amplifier Permit, Map, 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: March 15, 2016 Event date: Thurs. April 14, 2016
3/16/16 Event time: 5:30pm - 7:00pm
Name of Event: Porterville Chamber Business after Hours / Mixer

Sponsoring organization: Chamber of Commerce Phone # 559-784-7502

Address: 93 N. Main, Porterville CA 93257

Authorized representative: Cindy Camarena Phone # 559-310-4420

Address: S.A.A.

Event chairperson: Cindy Camarena Phone # 559-310-4420

S.A.A.

Location of event 296 N. Main, Porterville CA 93257

Centennial Park

(Location map must be attached)

Type of event: Business networking / Iris festival kick-off

Non-profit organization status: 501(c)6 BL# 0248

(IRS Determination)

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

Barricades (quantity): 0 Street sweeping Yes No ✓

Police protection Yes No ✓ Refuse pickup Yes No ✓

Other:

Parks facility application required: Yes No ✓ Attached

Assembly permit required: Yes No ✓ Attached

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

Appr. Deny

<u> </u>	<u> </u>	Bus. Lic. Spvr.	<u> </u>
<u> </u>	<u> </u>	Pub. Works Dir	<u> </u>
<u> </u>	<u> </u>	Comm. Dev. Dir.	<u> </u>
<u> </u>	<u> </u>	Field Svcs. Mgr.	<u> </u>
<u> </u>	<u> </u>	Fire Chief	<u> </u>
<u> </u>	<u> </u>	Parks Dir.	<u> </u>
<u> </u>	<u> </u>	Police Chief	<u> </u>
<u> </u>	<u> </u>	Admin. Svcs. Dir.	<u> </u>

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)*

CC 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.**

CC 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.

CC 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.

CC Authorized Representative Initials

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

Porterville Chamber of Commerce	Cindy Camarena	3/15/2016
(Name of Organization)	(Signature)	(Date)

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

Location: Centennial Park 296 N. Main Event date: April 14, 2016 Event time: 5:30-7:00 pm

[illegible]

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

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

Event date: Thursday April 14, 2016 Hours: 5:30 - 7:00pm

Closed					
<u>Street Name</u>		<u>From</u>		<u>To</u>	<u>Activity</u>
<u>Sidewalks</u>		<u>From</u>		<u>To</u>	<u>Activity</u>
<u>Parking lots and spaces</u>		<u>Location</u>			<u>Activity</u>

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

PORTERVILLE CHAMBER OF COMMERCE
BUSINESS AFTER HOURS MIXER

APRIL 14, 2016

Finance Director:

M. Bemis

Deputy Public Works Director:

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:

Donnie Moore

Police Lieutenant:

C. Contreras

Please see Exhibit B.

Administrative Services Director:

P. Hildreth

See attached Exhibit A.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Chamber of Commerce
Event: Business After Hours Mixer
Event Chairman: Cindy Camarena
Location: Centennial Park
Date of Event: April 14, 2016
Time of Event: 5:30 p.m. to 7:00 p.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Chamber of Commerce 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 than 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:

Chamber of Commerce Networking Event
April 14th, 2016
Centennial Park

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.
- There shall be no sales, possession or consumption of alcoholic beverages in the park during the event.
- Amplified music or sound shall not continue beyond 7:30 p.m.

Chris Contreras / Lieutenant
Porterville Police Department

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



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

- 1 Name and home address of the applicant: Porterville Chamber of Commerce
93 N. Main, suite A, Porterville CA 93257
- 2 Address where amplification equipment is to be used: 296 N. Main
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Chamber staff,
Board members Event Host is David Horowitz
- 4 Type of event for which amplification equipment will be used: Business after Hours
A chamber networking event
- 5 Dates and hours of operation of amplification equipment: April 14, 2016 5:00-7:30pm
- 6 A general description of the sound amplifying equipment to be used: Outdoor PA system
300 watts

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.

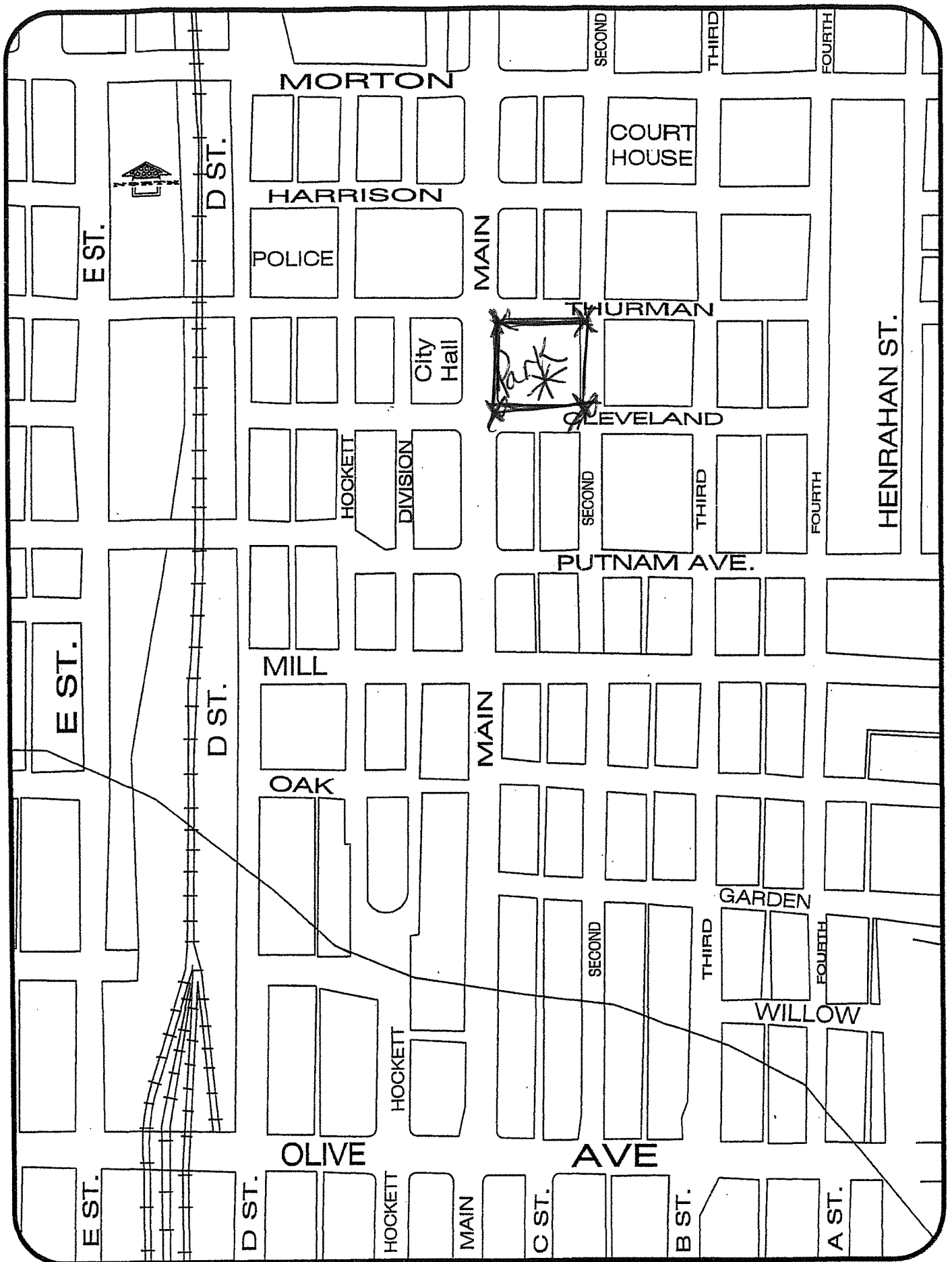
Cindy Camarero
Signature of Applicant

3/15/16
Date

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

Chris Costa
City of Porterville, Chief of Police/Designee

3-17-16
Date





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/23/2016

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

COVERAGES

CERTIFICATE NUMBER: CL1510710687

REVISION NUMBER:

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

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

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

Reference event dated: April 14, 2016

When required by written contract, City of Porterville is added as Additional Insured to the general liability per the attached form # CG D0 37 (04 05) and GN 01 88 (01 96), subject to the terms, conditions, and exclusions of the policy.

CERTIFICATE HOLDER

CANCELLATION

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

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POLICY NUMBER: X-660-7588A004-TIL-15

COMMERCIAL GENERAL LIABILITY

ISSUE DATE: 04-15-15

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

CHARITY FIRST – AMENDMENT OF COVERAGE – WHO IS AN INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization (Additional Insured):

THE CITY OF PORTERVILLE
SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY

Designation Of Premises (Part Leased to You)

WHO IS AN INSURED (Section II) is amended to include as an insured:

- A. Your members and volunteers but only with respect to their liability for your activities or activities they perform on your behalf;
- B. Your trustees or members of the board of governors while acting within the scope of their duties as such on your behalf; and
- C. Person(s) or organization(s), whether or not shown in the Schedule above, but only with respect to their liability arising out of:
 - 1. Their financial control over you;
 - 2. Their requirements for certain performance placed upon you, as a non-profit organiza-

tion, in consideration for funding or financial contributions you receive from them;

- 3. The ownership, maintenance or use of that part of a premises leased to you; or
- 4. "Your work" for that insured by or for you.

As respects Part C.3. above, this insurance does not apply to:

- (a) Structural alterations, new construction or demolition operations performed by or on behalf of the person(s) or organization(s); or
- (b) Any "occurrence" which takes place after you cease to be a tenant in that premises.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

OTHER INSURANCE – ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

PROVISIONS

COMMERCIAL GENERAL LIABILITY CONDITIONS (Section **IV**), Paragraph **4. (Other Insurance)**, is amended as follows:

1. The following is added to Paragraph **a. Primary Insurance**:

However, if you specifically agree in a written contract or written agreement that the insurance provided to an additional insured under this Coverage Part must apply on a primary basis, or a primary and non-contributory basis, this insurance is primary to other insurance that is available to such additional insured which covers such additional insured as a named insured, and we will not share with that other insurance, provided that:

- a. The "bodily injury" or "property damage" for which coverage is sought occurs; and

- b. The "personal injury" or "advertising injury" for which coverage is sought arises out of an offense committed

subsequent to the signing and execution of that contract or agreement by you.

2. The first Subparagraph **(2)** of Paragraph **b. Excess Insurance** regarding any other primary insurance available to you is deleted.
3. The following is added to Paragraph **b. Excess Insurance**, as an additional subparagraph under Subparagraph **(1)**:

That is available to the insured when the insured is added as an additional insured under any other policy, including any umbrella or excess policy.



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Approval for Community Civic Event - Porterville Chamber of Commerce - Iris Festival - April 23, 2015

SOURCE: Finance

COMMENT: The Porterville Chamber of Commerce is requesting approval to hold its 18th annual Iris Festival on Saturday, April 23, 2016, from 9:00 a.m. to 5:00 p.m. in downtown Porterville. This year's festival will include a Color Blast 5 K Run/Walk, Chili-Cook-Off, Car Show and Sidewalk Sales, along with the usual entertainment, food and craft booths.

For the festival, the following street closures and public property usage are requested from 3:00 a.m. to 8:00 p.m.:

STREETS:

Main Street from Morton Avenue to Olive Avenue;
Garden Avenue from Main Street to the alley east of Main Street;
Putnam Avenue, Oak Avenue, Mill Avenue, Cleveland Avenue, Thurman Avenue, and Harrison Avenue from Division Street to the alley east of Main Street.

SIDEWALKS:

Main Street from Olive Avenue to Morton Avenue.

PARKING LOT:

Former J.C. Penney parking lot.

PARK:

Centennial Park on Main Street.

The Color Blast 5K Run/Walk will begin at 8 a.m. and will start and finish at the corner of Morton Avenue and Main Street. The route is listed on Exhibit C and a map of the route is attached.

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 and Exhibit B.

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Chamber of Commerce, subject to the Restrictions and Requirements

contained in the Application and Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

ATTACHMENTS: 1. Community Civic Event Application, Agreement, Exhibit A, Exhibit B, Exhibit C, Maps, 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: Feb 24, 2016 Event date: April 23, 2015
3/16/16 Event time: 9a-5pm, Closure 3a-8p
Name of Event: Oris Festival
18th Annual

Sponsoring organization: Porterville Chamber Phone # 7847502
Address: 93 N main st Porterville CA 93257

Authorized representative: Stephanie Cortez Phone # 7847502
Address: as above

Event chairperson: Cherly Haugen Phone # 7847502
VC Director

Location of event Downtown Porterville - main st, Olive to Morton
Division + East (Location map must be attached)

Type of event: Festival - vendors, KidZone, entertainment, chili cook off,
foodbooths, 5K, Color Blast run/walk

Non-profit organization status: 501(C)(6) BL#0248

(IRS Determination)

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

Barricades (quantity): 80 Street sweeping Yes No X

Police protection Yes X No Refuse pickup Yes X No

Other: Special event officers, would like to
have Police force for some Traffic assistance along with

Volunteers on color run. 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)*

 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

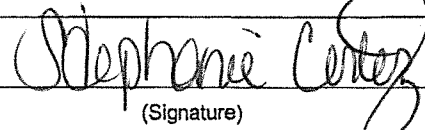
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health 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.

