



**CITY COUNCIL AGENDA  
CITY HALL, 291 N. MAIN STREET  
PORTERVILLE, CALIFORNIA  
JUNE 7, 2016, 5:30 PM**

Call to Order

Roll Call

**ORAL COMMUNICATIONS**

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

**CITY COUNCIL CLOSED SESSION:**

A. Closed Session Pursuant to:

- 1 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Steve Kabot. Employee Organization: Porterville City Firefighters Association.
- 2 - Government Code Section 54956.95 – Liability Claim (Application for Leave to Present a Late Claim). Claimant: Kerry L. Kirchenberg. Agency claimed against: City of Porterville.
- 3 - Government Code Section 54956.95 – Liability Claim: Claimant: Oscar Avila. Agency claimed against: City of Porterville.
- 4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel - Existing Litigation: California Healthy Communities Network v. City of Porterville, California Court of Appeal, Fifth District, Case No. F067685.
- 5 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three Cases in which facts are not yet known to potential plaintiff.

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

Pledge of Allegiance Led by Mayor Stowe

Invocation

**PROCLAMATIONS**

Freedom Days - June 14 - July 4, 2016

**PRESENTATIONS**

Employee Service Awards

## **AB 1234 REPORTS**

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

1. Council of Cities - May 18, 2016
2. Tulare County Economic Development Corp. (TCEDC) - May 25, 2016
3. Local Agency Formation Commission (LAFCO) - June 1, 2016

## **REPORTS**

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

- II. Staff Informational Reports
  1. Legislative Update

## **ORAL COMMUNICATIONS**

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

## **CONSENT CALENDAR**

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

1. **Acceptance of Public Benefit Grant Program - Enhanced Transportation Strategies Component Funding from the San Joaquin Valley Air Pollution Control District.**  
Re: Considering approval of a resolution accepting SJVAPCD grant funds in the amount of \$459,270 for the Transit Electrification Project, and authorizing the City Manager to execute any documents necessary to effectuate said grant on behalf of the City Council.
2. **Acceptance of Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments (AQIP) Grant from the California Air Resources Board**  
Re: Considering approval of a resolution accepting grant funds from the California Air Resources Board and authorizing project match funds.
3. **Authorization for Repair of Lindale Well No. 7**  
Re: Considering approval of the repair of Lindale Well 7, initiation of a Purchase Order and payment to Valley Pump & Dairy in an amount not to exceed \$23,521.



4. **Replacement of Field Services Server**  
Re: Considering approval to rescind the Council's May 17th action to replace the Field Services server, accept the revised bids presented, and award the bid to Dell for \$8,759.46.
5. **Award of Contract - Scranton Water Relocation Project**  
Re: Considering award of a contract in the amount of \$188,482.40 to Todd Companies for the project consisting of the extension of the existing steel encasement under State Route 65 at Scranton Avenue due to the upcoming State Route 65 widening project; and authorization to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714.
6. **Award of Contract - Lime Street Reconstruction Project**  
Re: Considering award of the Lime Street Reconstruction Project to MAC General Engineering in the amount of \$852,134 for the reconstruction of Lime Street between Sandra Court and Henderson Avenue; and authorizing the negotiation of construction surveying services.
7. **Award of Contract - Jaye Street Bridge Rehabilitation Project**  
Re: Considering award of a contract in the amount of \$5,390,444.50 to Emmett's Excavation for the project consisting of the widening of the Jaye Street Bridge at the Tule River from two to four lanes and reconstructing the street approaches to accommodate four lanes of traffic between Date Avenue and Springville Avenue.
8. **Acceptance of Project - Sewer Annexation Area 455A Project - Additional Work on Westfield Avenue**  
Re: Considering acceptance of project from 99 Pipeline, Inc., and authorizing the filing of the Notice of Completion for the project consisting of the installation of sewer main and laterals in Annexation 455A north of Westfield Avenue.
9. **Approval of Agreement Between the City of Porterville and Tulare County Health and Human Services Agency**  
Re: Considering approval of a three-year agreement with Tulare County Health and Human Services Agency for a Household Hazardous Waste Collection Facility in Porterville.
10. **Authorization to Enter Into Aviation Fuel Supply Agreement with World Fuel Services, Inc.**  
Re: Considering approval of a 3-year contract with World Fuel Services, Inc. for the supply of aviation fuels and a Phillips 66 branding agreement.

11. **Laboratory Instrument Service Contract**  
Re: Considering approval of a one-year service contract with Agilent Technologies in the amount of \$7,140 for instrument technical support at the City laboratory.
12. **Request to Suspend the 2016 CPI Rate Increase Until the July 19, 2016, Public Hearing**  
Re: Considering approval to suspend the CPI rate increase scheduled for July 1st until the Council considers the proposed water rate structure on July 19th, 2016.
13. **Request to Apply for Bureau of Justice Assistance FY16 Edward Byrne Memorial Justice Assistance Grant**  
Re: Considering approval to file a grant application for \$14,726 in funds from the Edward Byrne Memorial Justice Assistance Grants Program, established within the Bureau of Justice Assistance.
14. **Consideration of Street Closure for Porterville Library Summer Reading Program Kick-Off Event**  
Re: Considering approval of the temporary closure of Cleveland Avenue from Main Street to the alley east of Main Street.
15. **Approval for Community Civic Event - Boys and Girls Club of the Sequoias - Built for Life, Inc. - Olympic Day 2016 - June 18, 2016**  
Re: Considering approval of an event to take place at Zalud Park on Saturday, June 18, 2016, from 10:00 a.m. to 1:00 p.m.
16. **Request for Proclamation - Dr. John Snively**  
Re: Considering approval of a request to issue a proclamation in recognition of Dr. John Snively.
17. **Amendment to Employee Pay and Benefit Plan -- Porterville City Firefighters Association**  
Re: Approving amendments to the Employee Pay & Benefit Plan pursuant to the Memorandum of Understanding between the City of Porterville and the Porterville City Firefighters Association.

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

## **PUBLIC HEARINGS**

18. **Minor Conditional Use Permit to Allow the Use of a Dog Grooming Establishment in the CR (Retail Center) Zone District**  
Re: Consideration of a draft resolution approving Minor Conditional Use Permit (2016-010-C) to allow the use of a dog grooming establishment in the CR (Retail Center) Zone District at 1392 W. Olive Ave, Suite F.
19. **Riverwalk Marketplace Phase II**  
Re: Consideration of resolutions pertaining to the development of an approximately 202,854 square foot commercial shopping center known as Riverwalk Marketplace Phase II on a 21.8± acre site within the Viejo Robles Planned Development, the off-site sale of alcohol within the grocery section of the Walmart store, and a tentative parcel map.
20. **Annual Adjustment of Fees by Application of the ENR Cost Index**  
Re: Consideration of the annual adjustment of fees by application of the ENR Cost Index (2.7% increase).
21. **Municipal Code Amendments Related to Various Land Use Regulations to Correct Inconsistencies and Ambiguities**  
Re: Consideration of an ordinance adopting various amendments to the Municipal Code; and consideration of itinerant vendors and water use for new development.

#### **SCHEDULED MATTERS**

22. **Consideration of Calling for November 8, 2016 General Election; Requesting Consolidation of Elections; and Setting Specified Services**  
Re: Considering approval of resolutions setting election precepts including decisions regarding candidate statements and the use of Tulare County services for election, and authorizing payment to the Tulare County Registrar of Voters upon the completion of the requested services for the Municipal Election of November 8, 2016.
23. **Consideration of Appointment to the Transactions and Use Tax (Measure H) Oversight Committee**  
Re: Appointment of an individual to the Transactions and Use Tax Oversight Committee for a term ending in May of 2020.
24. **Extended Emergency Regulation for Urban Water Conservation**  
Re: Considering approval to maintain the current water conservation standard of 26% which will ensure at least a three year supply of water under drought conditions.

**25. Consideration of Fiscal Year 2016-2017 Proposed Budget and Setting Date of Public Hearing**

Re: Consideration of the 2016/2017 Fiscal Year Budget and the scheduling of a Public Hearing on the proposed budget for Tuesday, June 21, 2016.

**26. Status and Review of Declaration of Local Emergency**

Re: Consideration of the continuance of the Declaration of Local Emergency.

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  
JUNE 7, 2016**

Roll Call: Agency Members/Chairperson

**WRITTEN COMMUNICATION**

**ORAL COMMUNICATIONS**

**SUCCESSOR AGENCY SCHEDULED MATTERS**

**27. Refinancing of the 2008 Redevelopment Bond Issue**

Re: Consideration of the refinancing of the 2008 Redevelopment Bond Issue, and authorization to execute all draft resolutions, agreements, and documents as may be required.

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 June 21, 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](http://www.ci.porterville.ca.us).



## CITY COUNCIL AGENDA – JUNE 7, 2016

SUBJECT: 1. Legislative Update

SOURCE: City Manager's Office

COMMENT: As the year proceeds into the summer months, the State's legislative calendar begins to gain momentum. The League of California Cities, of which the City is a member, consistently tracks legislation for municipal impacts and affects to governance. Of the more than one hundred (100) proposed bills the League is tracking, several are of significance, which the League's "Hot Bills" list has been provided.

RECOMMENDATION: None - Informational Report

ATTACHMENTS: 1. League of California Cities Legislative Update

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

## LEAGUE HOT BILLS OF THE WEEK

### **AB 1957 (Quirk D) Public records: body-worn cameras.**

**Current Text:** Amended: 5/18/2016 [pdf](#) [html](#)

**Status:** 6/1/2016-Read third time. Refused passage. Motion to reconsider made by Assembly Member Quirk.

**Location:** 5/26/2016-A. UNFINISHED BUSINESS

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:**

6/2/2016 #19 ASSEMBLY MOTION TO RECONSIDER

**Laws:**

An act to add Section 6254.31 to the Government Code, relating to public records.

**Attachments:**

[AB 1957 \(Quirk\) Oppose City SAMPLE 5 25 16](#)

[AB 1957 Oppose](#)

**Primary Lobbyist:** Hutchings, Dane

**League Position:** Oppose

**Position Taken:** Hot

**Policy Committee (primary):** Administrative\_Services, Public\_Safety

**2nd Lobbyist:** Tim Cromartie

**Policy Committee (secondary):** Public Safety

**Notes 3:** 5/23/2016 A-5/18/2016 to: Oppose

2/13/2016 - to: Watch

### **AB 2320 (Calderon D) Unmanned aircraft systems.**

**Current Text:** Amended: 5/4/2016 [pdf](#) [html](#)

**Status:** 5/26/2016-Referred to Com. on PUB. S.

**Location:** 5/26/2016-S. PUB. S.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:**

6/21/2016 9 a.m. - John L. Burton Hearing Room (4203) SENATE PUBLIC SAFETY, HANCOCK, Chair

**Laws:**

An act to amend Sections 273.6, 402, 646.9, and 4573.5 of, and to add Section 290.97 to, the Penal Code, relating to unmanned aircraft systems.

**Attachments:**

[AB 2320 \(Calderon and Low\) SAMPLE oppose unless amended](#)

[AB 2320 \(Calderon\) League letter oppose unless amended](#)

**Primary Lobbyist:** Tim Cromartie

**League Position:** Neutral

**Position Taken:** Hot

**Policy Committee (primary):** Public\_Safety

**Notes 3:** 5/3/2016 A-4/25/2016 to: Neutral

4/7/2016 A-4/4/2016 to: Oppose Unless Amend

2/19/2016 - to: Watch

### **AB 2403 (Bloom D) Alcoholism or drug abuse recovery or treatment facilities.**

**Current Text:** Amended: 4/26/2016 [pdf](#) [html](#)

**Status:** 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/11/2016)

**Location:** 5/27/2016-A. DEAD

| Desk      | Policy | Dead | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |      |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Sections 11834.02, 11834.09, and 11834.20 of the Health and Safety Code, relating to alcoholism and drug abuse.