Porterville Chamber		2/24/16
(Name of Organization)	(Signature)	(Date)

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

Sponsoring organization: Toledo Chamber of Commerce

Location: Main St, Oliver to Morton Event date: 4/23/16 Event time: 4:50-5:30
Closure
15:30-8:00

[illegible]

3 of 4

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: Iris Festival

Sponsoring organization: Porterville Chamber of Commerce

Event date: April 23, 2016 Hours: Event 9a-5p
Closure 3a-8p

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed			
Street Name	From	To	Activity
Main	Oliver	Morton	Vendor Booths
Garden	Main	East Alley	Kids Zone
Oak, Mill	Division	East Alley	Entertainment
Putnam			Chili Cook-off
Cleveland			Military
Thurman			Displays
Harrison			
Sidewalks	From	To	Activity
Main	Oliver	Morton	Merchant
			Sidewalk
			Sales
Parking lots and spaces	Location		Activity
All Spaces	Adjacent to Allen's Boat Building		Cars
			Chili Cook-off

REQUIREMENTS FOR COMMUNITY CIVIC EVENT
PORTERVILLE CHAMBER OF COMMERCE
IRIS FESTIVAL
APRIL 23, 2016

Finance Director:

M. Bemis

Public Works Director, Acting:

M. Reed

Community Development Manager:

J. Phillips

Deputy Public Works Director:

B. Styles

Barricades may be obtained and returned at 555 N. Prospect St. Special refuse service pickup should be arranged by calling 782-7513 one week prior to event.

Fire Chief:

G. Irish

No comments.

Parks and Leisure Services Director:

D. Moore

Vehicles to remain off the grass in Centennial Park. Public to remain out of the Main Street planters.

Police Lieutenant:

C. Contreras

Please see Exhibit B.

Administrative Services Director:

P. Hildreth

All participants in the color run must sign liability waivers releasing the City and Successor Agency from any and all liability associated with their participation in the event; and for any carnival-type ride or slide, vendor must provide event sponsor with a certificate of insurance evidencing at least \$1,000,000 in liability coverage.

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Chamber of Commerce
Event: Iris Festival
Event Chairman: Cheryl Haugen
Location: Main Street
Date of Event: April 23, 2016
Time of Event: 9:00 a.m. to 5:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

CITY OF PORTERVILLE/POLICE DEPARTMENT
Community Civic Event Application

Iris Festival, April 23rd, 2016

Proposed Conditions/Requirements for Iris Festival – Downtown Porterville

- City Council approval is required for all street closures.
- On all streets approved for closure, ensure adequate barricades/barriers are used to warn motorists of non-access and prevent vehicle access to those designated areas.
- If event organizers anticipate the need for removal of parked vehicles from public roadways related to the event, the affected public roadways must be posted with appropriate signage no less than 24 hours in advance of the event. Said signs and associated posting must meet minimum requirements as established by the California Vehicle Code. (Recommend event organizers contact Sergeant Carl Jordan of the Porterville Police Department/Traffic Unit in order to ensure that signs meet the requirements as established by law or request additional assistance).
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- If event organizers anticipate the sales of alcoholic beverages during the event, they must first apply for and be granted a temporary license to sell alcohol from the CA Dept. of Alcoholic Beverage Control. If such license is issued, additional conditions may apply (beer garden, location, security).
- An Outside Amplifier Permit has been approved and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of event, event organizers shall ensure streets are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling through this area.

Chris Contreras, Lieutenant
Porterville Police Department

Exhibit B

Route Summary for the ColorBlast 5K run/walk start time 8am

Starting point at the Corner of Main and Morton 8am

Head east on Morton Ave then north on Henrahan, from Henrahan head East on Henderson to Plano making a right turn heading south on Plano. On Plano St. turn right onto Morton Ave. heading west.

Then making a left onto Henrahan (Rails to Tails) to Oak St.

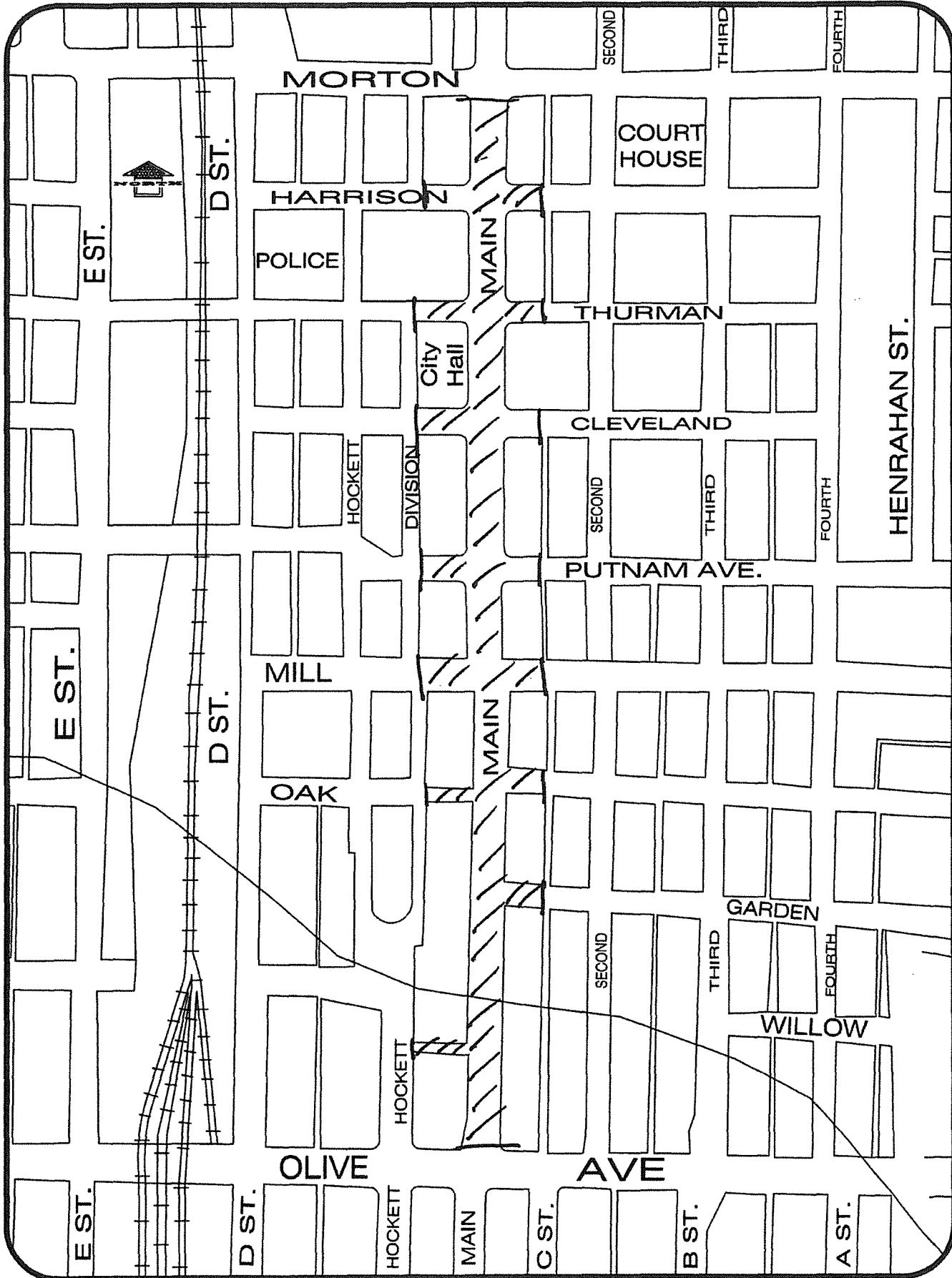
Turn left on Oak St. then right onto Murry St.

From Murry St. turn right onto Garden, on Garden turn right on Fig St.

Take Fig St to Oak St and make a left on Oak St. Heading west on Oak St. make a left onto 4th St. from 4th street turn right onto Garden,

Then a right onto 3rd street from Garden, Now head north on N. 3rd St. to Harrison Ave make a left onto Harrison, Harrison to Main street make a right on main heading back to the starting point for the finish line.

Race starts at 8am should take 1 hour to complete the course.....



Festival



PORTERVILLE
CHAMBER OF COMMERCE

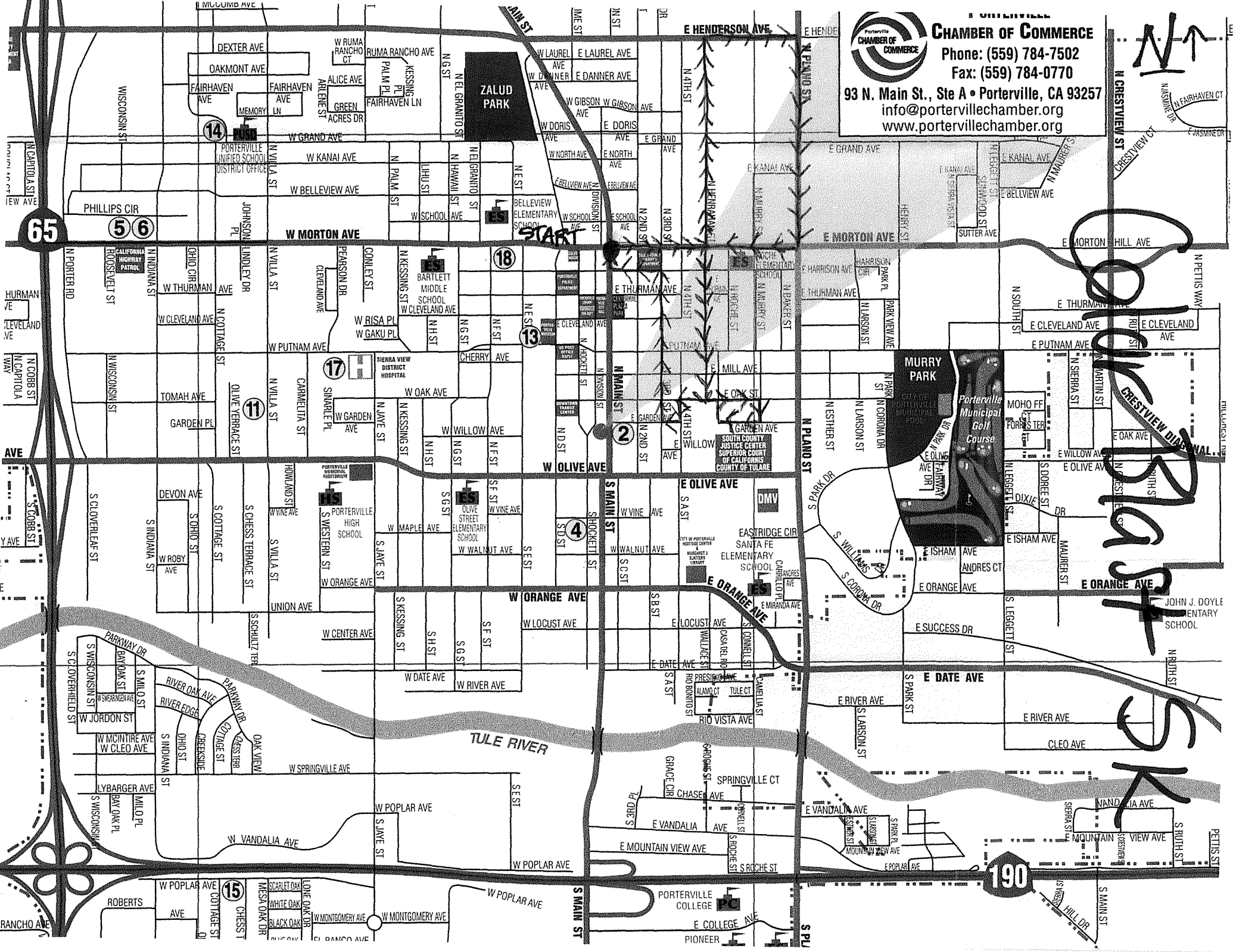
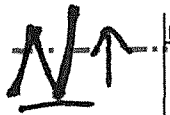
Phone: (559) 784-7502

Fax: (559) 784-0770

93 N. Main St., Ste A • Porterville, CA 93257

info@portervillechamber.org

www.portervillechamber.org



START

SK

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: Porterville Chamber
93 N main St. Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Main Street
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Freestyle Events
- 4 Type of event for which amplification equipment will be used: Iris Festival
- 5 Dates and hours of operation of amplification equipment: 4/23/16 9am - 5pm
- 6 A general description of the sound amplifying equipment to be used: Outdoor PA system 300 watts

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.

Stephanie Cook
Signature of Applicant

3/15/16
Date

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

Ch. Cook
City of Porterville, Chief of Police/Designee

3-17-16
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/15/2016

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 Walter Mortensen Insurance / INSURICA CA License #0D44424 410 North Main Street Porterville CA 93257	CONTACT NAME: Jacqueline Madrigal PHONE (A/C No, Ext): (559) 781-5200 FAX (A/C, No): (559) 781-3229 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A Kinsale Insurance Co. NAIC # 38920 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Porterville Chamber of Commerce 93 N. Main St. Porterville CA 93257-3711	

COVERAGES **CERTIFICATE NUMBER:** 2016 Iris Festival **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY	X		0100036704-0	4/23/2016	4/24/2016	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ Excluded
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
	☒ POLICY ☐ PRO-JECT ☐ LOC						
	OTHER:						
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	☐ SCHEDULED AUTOS						
	☐ NON-OWNED AUTOS						
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	☐ OCCUR						
	☐ CLAIMS-MADE						
	DED RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

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

When required by written contract, certificate holder is added as Additional Insured to the general liability policy, per the additional insured form # CAS5000-0110, subject to the terms, conditions, and exclusions of the policy.

CERTIFICATE HOLDER

CANCELLATION

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

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

AUTHORIZED REPRESENTATIVE

Ron Burcham/JMADRI

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CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: City Council Member Requested Agenda Item - Request for the City Council to Consider the Installation of Additional Sports Field Lighting at the Sports Complex

SOURCE: City Manager's Office

COMMENT: Council Member Ward has requested that the City Council consider installing additional sports field lighting at the Sports Complex.