**Attachments:**

[AB 2403 \(Bloom\) SAMPLE support](#)

[AB 2403 \(Bloom\) League letter support](#)

**Primary Lobbyist:** Harris, Kendra

**League Position:** Sponsor

**Position Taken:** Hot

**Policy Committee (primary):** Housing Community and Economic Development

**Policy Committee (secondary):** Group Homes

**Notes 3:** 4/8/2016 A-4/5/2016 to: Sponsor

2/29/2016 I-2/19/2016 to: Support

**AB 2501 (Bloom D) Housing: density bonuses.**

**Current Text:** Amended: 4/14/2016 [pdf](#) [html](#)

**Status:** 5/27/2016-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/27/2016-S. RLS.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Section 65915 of the Government Code, relating to housing.

**Attachments:**

[AB 2501 \(Bloom\) OPPOSE, Asm. Local Gov., 4-13-16](#)

[AB 2501 \(Bloom\) Oppose Letter - Housing and Community Development](#)

[AB 2501 Sample Letter](#)

**Primary Lobbyist:** Harris, Kendra

**League Position:** Oppose

**Position Taken:** Hot

**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation

**2nd Lobbyist:** Carrigg, Dan

**Notes 3:** 4/6/2016 A-4/5/2016 to: Oppose

2/20/2016 - to: Watch

**AB 2586 (Gatto D) Parking.**

**Current Text:** Amended: 5/31/2016 [pdf](#) [html](#)

**Status:** 6/1/2016-Read second time. Ordered to third reading.

**Location:** 6/1/2016-A. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:**

6/2/2016 #89 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

**Laws:**

An act to amend Section 22507.6 of, to add Sections 22508.6 and 22508.7 to, and to repeal and amend Section 22508.5 of, the Vehicle Code, relating to parking.

**Attachments:**

[AB 2586 \(Gatto\) Oppose, Author SAMPLE](#)

[AB 2586 \(Gatto\) Asm Approps Oppose](#)

[AB 2586 \(Gatto\) Asm Local Gov Oppose](#)



AB 2586 (Gatto) SAMPLE Oppose  
AB 2586 (Gatto) Author, Oppose

**Primary Lobbyist:** Berdugo, Rony

**League Position:** Oppose

**Position Taken:** Hot

**Policy Committee (primary):** Transportation, \_Communications \_and \_Public \_Works

**Notes 3:** 3/29/2016 I-2/19/2016 to: Oppose

3/28/2016 I-2/19/2016 to: Watch

3/28/2016 I-2/19/2016 to: Oppose

2/20/2016 - to: Watch

**AB 2734 (Atkins D) Local Control Affordable Housing Act.**

**Current Text:** Amended: 4/5/2016 [pdf](#) [html](#)

**Status:** 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/4/2016)

**Location:** 5/27/2016-A. DEAD

| Desk      | Policy | Dead | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |      |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to add Chapter 10 (commencing with Section 34191.10) to Part 1.85 of Division 24 of the Health and Safety Code, relating to housing.

**Attachments:**

AB 2734 (Atkins) SAMPLE support

AB 2734 (Atkins) Support, Author & Asm. Local Gof., 4.5.16

AB 2734 (Atkins) Support, Author 3-23-16

**Primary Lobbyist:** Harris, Kendra

**League Position:** Support

**Position Taken:** Hot

**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation

**2nd Lobbyist:** Carrigg, Dan

**Notes 3:** 3/24/2016 A-3/17/2016 to: Support

2/20/2016 - to: Watch

**AB 2817 (Chiu D) Taxes: credits: low-income housing: allocation increase.**

**Current Text:** Amended: 5/27/2016 [pdf](#) [html](#)

**Status:** 6/1/2016-Read third time. Passed. Ordered to the Senate.

**Location:** 6/1/2016-S. SENATE

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Attachments:**

AB 2817 (Chiu) SAMPLE Support 3.31.16

AB 2817 (Chiu) Support, Author 3-23-16

**Primary Lobbyist:** Harris, Kendra

**League Position:** Support

**Position Taken:** Hot

**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation

**2nd Lobbyist:** Carrigg, Dan

**Notes 3:** 3/24/2016 A-3/17/2016 to: Support  
2/20/2016 - to: Watch

**ACA 4 (Frazier D) Local government transportation projects: special taxes: voter approval.**

**Current Text:** Amended: 8/17/2015 [pdf](#) [html](#)

**Status:** 8/27/2015-In committee: Hearing postponed by committee.

**Location:** 8/19/2015-A. APPR. SUSPENSE FILE

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XIII A thereof, and by amending Section 2 of Article XIII C thereof, relating to taxation.

**Attachments:**

[ACA 4 \(Frazier\) Sample Letter of Support](#)

[ACA 4 \(Frazier\) Support, Asm. Rev & Tax, 7-10-15](#)

[ACA 4 \(Frazier\) Author Support Letter](#)

**Primary Lobbyist:** Berdugo, Rony

**League Position:** Support

**Position Taken:** Hot

**Policy Committee (primary):** Revenue\_and\_Taxation, Transportation, \_Communications \_and \_Public \_Works

**2nd Lobbyist:** Carrigg, Dan, Tim Cromartie, Whiting, Jennifer

**Notes 3:** 3/30/2015 I-2/27/2015 to: Support

3/2/2015 - to: Watch

**SB 868 (Jackson D) State Remote Piloted Aircraft Act.**

**Current Text:** Amended: 5/31/2016 [pdf](#) [html](#)

**Status:** 6/1/2016-Read third time. Passed. (Ayes 25. Noes 12.) Ordered to the Assembly.

**Location:** 6/1/2016-A. ASSEMBLY

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Section 830.7 of the Penal Code, and to amend Section 21012 of, and to add Part 1.5 (commencing with Section 21750) to Division 9 of, the Public Utilities Code, relating to aviation.

**Attachments:**

[Support Letter SB 868 \(Jackson\) Approps 5 18 16](#)

[Updated Sample Support Letter SB 868 5.18.2016](#)

[Support Letter SB 868](#)

[Sample Support Letter SB 868](#)

[SB 868 \(Jackson\) Proposed Amendment 3-30-16](#)

[SB 868 \(Jackson\) Support if Amended, Author 3-30-16](#)

**Primary Lobbyist:** Tim Cromartie

**League Position:** Support

**Position Taken:** Hot

**Policy Committee (primary):** Public\_Safety

**Notes 3:** 4/19/2016 A-4/7/2016 to: Support

3/30/2016 A-3/28/2016 to: Support if Amend

1/13/2016 - to: Watch

**SB 873 (Beall D) Income taxes: insurance taxes: credits: low-income housing: sale of credit.****Current Text:** Amended: 4/5/2016 [pdf](#) [html](#)**Status:** 6/1/2016-In Assembly. Read first time. Held at Desk.**Location:** 6/1/2016-A. DESK

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**Attachments:**[SB 873 \(Beall\) SAMPLE Support, Author 3-31-16](#)[SB 873 \(Beall\) Support, Author 3-30-16](#)**Primary Lobbyist:** Harris, Kendra**League Position:** Support**Position Taken:** Hot**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation**2nd Lobbyist:** Carrigg, Dan, Tim Cromartie**Notes 3:** 3/30/2016 I-1/14/2016 to: Support

1/15/2016 - to: Watch

**SB 885 (Wolk D) Construction contracts: indemnity.****Current Text:** Amended: 5/10/2016 [pdf](#) [html](#)**Status:** 6/1/2016-Read third time. Passed. (Ayes 26. Noes 4.) Ordered to the Assembly.**Location:** 6/1/2016-A. ASSEMBLY

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Section 2782 of the Civil Code, relating to contracts.

**Attachments:**[SB 885 - Coalition Oppose Floor Alert](#)[SB 885 - Sen Judiciary Oppose](#)**Primary Lobbyist:** Berdugo, Rony**League Position:** Oppose**Position Taken:** Hot**Policy Committee (primary):** Transportation, \_Communications \_and \_Public \_Works**Notes 3:** 4/26/2016 A-4/18/2016 to: Oppose

1/20/2016 - to: Watch

**SB 1069 (Wieckowski D) Land use: zoning.****Current Text:** Amended: 4/26/2016 [pdf](#) [html](#)**Status:** 5/27/2016-Referred to Coms. on H. & C.D. and L. GOV.**Location:** 5/27/2016-A. H. & C.D.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Sections 65582.1, 65583.1, 65589.4, 65852.150, 65852.2, and 66412.2 of the Government Code, relating to land use.

**Attachments:**[SB 1069 \(Wieckowski\) OPPOSE, Sen Floor, 5/10/16](#)

[SB 1069 SAMPLE letter](#)  
[SB 1069 Oppose Senate Transportation](#)

**Primary Lobbyist:** Harris, Kendra  
**League Position:** Oppose  
**Position Taken:** Hot  
**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation  
**2nd Lobbyist:** Carrigg, Dan  
**Notes 3:** 4/16/2016 A-4/13/2016 to: Oppose  
 2/17/2016 - to: Watch

**SB 1102 (McGuire D) Transient occupancy taxes: hosting platforms.**

**Current Text:** Amended: 4/6/2016 [pdf](#) [html](#)

**Status:** 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/9/2016)

**Location:** 5/27/2016-S. DEAD

| Desk      | Policy | Dead | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |      |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to add Section 7282.5 to the Revenue and Taxation Code, relating to hosting platforms.

**Attachments:**

[SB 1102 \(McGuire\) OPPOSE, Joint Letter, Sen Approps. 5.6.16](#)

**Primary Lobbyist:** Carrigg, Dan  
**League Position:** Oppose  
**Position Taken:** Hot  
**Policy Committee (primary):** Revenue\_and\_Taxation  
**Notes 3:** 5/9/2016 A-4/6/2016 to: Oppose  
 2/18/2016 - to: Watch

**SB 1318 (Wolk D) Local government: drinking water infrastructure or services: wastewater infrastructure or services.**

**Current Text:** Amended: 6/1/2016 [pdf](#) [html](#)

**Status:** 6/1/2016-Read third time and amended. Ordered to third reading.

**Location:** 6/1/2016-S. THIRD READING

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Calendar:**

6/2/2016 #56 SENATE SEN THIRD READING FILE - SEN BILLS

**Laws:**

An act to add Section 56378.5 to, and to amend Sections 56375, 56425, 56430, 56653, and 65302.10 of the Government Code, relating to local government.

**Attachments:**

[SB 1318 \(Wolk\) Author,Oppose 3-30-16](#)

**Primary Lobbyist:** Harris, Kendra  
**League Position:** Oppose  
**Position Taken:** Hot  
**Policy Committee (primary):** Housing Community and Economic Development, Revenue\_and\_Taxation  
**2nd Lobbyist:** Carrigg, Dan, Rhine, Jason  
**Notes 3:** 3/16/2016 I-2/19/2016 to: Oppose  
 2/21/2016 - to: Watch

**SBX1 1 (Beall D) Transportation funding: environmental mitigation: oversight.****Current Text:** Amended: 4/21/2016 [pdf](#) [html](#)**Status:** 4/21/2016-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.**Location:** 4/21/2016-S. APPR.

| Desk      | Policy | Fiscal | Floor | Desk      | Policy | Fiscal | Floor | Conf. Conc. | Enrolled | Vetoed | Chaptered |
|-----------|--------|--------|-------|-----------|--------|--------|-------|-------------|----------|--------|-----------|
| 1st House |        |        |       | 2nd House |        |        |       |             |          |        |           |

**Laws:**

An act to amend Sections 13975, 14500, 14526.5, and 16965 of, to add Sections 14007.3, 14033, 14526.7, 14526.8, 14526.9, 16321, and 16965.2 to, to add Part 5.1 (commencing with Section 14460) to Division 3 of Title 2 of, and to repeal Section 14534.1 of, the Government Code, to amend Section 39719 of the Health and Safety Code, to amend Section 21080.37 of, and to add Division 13.6 (commencing with Section 21200) to, the Public Resources Code, to amend Section 99312.1 of the Public Utilities Code, to amend Sections 6051.8, 6201.8, 7360, 8352.4, 8352.5, 8352.6, and 60050 of the Revenue and Taxation Code, to amend Sections 143, 183.1, and 820.1 of, to add Sections 2103.1 and 2103.2 to, to add Article 8 (commencing with Section 228) to Chapter 1 of Division 1 of, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, 9400.5, and 9400.6 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**Attachments:**[SBx1 1 \(Beall\) Sample Support 8.11.15](#)[SBx1 1\(Beall\), Support, Sen. Transp. & Infrastructure, 8-10-15](#)**Primary Lobbyist:** Berdugo, Rony**League Position:** Support**Position Taken:** Hot**Policy Committee (primary):** Transportation, \_Communications \_and \_Public \_Works**2nd Lobbyist:** Whiting, Jennifer**Notes 3:** 8/10/2015 A-7/14/2015 to: Support

6/29/2015 I-6/22/2015 to: Watch

Total Measures: 15

Total Tracking Forms: 15

6/2/2016 10:42:02 AM



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Acceptance of Public Benefit Grant Program - Enhanced Transportation Strategies Component Funding from the San Joaquin Valley Air Pollution Control District.

**SOURCE:** Public Works

**COMMENT:** On September 17, 2014, the San Joaquin Valley Air Pollution Control District (SJVAPCD) announced its grant solicitation for the Public Benefits Grants Program - Enhanced Transportation Strategies. The funding opportunity was approved by the SJVAPCD in April 2011. Up to \$8,000,000 was available for public projects that achieve quantifiable emission reductions from passenger vehicles. Funding under this solicitation is intended for large-scale projects that are, or are part of, an enhanced mass transportation system that utilizes innovative technology.

On May 8, 2015, the City received the attached letter from the SJVAPCD that its Porterville Production EV Transit Bus Deployment Program Project was selected for award. In the letter, the SJVAPCD awarded the City \$459,270 for the purchase and operation of two battery-electric transit buses. Until now, staff had been unsuccessful in securing additional funding to complete the project. In January 2016, staff received authorization from the SJVAPCD to utilize this funding as a project match to the City's Transit Electrification Project application to the California Air Resources Board. Utilizing the SJVAPCD funding as project match funding is contingent upon the SJVAPCD claiming proportionate emission reduction credits from the two vehicles partially funded from their grant.

On April 14, 2016, the City received notice from the California Air Resources Board that its Transit Electrification Project was awarded. The SJVAPCD funding of \$459,270 will be included as a part of the City's project match of \$7,437,280.

Staff recommends accepting the SJVAPCD grant funds in the amount of \$459,270 for the Transit Electrification Project. This will allow the City to purchase ten battery-electric transit buses, of which the SJVAPCD will claim proportionate emission reduction credits.

RECOMMENDATION:

That the City Council:

1. Approve the draft Resolution accepting grant funds from the San Joaquin Valley Air Pollution Control District;
2. Authorize the Mayor and City Clerk to sign the Resolution; and
3. Authorize the City Manager to execute any documents necessary to effectuate said grant on behalf of the City Council.

ATTACHMENTS:

1. Award Letter
2. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

May 8, 2015

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

**RE: Project Status Notification – Selected for Funding  
Public Benefit Grants Program – Enhanced Transportation Strategies Component  
Project number: C-39221  
Proposal: Porterville Production EV Transit Bus Deployment Program**

Dear Richard Tree:

The San Joaquin Valley Air Pollution Control District (District) is pleased to inform you that your project, referenced by the project number above, has been awarded **\$459,270** under the Public Benefit Grants Program – Enhanced Transportation Strategies Component.

District staff will be in contact with you to verify information necessary to draft your project's grant agreement. Please note that the District cannot guarantee reimbursement of any expenses incurred in advance of the execution of your grant agreement.

Note: District grant funding may only be used for eligible project costs. Items such as consultant fees; feasibility studies; research and initial design costs; on-going maintenance of equipment and/or infrastructure; indirect costs such as rent, utility bills, etc.; administrative items such as office supplies or equipment; employee compensation, utility bill, etc. are ineligible for funding.

We look forward to partnering with your agency to promote the advancement of innovative clean-air technology and improving the air quality of the San Joaquin Valley. If you have any questions, please contact David Lopez at (559) 230-5800 or email [david.lopez@valleyair.org](mailto:david.lopez@valleyair.org) and he will be happy to assist you.

Sincerely,

Public Benefit Grants Program Staff  
Strategies and Incentives Department

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585



RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ACCEPTING  
GRANT FUNDS FROM THE SAN JOAQUIN VALLY AIR POLLUTION CONTROL  
DISTRICT PUBLIC BENEFITS GRANTS PROGRAM ENHANCED TRANSPORTATION  
STRATEGIES

WHEREAS, the City of Porterville submitted an application to the San Joaquin Valley Air Pollution Control District for grant funding for the Porterville Production EV Transit Bus Deployment Program Project and was successful in obtaining funds; and

WHEREAS, the San Joaquin Valley Air Pollution Control District awarded the City \$459,270 from Public Benefits Grants Program; and

WHEREAS, the Public Benefits Grants Program funding will be utilized as a portion of the City's Transit Electrification project match; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the City Council hereby approves the acceptance of grant funds in the amount of \$459,270 from the San Joaquin Valley Air Pollution Control District Public Benefits Grants Program; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute any documents necessary to effectuate and amend the said grant agreements on behalf of the City Council.

PASSED, APPROVED AND ADOPTED, this 7<sup>th</sup> day of June 2016.

---

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Acceptance of Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments (AQIP) Grant from the California Air Resources Board

**SOURCE:** Public Works

**COMMENT:** On October 1, 2015, the California Air Resources Board (ARB) announced its grant solicitation for the Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments Grant (AQIP) - Zero-Emission Truck and Bus Pilot Commercial Deployment Projects. The funding opportunity was approved by the ARB in the Fiscal Year (FY) 2014-2015 and FY 2015-2016 Funding Plans for Assembly Bill 118 Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments. Up to \$23,658,000 is available for this project from FY 2014-2015 funds. Up to an additional \$60,000,000 may be available for projects from future funds appropriated by the California legislature on or before June 30, 2016.

On April 14, 2016, the City received the attached letter from the ARB that its Transit Electrification Project was preliminary selected for award. The letter details outstanding actions that must be completed before a grant agreement can be executed.

As stated in the letter, the ARB cannot commit to funding the entire requested amount of \$9,516,422 at this time. Therefore, ARB is pleased to offer a partial grant award in the amount of \$2,365,800 from FY 2014-2015 funds. The remaining funding for the City's project (\$7,150,622) is contingent upon ARB Board approval of the FY 2016-2017 funds and the appropriation of sufficient FY 2016-2017 Low Carbon Transportation funds on or before June 30, 2016.

ARB anticipates that, by August 1, 2016, ARB will offer the remaining requested amount of \$7,150,622 to fund the project as proposed from FY 2016-2017, or ARB will work with the City to reduce the project scope if the funding is not available.

To be eligible for funding under the grant solicitation, the City was required to specify the commercially available vehicle technologies to be included in the project. The City proposed to use GreenPower Motor Company, Inc. (GreenPower) as the vehicle technology provider. The City of Porterville Transit Electrification Project will deploy, operate, and administer ten GreenPower EV350 battery-electric zero-emission transit buses, one GreenPower charging station at the Transit Center, and ten GreenPower

charging stations at the Bus Yard. This project also includes the construction of charging stations and renewable energy (solar) infrastructure at both the Transit Center and Bus Yard, funded by federal, state, and local transportation funds.

The City's Transit Electrification Project will deploy battery-electric buses for daily service on all nine routes for a period of approximately twenty-eight (28) months. This project will demonstrate the practicality and economic viability of wide-spread adoption of zero-emission heavy-duty transit buses.

This project will also provide a significant reduction in greenhouse gas (GHG) emissions and improve air quality in our area. The total project cost is \$16,953,702, of which the City has committed \$7,437,280 in federal, state, local transportation fund, and in-kind project match funds. In support of the pilot program, sixty-three percent (\$4,701,710) of the project match is operations and maintenance of the battery-electric fleet, funded 50/50 by federal and local transportation funds. Thirty-one percent (\$2,337,570) of the project match is for capital infrastructure and intelligent transportation systems (ITS), funded 80/20 by federal and local transportation funds. The remaining six percent (\$398,000) are in-kind contributions from the City and GreenPower for training and a spare battery-electric transit bus.

Staff recommends that the City Council accept the grant funds in the amount of \$2,365,800 from FY 2014-2015 funds and \$7,150,622 from FY 2016-2017 funds for the Transit Electrification Project. This will allow the City to purchase the battery-electric buses, charging stations, and initiate administrative reporting responsibilities. Staff also recommends that the City Council appropriate project match funding in the amount of \$7,437,280 from federal, state, and local transportation funds to the project budget.

RECOMMENDATION: That the City Council approve the draft Resolution accepting grant funds from the California Air Resources Board and authorizing project match funds.

ATTACHMENTS: 1. Draft Resolution  
2. ARB Award Letter

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 ACCEPTING  
GRANT FUNDS FROM THE CALIFORNIA AIR RESOURCES BOARD AIR QUALITY  
IMPROVEMENT PROGRAM AND LOW CARBON TRANSPORTATION GREENHOUSE  
GAS REDUCTION FUND INVESTMENT GRANT

WHEREAS, the City of Porterville submitted an application to the California Air Resources Board for grant funding for the City of Porterville Transit Electrification Project and was successful in obtaining funds; and,

WHEREAS, the California Air Resources Board awarded the City \$2,365,800 from Fiscal Year 2014-2015 Low Carbon Transportation funds to fund the Transit Electrification Project; and

WHEREAS, the California Air Resources Board awarded the City \$7,150,622 from Fiscal Year 2016-2017 Low Carbon Transportation funds, contingent upon California Air Resources Board approval of the FY 2016-17 Low Carbon Transportation and Fuels Investments and Air Quality Improvement Program Funding Plan, and the appropriation of sufficient FY 2016-17 Low Carbon Transportation funds, to fund the Transit Electrification Project; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Porterville that the City Council hereby approves the acceptance of grant funds in the amount of \$2,365,800 from Fiscal Year 2014-2015 and \$7,150,622 from Fiscal Year 2016-2017, contingent on California Air Resources Board approval, from the California Air Resources Board Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments Grant; and

BE IT FURTHER RESOLVED, the City Council of the City of Porterville authorize appropriating project match funding in the amount of \$7,467,280 from federal, state, and local transportation funds to the project budget; and

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute any documents necessary to effectuate and amend the said grant agreements on behalf of the City Council.

PASSED, APPROVED AND ADOPTED, this 7<sup>th</sup> day of June 2016.

---

Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk



**Matthew Rodriquez**  
*Secretary for  
Environmental Protection*

# Air Resources Board

**Mary D. Nichols, Chair**  
1001 I Street • P.O. Box 2815  
Sacramento, California 95812 • [www.arb.ca.gov](http://www.arb.ca.gov)



**Edmund G. Brown Jr.**  
*Governor*

April 14, 2016

Mr. John Lollis  
City Manager  
City of Porterville  
291 North Main Street  
Porterville, California 93257

**Subject:** Preliminary Selection for Zero-Emission Truck and Bus Pilot Commercial Deployment Project

Dear Mr. Lollis:

Thank you for your response to the Air Quality Improvement Program and Low Carbon Transportation Greenhouse Gas Reduction Fund Investments Grant Solicitation for the Zero-Emission Truck and Bus Pilot Commercial Deployment Projects. The City of Porterville submitted a well-crafted application that meets the objectives and goals of the solicitation. The project will accelerate the commercial deployment of heavy-duty zero-emission technologies by deploying 10 battery-electric transit buses supported by 11 depot charging units in Porterville, and operate the buses on all nine routes that provide transit services to disadvantaged communities in Porterville, East Porterville, Strathmore and unincorporated areas of Tulare County.