RECOMMENDATION: Council Member Ward makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider the installation of additional sports field lighting at the Sports Complex.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Status and Review of Declaration of Local Emergency, and Connection of New Well and Permanent Water Connections for 500 East Porterville and Vandalia Avenue Residential Units

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 15th, 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 thirty (30) 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 summer months. City staff submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry. 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 Wednesday, March 30th, representatives for the City, County, and State (CalOES, DDW, DWR, and SWB) met to continue discussions of residential units lacking water, both within and outside the city limits. The Council is aware that DWR is beginning a feasibility study of a long-term permanent water connection plan for the entire East Porterville area, which is estimated to take approximately six (6) months to complete for the estimated 1,800 expected future 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.

During the meeting, DWR reported that it has identified 423 residential units in the East Porterville area (381 of which are in the City's Urban Development Boundary), that are currently served by the County's Household Tank Program and desired by the State to be connected to the City's water distribution system as soon as possible. DWR would like to begin a significant City waterline extension project in early 2017 to begin permanently connecting those 423 residential units to the City's water system. To provide source water for the DWR extension project, CalOES indicated their interest in expeditiously connecting the new well on Olive Avenue to the City's water system instead of being first equipped as a filling station. Given the new well has an estimated water production value of 800 gallons per minute, as well as a SWB assumed 1.5 gallons per minute per residence, the new well could effectively serve up to 500 single family residential units. The City indicated its significant interest that the E. Vandalia Avenue area and the 80 residential units be included in the water connection project, to which the State ultimately agreed. The City also agreed to connect expeditiously an estimated 40 residential units that front existing water mains in the East Porterville area and are currently served by the County Household Tank Program.

Given CalOES has paid for the development of the new well and its connection to the City's water system, the City will be required under "Drought Redundancy and Resiliency Provisions" to make available to the State up to 3 million gallons of water per month without charge for emergency purposes.

To proceed with the connection of the new well to the City's water system and the 500 East Porterville and E. Vandalia Avenue residential units, it was defined that the Draft Agreement between the City and County would need to be modified to account for the project components and parameters, which is presented to the Council for its consideration.

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 modified Draft Agreement between the City and the County of Tulare in regards to new well maintenance and responsibilities, and the permanent connection of 500 East Porterville and Vandalia Avenue residential units to the City's water system.

ATTACHMENTS:

1. Resolution 49-2015 - Declaration of Local Emergency
2. Governor's Executive Order
3. City-County Draft Agreement

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

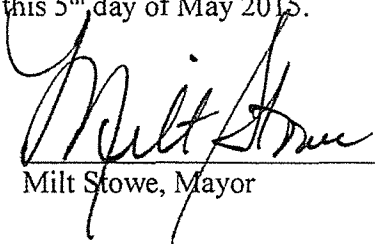
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

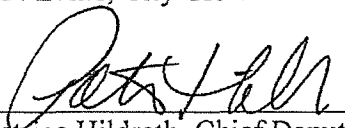
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance,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

TULARE COUNTY – CITY OF PORTERVILLE WELL AGREEMENT

THIS AGREEMENT is entered into this day of, _____ 20152016, between the COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, with reference to the following:

- A. WHEREAS, East Porterville/Doyle Colony area properties within the COUNTY's jurisdiction and within the CITY's Urban Development Boundary are experiencing serious water shortages due to the historical drought conditions. Attached hereto as Exhibit 'A' is a map defining the East Porterville/Doyle Colony and Vandalia areas; and
- B. WHEREAS, CITY and COUNTY have been and are collaborating to jointly develop a new municipal water well; and
- C. WHEREAS, COUNTY shall secure complete funding for a new well to be solely owned, operated and maintained by the CITY for the purpose of providing a short-term emergency water supply for COUNTY's Household Tank Program and providing long-term capacity to enable permanent water connections to single family residential properties that comply with CITY'S Annexation and Extension of Municipal Services policy, with certain exceptions for specific properties in excess of the maximum lot size.procedures. These procedures are defined by two Resolutions, 74-2014 and 75-2014, which are attached hereto as Exhibit 'B';
' . A review of properties in the East Porterville/Doyle Colony area show approximately 115 single family residences currently meet these parameters and an additional 385 residences may meet these parameters in the future as water infrastructure is constructed by State and Federal agencies; and
- D. WHEREAS, the COUNTY owns a parcel at the southeast corner of the Tule River and Olive Avenue (APN 240-120-017), represented in Exhibit 'C', WHEREAS, COUNTY AND CITY have defined three potential well sites, two of which are CITY owned, and one which is COUNTY owned. Location of the potential municipal well sites are attached hereto as Exhibit 'C'. The COUNTY owned parcel is the preferred site as the site is more conducive to providing the required capacity and water quality. Further, should this site become the agreed upon location, the COUNTY owns parcel (APN) and has constructed a municipal supply well utilizing CITY standards, the COUNTY shall convey the land to CITY at a cost of \$1; and

- E. WHEREAS, CITY operates an existing municipal water system, with limited infrastructure already established in the East Porterville/Doyle Colony and Vandalia areas, and has experience and qualifications necessary to provide such services; and
- F. WHEREAS, CITY and COUNTY mutually agree that a regional, collaborative solution to leverage and expand CITY'S municipal water system into the East Porterville/Doyle Colony and Vandalia areas is the most feasible means to address the area's water needs; and
- G. WHEREAS, CITY is willing to enter into this Agreement with COUNTY upon terms and conditions set forth herein; and
- H. WHEREAS, CITY and COUNTY mutually understand that due to the limited resources of the CITY's municipal water system, all future connections must comply with the CITY's Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size procedures, attached hereto and made a part thereof as Exhibit 'B'.; and

ACCORDINGLY, IT IS AGREED:

- 1. **TERM:** This agreement shall become effective as of the date the agreement is fully executed by both agencies.
- 2. **SERVICES TO BE PERFORMED & PAYMENT FOR SERVICES – WELL CONSTRUCTION:**
Refer to attached Exhibit 'D'.
- 3. **SERVICE TO BE PERFORMED IN PERPETUITY:** The services described below shall be performed in perpetuity upon completion of all tasks enumerated in Exhibit 'D' and upon COUNTY securing the funds for equipping the well to CITY standards and requirements:
 - A. CITY shall sell provide to STATE and/or COUNTY, upon STATE and COUNTY's request, a maximum of three million (3,000,000) gallons of water per month upon integration offrom the well provided under this Agreement, for the purposes of meeting emergency water needs in COUNTY's jurisdiction. CITY shall not charge COUNTY or STATE for said water the water rate effective as of the date the agreement is fully executed for all water sold provided to COUNTY. CITY shall provide a maximum of 3,000,000 gallons per month to the COUNTY for the household tank program from the CITY's water system upon integration of the new well into the system.
 - B. CITY shall utilize water produced by the well provided under this Agreement as source capacity for new residential service connections and agreements in East

Porterville/Doyle Colony and the Vandalia areas. CITY agrees to provide source water for up to one hundred fifteen (115)four hundred twenty -three (423) new residential connections in the East Porterville/Doyle Colony area subject to that are in compliance with the CITY'S Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size, and up to procedures and 80 new residential connections in the Vandalia area. The 423 new residential connections noted above are inclusive CITY agrees toshall authorize permanent connection of prequalified properties upon termination and cessation of thosethe COUNTY's household tank program. A list and map of the qualifying properties immediately adjacent to an existing water main, estimated at 40 parcels, which can be connected to the City's water system immediately upon execution of this agreement.are attached hereto as Exhibit 'E'. Upon connection to CITY services, Tthe listed properties will be exempt from payment of CITY water impact fees, but will be subject to standard fees, such as, but not limited to, water service and meter installation, unless otherwise financed by STATE or other funding sources, and associated monthly fees. This sectionCITY shall not be construed have sole discretion use the actual metered usage to limit additional determine the number of connections beyond, if any, above the above referenced 503115503 minimum number of residential properties provided for herein, where CITY provides consumption documentation that determines additional source capacity is available as a result of the connection of this well to CITY's system.

- C. CITY expressly agrees to own, operate, maintain, repair and otherwise care for the well provided under this Agreement, in orderthe same fashion as CITY's other wellsorder to maintain it in proper working order and to the highest standard, for the duration of the well's useful life.
- D. If the well provided under this agreement is situated on COUNTY property, COUNTY shall grant the parcel on which the well is locatedrelevant portion to the CITY by Grant Deed at a cost of \$1 upon formal acceptance of the project.. A 50-foot control zone around the well site is a requirement of the StateCalifornia Department of Public HealthState Water Resources Control Board, Drinking Water Program, therefore establishing the minimum parcel size to be conveyed to the CITY. Existing COUNTY

infrastructure may encroach through or conflict with the subject parcel and if so, ownership, maintenance, repair and replacement of these facilities shall transition to the City's responsibility upon acceptance of the project. remain COUNTY jurisdiction by execution of easements

E. CITY shall not be entitled to compensation by COUNTY, or any State or Federal agency providing funding for the activities enumerated in Exhibit 'D', for any ongoing costs related to owning, operating, maintaining, repairing, or replacing of this well. CITY and COUNTY expressly agree that CITY's ongoing compensation for such ongoing costs shall be the use of the well for CITY's unrestricted use within its water system, unrestricted except as noted in "A" above. No part of this paragraph shall be construed to limit or restrict in any way CITY's ability to seek any grant funding or collect rates and fees from users of CITY's water system.

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

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

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

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

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

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

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

Notice delivered personally or sent by facsimile transmission is deemed to be received upon

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

6. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.

7. Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.

8. This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. This Agreement is entered into and shall be performed in Tulare County, California. CITY waives the removal provisions of California Code of Civil Procedure Section 394.

9. The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party or either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.

10. The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.

12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.

13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.

14. Insurance

15. Permit

16. Dispute Resolution: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.

17. Indemnification: CITY shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CITY or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CITY under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CITY's failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

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

COUNTY OF TULARE

BY _____
MikeSteve WorthleyMike Ennis
Board of Supervisors

Chairman,

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

By _____
Deputy Clerk

Approved as to Form
County Counsel

By _____
Deputy County Counsel

CITY OF PORTERVILLE

BY _____
Milt Stowe, Mayor

ATTEST:
City Clerk of the City of Porterville

BY _____
John Lollis, City Manager

Approved as to Form

BY _____
City Attorney

EXHIBIT 'A'

EXHIBIT 'B'

EXHIBIT 'C'

EXHIBIT 'D'

EXHIBIT 'E'



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Water System - Consideration of Proactive Measures

SOURCE: Public Works

COMMENT: It is not news to the City Council or to our community that the drought, and issues resulting from its length and severity, continue to effect water production and policy. Agencies at all levels, and particularly the State, have adopted new polices and regulations that are changing the playing field for water purveyors throughout California. The Sustainable Groundwater Management Act, reduced revenues to fund infrastructure, and the Executive Orders defining water conservation requirements are three of the most pressing issues for Porterville, in addition to our own drought response efforts.

In order to address the issues stated above, staff recommends three distinct efforts.

First, reduced production rates as presented in the Governor's Executive Orders and subsequent regulation adopted by the State Water Resources Control Board, requires that Porterville maintain an average production of 26% less than the volume of water produced in our system in 2013. To achieve this, the focus of water conservation must be maintained. Staff asks that the Council authorize scheduling a public hearing for the meeting of May 3, 2016, to review and consider adjusting the phase of water conservation expected of Porterville residents and water users as we approach the summer months.

Secondly, in light of the Sustainable Groundwater Management Act (SGMA) and the resulting Groundwater Sustainability Agency(ies) that will be formed as a result of SGMA, the topic of individual wells must be addressed. Staff has prepared a preliminary draft of an ordinance that would amend Chapter 26 of the Municipal Code, and require abandonment of a well upon connection to the City's water system. Staff asks that the Council consider this concept, suggest modifications, if any, and authorize the scheduling of a public hearing to adopt a well abandonment ordinance at the meeting of May 3, 2016.

Lastly, the City of Porterville has worked for many years to keep our water rates lower than adjacent systems, as a benefit to our community. Unfortunately, reduced water usage in response to the drought has adversely affected water enterprise revenues. Compounding the situation, SGMA implementation has multiple associated – and previously unnecessary – costs, including significant water purchases for recharge, well monitoring, reporting, and new infrastructure. Furthermore, as we now pursue loans to develop additional water

infrastructure to respond to this drought, we are being advised that our water rates are below the state requirement to qualify for loans. Staff requests the Council to consider scheduling a separate study session for Tuesday, April 12, 2016, to discuss the merits and challenges of raising water rates.

RECOMMENDATION: That the City Council:

1. Direct staff to notice a Public Hearing to discuss the Water Conservation Plan and Phase status at the meeting of May 3, 2016;
2. Direct staff to notice a Public Hearing to consider a draft Ordinance amending Chapter 26 of the Municipal Code, discussing well abandonment; and
3. Schedule a Study Session to be held at 5:30 p.m. on Tuesday, April 12, 2016.