At this time, Air Resources Board (ARB) cannot commit to funding the entire requested amount of \$9,516,422. Therefore, ARB is pleased to preliminarily offer a partial grant award in the amount of \$2,365,800 to the City of Porterville to begin implementation of the City of Porterville Transit Electrification Project from Fiscal Year (FY) 2014-15 Low Carbon Transportation funds. The remaining funding for this project (\$7,150,622) is contingent upon ARB Board approval of the FY 2016-17 Low Carbon Transportation and Fuels Investments and Air Quality Improvement Program Funding Plan, and the appropriation of sufficient FY 2016-17 Low Carbon Transportation funds on or before June 30, 2016. ARB anticipates that, by August 1, 2016, ARB will notify you to either offer the final remaining requested amount of \$7,150,622 to fund the project as proposed from FY 2016-17 Low Carbon Transportation funds, or ARB will work with you to reduce the project scope if the FY 2016-17 funding is not available.

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

Mr. John Lollis  
April 14, 2016  
Page 2

Also contingent and before the project's grant agreement can be executed, the following items need to be finalized by the City of Porterville:

- Completion of California Environmental Quality Act (CEQA) requirements
- Board resolutions committing the City of Porterville for matching funds totaling \$7,467,280.

It is expected that the above two items can be satisfied by May 31, 2016.

Please be aware of the following important conditions:

- No agreement is in effect until the Grant Agreement is signed by both parties and, therefore, no work can begin until the Grant Agreement is fully executed.
- Until the grant agreement is fully executed, the applicant and all project team members and technology providers may NOT make public announcements regarding the preliminary award (i.e., press releases, press events, media interviews, etc.).
- Receipt of this preliminary selection letter allows you, the applicant, to contact project stakeholders and disclose the preliminary award, as needed, to secure match funding commitments and complete CEQA requirements.

If you have any questions or need further clarification, please contact Ms. Leslie Goodbody, Air Resources Engineer, at (916) 323-2961 or by email at [leslie.goodbody@arb.ca.gov](mailto:leslie.goodbody@arb.ca.gov)

Sincerely,



Lucina Negrete, Chief  
Innovative Strategies Branch  
Mobile Source Control Division

cc: See next page

Mr. John Lollis  
April 14, 2016  
Page 3

cc: Richard Tree, Transit Manager  
City of Porterville  
291 North Main Street  
Porterville, CA 93257

Samir Sheikh, Deputy Air Pollution Control Officer  
SJVAPCD  
1990 East Gettysburg Ave  
Fresno, CA 93726

Leslie Goodbody, Air Resources Engineer  
Innovative Strategies Branch  
Mobile Source Control Division





## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Authorization for Repair of Lindale Well No. 7

**SOURCE:** Public Works

**COMMENT:** The City of Porterville's Lindale Well No. 7, located on the east side of N. Cobb Way, at W. Thurman Avenue, has experienced an operational failure.

Securing the services of a pump repair company is challenging, especially during unprecedented drought conditions. However, three (3) bids for the work were requested and two (2) bids were received; one (1) company was non-responsive. Bids were requested from the following local pump repair companies:

| <u>Company</u>                | <u>Total</u> | <u>Availability</u>   |
|-------------------------------|--------------|-----------------------|
| Valley Pump & Dairy Systems   | \$21,383     | Immediately           |
| S.A. Camp Pump & Drilling Co. | \$26,783     | 7-10 days after award |
| Zim Industries                |              | Non-Responsive        |

Valley Pump & Dairy Systems was the lowest bidder. In addition, they are immediately available to start correcting all issues at Lindale Well No. 7, at a cost not to exceed \$23,521 (inclusive of all parts, taxes, and labor and a 10% contingency). The total repair cost will be funded by the Water Operating Fund.

**RECOMMENDATION:** That City Council:

1. Direct the Finance Director to initiate a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed \$23,521 for the repair of Lindale Well No. 7; and
2. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoice approved by the Public Works Director.

**ATTACHMENTS:**

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## CITY COUNCIL AGENDA – JUNE 7, 2016

SUBJECT: Replacement of Field Services Server

SOURCE: Public Works

COMMENT: At its meeting on May 17th, the City Council approved the replacement of the Field Services server, which has reached the end of its lifecycle and is experiencing difficulties. The quotes provided to Council at that time were:

Dell \$6,860.05  
CDWG \$8,893.56  
CDWG \$10,424.94

It has subsequently been determined that additional hardware is required to make the system functional, as well as the funding source is proposed to be modified. The bids have since been revised to reflect the additional hardware required, and are as follows:

Dell \$8,759.46  
CDWG \$8,893.56  
CDWG \$10,424.94

The two bids from CDWG represent two different server configurations. It is Staff's recommendation that the Council rescind its May 17th action to replace the Field Services server, accept the revised bids presented, and award the bid to replace the older unit at Field Services to Dell.

Funds to purchase the replacement server are available in the computer equipment replacement account.

RECOMMENDATION: That City Council

1. Rescind its prior action awarding the bid to Dell;
2. Reject all bids from the May 17th Council Meeting and accept the revised bids; and
3. Award the bid to replace the server at Field Services with a Dell PowerEdge R630 Server to Dell in the amount of \$8,759.46.

ATTACHMENTS:

1. Dell Quote
2. CDWG Quote 1
3. CDWG Quote 2

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



# Quote 1009745198028.1

## CITY OF PORTERVILLE

### Salesperson

**Salesperson Name**

Jedd Soto

**Salesperson Email**

Jedd\_Soto@Dell.com

**Salesperson Phone**

18009993355

**Salesperson Extension**

5138258

### Quote Details

**Quote Date**

05/16/2016

**Quote Validity**

06/15/2016

**Solution ID**

-

### Billing Details

**Company Name**

CITY OF PORTERVILLE

**Customer Number**

4023319

**Phone Number**

1 (559) 7827454

**Address**291 N MAIN ST  
PORTERVILLE  
CA  
93257-3737  
US

## Price Summary

| Description           | Quantity | Unit Price | Subtotal Price    |
|-----------------------|----------|------------|-------------------|
| PowerEdge R630        | 1        | \$8,197.84 | \$8,197.84        |
| Subtotal              |          |            | \$8,197.84        |
| Tax                   |          |            | \$561.62          |
| Shipping and Handling |          |            | \$0.00            |
| Environmental Fee     |          |            | \$0.00            |
| Total                 |          |            | <b>\$8,759.46</b> |

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

Dear Customer,

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

Regards,  
Jedd Soto

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

## Product Details by Shipment

Shipping Group 1

|                    |                 |                       |            |
|--------------------|-----------------|-----------------------|------------|
| Shipping Contact:  | TED WILLIAMS    | Subtotal              | \$8,197.84 |
| Shipping Phone No: | 1 (559) 7827439 | Tax                   | \$561.62   |
| Shipping via:      | Standard Ground | Shipping and Handling | \$0.00     |
| Shipping Address:  | FINANCE DEPT    | Environmental Fee     | \$0.00     |
|                    | 291 N MAIN ST   | Total                 | \$8,759.46 |
|                    | PORTERVILLE     |                       |            |
|                    | CA 93257        |                       |            |
|                    | US              |                       |            |

| Description           | Quantity | Unit Price | Subtotal Price |
|-----------------------|----------|------------|----------------|
| <b>PowerEdge R630</b> | 1        | \$8,197.84 | \$8,197.84     |

Estimated Delivery Date: 05/25/2016  
Contract Code: WN03AGW  
Customer Agreement No: 7-15-70-34-003

|          |                                                                                           |   |   |   |
|----------|-------------------------------------------------------------------------------------------|---|---|---|
| 210-ACXS | PowerEdge R630 Server                                                                     | 1 | - | - |
| 329-BCZI | PowerEdge R630 Motherboard MLK                                                            | 1 | - | - |
| 461-AADZ | No Trusted Platform Module                                                                | 1 | - | - |
| 321-BBKM | Chassis with up to 10, 2.5" Hard Drives, 3 PCIe Slots                                     | 1 | - | - |
| 340-AKPR | PowerEdge R630 Shipping - 10/24 Drive Chassis                                             | 1 | - | - |
| 338-BFFV | Intel Xeon E5-2620 v3 2.4GHz,15M Cache,8.00GT/s QPI,Turbo,HT,6C/12T (85W) Max Mem 1866MHz | 1 | - | - |
| 374-BBHC | Upgrade to Two Intel Xeon E5-2620 v3 2.4GHz,15M Cache,8.00GT/s QPI,Turbo,HT,6C/12T (85W)  | 1 | - | - |
| 370-ABWE | DIMM Blanks for System with 2 Processors                                                  | 1 | - | - |
| 412-AAEE | 120W Heatsink for PowerEdge R630                                                          | 1 | - | - |
| 412-AAEE | 120W Heatsink for PowerEdge R630                                                          | 1 | - | - |
| 370-ACPH | 2400MT/s RDIMMs                                                                           | 1 | - | - |
| 370-AAIP | Performance Optimized                                                                     | 1 | - | - |
| 370-ACNX | 16GB RDIMM, 2400MT/s, Dual Rank, x8 Data Width                                            | 6 | - | - |
| 780-BBJQ | RAID 1+RAID 10 for H330/H730/H730P (2 + 4-22                                              | 1 | - | - |

|          |                                                                                                                                                           |   |   |   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|
|          | HDDs or SSDs in pairs)                                                                                                                                    |   |   |   |
| 405-AAEG | PERC H730 Integrated RAID Controller, 1GB Cache                                                                                                           | 1 | - | - |
| 400-AJPK | 300GB 10K RPM SAS 12Gbps 2.5in Hot-plug Hard Drive                                                                                                        | 2 | - | - |
| 400-AJOW | 600GB 10K RPM SAS 12Gbps 2.5in Hot-plug Hard Drive                                                                                                        | 8 | - | - |
| 540-BBBJ | QLogic 57810 Dual Port 10Gb Direct Attach/SFP+ Low Profile Network Adapter                                                                                | 1 | - | - |
| 385-BBHO | iDRAC8 Enterprise, integrated Dell Remote Access Controller, Enterprise                                                                                   | 1 | - | - |
| 634-BBWU | OpenManage Essentials, Server Configuration Management                                                                                                    | 1 | - | - |
| 429-AAIQ | No Internal Optical Drive                                                                                                                                 | 1 | - | - |
| 325-BBIL | Quick Sync Bezel 10/24 Drive Chassis                                                                                                                      | 1 | - | - |
| 770-BBBL | ReadyRails Sliding Rails With Cable Management Arm                                                                                                        | 1 | - | - |
| 384-BBBL | Performance BIOS Settings                                                                                                                                 | 1 | - | - |
| 450-ADWS | Dual, Hot-plug, Redundant Power Supply (1+1), 750W                                                                                                        | 1 | - | - |
| 450-AALV | NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America                                                                    | 2 | - | - |
| 343-BBDK | Electronic System Documentation and OpenManage DVD Kit, PowerEdge R630                                                                                    | 1 | - | - |
| 619-ABVR | No Operating System                                                                                                                                       | 1 | - | - |
| 421-5736 | No Media Required                                                                                                                                         | 1 | - | - |
| 332-1286 | US Order                                                                                                                                                  | 1 | - | - |
| 540-BBBW | Broadcom 5720 QP 1Gb Network Daughter Card                                                                                                                | 1 | - | - |
| 976-7650 | ProSupport: Next Business Day Onsite Service After Problem Diagnosis, 5 Year                                                                              | 1 | - | - |
| 976-7659 | ProSupport: 7x24 HW / SW Tech Support and Assistance, 5 Year                                                                                              | 1 | - | - |
| 976-7728 | Dell Hardware Limited Warranty Plus On Site Service                                                                                                       | 1 | - | - |
| 989-3439 | Thank you choosing Dell ProSupport. For tech support, visit <a href="http://www.dell.com/support">http://www.dell.com/support</a> or call 1-800- 945-3355 | 1 | - | - |
| 900-9997 | On-Site Installation Declined                                                                                                                             | 1 | - | - |

## Important Notes

### Terms of Sale

This quote is valid for 30 days unless otherwise stated. Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hard copy from Dell at your request:

If this purchase is for your internal use only: Dell's Commercial Terms of Sale ([www.dell.com/CTS](http://www.dell.com/CTS)), which incorporate Dell's U.S Return Policy([www.dell.com/returnpolicy](http://www.dell.com/returnpolicy)) and Warranty ([www.dell.com/warrantyterms](http://www.dell.com/warrantyterms)).

If this purchase is intended for resale: Dell's Reseller Terms of Sale ([www.dell.com/resellerterms](http://www.dell.com/resellerterms)).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's service contracts and related service terms ([www.dell.com/servicecontracts/global](http://www.dell.com/servicecontracts/global)).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - A Version. ([www.dell.com/AEULA](http://www.dell.com/AEULA)) and use of the Dell-branded system software is subject to the Dell End User License Agreement - S Version ([www.dell.com/SEULA](http://www.dell.com/SEULA)) (the "End User License Agreements").

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

### Additional Terms for Public Customers

If you are a department, agency, division, or office of any district, state, county or municipal government within the United States ("Public Customer"), the following terms ("Public Customer Terms") apply in addition to the foregoing terms:

A.□ If any portion of the foregoing terms and conditions (or any terms referenced therein) is prohibited by law, such portion shall not apply to you. Notwithstanding anything to the contrary, the End User License Agreements shall take precedence in all conflicts relevant to your use of any software.

B.□ By placing your order, you confirm that (1) you are a contracting officer or other authorized representative of Public Customer with authority to bind the Public Customer to these terms and conditions, and (2) you have read and agree to be bound by these terms and conditions.

### Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.** Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to [Tax\\_Department@dell.com](mailto:Tax_Department@dell.com).

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





## SALES QUOTATION

| QUOTE NO. | ACCOUNT NO. | DATE      |
|-----------|-------------|-----------|
| HBQK678   | 0657199     | 5/10/2016 |

**BILL TO:**  
CITY OF PORTERVILLE  
291 N MAIN ST

**SHIP TO:**  
CITY OF PORTERVILLE  
Attention To: PURCHASING DIV.  
291 N MAIN ST

Accounts Payable  
PORTERVILLE , CA 93257-3737

PORTERVILLE , CA 93257-3737  
Contact: NINO RENZI 559.782.7434

Customer Phone #559.782.7451

Customer P.O. # LENOVO SERVER  
QUOTE

## ACCOUNT MANAGER

## SHIPPING METHOD

## TERMS

## EXEMPTION CERTIFICATE

CHRIS ANDERSON 877.570.2643

UPS Ground (2-3 days)

Net 30 Days-Govt  
State/Local

| QTY      | ITEM NO. | DESCRIPTION                                                                                                             | UNIT PRICE | EXTENDED PRICE |
|----------|----------|-------------------------------------------------------------------------------------------------------------------------|------------|----------------|
| 1        | 3591037  | LVO TS TS RD550 2XE5-2630V3 R510I<br>Mfg#: 70CX0025UX<br>Contract: Standard Pricing                                     | 2,101.72   | 2,101.72       |
| 1        | 3591047  | LVO RD550 XEON E5-2630 V3 PROCESSOR<br>Mfg#: 4XG0F28801<br>Contract: Standard Pricing                                   | 897.74     | 897.74         |
| 6        | 3518823  | LVO 16GB MEM DDR4-2133MHZ 2RX4 RDIMM<br>Mfg#: 4X70F28590<br>Contract: Standard Pricing                                  | 178.54     | 1,071.24       |
| 4        | 3517603  | LVO HDD G5 2.5IN 300GB 10K SAS HS<br>Mfg#: 4XB0G45722<br>Contract: Standard Pricing                                     | 267.32     | 1,069.28       |
| 1        | 3574068  | LVO HDD BO LTS RAID 510I RAID 5 UPG<br>Mfg#: 4XB0F28692<br>Contract: Standard Pricing                                   | 103.73     | 103.73         |
| 1        | 3519708  | LVO GEN 5 750W PLAT HOT SWAP PWR SUP<br>Mfg#: 4X20F28575<br>Contract: Standard Pricing                                  | 324.18     | 324.18         |
| 1        | 3544015  | LVO X520-DA2 PCIE 10GB 2PT SFP+<br>Mfg#: 4XC0F28734<br>Contract: Standard Pricing                                       | 776.05     | 776.05         |
| 1        | 3639954  | LVO TS 10GBE OPTICAL MODULE<br>Mfg#: 4XC0F28735<br>Contract: Standard Pricing                                           | 352.11     | 352.11         |
| 1        | 3531814  | LVO TS GEN 5 1U CABLE MANAGEMENT ARM<br>Mfg#: 4XF0G45874<br>Contract: Standard Pricing                                  | 64.83      | 64.83          |
| 1        | 3674788  | LVO TOPSELLER 5YR ONSITE 24X7X4<br>Mfg#: 5WS0G89796<br>Contract: Standard Pricing<br>Electronic distribution - NO MEDIA | 1,557.99   | 1,557.99       |
| SUBTOTAL |          |                                                                                                                         |            | 8,318.87       |
| FREIGHT  |          |                                                                                                                         |            | 0.00           |
| TAX      |          |                                                                                                                         |            | 574.69         |

US Currency

**TOTAL** 8,893.56

**Please remit payment to:**  
CDW Government  
75 Remittance Drive  
Suite 1515  
Chicago, IL 60675-1515



## SALES QUOTATION

| QUOTE NO. | ACCOUNT NO. | DATE     |
|-----------|-------------|----------|
| HBMM554   | 0657199     | 5/6/2016 |

**BILL TO:**  
CITY OF PORTERVILLE  
291 N MAIN ST

**SHIP TO:**  
CITY OF PORTERVILLE  
Attention To: PURCHASING DIV.  
291 N MAIN ST

Accounts Payable  
PORTERVILLE , CA 93257-3737

PORTERVILLE , CA 93257-3737  
Contact: NINO RENZI 559.782.7434

Customer Phone #559.782.7451

Customer P.O. # HP SERVER QUOTE

| ACCOUNT MANAGER             |          | SHIPPING METHOD                                                                                                                                   | TERMS                           | EXEMPTION CERTIFICATE |
|-----------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------------|
| CHRIS ANDERSON 877.570.2643 |          | UPS Ground (2-3 days)                                                                                                                             | Net 30 Days-Govt<br>State/Local |                       |
| QTY                         | ITEM NO. | DESCRIPTION                                                                                                                                       | UNIT PRICE                      | EXTENDED PRICE        |
| 1                           | 3466980  | HP DL360 GEN9 E5-2640V3 SRV<br>Mfg#: 780019-S01<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002        | 3,500.00                        | 3,500.00              |
| 5                           | 3465465  | HP 16GB 2RX4 PC4-2133P-R KIT<br>Mfg#: 726719-B21<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002       | 275.00                          | 1,375.00              |
| 4                           | 3619762  | HP 300GB 12GB SAS 10K 2.5IN SC HDD<br>Mfg#: 785067-B21<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002 | 225.00                          | 900.00                |
| 1                           | 2743158  | HP ENET 10GB 2-PORT 530SFP ADAPTER<br>Mfg#: 652503-B21<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002 | 510.00                          | 510.00                |
| 1                           | 3465567  | HP DL360 GEN9 SFF DVD-RW/USB KIT<br>Mfg#: 764632-B21<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002   | 94.00                           | 94.00                 |
| 1                           | 3494906  | HPE 5Y 24X7 DL360 GEN9 FC SVC<br>Mfg#: U7AQ5E<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002          | 2,550.00                        | 2,550.00              |
| 1                           | 1633034  | Electronic distribution - NO MEDIA<br>HP BLC 10GB SR SFP+ OPT<br>Mfg#: 455883-B21<br>Contract: MARKET                                             | 850.00                          | 850.00                |
| 1                           | 3137086  | HP 1U CMA FOR EASY INST RAIL KIT<br>Mfg#: 734811-B21<br>Contract: California HP Ent NVP Cpter Equipmt HP<br>c/o CDW<br>MNNVP-134 7-15-70-34-002   | 29.00                           | 29.00                 |
| SUBTOTAL                    |          |                                                                                                                                                   |                                 | 9,808.00              |
| FREIGHT                     |          |                                                                                                                                                   |                                 | 0.00                  |
| TAX                         |          |                                                                                                                                                   |                                 | 616.94                |

US Currency

TOTAL 10,424.94

CDW Government  
230 North Milwaukee Ave.  
Vernon Hills, IL 60061

Fax: 847.968.0581

**Please remit payment to:**  
CDW Government  
75 Remittance Drive  
Suite 1515  
Chicago, IL 60675-1515



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Award of Contract - Scranton Water Relocation Project

**SOURCE:** Public Works

**COMMENT:** On May 25, 2016, staff received three (3) bids for the Scranton Water Relocation Project. The project consists of extending the existing steel encasement under State Route 65 at Scranton Avenue due to the upcoming State Route 65 widening project. This is a typical requirement for public and private utility providers that encroach within state right-of-way. Once the steel encasement has been extended to the limits defined by Caltrans, a new 12-inch water pipe will be installed through the steel casing and reconnected to the system.

The Engineer's Estimate of Probable Cost for the project was \$198,605. The low bid presented by Todd Companies of Visalia is \$188,482.40, which is 5.1% below the Engineer's Estimate. An additional \$18,848.24 is required for construction contingency (10%). It is anticipated that an additional \$18,848.24 is required for construction management, quality control, inspection services and construction surveying (10%). The total estimated cost for the project is \$226,178.88.

The funding source for this project is the Water Developer Fee Fund. Council approved appropriations to the fund by MO #04-031516 with the Authorization to Advertise for Bids for the project.

The bids are as follows:

|    | Contractor                            | Amount       |
|----|---------------------------------------|--------------|
| 1. | JT2, Inc. DBA Todd Co.<br>Visalia, CA | \$188,482.40 |
| 2. | Bill Nelson GEC Inc. .<br>Fresno, CA  | \$229,550.00 |
| 3. | J.E. Burke Construction<br>Taft, CA   | \$297,245.00 |

Staff has found the low bid acceptable.

RECOMMENDATION:

That City Council:

1. Award the Scranton Avenue Water Relocation Project to Todd Companies in the amount of \$188,482.40;
2. Authorize progress payments up to 95% of the contract amount;
3. Authorize a 10% contingency to cover unforeseen costs;
4. Authorize an additional 10% for construction management, construction surveying, quality control, and inspection services; and
5. Authorize the City Engineer to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714.