ATTACHMENTS: 1. Draft Ordinance

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Termination of Façade Easement Agreements

SOURCE: Community Development

COMMENT: Between 1995 and 1997, the Porterville Redevelopment Agency (“Redevelopment Agency”) entered into a series of façade easement agreements (“Façade Agreements”) with owners of commercial properties located within the Porterville Redevelopment Project Area No. 1 (“Project Area”). At the time the Façade Agreements were approved, the Redevelopment Agency was actively engaged in implementing provisions of the Redevelopment Plan for the Project Area (the “Redevelopment Plan”), including activities devoted to assuring that the ongoing maintenance of private properties would continue in a manner to forestall the recurrence of blight and to preserve certain physical characteristics of the outer faces (facades) of such properties. As part of its programs, the Redevelopment Agency entered into the Façade Agreements with owners of those properties listed in Attachment 1 (the “Properties”). The agreements, which were substantially the same other than as to the delineation of the particular properties involved, provided that the owners would continue to maintain properties and would not alter facades without the prior written approval of the Redevelopment Agency. The Redevelopment Agency had the resources to monitor performance under the Façade Agreements by the owners. From time to time, Redevelopment Agency staff was called upon to provide clarifying information or to interact with lenders and title officers in connection with the sale or refinancing of properties subject to Façade Agreements.

With the dissolution of the Redevelopment Agency, along with all redevelopment agencies in the State of California, the Redevelopment Agency has been replaced by the City in its capacity as the Successor Agency to the Porterville Redevelopment Agency (“Successor Agency”). Rather than implementing ongoing programs, the efforts of the Successor Agency are devoted to winding down the activities of the former Redevelopment Agency as generally provided under ABx1 26 (as amended from time to time, the “Dissolution Act”).

Health and Safety Code Section 34181(e), provides that an oversight board shall direct the Successor Agency to “determine whether any contracts, agreements, or other arrangements between the dissolved redevelopment agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the taxing entities, and present proposed termination or amendment agreements to the oversight board for its approval. The board

may approve any amendments to, or early termination of, those agreements if it finds that amendments or early termination would be in the best interests of the taxing entities.”

There is no market for the restrictions on rights of use of properties under the Façade Agreements.

With the dissolution of the Redevelopment Agency, there are not resources to provide for the ongoing monitoring and administration associated with the Façade Agreements. From time to time, requests for estoppel certificates and questions will continue to arise in connection with refinancings and resales of properties, and the existence of the Façade Agreements would, absent termination of such Façade Agreements, require attention. That attention would take the form of staff time and legal fees with attendant expense, burdening the Successor Agency, the Oversight Board and the taxing agencies. At the same time, the limitations upon title under the Façade Agreements will tend to complicate refinancing and sale transactions of the owners involved, thus impeding the free exchange of Properties without a countervailing public benefit. As noted above, there is no marketable value associated with the Façade Agreements; no public or private entity has approached the Successor Agency with any offers or expressions of interest in succeeding to the interests of the former Redevelopment Agency under the Façade Agreements and it is not anticipated that any such interest will manifest itself in the future.

In order to facilitate the free alienability of the properties involved and to avoid potential costs to the Successor Agency and Oversight Board that would continue for the approximately 20-year remaining duration of the various Façade Agreements, staff has recommended that the Successor Agency terminate the Façade Agreements (subject to concurrence of the owners of the Properties subject to such Façade Agreements) and authorize and direct the Executive Director to execute instruments which would cancel the Façade Agreements; such agreements would be substantially in the form of Exhibit “B” to the form of Resolution submitted herewith (“Termination Instruments”).

As an accommodation to the owners of the Properties, the termination of a Façade Agreement would, in each case, be subject to the written consent of the current owner of such Property.

RECOMMENDATION: That the Successor Agency:

1. Approve the Resolution in the form submitted herewith authorizing the termination of the Façade Agreements; and
2. Authorize the Executive Director to prepare, execute and effect the recordation among the official land records of the Termination Instruments subject to the written consent of the corresponding property owner having first been obtained.

ATTACHMENTS:

1. Facade Easement Property Information
2. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

Redevelopment Agency - Façade Easement Program

	Agreement	Address	APN	Owner of Recording	\$	Record #	Date Record
1	BFR 2-94	118 N. Main Street Porterville	253-172-007	Judy Escobar	\$11,684.00	95-0532-8	8/17/1995
2	BFR 3-94	148 North Main Street Porterville (no such address, 22 E Oak Ave???)	253-187-007	Daniel Figueroa	\$15,100.00		8/10/1994
3	BFR 4-94	75 N. Main Street Porterville	253-171-006	Helen Nunes	\$18,101.60	95-053279	8/17/1995
4	BFR 6-94	29 North Main Street Porterville	261-121-002	Francisco Madrigal	\$30,364.00	95-060571	9/12/1995
5	BFR 7-94	386 North Main Street Porterville	253-202-009	Elks B.P.O.E. #1342	\$48,340.00	95-079502	11/17/1995
6	BFR 10-94	33-45 West Putnam Ave Porterville	252-196-001	Barbara L. Davison, Trustee	\$59,520.00	95-053282	8/17/1995
7	BFR 11-94	88 E. Mill Ave Porterville	253-183-005	Mission Project, Inc	\$27,842.14	95-053280	8/17/1995
8	BFR 12-94	75 North "D" Street Building A. Porterville	252-200-011	Leroy F. Sprague	\$20,500.00	95-053559	8/18/1995
9	BFR 13-94	75 North "D" Street Building B. Porterville	252-200-041	Leroy F. Sprague	\$20,500.00	95-053558	8/18/1995
10	BFR 14-94	372 No. Third Street Porterville	253-204-007	Ben Della	\$7,778.40	95-009546	2/15/1995
11	BFR 15-94	63 So. Main Street Porterville	261-129-006	Gary Clem	\$40,500.00	95-053281	8/17/1995
12	BFR 16-94	65-71 So. Main Street Porterville	261-129-007	Gary Clem			
13	BFR 17-94	53 North Main Street	253-171-003	Howard H. Smith	\$55,504.00	95-074475	10/27/1995
14	BFR 20-94	181 North Main Street Porterville	253-188-009	Eugene S. Lindgren	\$2,624.60	96-082476	11/12/1996
15	BFR 21-94	367 N. Main Street Porterville (property is listed as 341 N Main St.)	253-201-001	Kenneth Billingsley	\$14,688.20	97-066587	9/24/1997

SUCCESSOR AGENCY RESOLUTION NO. 2016- ____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AUTHORIZING THE
TERMINATION, CANCELLATION AND RELEASE OF CERTAIN
AGREEMENTS BETWEEN THE FORMER PORTERVILLE
REDEVELOPMENT AGENCY AND OWNERS OF CERTAIN
PROPERTIES

WHEREAS, the Porterville Redevelopment Agency (“Redevelopment Agency”) was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* (“CRL”), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Porterville (“City”); and

WHEREAS, the Redevelopment Agency entered into a series of façade easement agreements with owners of commercial properties located within the Porterville Redevelopment Project Area No. 1 (“Project Area”) of the Porterville Redevelopment Project, as amended (the “Project”). At the time, the Redevelopment Agency was actively engaged in implementing provisions of the Redevelopment Plan for the Project Area, as amended (the “Redevelopment Plan”), including activities devoted to assuring that the ongoing maintenance of private properties would continue in a manner to forestall the recurrence of blight and to preserve certain physical characteristics of the outer faces (facades) of such properties; and

WHEREAS, as part of its programs, the Redevelopment Agency entered into agreements (the “Façade Agreements”) with owners of those properties listed in Exhibit “A” hereto (the “Properties”); the agreements, which were substantially the same other than as to the delineation of the particular properties involved, provided that the owners would continue to maintain properties and would not alter facades without the prior written approval of the Redevelopment Agency. The full text of the Façade Agreements has been made available to and has been reviewed by the Oversight Board. During the time it was operating, the Redevelopment Agency had the resources to monitor performance under the Façade Agreements by the owners. From time to time, Redevelopment Agency staff was called upon to provide clarifying information or to interact with lenders and title officers in connection with the sale or refinancing of properties subject to Façade Agreements; and

WHEREAS, Assembly Bill x1 26 chaptered and, effective on June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former agencies (as amended from time to time, the “Dissolution Act”); and

WHEREAS, as of February 1, 2012, the Redevelopment Agency was dissolved pursuant to the Dissolution Act and the City serves as the Successor Agency to the Porterville Redevelopment Agency (“Successor Agency”); and

WHEREAS, the Successor Agency administers the enforceable obligations of the former Redevelopment Agency and otherwise unwinds the Redevelopment Agency’s affairs, all subject to the review and approval by a seven-member oversight board (“Oversight Board”); and

WHEREAS, with the dissolution of the Redevelopment Agency, along with all redevelopment agencies in the State of California, the Redevelopment Agency has been replaced by the Successor Agency; rather than implementing ongoing programs, the efforts of the Successor Agency are devoted to winding down the activities of the former Redevelopment Agency as generally provided under the Dissolution Act and subsequent enactments which provide for the dissolution of redevelopment agencies; and

WHEREAS, there is no market for the restrictions on rights of use of properties under the Façade Agreements. No public or private entity has approached the Successor Agency with any interest in succeeding to the interests of the former Redevelopment Agency under the Façade Agreements and it is not anticipated that any such interest will manifest itself in the future; and

WHEREAS, Health and Safety Code Section 34181(e), provides that an oversight board shall direct the successor agency to “[d]etermine whether any contracts, agreements, or other arrangements between the dissolved redevelopment agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the taxing entities, and present proposed termination or amendment agreements to the oversight board for its approval. The board may approve any amendments to or early termination of those agreements if it finds that amendments or early termination would be in the best interests of the taxing entities;” and

WHEREAS, with the dissolution of the Redevelopment Agency, there are not resources to provide for the ongoing monitoring and administration associated with the Façade Agreements. From time to time, requests for estoppel certificates and questions will continue to arise in connection with refinancings and resales of the Properties, and the existence of the Façade Agreements would, absent termination of such Façade Agreements, require attention. That attention would take the form of staff time and legal fees with attendant expense, burdening the Successor Agency, the Oversight Board and the taxing agencies. At the same time, the limitations upon title under the Façade Agreements will tend to complicate refinancing and sale transactions of the owners involved, thus impeding the free exchange of properties without a countervailing public benefit; and

WHEREAS, in order to facilitate the free alienability of the properties involved and to avoid potential costs to the Successor Agency and Oversight Board that would continue for the approximately 20 year remaining duration of the various Façade Agreements, the Successor Agency desires to terminate, cancel and release the Façade Agreements, subject to the written consent of the owner of the corresponding property subject to a Façade Agreement having first been obtained prior to recording any release of a Façade Agreement as to the corresponding property; such agreements would be substantially in the form of Exhibit “B” (“Termination Instruments”) as submitted with this staff report; and

WHEREAS, the Successor Agency has reviewed the staff report, testimony, the Façade Agreements and such other matters as have been presented to the Successor Agency and has determined that it is in the best interest of the taxing agencies that the Successor Agency terminate the Façade Agreements subject to the written approval of the owners of the corresponding properties being first obtained;

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY:

Section 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. The Successor Agency determines that each of the statements set forth in the recitals in this Resolution are true and correct.

Section 3. The Successor Agency finds and determines that the termination of the Façade Agreements, with the consent of the corresponding owners, would be in the best interests of the taxing entities, and would reduce liabilities and increase net tax revenues to the taxing agencies.

Section 4. The Successor Agency approves, authorizes and directs the Executive Director to execute Termination Instruments, together with such modifications as may be necessary or convenient to implement the cancellation and removal from record title of the Façade Agreements, and to engage in such related activities as may be necessary or convenient to effect the termination, cancellation and release of the Façade Agreements.

Section 5. The Secretary of the Successor Agency is directed to transmit a copy of this Resolution to the Oversight Board.

Section 6. The Secretary of the Successor Agency shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 5th day of April 2016.

Milt Stowe, Chair

ATTEST:
John D. Lollis, Agency Secretary

By: _____
Patrice Hildreth, Chief Deputy Agency Secretary

Redevelopment Agency - Façade Easement Program

	Agreement	Address	APN	Owner of Recording	\$	Record #	Date Record
1	BFR 2-94	118 N. Main Street Porterville	253-172-007	Judy Escobar	\$11,684.00	95-0532-8	8/17/1995
2	BFR 3-94	148 North Main Street Porterville (no such address, 22 E Oak Ave???)	253-187-007	Daniel Figueroa	\$15,100.00		8/10/1994
3	BFR 4-94	75 N. Main Street Porterville	253-171-006	Helen Nunes	\$18,101.60	95-053279	8/17/1995
4	BFR 6-94	29 North Main Street Porterville	261-121-002	Francisco Madrigal	\$30,364.00	95-060571	9/12/1995
5	BFR 7-94	386 North Main Street Porterville	253-202-009	Elks B.P.O.E. #1342	\$48,340.00	95-079502	11/17/1995
6	BFR 10-94	33-45 West Putnam Ave Porterville	252-196-001	Barbara L. Davison, Trustee	\$59,520.00	95-053282	8/17/1995
7	BFR 11-94	88 E. Mill Ave Porterville	253-183-005	Mission Project, Inc	\$27,842.14	95-053280	8/17/1995
8	BFR 12-94	75 North "D" Street Building A. Porterville	252-200-011	Leroy F. Sprague	\$20,500.00	95-053559	8/18/1995
9	BFR 13-94	75 North "D" Street Building B. Porterville	252-200-041	Leroy F. Sprague	\$20,500.00	95-053558	8/18/1995
10	BFR 14-94	372 No. Third Street Porterville	253-204-007	Ben Della	\$7,778.40	95-009546	2/15/1995
11	BFR 15-94	63 So. Main Street Porterville	261-129-006	Gary Clem	\$40,500.00	95-053281	8/17/1995
12	BFR 16-94	65-71 So. Main Street Porterville	261-129-007	Gary Clem			
13	BFR 17-94	53 North Main Street	253-171-003	Howard H. Smith	\$55,504.00	95-074475	10/27/1995
14	BFR 20-94	181 North Main Street Porterville	253-188-009	Eugene S. Lindgren	\$2,624.60	96-082476	11/12/1996
15	BFR 21-94	367 N. Main Street Porterville (property is listed as 341 N Main St.)	253-201-001	Kenneth Billingsley	\$14,688.20	97-066587	9/24/1997