ATTACHMENTS:

1. Locator Map - Scranton Water Relocation Project

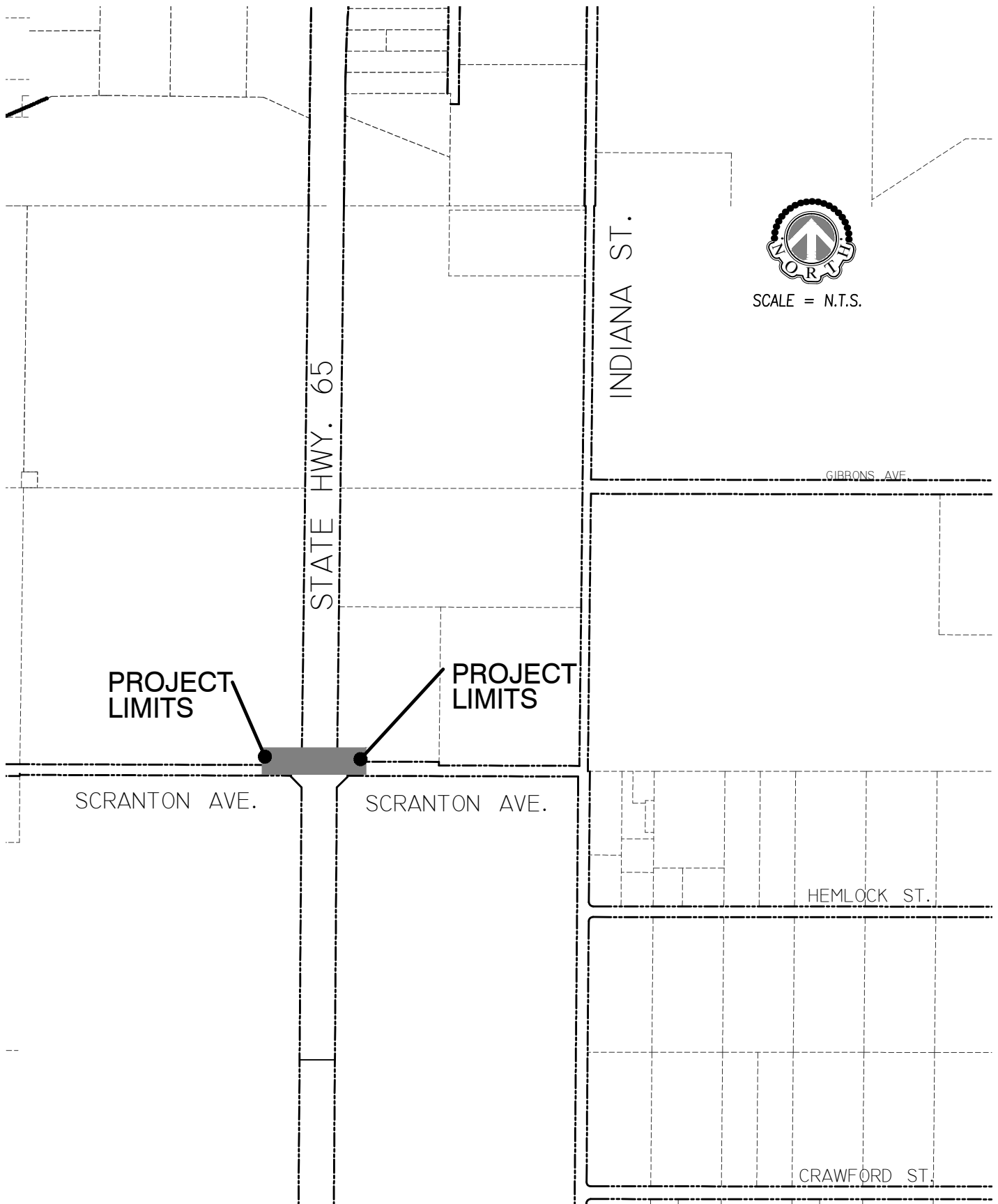
Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



# CITY OF PORTERVILLE

## ENGINEERING DIVISION

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

# SCRANTON AVENUE AND HIGHWAY 65 WATER MAIN RELOCATION PROJECT

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



## CITY COUNCIL AGENDA – JUNE 7, 2016

SUBJECT: Award of Contract - Lime Street Reconstruction Project

SOURCE: Public Works

COMMENT: On May 31, 2016, staff received four (4) bids for the Lime Street Reconstruction Project. The project limits are between Sandra Court and Henderson Avenue. The project consists of mixing lime and cement with the highly expansive soils within the street reconstruction area. The mixing process is known as "Lime Treatment" and stabilizes the fluid clay material by creating a concrete like subbase layer or surface. In order to complete the reconstruction project, an aggregate base rock layer will be placed over or above the "Lime Treated" soil and this layer will be capped with new asphalt.

All of the existing concrete improvements between Mulberry Avenue and Henderson Avenue will be removed and replaced. Some of the existing concrete improvements between Mulberry Avenue and Sandra Court are in good repair and complies with ADA requirements. Only those portions that are in disrepair and do not meet ADA requirements will be removed and replaced in this area.

During the construction of the project, the street will be closed to through traffic. Local traffic will be able to access their homes throughout most of the construction project. There may be times when residents are asked to park their vehicles at alternate locations to accommodate certain aspects of the construction project. A lime treatment project is not favorable to half street reconstruction because of the joint it creates at the centerline of the street. The joint or crack at the centerline becomes prominent or wider, allowing water to infiltrate the clay material below the lime treated soils, which leads to structural integrity failures and thus prompting the need for a street closure.

The Engineer's Estimate of Probable Cost for the project was \$920,727.50. The low bid presented by MAC General Engineering of Porterville is \$852,314.00, which is 7.4% below the Engineer's Estimate. An additional \$85,231.40 is required for construction contingency (10%). It is anticipated that an additional \$85,231.40 is required for construction management, quality control, inspection services, and construction surveying (10.0%). The total estimated cost for the project is \$1,022,776.80.

The funding source for this project is Local Transportation Funds and is approved in the 2015/2016 budget.

The bids are as follows:

|    | Contractor                                 | Amount         |
|----|--------------------------------------------|----------------|
| 1. | MAC General Engineering<br>Porterville, CA | \$852,314.00   |
| 2. | DOD Construction<br>Bakersfield, CA        | \$1,053,768.00 |
| 3. | Bush Engineering<br>Hanford, CA            | \$1,088,657.00 |
| 4. | Lee's Paving<br>Visalia, CA                | \$1,350,724.00 |

Staff has found the low bid acceptable.

RECOMMENDATION: That City Council:

1. Award the Lime Street Reconstruction Project to MAC General Engineering in the amount of \$852,134;
2. Authorize progress payments up to 95% of the contract amount;
3. Authorize a 10% contingency to cover unforeseen costs;
4. Authorize an additional 10% for construction management, construction surveying, quality control, and inspection services; and
5. Authorize the City Engineer to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714.

ATTACHMENTS: 1. Locator Map

Appropriated/Funded: MB

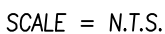
Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager





## PROJECT LIMITS

# PROJECT LIMITS

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

# LIME STREET RECONSTRUCTION PROJECT

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



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Award of Contract - Jaye Street Bridge Rehabilitation Project

**SOURCE:** Public Works

**COMMENT:** On May 31, 2016, staff received five (5) bids for the Jaye Street Bridge Rehabilitation Project. The proposed project includes widening the Jaye Street Bridge at the Tule River from two to four lanes and reconstructing the street approaches to accommodate four lanes of traffic between Date Avenue and Springville Avenue.

The Engineer's Estimate of Probable Cost for construction was \$4,524,000. The low bid presented by Emmett's Excavation of Fresno is \$5,390,444.50, which is 19% above the Engineer's Estimate. An additional \$539,044.45 is required for construction contingency (10%) for a total construction cost of \$5,929,488.95. Separate contracts for construction management and inspection services (including environmental monitoring, construction surveying, and materials testing) and construction support services will be brought to Council at a later date.

As the bids received are significantly higher than the Engineer's Estimate, staff has coordinated with Caltrans' Division of Local Assistance to request an Amendment Modification (AMOD) to the construction Authorization to Proceed (E-76) in order to allocate additional federal funding for the construction of the project. Caltrans has already added the funding deficiency to their database and will have the federal funds allocated by the end of summer 2016.

The funding sources for this project are the Highway Bridge Program (HBP), Certificates of Participation (COP), and Local Transportation Funds (LTF) as approved in the 2015/2016 budget. The following values show the current funding sources and the additional allocation amounts needed to fully fund the construction contract:

**Federal Participating Costs (88.53% HBP, 11.47% City COP)**

ENGINEER'S ESTIMATE:

\$4,270,000.00 Total participating cost  
\$3,780,231.00 Federal HBP share  
\$ 489,769.00 City COP share

LOW BID:

\$5,061,082.29 Total participating cost

\$4,480,576.15 Federal HBP share  
\$ 580,506.14 City COP share

ADDITIONAL FUNDS NEEDED:

\$ 791,082.29 Total participating cost  
\$ 700,345.15 Federal HBP share  
\$ 90,737.14 City COP share

**City Non-Participating Costs (100% City LTF)**

ENGINEER'S ESTIMATE:

\$ 706,000.00 Total non-participating cost

LOW BID:

\$ 868,406.66 Total non-participating cost

ADDITIONAL FUNDS NEEDED:

\$ 162,406.66 Total non-participating cost

As shown in the values above, staff is requesting an appropriation of \$90,737.14 of COP funds for the Federal participating portion and \$162,406.66 of LTF funds for the City non-participating portion. The \$791,082.29 of HBP funds needed will be temporarily covered by LTF and Special Gas Tax funds until such time that Caltrans officially allocates all of the HBP funds required to fully fund the construction contract.

The bids are as follows:

|    | <u>Contractor</u>                           | <u>Amount</u>  |
|----|---------------------------------------------|----------------|
| 1. | Emmett's Excavation<br>Fresno, CA           | \$5,390,444.50 |
| 2. | MCM Construction<br>North Highlands, CA     | \$5,824,871.00 |
| 3. | Myers & Sons Construction<br>Sacramento, CA | \$6,433,812.80 |
| 4. | Viking Construction<br>Rancho Cordova, CA   | \$6,679,299.20 |
| 5. | Agee Construction<br>Clovis, CA             | \$6,719,276.81 |

Staff has found the low bid acceptable and in compliance with the specification requirements for this federally funded project.

**RECOMMENDATION:**

That City Council:

1. Approve an appropriation of \$90,737.14 of Capital Improvement Funds for the Jaye Street Bridge Rehabilitation

Project from the Certificates of Participation account for the Federal participating portion;

2. Approve an appropriation of \$162,406.66 of Capital Improvement Funds for the Jaye Street Bridge Rehabilitation Project from the Local Transportation Fund account for the City non-participating portion;

3. Award the Jaye Street Bridge Rehabilitation Project to Emmett's Excavation in the amount of \$5,390,444.50;

4. Authorize a 10% contingency to cover unforeseen costs; and

5. Authorize progress payments up to 100% of the contract amount.

ATTACHMENTS:

1. Locator Map - Jaye Bridge

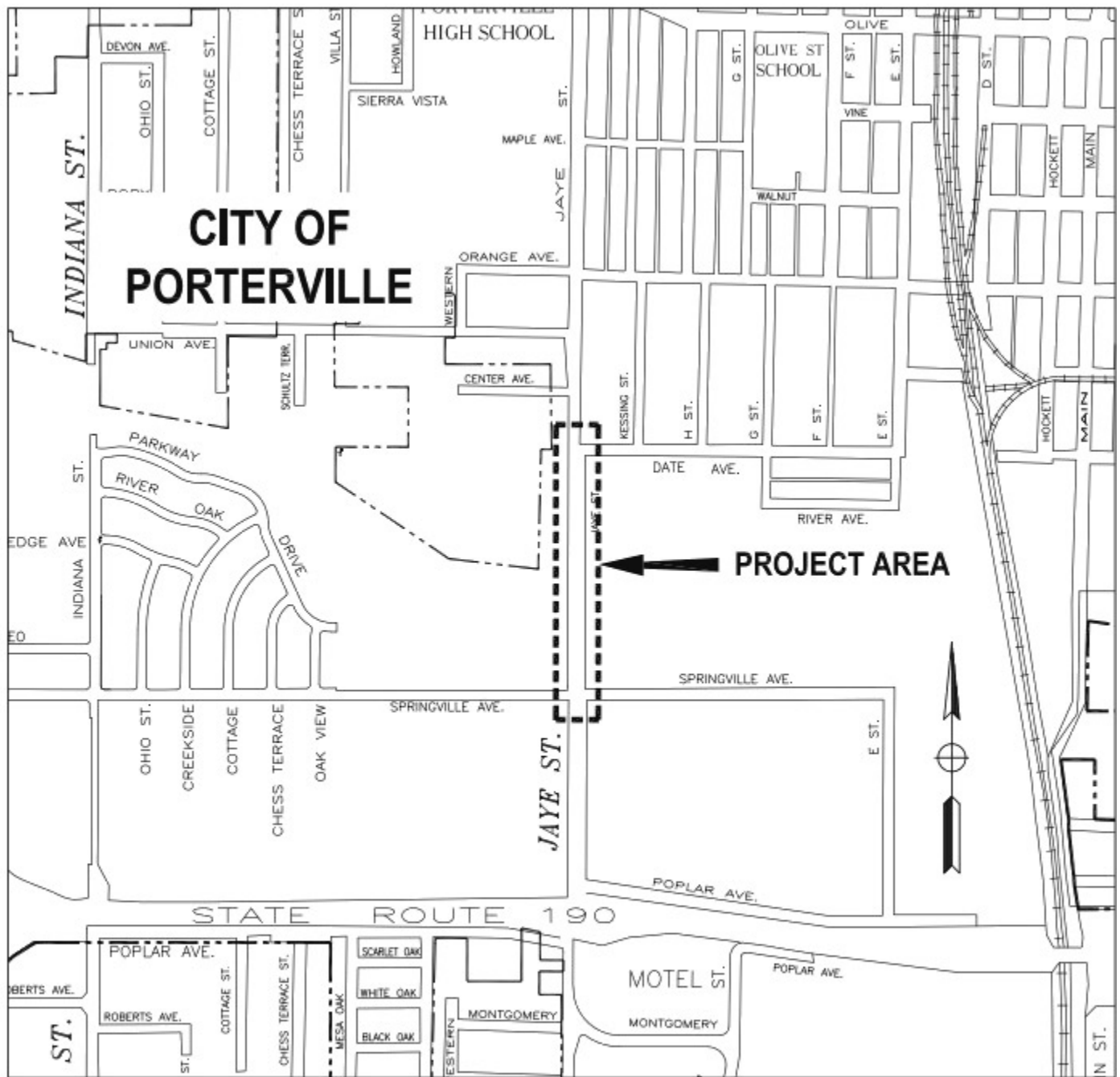
Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## PROJECT VICINITY MAP

NTS



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Acceptance of Project - Sewer Annexation Area 455A Project - Additional Work on Westfield Avenue

**SOURCE:** Public Works

**COMMENT:** 99 Pipeline, Inc., has completed the Sewer Annexation 455A Project - Additional Work on Westfield Avenue. The project consisted of installing 559 lineal feet of six-inch diameter sewer main and ten sewer laterals in two different areas along Westfield Avenue, the first area being on the north side of Westfield Avenue, approximately 400 feet east of Prospect Street and the second area being on the north side of Westfield Avenue, approximately 150 feet west of State Route 65. The sewer main was installed in easements that were recently dedicated to the City.

Staff carefully tracks construction costs of all Capital Improvement Projects and reports project construction expenditures when the project is accepted by City Council. On April 21, 2015, City Council authorized an expenditure of \$90,188.40 for construction, construction management, and quality control and inspection services for the Sewer Annexation 455A Project – Additional Work on Westfield Avenue. The following itemizes the construction related costs in two categories: 1) the construction contract, and 2) a combination of construction management, quality control and inspection services.

1. Final Construction cost is \$75,657.
2. Construction management, quality control and inspection services are \$11,022.03.

Total project construction costs equate to \$86,679.03, which is less than the \$90,188.40 overall budget approved by Council at time of award. Funding for this project is through the Sewer Revenue Bond (COP) as approved by City Council on February 17, 2015.

99 Pipeline, Inc., requests that the City Council accept the project as complete. Staff has reviewed the work and found it acceptable.

**RECOMMENDATION:** That City Council:

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

filed.

ATTACHMENTS: 1. Locator Map

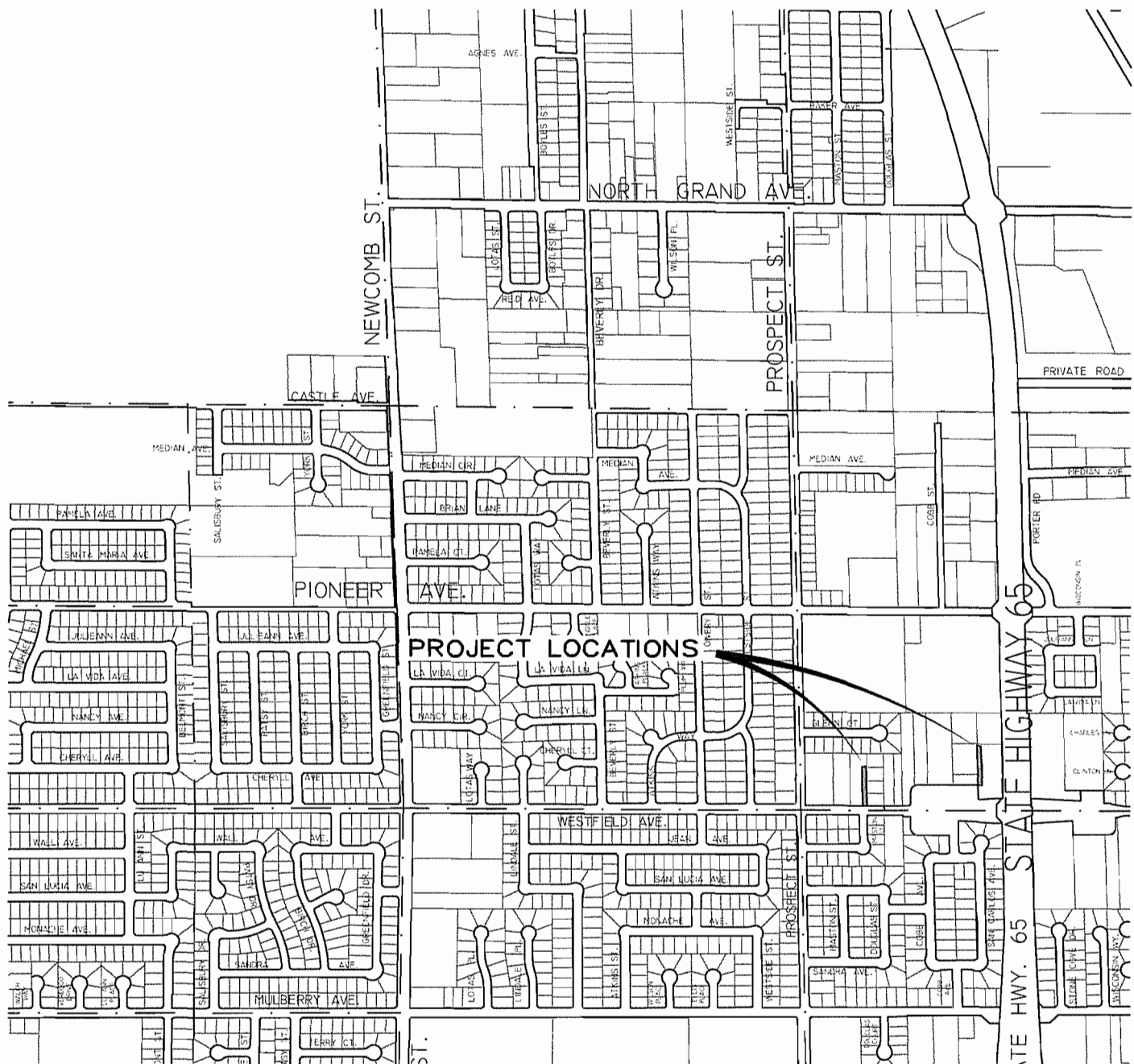
Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## LOCATOR MAP



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

**SEWER ANNEXATION 455A**  
**WESTFIELD ADDITIONAL**  
**SANITARY SEWER PROJECT**  
**CITY OF PORTERVILLE**





## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Approval of Agreement Between the City of Porterville and Tulare County Health and Human Services Agency

**SOURCE:** Public Works

**COMMENT:** The City entered into an agreement with Tulare County Health and Human Services Agency (TCHHSA) on September 29, 2009, to establish a Household Hazardous Waste (HHW) Collection Facility at the City Corporation Yard, 555 N. Prospect Street. This agreement is for a Recycle-Only HHW Collection Facility which only accepts latex paint; used oil; antifreeze; spent lead-acid batteries; nickel-cadmium, alkaline, or carbon-zinc batteries; intact spent fluorescent lamps; and intact spent high intensity discharge (HID) lamps. The agreement is a year-to-year agreement, which has been extended by amendment, and is set to expire on June 30, 2016. The County is proposing a new agreement with a three-year term, effective July 1, 2016.

The City of Porterville will continue to be responsible for providing the site, facility, and staffing for collection and documentation of the Collection Facility. TCHHSA will continue to be responsible for obtaining any necessary permits and provide equipment and collection containers to operate, transportation and disposal of materials, and signage and flyers. City's cost is four (4) staff hours monthly and is funded from the Solid Waste Fund. The collection facility is open on the third Saturday of every month from 8:00am to 12:00pm, and was utilized 172 times in 2015.

Staff recommends that City Council authorize the Mayor to sign the agreement with Tulare County Health and Human Services Agency.

**RECOMMENDATION:** That the City Council authorize the Mayor to sign the Agreement with Tulare County Health and Human Services Agency.

**ATTACHMENTS:** 1. Proposed Agreement between the City of Porterville and Tulare County Health and Human Services Agency

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

## AGREEMENT

**THIS AGREEMENT** is entered into as of \_\_\_\_\_, between the **COUNTY OF TULARE**, referred to as **COUNTY**, and the **CITY OF PORTERVILLE**., referred to as **CITY**, with reference to the following:

A. **COUNTY** wishes to jointly establish and operate a recycle-only household hazardous waste collection facility (**FACILITY**) as defined in California Health and Safety Code §25218.1(n) within the **CITY OF PORTERVILLE**; and

B. **CITY** and **COUNTY** each have the power to establish, operate, and maintain such a **FACILITY** as recognized by California Health and Safety Code §25202(c)r and 25218.8; and

C. **CITY** is willing to enter into this Agreement with **COUNTY** upon the terms and conditions set forth herein and **CITY** and **COUNTY** are authorized by Government Code §6500 et seq. to enter into this Agreement.

### **ACCORDINGLY, IT IS AGREED:**

1. **TERM:** This Agreement shall become effective as of July 1, 2016 and shall expire at 11:59 PM on June 30, 2019 unless otherwise terminated as provided in this Agreement.

2. **RESPONSIBILITIES:** The **CITY** and **COUNTY** enter into this Agreement for exchange of services. **CITY** and **COUNTY** shall generally be responsible for:

- City:
1. Provide and make available an appropriate site ("Site"), including such buildings as are available, for the Facility at its Corporation Yard located at 555 N. Prospect, Porterville, CA;
  2. Provide staff to oversee the Facility and receive, segregate, containerize and label recyclable household hazardous waste materials from the public during operating hours as established by the City.
  3. **CITY** shall limit materials to be accepted at the Facility to those recyclable household hazardous waste materials listed in paragraph 1 of subsection (b), Section 25218.8, Article 10.8, Chapter 6.5, Division 20, Health and Safety Code (dee subsection c of Exhibit A).

- County:
1. Obtain any necessary permits and Hazardous Waste Generator ID Numbers for the Facility;

2. Evaluate the suitability of existing buildings made available by CITY at the Site;
3. Provide such equipment, containers, and labels as may be necessary to operate the Facility;
4. Provide expertise and advice necessary to operate the Facility;
5. Transport, or arrange for transport, of recyclable household hazardous waste materials collected at the Facility for proper recycling or disposal.

Responsibilities are more particularly described in **EXHIBIT A**.

3. **NO SEPARATE ENTITY:** There will be no separate and distinct public entity created pursuant to this Agreement.

4. **LEAD AGENCY:** COUNTY shall be the lead agency and will be primarily responsible for all activities and obligations set forth herein unless otherwise indicated

5. **RULES AND REGULATIONS:** COUNTY will, with consultation and approval from CITY, develop all necessary and appropriate policies, rules, and regulations, for the use of, and public access to, the FACILITY.

6. **SERVICES TO BE PERFORMED:** See attached **EXHIBIT A**.