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

(Space Above for Recorder's Use)

RELEASE AND CANCELLATION OF AGREEMENT AFFECTING REAL PROPERTY

WHEREAS, the Porterville Redevelopment Agency ("Redevelopment Agency") and [name of participant under that certain unrecorded Façade Agreement] _____ ("Participant" [or "Owner"]) executed and caused to be recorded for the benefit of the Redevelopment Agency a Façade Easement Agreement (the "Agreement Affecting Real Property") which was recorded _____, _____ as Document No. _____ among the Official Records of the County of Tulare. The Agreement Affecting Real Property pertains to property defined therein (herein, the "Site") as further described in Exhibit "A" hereto (the "Legal Description of the Site"). [Participant is the current owner of the Site][_____ ("Owner") is the current owner of record as to the Site]; and

WHEREAS, the Agreement Affecting Real Property provides that the Site is subject to certain provisions and requirements as set forth therein, including without limitation that the Site is subject to a façade easement ("Easement") running to the benefit of the Redevelopment Agency; and

WHEREAS, the Redevelopment Agency was dissolved pursuant to Part 1.85 of Division 24 of the Health and Safety Code (commencing with Section 34170), (as amended from time to time, the "2011 Dissolution Act"). In connection with the dissolution of the Redevelopment Agency, and pursuant to the Dissolution Law, executory functions of the former Redevelopment Agency are being handled by the Successor Agency to the Porterville Redevelopment Agency (the "Successor Agency") under review by the Oversight Board to the Successor Agency to the Porterville Redevelopment Agency (the "Oversight Board"); and

WHEREAS, the Oversight Board has authorized and directed the termination of the Façade Agreement, subject to the written consent of the owner of record as to the Site, and has authorized and directed that the Successor Agency execute this instrument, entitled “Release and Cancellation of Agreement Affecting Real Property”; and

NOW, THEREFORE, each of the Oversight Board, the Successor Agency (as successor to the interests of the Redevelopment Agency) and the Owner, as owner of the Site, hereby declares that the Agreement Affecting Real Property is and shall be of no further force and effect, the Agreement Affecting Real Property is deemed cancelled, and the Site is released from the effects of the Agreement Affecting Real Property.

SUCCESSOR AGENCY:

SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY

By: _____
Name: John D. Lollis
Title: Executive Director

OWNER:

By:

By:

EXHIBIT A

LEGAL DESCRIPTION OF SITE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, before me, _____, Notary Public,
(Print Name of Notary Public)

personally appeared _____

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 of Notary Public

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited ☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title Or Type Of Document

Number Of Pages

Date Of Documents

Signer(s) Other Than Named Above



CITY COUNCIL AGENDA – APRIL 5, 2016

SUBJECT: Approve the First Amended and Restated Long Range Property Management Plan

SOURCE: Community Development

COMMENT: Health and Safety Code Section 34191.5, as modified by AB 1484, requires the Successor Agency to prepare a Long Range Property Management Plan (Plan) that addresses the disposition and use of the real properties of the former redevelopment agency within six months of receiving a Finding of Completion from the Department of Finance (DOF). The DOF issued a Finding of Completion on August 7, 2013.

On February 4, 2014, the Successor Agency approved the proposed Plan and adopted Successor Agency Resolution No. 2014-01. On February 7, 2014, the Oversight Board approved the proposed Plan and adopted Oversight Board Resolution No. 2014-02.

Following approvals from the Successor Agency and the Oversight Board, the Plan was provided to the DOF for approval. The DOF required changes to the Plan, and on July 7, 2015, the Successor Agency approved the Revised LRPMP by Resolution No. 2015-03. On July 30, 2015, the Oversight Board approved the revisions by Resolution No. 2015-03. The DOF approved the LRPMP as final in August of 2015.

On September 22, 2015, SB107 was enacted which clarified Section 34181(a) of the Health and Safety Code to provide that “parking facilities and lots dedicated solely to public parking” constitute governmental use properties that are properly transferred to the City at no cost, so long as such properties do not generate revenues in excess of reasonable maintenance costs of the properties. Now, in accordance with SB107, including Health and Safety Code Section 34191.3 and 34181(a), the Successor Agency has prepared this First Amended and Restated Long Range Property Management Plan to clarify that Parcels 1 through 4 are Governmental Use properties that will be transferred to the City at no cost.

Under Section 34191.5, the Plan shall be approved by the Oversight Board and the Department of Finance prior to any property being transferred.

RECOMMENDATION: That the Successor Agency to the Porterville Redevelopment Agency adopt the draft resolution approving the First Amended

and Restated Long Range Property Management Plan, prepared pursuant to Health & Safety Code Section 34191.5 and direct Successor Agency staff to submit the Long Range Property Management Plan to the Oversight Board.

ATTACHMENTS:

1. Draft Amended Long Range Property Management Plan
2. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

FIRST AMENDED AND RESTATED
LONG RANGE PROPERTY MANAGEMENT PLAN

**SUCCESSOR AGENCY TO THE FORMER
PORTERVILLE REDEVELOPMENT AGENCY**



**291 NORTH MAIN STREET
PORTERVILLE, CA 93257**

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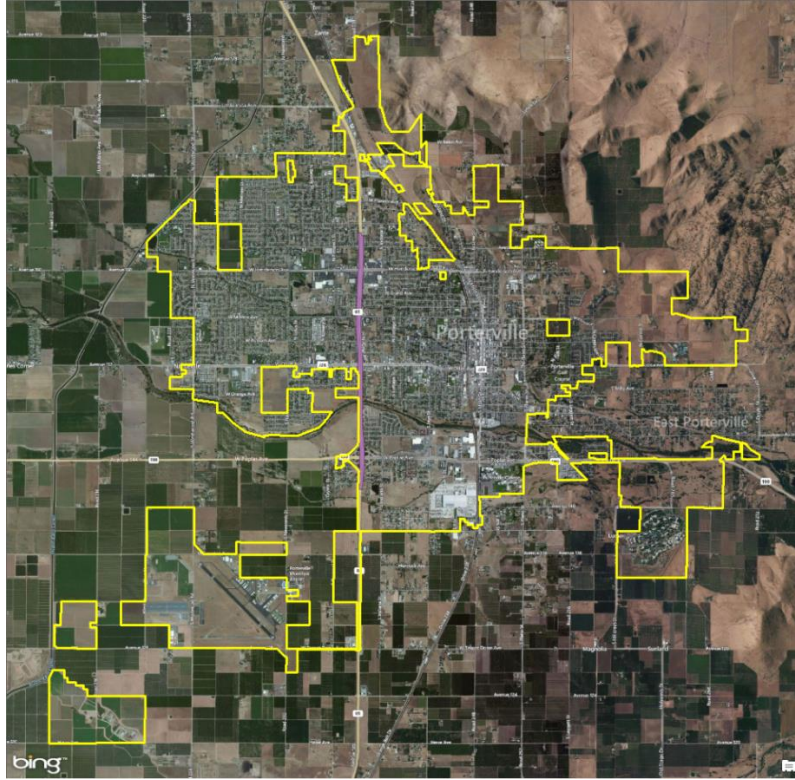
First Amended and Restated **Long Range Property Management Plan**

Successor Agency to the former Porterville Redevelopment Agency

INTRODUCTION

The City of Porterville (City) is located in the south central portion of the San Joaquin Valley, at the base of the foothills of the Sierra Nevada Mountains, in Tulare County. The California Department of Finance (DOF) reports the City population to be 55,490 as of January 1, 2013.

With the discovery of gold in California in 1848, came vast numbers of settlers from across the United States and abroad. This tremendous migration to California rolled through Porterville between 1840 and 1852. In 1854, Peter Goodhue established the Butterfield Overland Mail Stage Station on the banks of the old Tule River Channel. This was the stopping place along the Emigrant Train which is Main Street today. In 1860, Royal Porter Putnam came to work at the station, and assumed command of lodging and trading facilities. He purchased 40 acres of land from Goodhue, surveyed and divided the land into town lots and officially recorded this tract in 1870. Porterville was founded in 1861 and named after Royal Porter Putnam. In 1888, Porterville's first railroad, the Southern Pacific Railway, came to town. This transformed the small town to an agricultural marketing center. The City of Porterville was incorporated in 1902.



Former Redevelopment Agency

The former Porterville Redevelopment Agency (Agency) was created pursuant to § 33000 of the California Health and Safety Code Community Redevelopment Law. The City Council adopted Project Area No. 1 containing approximately 471 acres on July 3, 1990, by Ordinance No. 1436. On July 6, 2004, the City Council adopted Amendment No. 1 which removed 26 acres from the Project Area by Ordinance No. 1655. In August of 2010, an Amendment to Project Area No. 1 was adopted by Ordinance No. 1765. This Amendment added approximately 1,698 acres to the area for a total of 2,143 acres.

Currently, the Project Area is zoned for a variety of land uses. The area includes mostly developed land including, but not limited to, shopping areas, commercial developments, public parking lots, public buildings, and housing.

Dissolution of Porterville Redevelopment Agency

On June 27, 2012, Governor Brown signed into law Assembly Bill 1484 (AB 1484), a budget trailer bill that made substantial changes to the redevelopment agency dissolution process implemented by Assembly Bill 1X26 (AB 1X 26). One of the key components of AB 1484 is the requirement that all successor agencies develop a long range property management plan that governs the disposition and use of the former redevelopment agency's properties. This document is the Long Range Property Management Plan (Plan) for the Successor Agency to the former Porterville Redevelopment Agency (Agency).

This **First Amended and Restated** Long Range Property Management Plan was prepared in compliance with Health and Safety Code §**Sections 34191.3 and 34191.5**

SUMMARY OF PROPERTIES OWNED BY THE SUCCESSOR AGENCY

There are seven (7) properties owned and controlled by the Agency. Parcel 7 was approved by the Oversight Board and the Department of Finance as an approved expenditure of bond proceeds to acquire, demolish, remediate and release the property for sale. The Agency acquired the property on August 28, 2014. Parcels 1 through 6 were acquired by the former Porterville Redevelopment Agency in an effort to revitalize a portion of the downtown area. These seven (7) properties are subject to the provisions of the Agency's Redevelopment Strategic Plan and the Five-Year Implementation Plan and amendment adopted in 2010. The properties include the following:

- Parcel 1 APN 253-177-008. The property is located at the southeast corner of Garden Avenue and Second Street. The property is zoned DMX (Downtown Mixed-Use) and is 40,777 square feet. It is developed and currently used as a public parking lot.
- Parcel 2 APN 261-123-001. The property is located at the northeast corner of Olive Avenue and Second Street. The property is zoned DR-N (Downtown Retail – North of Olive) and is 23,210 square feet. It is developed and currently used as a public parking lot.

- Parcel 3 APN 253-207-008. The property is located at the northwest corner of Thurman and Second Street. The property is zoned D-PO (Downtown Professional Office) and is 26,400 square feet. It is developed and currently used as a public parking lot.
- Parcel 4 APN 253-131-001. The property is located at the southeast corner of Morton and Fourth Street. The property is zoned D-PO (Downtown Professional Office) and is 29,192 square feet. It is developed and currently used as a public parking lot.
- Parcel 5 APN 252-183-006. The property address is 293 N. Hockett Street. The property is zoned D-PO (Downtown Professional Office) and is 6,050 square feet. It is currently undeveloped vacant land, but utilized as a parking lot for City vehicles.
- Parcel 6 APN 252-183-007. The property address is 287 N. Hockett Street. The property is zoned D-PO (Downtown Professional Office) and is 7,150 square feet. It is developed with a 2,446 square feet office building. The building is vacant.
- Parcel 7 APN 261-122-007. The property address is 14 N. Main Street and is otherwise known as the "Porterville Hotel Project." The property is zoned DR-N (Downtown Retail – North of Olive) and is 11,000 square feet. The property was a blighted mixed-use project that was deemed uninhabitable in December 2006. There was a catastrophic fire on December 26, 2013, that damaged the structure beyond repair.

The ~~Successor Agency is interested in transferring~~**original Long Range Property Management Plan ("Original Plan") submitted by the Successor Agency to DOF on _____, 2015, and approved by DOF by letter dated _____, 2015, provided for the Successor Agency to transfer** ownership of Parcels 1 through 4 to the City in order to continue utilizing them as public parking and entering into a Compensation ~~agreement~~**Agreement** between the City and taxing entities. Parcels 1 through 4 are encumbered with an Operation Use and Maintenance Covenant for public parking facilities that run with the land. ~~In the event~~**The Original Plan provided that, if** legislation ~~is~~**was** enacted **to clarify** that ~~clarifies~~ Parcels 1 through 4 are eligible to be conveyed to the City as governmental use properties, ~~this~~**the Original** Plan ~~will~~**would** be amended to change the designation of such properties **to "governmental use"** in accordance with ~~then applicable~~**such amended** law.

SB107 was enacted in September 22, 2015, to clarify that Section 34181(a) of the Health and Safety Code to provide that "parking facilities and lots dedicated solely to public parking" constitute governmental use properties that are properly transferred to the City at no cost, so long as such properties do not generate revenues in excess of reasonable maintenance costs of the properties. Now, in accordance with SB107, including Health and Safety Code Section 34191.3 and 34181(a), the Successor Agency has prepared this First Amended and Restated Long Range Property Management Plan to clarify that Parcels 1 through 4 are Governmental Use properties that will be transferred to the City at no cost.

The remainder of the Original Plan is unchanged by this First Amended and Restated Long Range Property Management Plan: Parcels 5 and 6 are proposed to be transferred to the City for governmental purposes as a parking lot used by City vehicles and as an administrative building utilized for staff respectively. Parcel 7 was acquired on August 28, 2014, in compliance with the expenditure of bond funds as approved by the Oversight Board and Department of Finance. It is proposed to complete demolition, remediate environmental concerns, and sell with the net proceeds to be used to fulfill enforceable obligations.

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PROPOSED USE AND DISPOSITION OF PROPERTIES

Parcel 1
Garden Avenue and Second Street Parking Lot
APN 253-177-008



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in January of 1993 for \$53,625. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$143,000 in April 2011. The Successor Agency is ~~interested in transferring ownership of~~will transfer this parcel to the City ~~in order to continue~~ utilizing it as public parking and for the permissible use of future development. The City ~~will enter into a Compensation agreement between the City and taxing entities. At this time, the proposed sale value and transfer date is unknown~~at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objectives included providing more conveniently located

parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot effectuated two of the listed projects: Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

In addition to the Redevelopment Plan, the Redevelopment Agency adopted the Strategic Plan for the Redevelopment Area in February of 1992. The Strategic Plan included an Action Plan which established priority projects and milestones in order to achieve the Strategic Plan's objectives for the revitalization of the Project Area. The development of parking on this property was an adopted project of Phase A of the Action Plan.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 253-177-008

Address: No site address, southeast corner of Garden Avenue and Second Street

Lot size: 40,777 square feet

Zoning/Permitted Uses: The property is zoned DMX (Downtown Mixed-Use – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$143,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (*HSC 34191.5(c)(1)(G)*).

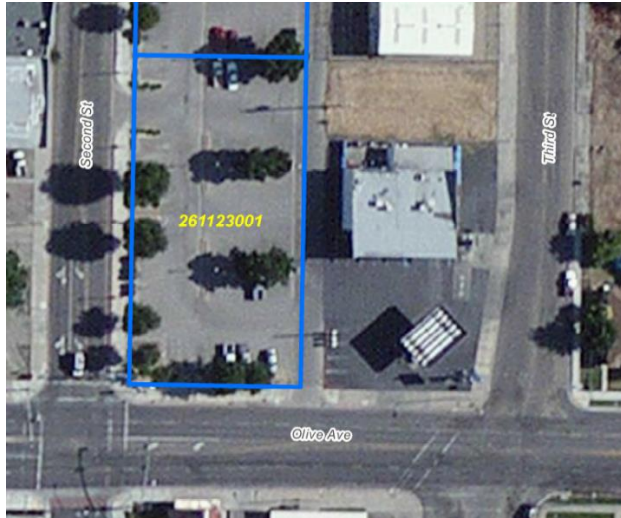
The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

The property has been developed as a public parking lot since 1994. There is no history of previous development proposals and activity.

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Parcel 2
Olive and Second Street Parking Lot
APN 261-123-001



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 1993 for \$71,500. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$97,000 in April 2011. The Successor Agency is ~~interested in transferring ownership of~~ will transfer this parcel to the City ~~in order to continue utilizing it as public parking and for the permissible use of future development. The City will enter into a Compensation agreement between the City and taxing entities. At this time, the proposed sale value and transfer date is unknown~~ at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objectives included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot effectuated two of the listed projects: Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central

Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

In addition to the Redevelopment Plan, the Redevelopment Agency adopted the Strategic Plan for the Redevelopment Area in February of 1992. The Strategic Plan included an Action Plan which established priority projects and milestones in order to achieve the Strategic Plan's objectives for the revitalization of the Project Area. The development of parking on this property was an adopted project of Phase A of the Action Plan.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 261-123-001

Address: No site address, northeast corner of Olive Avenue and Second Street

Lot size: 23,210 square feet

Zoning/Permitted Uses: The property is zoned DR-N (Downtown Retail – North of Olive Avenue – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$97,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

The property has been developed as a public parking lot since 1994. There is no history of previous development proposals and activity.

Parcel 3
Thurman Avenue and Second Street Parking Lot
APN 253-207-008



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in July of 1994 for \$270,850. The original acquisition was of four parcels. A parcel merger was subsequently completed, forming the existing assessor parcel 253-207-008. An appraisal regarding the value of the property was not obtained at the time of acquisition. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$93,000 in April 2011. The Successor Agency is ~~interested in transferring ownership of~~ will transfer this parcel to the City ~~in order to continue utilizing it as public parking and for the permissible use of future development. The City will enter into a Compensation agreement between the City and taxing entities. At this time, the proposed sale value and transfer date is unknown~~ at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objections included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and

subsequent development of the parking lot effectuated two of the listed projects: Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 253-207-008

Address: No site address, northwest corner of Thurman Avenue and Second Street

Lot size: 26,400 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$93,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The City of Porterville Transit system has a bus stop located at the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

The property has been developed as a public parking lot since 1997. There is no history of previous development proposals and activity.

Parcel 4
Morton and Fourth Street Parking Lot
APN 253-131-001



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in November of 1994 for \$28,879. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$102,000 in April 2011. The Successor Agency is ~~interested in transferring ownership of~~will transfer this parcel to the City ~~in order to continue utilizing it as public parking and for the permissible use of future development. The City will enter into a Compensation agreement between the City and taxing entities. At this time, the proposed sale value and transfer date is unknown~~at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objections included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot was identified as Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 253-131-001

Address: No site address, southeast corner of Morton Avenue & Fourth Street

Lot size: 29,192 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$102,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. The parcel was formerly a portion of the Tulare Valley Railroad Company; however, the parcel was adjacent to the rail line and there is no suspected contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The property is incorporated into the Porterville Transit system as a transit bus stop complete with seating and trellis.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

The property has been developed as a public parking lot since 1995. There is no history of previous development proposals and activity.

Parcel 5
293 N. Hockett Street – Vacant Lot
APN 252-183-006



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 2001 for \$45,000. An appraisal regarding the value of the property was not obtained at the time of acquisition. In April of 2011, the property appraised for \$25,000. The Successor Agency is interested in transferring ownership of this parcel to the City in order to continue utilizing it as a parking lot used by City vehicles as a Governmental Use. ~~At this time, the proposed sale value and transfer date is unknown.~~

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The purpose of the acquisition fulfilled two objectives of the Redevelopment Plan and the Five Year Implementation Plan 1999-2004: (1) Acquire land for the development of public facilities, i.e. parking lots and (2) the creation of additional parking districts in order to facilitate development.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 252-183-006

Address: 293 N. Hockett Street

Lot size: 6,050 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$25,000. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

It was anticipated to develop the property as a parking facility for City vehicles. The design and construction plans have been completed and the project was programmed in the ten year Capital Improvement Program for construction during fiscal year 2012/13.

Parcel 6
287 N. Hockett Street – Stout Building
APN 252-183-007



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 2001 for \$132,500. An appraisal regarding the value of the property was not obtained at the time of acquisition. The property appraised for \$185,000 in April 2011. The Successor Agency is interested in transferring ownership of this parcel to the City for Governmental Use. The City would utilize the facility for an administrative building, not available to the public, such as the Information Technology Department, the Fire Investigation Unit and/or the Police Dispatch Center. At this time, the proposed sale value and transfer date is unknown.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The purpose of the acquisition fulfilled two objectives of the Redevelopment Plan and the Five Year Implementation Plan 1999-2004: (1) Acquire land for the development of public facilities and (2) the creation of additional parking districts in order to facilitate development.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 252-183-007

Address: 287 N. Hockett Street

Lot size: 7,150 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$185,000. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

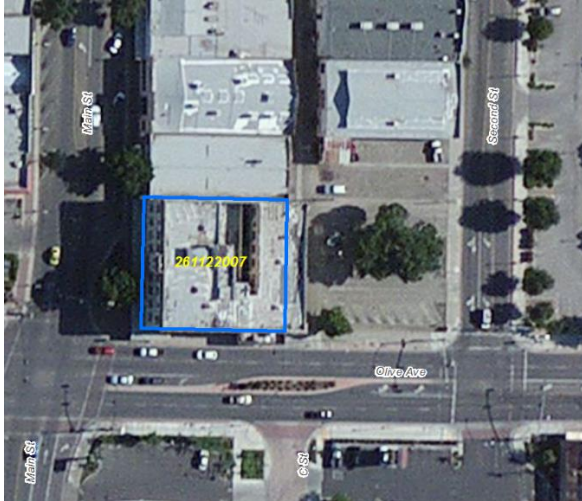
7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

Due to the proximity of the Porterville Transit Center, the building had the potential of being purchased for the transit headquarters, but time constraints required the transit headquarters to find a different location.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

There is no history of previous development proposals and activity.

Parcel 7
14 N. Main Street – The Porterville Hotel
APN 261-122-007



Fire – December 26, 2013



Hotel remains – December 26, 2013

1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency obtained bond proceeds, by refunding Agency debt in 2008, to acquire and eliminate the blighted development. The property was acquired by the Agency on August 28, 2014, for the amount of \$1,649,705.70. A Broker's Price Opinion estimated the value of the property to be \$198,000, with the assumption the lot is completely cleaned, leveled, and filled to pass compaction tests necessary to comply with state and local building codes. This property was acquired in compliance with the expenditure of bond funds as approved by the Oversight Board and Department of Finance, in order to eliminate the blight. The site is proposed to be demolished, remediated for environmental concerns, and sold with the net proceeds to be used to fulfill an enforceable obligation. At this time, the proposed value and sell date is unknown.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The property is proposed to be acquired for removal of blight through the demolition and remediation of environmental concerns and the sale of the property for future development, in compliance with the expenditure of bond funds, as approved by the Oversight Board and Department of Finance. In accordance with HSC section 34191.4(c)(2)(B), the net proceeds shall be used to fulfill an enforceable obligation.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 261-122-007

Address: 14 N. Main Street

Lot size: 11,000 square feet

Zoning/Permitted Uses: The property is zoned DR-N (Downtown Retail – North of Olive Avenue – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

A Broker's Price Opinion, obtained on June 23, 2015, estimated the value of the property to be \$198,000, with the assumption the lot is completely cleaned, leveled, and filled to pass compaction tests necessary to comply with state and local building codes.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

In 2011, prior to trying to acquire the property, a Historic Document Review was performed on the property. The study found significant asbestos and lead based paint. Part of the planned demolition included environmental remediation. Although the fire destroyed the structure, the Agency will continue with plans identified by the bond proceeds to acquire the property, demolish, remediate environmental concerns, and sell the property as a clean site.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The property is located in the heart of downtown near major retail and employment areas on a major thoroughfare serviced by numerous bus lines.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

There is no history of previous development proposals and activity.

SUCCESSOR AGENCY RESOLUTION NO. 2016-____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE PORTERVILLE
REDEVELOPMENT AGENCY APPROVING THE FIRST AMENDED AND
RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN
PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34191.3 AND
34191.5, DETERMINING THAT APPROVAL OF THE LONG RANGE
PROPERTY MANAGEMENT PLAN IS EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND TAKING CERTAIN ACTIONS IN
CONNECTION THEREWITH

WHEREAS, prior to February 1, 2012, the Porterville Redevelopment Agency (herein referred to as the “Former Agency”) was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.), and was authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council (“City Council”) of the City of Porterville (“City”); and

WHEREAS, Assembly Bill x1 26, chaptered and effective on June 27, 2011, added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and winding down of the affairs of former agencies, including as such laws were amended by Assembly Bill 1484, chaptered and effective on June 27, 2012 (together, the “Dissolution Act”); and

WHEREAS, as of February 1, 2012, the Former Agency was dissolved pursuant to the Dissolution Act and as a separate legal entity the City serves as the Successor Agency to the Porterville Redevelopment Agency (“Successor Agency”); and

WHEREAS, the Successor Agency administers the enforceable obligations of the Former Agency and otherwise unwinds the Former Agency’s affairs, all subject to the review and approval by a seven-member oversight board (“Oversight Board”); and

WHEREAS, pursuant to Health & Safety Code Section 34191.5(b), upon the Successor Agency’s receipt of a “Finding of Completion” from the California Department of Finance pursuant to Health & Safety Code Section 34179.7, the Successor Agency was required to prepare a long range property management plan (“Property Management Plan”) for the Former Agency’s real property assets and submit the approved Property Management Plan to the Oversight Board and the Department of Finance for approval, all within six months of the date of the Finding of Completion; and

WHEREAS, on August 7, 2013, pursuant to Health & Safety Code Section 34179.7, the Successor Agency received a Finding of Completion from the Department of Finance; and

WHEREAS, On February 4, 2014, the Successor Agency approved a Long Range Property Management Plan (the “Original LRPMP”) and adopted Successor Agency Resolution No. 2014-01. On February 7, 2014, the Oversight Board approved the Original LRPMP and adopted Oversight Board Resolution No. 2014-02, and the Plan was subsequently submitted to the California Department of Finance (“DOF”); and

WHEREAS, on July 7, 2015, by its Resolution No. 2015-03, the Successor Agency approved a Revised Long Range Property Management Plan (the “Revised LRPMP”) in accordance with changes required by the DOF, which the Revised LRPMP was subsequently approved by the Oversight Board on July 30, 2015, by its Resolution No. 2015-03, and was subsequently submitted to the California Department of Finance (“DOF”); and

WHEREAS, the Original and Revised LRPMP included several properties which have been used as public parking lots. Such public parking properties are referred to herein as the “Public Parking Properties;” and

WHEREAS, at the time the Original and Revised LRPMP were approved, the position of DOF was that public parking lots owned by redevelopment agencies would not be treated as governmental use properties for purposes of provisions of the Dissolution Act which provided that governmental use properties were eligible for transfer from successor agencies to host cities without payment of compensation therefor; and

WHEREAS, subsequent legislation has been enacted in the form of Senate Bill No. 107, Chapter 325, Statutes of 2015 (“SB 107”) which provides, at subsections (b) and (c) of Section 34191.3, in pertinent part:

(b) If the department has approved a successor agency’s long-range property management plan prior to January 1, 2016, the successor agency may amend its long-range property management plan once, solely to allow for retention of real properties that constitute “parking facilities and lots dedicated solely to public parking” for governmental use pursuant to Section 34181. An amendment to a successor agency’s long-range property management plan under this subdivision shall be submitted to its oversight board for review and approval pursuant to Section 34179, and any such amendment shall be submitted to the department prior to July 1, 2016; and

(c) (i) Notwithstanding paragraph (2) of subdivision (a) of Section 34181, for purposes of amending a successor agency’s long-range property management plan under subdivision (b), “parking facilities and lots dedicated solely to public parking” do not include properties that, as of the date of transfer pursuant to the amended long-range property management plan, generate revenues in excess of reasonable maintenance costs of the properties; and

(ii) Notwithstanding any other law, a city, county, city and county, or parking district shall not be required to reimburse or pay a successor agency for any funds spent on or before December 31, 2010, by a former redevelopment agency to design and construct a parking facility; and

WHEREAS, the Public Parking Properties constitute examples of “parking facilities and lots dedicated solely to public parking;” and

WHEREAS, the Successor Agency desires to avail itself of the authority provided under SB 107 to amend the Original and Revised LRPMP by that certain First Amended and Restated Long Range Property Management Plan in the form submitted herewith as Exhibit “A” (the “Amended LRPMP”) under which each of the Public Parking Properties will be accorded treatment as governmental use properties which may be transferred to the City without payment

therefor. The Amended LRPMP addresses the disposition and use of the real properties of the former Agency and includes the information required pursuant to Health and Safety Code Section 34191.5(c) and implements the provisions of SB 107 concerning public parking facilities as described above. Excepting for the modifications to address the treatment of public parking facilities afforded by SB 107, the Amended LRPMP is substantially identical to the Original LRPMP; and

WHEREAS, approval of the Amended LRPMP advances the public health, safety and welfare by facilitating the ongoing availability of public parking facilities within the City; and

WHEREAS, by this Resolution, the Successor Agency desires to approve the Amended LRPMP in the form submitted to the Successor Agency concurrently herewith and to authorize the transmittal of the Amended as the Property Management Plan to the Oversight Board and the Department of Finance for approval, all pursuant to Health & Safety Code Section 34191.5(b).

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY:

- Section 1. The foregoing recitals are true and correct and constitute a substantive part of this Resolution.
- Section 2. Each of the foregoing recitals is supported by substantial evidence.
- Section 3. The Successor Agency hereby approves the Amended LRPMP as the Property Management Plan in the form submitted to the Successor Agency concurrently herewith and authorizes Successor Agency staff to transmit said Property Management Plan to the Oversight Board and the Department of Finance for approval.
- Section 4. This Resolution shall be effective immediately upon adoption.
- Section 5. The Secretary to the Successor Agency shall certify to the adoption of this Resolution.
- Section 6. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). Pursuant to the State CEQA Guidelines (14 Cal. Code Regs. 15000 et seq.) ("Guidelines"). The Successor Agency has determined that the approval of the Amended LRPMP is not a "project" pursuant to CEQA and is exempt therefrom because it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment (Guidelines Section 15378(b)(5)). Further, it can be seen with certainty that there is no possibility that approval of the Amended LRPMP may have a significant effect on the environment, and thus the action is exempt from CEQA (Guidelines Section 15061(b)(3)). Staff of the Successor Agency is hereby directed to prepare and post a notice of exemption pursuant to Guidelines Section 15062.

PASSED, APPROVED AND ADOPTED this 5th day of April, 2016.

Milt Stowe, Chair

ATTEST:
John D. Lollis, Agency Secretary

By: _____
Patrice Hildreth, Chief Deputy Agency Secretary

**FIRST AMENDED AND RESTATED
LONG RANGE PROPERTY MANAGEMENT PLAN**

**SUCCESSOR AGENCY TO THE FORMER
PORTERVILLE REDEVELOPMENT AGENCY**



**291 NORTH MAIN STREET
PORTERVILLE, CA 93257**

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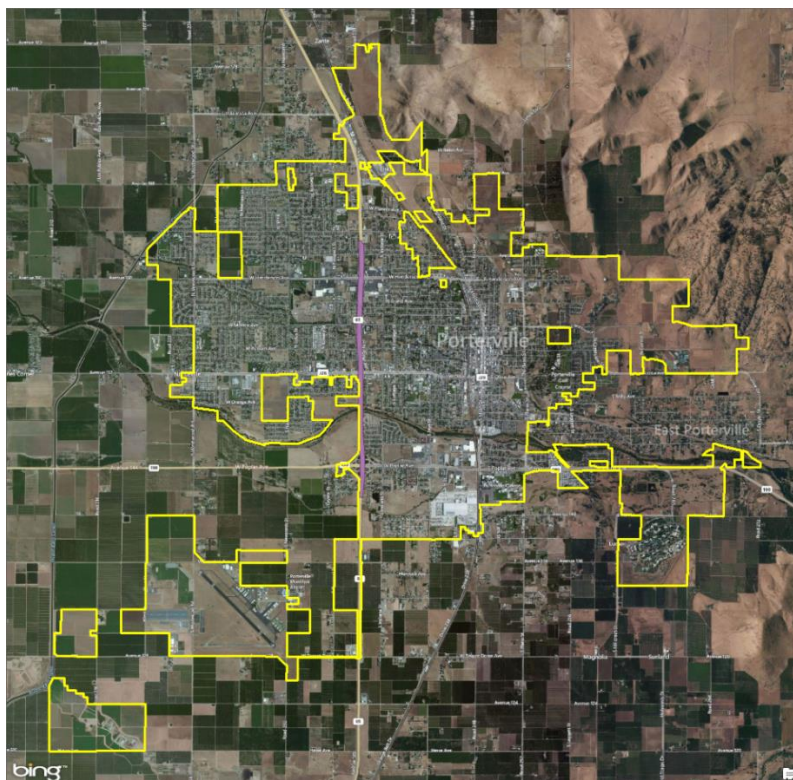
First Amended and Restated Long Range Property Management Plan

Successor Agency to the former Porterville Redevelopment Agency

INTRODUCTION

The City of Porterville (City) is located in the south central portion of the San Joaquin Valley, at the base of the foothills of the Sierra Nevada Mountains, in Tulare County. The California Department of Finance (DOF) reports the City population to be 55,490 as of January 1, 2013.

With the discovery of gold in California in 1848, came vast numbers of settlers from across the United States and abroad. This tremendous migration to California rolled through Porterville between 1840 and 1852. In 1854, Peter Goodhue established the Butterfield Overland Mail Stage Station on the banks of the old Tule River Channel. This was the stopping place along the Emigrant Train which is Main Street today. In 1860, Royal Porter Putnam came to work at the station, and assumed command of lodging and trading facilities. He purchased 40 acres of land from Goodhue, surveyed and divided the land into town lots and officially recorded this tract in 1870. Porterville was founded in 1861 and named after Royal Putnam Porter. In 1888, Porterville's first railroad, the Southern Pacific Railway, came to town. This transformed the small town to an agricultural marketing center. The City of Porterville was incorporated in 1902.



Former Redevelopment Agency

The former Porterville Redevelopment Agency (Agency) was created pursuant to § 33000 of the California Health and Safety Code Community Redevelopment Law. The City Council adopted Project Area No. 1 containing approximately 471 acres on July 3, 1990, by Ordinance No. 1436. On July 6, 2004, the City Council adopted Amendment No. 1 which removed 26 acres from the Project Area by Ordinance No. 1655. In August of 2010, an Amendment to Project Area No. 1 was adopted by Ordinance No. 1765. This Amendment added approximately 1,698 acres to the area for a total of 2,143 acres.

Currently, the Project Area is zoned for a variety of land uses. The area includes mostly developed land including, but not limited to, shopping areas, commercial developments, public parking lots, public buildings, and housing.

Dissolution of Porterville Redevelopment Agency

On June 27, 2012, Governor Brown signed into law Assembly Bill 1484 (AB 1484), a budget trailer bill that made substantial changes to the redevelopment agency dissolution process implemented by Assembly Bill 1X26 (AB 1X 26). One of the key components of AB 1484 is the requirement that all successor agencies develop a long range property management plan that governs the disposition and use of the former redevelopment agency's properties. This document is the Long Range Property Management Plan (Plan) for the Successor Agency to the former Porterville Redevelopment Agency (Agency).

This First Amended and Restated Long Range Property Management Plan was prepared in compliance with Health and Safety Code Sections 34191.3 and 34191.5

SUMMARY OF PROPERTIES OWNED BY THE SUCCESSOR AGENCY

There are seven (7) properties owned and controlled by the Agency. Parcel 7 was approved by the Oversight Board and the Department of Finance as an approved expenditure of bond proceeds to acquire, demolish, remediate and release the property for sale. The Agency acquired the property on August 28, 2014. Parcels 1 through 6 were acquired by the former Porterville Redevelopment Agency in an effort to revitalize a portion of the downtown area. These seven (7) properties are subject to the provisions of the Agency's Redevelopment Strategic Plan and the Five-Year Implementation Plan and amendment adopted in 2010. The properties include the following:

- Parcel 1 APN 253-177-008. The property is located at the southeast corner of Garden Avenue and Second Street. The property is zoned DMX (Downtown Mixed-Use) and is 40,777 square feet. It is developed and currently used as a public parking lot.
- Parcel 2 APN 261-123-001. The property is located at the northeast corner of Olive Avenue and Second Street. The property is zoned DR-N (Downtown Retail – North of Olive) and is 23,210 square feet. It is developed and currently used as a public parking lot.

- Parcel 3 APN 253-207-008. The property is located at the northwest corner of Thurman and Second Street. The property is zoned D-PO (Downtown Professional Office) and is 26,400 square feet. It is developed and currently used as a public parking lot.
- Parcel 4 APN 253-131-001. The property is located at the southeast corner of Morton and Fourth Street. The property is zoned D-PO (Downtown Professional Office) and is 29,192 square feet. It is developed and currently used as a public parking lot.
- Parcel 5 APN 252-183-006. The property address is 293 N. Hockett Street. The property is zoned D-PO (Downtown Professional Office) and is 6,050 square feet. It is currently undeveloped vacant land, but utilized as a parking lot for City vehicles.
- Parcel 6 APN 252-183-007. The property address is 287 N. Hockett Street. The property is zoned D-PO (Downtown Professional Office) and is 7,150 square feet. It is developed with a 2,446 square feet office building. The building is vacant.
- Parcel 7 APN 261-122-007. The property address is 14 N. Main Street and is otherwise known as the “Porterville Hotel Project.” The property is zoned DR-N (Downtown Retail – North of Olive) and is 11,000 square feet. The property was a blighted mixed-use project that was deemed uninhabitable in December 2006. There was a catastrophic fire on December 26, 2013, that damaged the structure beyond repair.

The original Long Range Property Management Plan (“Original Plan”) submitted by the Successor Agency to DOF on _____, 2015, and approved by DOF by letter dated _____, 2015, provided for the Successor Agency to transfer ownership of Parcels 1 through 4 to the City in order to continue utilizing them as public parking and entering into a Compensation Agreement between the City and taxing entities. Parcels 1 through 4 are encumbered with an Operation Use and Maintenance Covenant for public parking facilities that run with the land. The Original Plan provided that, if legislation was enacted to clarify that Parcels 1 through 4 are eligible to be conveyed to the City as governmental use properties, the Original Plan would be amended to change the designation of such properties to “governmental use” in accordance with such amended law.

SB107 was enacted in September 22, 2015, to clarify that Section 34181(a) of the Health and Safety Code to provide that “parking facilities and lots dedicated solely to public parking” constitute governmental use properties that are properly transferred to the City at no cost, so long as such properties do not generate revenues in excess of reasonable maintenance costs of the properties. Now, in accordance with SB107, including Health and Safety Code Section 34191.3 and 34181(a), the Successor Agency has prepared this First Amended and Restated Long Range Property Management Plan to clarify that Parcels 1 through 4 are Governmental Use properties that will be transferred to the City at no cost.

The remainder of the Original Plan is unchanged by this First Amended and Restated Long Range Property Management Plan: Parcels 5 and 6 are proposed to be transferred to the City for governmental purposes as a parking lot used by City vehicles and as an administrative building utilized for staff respectively. Parcel 7 was acquired on August 28, 2014, in compliance with the expenditure of bond funds as approved by the Oversight Board and Department of Finance. It is proposed to complete demolition, remediate environmental concerns, and sell with the net proceeds to be used to fulfill enforceable obligations.

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PROPOSED USE AND DISPOSITION OF PROPERTIES

Parcel 1
Garden Avenue and Second Street Parking Lot
APN 253-177-008



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in January of 1993 for \$53,625. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$143,000 in April 2011. The Successor Agency will transfer this parcel to the City at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objectives included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot effectuated two of the listed projects: Project A(4)

Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

In addition to the Redevelopment Plan, the Redevelopment Agency adopted the Strategic Plan for the Redevelopment Area in February of 1992. The Strategic Plan included an Action Plan which established priority projects and milestones in order to achieve the Strategic Plan's objectives for the revitalization of the Project Area. The development of parking on this property was an adopted project of Phase A of the Action Plan.

3. Parcel data, including address, lot size, and current zoning (*HSC 34191.5(c)(1)(C)*).

APN: 253-177-008

Address: No site address, southeast corner of Garden Avenue and Second Street

Lot size: 40,777 square feet

Zoning/Permitted Uses: The property is zoned DMX (Downtown Mixed-Use – see Exhibit E)

4. Estimate of the current value, including appraisal information (*HSC 34191.5(c)(1)(D)*).

The property was appraised in April of 2011 for \$143,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (*HSC 34191.5(c)(1)(E)*).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (*HSC 34191.5(c)(1)(F)*).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (*HSC 34191.5(c)(1)(G)*).

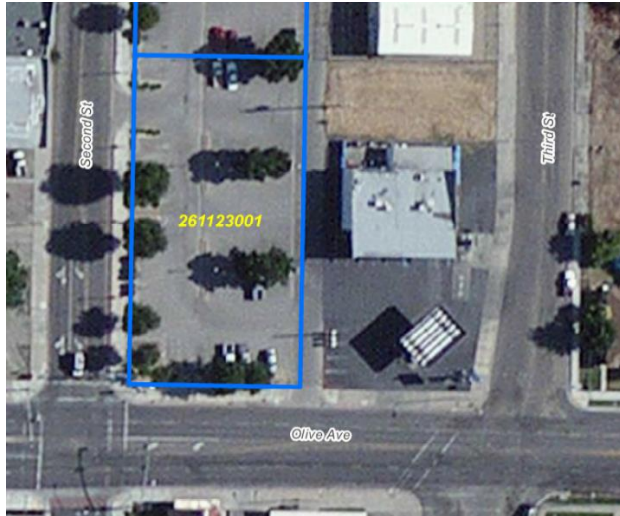
The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

The property has been developed as a public parking lot since 1994. There is no history of previous development proposals and activity.

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Parcel 2
Olive and Second Street Parking Lot
APN 261-123-001



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 1993 for \$71,500. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$97,000 in April 2011. The Successor Agency will transfer this parcel to the City at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objectives included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot effectuated two of the listed projects: Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

In addition to the Redevelopment Plan, the Redevelopment Agency adopted the Strategic Plan for the Redevelopment Area in February of 1992. The Strategic Plan included an Action Plan

which established priority projects and milestones in order to achieve the Strategic Plan's objectives for the revitalization of the Project Area. The development of parking on this property was an adopted project of Phase A of the Action Plan.

3. Parcel data, including address, lot size, and current zoning (*HSC 34191.5(c)(1)(C)*).

APN: 261-123-001

Address: No site address, northeast corner of Olive Avenue and Second Street

Lot size: 23,210 square feet

Zoning/Permitted Uses: The property is zoned DR-N (Downtown Retail – North of Olive Avenue – see Exhibit E)

4. Estimate of the current value, including appraisal information (*HSC 34191.5(c)(1)(D)*).

The property was appraised in April of 2011 for \$97,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (*HSC 34191.5(c)(1)(E)*).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (*HSC 34191.5(c)(1)(F)*).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (*HSC 34191.5(c)(1)(G)*).

The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

The property has been developed as a public parking lot since 1994. There is no history of previous development proposals and activity.

Parcel 3
Thurman Avenue and Second Street Parking Lot
APN 253-207-008



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in July of 1994 for \$270,850. The original acquisition was of four parcels. A parcel merger was subsequently completed, forming the existing assessor parcel 253-207-008. An appraisal regarding the value of the property was not obtained at the time of acquisition. With the Operation Use and Maintenance Covenant for a public parking facility, the property appraised for \$93,000 in April 2011. The Successor Agency will transfer this parcel to the City at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objections included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot effectuated two of the listed projects: Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central

Business District and Project N(1) Parking Lot Project – Olive to Thurman in Central Business District.

3. Parcel data, including address, lot size, and current zoning (*HSC 34191.5(c)(1)(C)*).

APN: 253-207-008

Address: No site address, northwest corner of Thurman Avenue and Second Street

Lot size: 26,400 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (*HSC 34191.5(c)(1)(D)*).

The property was appraised in April of 2011 for \$93,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (*HSC 34191.5(c)(1)(E)*).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (*HSC 34191.5(c)(1)(F)*).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (*HSC 34191.5(c)(1)(G)*).

The City of Porterville Transit system has a bus stop located at the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

The property has been developed as a public parking lot since 1997. There is no history of previous development proposals and activity.

Parcel 4
Morton and Fourth Street Parking Lot
APN 253-131-001



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in November of 1994 for \$28,879. An appraisal had been obtained and the property was purchased in an amount equivalent to the appraisal. With the Operation Use and Maintenance Covenant for a public parking facility the property appraised for \$102,000 in April 2011. The Successor Agency will transfer this parcel to the City at no cost for continued governmental use as public parking.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The Porterville Redevelopment Agency enacted the original Redevelopment Plan in 1990 for the Porterville Redevelopment Project No. 1 (Project Area) pursuant to Health and Safety Code, Section 33000 et seq. The Redevelopment Plan included objectives to mitigate or eliminate blighting conditions within the Project Area. In addition to rehabilitating aging downtown commercial buildings, the objections included providing more conveniently located parking in the downtown retail area. In order to implement the objectives, the Redevelopment Plan included an action plan for acquisition of land to develop public parking facilities. A list of Proposed Public Improvements was included in the adoption of the plan. This parcel and subsequent development of the parking lot was identified as Project A(4) Main Street Commercial Area Improvement - Parking Lot Improvements in the Central Business District.

3. Parcel data, including address, lot size, and current zoning (*HSC 34191.5(c)(1)(C)*).

APN: 253-131-001

Address: No site address, southeast corner of Morton Avenue & Fourth Street

Lot size: 29,192 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (*HSC 34191.5(c)(1)(D)*).

The property was appraised in April of 2011 for \$102,000 with the Operation Use and Maintenance Covenant for a public parking facility. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (*HSC 34191.5(c)(1)(E)*).

None; therefore, this Parcel does not generate revenues in excess of reasonable maintenance costs.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (*HSC 34191.5(c)(1)(F)*).

A Phase 1 environmental was not performed at the time of acquisition. The parcel was formerly a portion of the Tulare Valley Railroad Company; however, the parcel was adjacent to the rail line and there is no suspected contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

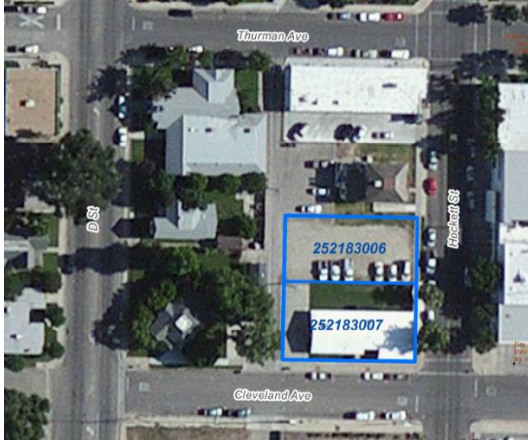
7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (*HSC 34191.5(c)(1)(G)*).

The property is incorporated into the Porterville Transit system as a transit bus stop complete with seating and trellis.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

The property has been developed as a public parking lot since 1995. There is no history of previous development proposals and activity.

Parcel 5
293 N. Hockett Street – Vacant Lot
APN 252-183-006



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 2001 for \$45,000. An appraisal regarding the value of the property was not obtained at the time of acquisition. In April of 2011, the property appraised for \$25,000. The Successor Agency is interested in transferring ownership of this parcel to the City in order to continue utilizing it as a parking lot used by City vehicles as a Governmental Use.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The purpose of the acquisition fulfilled two objectives of the Redevelopment Plan and the Five Year Implementation Plan 1999-2004: (1) Acquire land for the development of public facilities, i.e. parking lots and (2) the creation of additional parking districts in order to facilitate development.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 252-183-006

Address: 293 N. Hockett Street

Lot size: 6,050 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$25,000. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The City of Porterville Transit system has a bus stop located across the street from the property.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

It was anticipated to develop the property as a parking facility for City vehicles. The design and construction plans have been completed and the project was programmed in the ten year Capital Improvement Program for construction during fiscal year 2012/13.

Parcel 6
287 N. Hockett Street – Stout Building
APN 252-183-007



1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency acquired the parcel in February of 2001 for \$132,500. An appraisal regarding the value of the property was not obtained at the time of acquisition. The property appraised for \$185,000 in April 2011. The Successor Agency is interested in transferring ownership of this parcel to the City for Governmental Use. The City would utilize the facility for an administrative building, not available to the public, such as the Information Technology Department, the Fire Investigation Unit and/or the Police Dispatch Center. At this time, the proposed sale value and transfer date is unknown.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The purpose of the acquisition fulfilled two objectives of the Redevelopment Plan and the Five Year Implementation Plan 1999-2004: (1) Acquire land for the development of public facilities and (2) the creation of additional parking districts in order to facilitate development.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 252-183-007

Address: 287 N. Hockett Street

Lot size: 7,150 square feet

Zoning/Permitted Uses: The property is zoned D-PO (Downtown Professional Office – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

The property was appraised in April of 2011 for \$185,000. Property values in the Porterville area have remained relatively stable for the last few years.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

A Phase 1 environmental was not performed at the time of acquisition. There is no known environmental contamination. The property is not included or near a site on a list compiled by the Department of Toxic Substances Control.

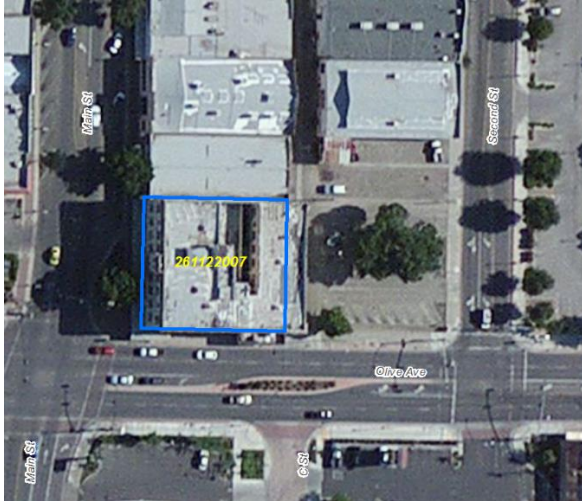
7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

Due to the proximity of the Porterville Transit Center, the building had the potential of being purchased for the transit headquarters, but time constraints required the transit headquarters to find a different location.

8. A brief history of previous development proposals and activity, including the rental or lease of property (HSC 34191.5(c)(1)(H)).

There is no history of previous development proposals and activity.

Parcel 7
14 N. Main Street – The Porterville Hotel
APN 261-122-007



Fire – December 26, 2013



Hotel remains – December 26, 2013

1. Date of acquisition of the property and the value of it at that time, and an estimate of the current value of the property (HSC 34191.5(c)(1)(A)).

The former Porterville Redevelopment Agency obtained bond proceeds, by refunding Agency debt in 2008, to acquire and eliminate the blighted development. The property was acquired by the Agency on August 28, 2014, for the amount of \$1,649,705.70. A Broker's Price Opinion estimated the value of the property to be \$198,000, with the assumption the lot is completely cleaned, leveled, and filled to pass compaction tests necessary to comply with state and local building codes. This property was acquired in compliance with the expenditure of bond funds as approved by the Oversight Board and Department of Finance, in order to eliminate the blight. The site is proposed to be demolished, remediated for environmental concerns, and sold with the net proceeds to be used to fulfill an enforceable obligation. At this time, the proposed value and sell date is unknown.

2. Purpose for which the property was acquired (HSC 34191.5(c)(1)(B)).

The property is proposed to be acquired for removal of blight through the demolition and remediation of environmental concerns and the sale of the property for future development, in compliance with the expenditure of bond funds, as approved by the Oversight Board and Department of Finance. In accordance with HSC section 34191.4(c)(2)(B), the net proceeds shall be used to fulfill an enforceable obligation.

3. Parcel data, including address, lot size, and current zoning (HSC 34191.5(c)(1)(C)).

APN: 261-122-007

Address: 14 N. Main Street

Lot size: 11,000 square feet

Zoning/Permitted Uses: The property is zoned DR-N (Downtown Retail – North of Olive Avenue – see Exhibit E)

4. Estimate of the current value, including appraisal information (HSC 34191.5(c)(1)(D)).

A Broker's Price Opinion, obtained on June 23, 2015, estimated the value of the property to be \$198,000, with the assumption the lot is completely cleaned, leveled, and filled to pass compaction tests necessary to comply with state and local building codes.

5. Estimate of any lease, rental, or other revenues generated by the property and a description of the contractual requirements for the disposition of those revenues (HSC 34191.5(c)(1)(E)).

None.

6. The history of any environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts (HSC 34191.5(c)(1)(F)).

In 2011, prior to trying to acquire the property, a Historic Document Review was performed on the property. The study found significant asbestos and lead based paint. Part of the planned demolition included environmental remediation. Although the fire destroyed the structure, the Agency will continue with plans identified by the bond proceeds to acquire the property, demolish, remediate environmental concerns, and sell the property as a clean site.

7. The property's potential for transit-oriented development and the advancement of the planning objections of the successor agency (HSC 34191.5(c)(1)(G)).

The property is located in the heart of downtown near major retail and employment areas on a major thoroughfare serviced by numerous bus lines.

8. A brief history of previous development proposals and activity, including the rental or lease of property (*HSC 34191.5(c)(1)(H)*).

There is no history of previous development proposals and activity.