7. **PAYMENT FOR SERVICES:** There is no cost associated with this agreement.

8. **INDEPENDENT CONTRACTOR STATUS:**

(a) This Agreement is entered into by both parties with the express understanding that CITY will perform all services required under this Agreement as an independent contractor. Nothing in this Agreement shall be construed to constitute the CITY or any of its agents, employees or officers as an agent, employee or officer of COUNTY.

(b) CITY agrees to advise everyone it assigns or hires to perform any duty under this agreement that they are not employees of COUNTY. Subject to any performance criteria contained in this Agreement, CITY shall be solely responsible for determining the means and methods of performing the specified services and COUNTY shall have no right to control or exercise any supervision over CITY as to how the services will be performed. As CITY is not COUNTY'S employee, CITY is responsible for paying all required state and federal taxes. In particular, COUNTY will not:

1. Withhold FICA (Social Security) from CITY'S payments.

2. Make state or federal unemployment insurance contributions on CITY'S behalf.
3. Withhold state or federal income tax from payments to CITY.
4. Make disability insurance contributions on behalf of CITY.
5. Obtain unemployment compensation insurance on behalf of CITY.

(c) Notwithstanding this independent contractor relationship, COUNTY shall have the right to monitor and evaluate the performance of CITY to assure compliance with this Agreement.

9. **COMPLIANCE WITH LAW:** CITY shall provide services in accordance with applicable Federal, State, and local laws, regulations and directives. With respect to CITY'S employees, CITY shall comply with all laws and regulations pertaining to wages and hours, state and federal income tax, unemployment insurance, Social Security, disability insurance, workers' compensation insurance, and discrimination in employment.

10. **GOVERNING LAW:** This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. The parties agree that this contract is made in and shall be performed in Tulare County, California.

11. **RECORDS AND AUDIT:** CITY shall maintain complete and accurate records with respect to the services rendered and the costs incurred under this Agreement. In addition, CITY shall maintain complete and accurate records with respect to any payments to employees or subcontractors. All such records shall be prepared in accordance with generally accepted accounting procedures, shall be clearly identified, and shall be kept readily accessible. Upon request, CITY shall make such records available within Tulare County to the Auditor of Tulare County and to his agents and representatives, for the purpose of auditing and/or copying such records for a period of five (5) years from the date of final payment under this Agreement.

12. **CONFLICT OF INTEREST:**

(a) CITY agrees to, at all times during the performance of this Agreement, comply with the law of the State of California regarding conflicts of interests and appearance of conflicts of interests, including, but not limited to Government Code Section 1090 et seq., and the Political Reform Act, Government Code Section 81000 et seq. and regulations promulgated pursuant thereto by the California Fair Political Practices Commission. The statutes, regulations and laws previously referenced include, but are not limited to,

prohibitions against any public officer or employee, including CITY for this purpose, from making any decision on behalf of COUNTY in which such officer, employee or consultant/contractor has a direct or indirect financial interest. A violation can occur if the public officer, employee or consultant/contractor participates in or influences any COUNTY decision which has the potential to confer any pecuniary benefit on CITY or any business firm in which CITY has an interest, with certain narrow exceptions.

(b) CITY agrees that if any facts come to its attention which raises any questions as to the applicability of conflicts of interests' laws, it will immediately inform the COUNTY designated representative and provide all information needed for resolution of this question.

**13. INSURANCE:** Prior to approval of this Agreement by COUNTY, CITY shall file with the Clerk of the Board of Supervisors evidence of insurance as set forth in **EXHIBIT B** attached, which outlines the minimum scope, specifications, and limits of insurance required under this Agreement. Additional insured endorsements required as outlined in **EXHIBIT B** shall not be used to reduce limits available to COUNTY as an additional insured from CITY's full policy limits. Insurance policies shall not be used to limit liability or to limit the indemnification provisions and requirements of this Agreement or act in any way to reduce the policy coverage and limits available from the insurer(s). Failure to maintain or renew coverage, or to provide evidence of renewal, may be considered a material breach of this Agreement.

**14. INDEMNIFICATION:** COUNTY and CITY shall hold each other harmless, defend and indemnify COUNTY, their respective 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 out of the activities of COUNTY or CONTRACTOR or their agents, officers and employees under this Agreement. This indemnification shall be provided by each party to the other party regarding its own activities undertaken pursuant to this Agreement, or as a result of the relationship thereby created, including specifically includes any claims that may be made against COUNTY, either party by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, or any claims made against COUNTY either party alleging civil rights violations by CITY such party under Government Code section 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.

15. **TERMINATION:**

(a) Without Cause: Both COUNTY and CITY will have the right to terminate this Agreement without cause by giving one-hundred twenty (120) days prior written notice of intention to terminate pursuant to this provision, specifying the date of termination. County will pay to the CITY the compensation earned for work performed and not previously paid for to the date of termination. County will not pay lost anticipated profits or other economic loss. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this Agreement, and is conditioned upon receipt from CITY of any and all plans, specifications and estimates, and other documents prepared by CITY in accordance with this Agreement. No sanctions will be imposed.

(b) With Cause: This Agreement may be terminated by either party should the other party:

- (1) be adjudged a bankrupt, or
- (2) become insolvent or have a receiver appointed, or
- (3) make a general assignment for the benefit of creditors, or
- (4) suffer any judgment which remains unsatisfied for 30 days, and which would substantively impair the ability of the judgment debtor to perform under this Agreement, or
- (5) materially breach this Agreement.

In addition, COUNTY may terminate this Agreement based on:

- (6) material misrepresentation, either by CITY or anyone acting on CITY's behalf, as to any matter related in any way to COUNTY's retention of CITY, or
- (7) other misconduct or circumstances which, in the sole discretion of the COUNTY, either impair the ability of CITY to competently provide the services under this Agreement, or expose the COUNTY to an unreasonable risk of liability.

For any reason of the occurrences except item (5), termination may be immediately effected upon written notice by the terminating party, unless such notice specifies the effective date of termination. Upon a material breach, the Agreement may be terminated following failure of the defaulting party to remedy the breach to the satisfaction of the non-defaulting party within (5) days of written notice specifying the breach. If the breach is not remedied within that (5) day period, the non-defaulting party may terminate the Agreement on further written notice specifying the date of termination.

County will pay to the CITY the compensation earned for work performed and not previously paid for to the date of termination. The payment of such compensation is subject to the restrictions on payment of compensation otherwise provided in this Agreement, and is conditioned upon receipt from CITY of any and all plans, specifications and estimates, and other documents prepared by CITY by the date of termination in accordance with this Agreement. County will not pay lost anticipated profits or other economic loss, nor will the County pay compensation or make reimbursement to cure a breach arising out of or resulting from such termination. If this Agreement is terminated and the expense of finishing the CITY's scope of work exceeds the unpaid balance of the agreement, the CITY must pay the difference to the County. Sanctions taken will be possible rejection of future proposals based on specific causes of non performance.

(c) **Effects of Termination:** Expiration or termination of this Agreement shall not terminate any obligations to indemnify, to maintain and make available any records pertaining to the Agreement, to cooperate with any audit, to be subject to offset, or to make any reports of pre-termination contract activities. Where CITY's services have been terminated by the County, said termination will not affect any rights of the County to recover damages against the CITY.

(d) **Suspension of Performance:** Independent of any right to terminate this Agreement, the authorized representative of COUNTY for which CITY's services are to be performed, may immediately suspend performance by CITY, in whole or in part, in response to health, safety or financial emergency, or a failure or refusal by CITY to comply with the provisions of this Agreement, until such time as the cause for suspension is resolved, or a notice of termination becomes effective.

**16. LOSS OF FUNDING:** It is understood and agreed that if the funding is either discontinued or reduced for this project for the COUNTY, that the COUNTY shall have the right to terminate this Agreement. In such event, the affected party shall provide the other party with at least thirty (30) days prior written notice of such termination.

**13. FORM DE-542:** If CITY is an individual, CITY acknowledges that this Agreement is subject to filing obligations pursuant to Unemployment Insurance Code Section 1088.8. Accordingly, COUNTY has an obligation to file a report with the Employment Development Department, which report will include the CITY's full name, social security number, address, the date this contract was executed, the total amount of the contract, the contract's expiration date or whether it is ongoing. CITY agrees to cooperate with COUNTY to make such information available and to complete Form DE-542. Failure to provide the required information may, at COUNTY's option, prevent approval of this Agreement, or be grounds for termination by COUNTY.

#### **14. NOTICES:**



(a) 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:**

CONTRACT UNIT

TULARE COUNTY HEALTH & HUMAN SERVICES AGENCY

5957 S. Mooney Boulevard

Visalia, CA 93277

**Fax No.:** 559-737-4059

**Phone No.:** 559-624-8000

**CITY:**

Attn: Wyndi Ferguson

CITY OF PORTERVILLE

291 N. Main Street

Porterville, CA 93257-3737

**Fax No:** 559-782-8937

**Phone No.:** 559-782-7514

(b) Notice personally delivered is effective when delivered. Notice sent by facsimile transmission is deemed to be received upon successful transmission. Notice sent by first class mail shall be deemed received on the fifth day after the date of mailing. Either party may change the above address by giving written notice pursuant to this paragraph.

15. **ASSIGNMENT/SUBCONTRACTING:** Unless otherwise provided in this Agreement, COUNTY is relying on the personal skill, expertise; training and experience of CITY and CITY'S employees and no part of this Agreement may be assigned or subcontracted by CITY without the prior written consent of COUNTY.

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. **FURTHER ASSURANCES:** Each party will execute any additional documents and perform any further acts that may be reasonably required to effect the purposes of this Agreement.

18. **CONSTRUCTION:** This Agreement reflects the contributions of all undersigned parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any alleged uncertainty or ambiguity.

19. **HEADINGS:** Section headings are provided for organizational purposes only and do not in any manner affect the scope, meaning or intent of the provisions under the headings.

20. **NO THIRD-PARTY BENEFICIARIES INTENDED:** 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.

21. **WAIVERS:** 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 of either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.

22. **EXHIBITS AND RECITALS:** The recitals and the exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

23. **CONFLICT WITH LAWS OR REGULATIONS/SEVERABILITY:** This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the parties to be, in conflict with any code or regulation governing its subject matter, only 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.

24. **ENTIRE AGREEMENT REPRESENTED:** 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.

**25. ASSURANCES OF NON-DISCRIMINATION:** CITY shall 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.

(a) It is recognized that both the City and the County have the responsibility to protect County employees and clients from unlawful activities, including discrimination and sexual harassment in the workplace. Accordingly, City agrees to provide appropriate training to its employees regarding discrimination and sexual harassment issues, and to promptly and appropriately investigate any allegations that any of its employees may have engaged in improper discrimination or harassment activities. The City, in its sole discretion, has the right to require City to replace any employee who provides services of any kind to County pursuant to this Agreement with other employees where County is concerned that its employees or clients may have been or may be the subjects of discrimination or harassment by such employees. The right to require replacement of employees as aforesaid shall not preclude County from terminating this Agreement with or without cause as provided for herein.

**26. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA):**

(a) CITY shall comply with the Health Insurance Portability and Accountability Act (HIPAA) Business Associate exhibit, as set forth in **EXHIBIT C** attached.

(b) At termination of this Agreement, CITY shall, if feasible, return or destroy all protected health information received from, or created or received by, CITY on behalf of the COUNTY that CITY still maintains in any form, and retain no copies of such information; or, if such return or destruction is not feasible, extend the protections of this Agreement to the information and limit further uses and disclosures to those purposes that make the return or destruction of the information feasible.

(c) COUNTY may immediately terminate this Agreement if COUNTY determines that CITY has violated a material term of this provision.

**27. CULTURAL COMPETENCE AND DIVERSITY:** CITY shall comply with the Cultural Competence exhibit, as set forth in **EXHIBIT D** attached.

///

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

**COUNTY OF TULARE**

Date: \_\_\_\_\_ BY \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: MICHAEL C. SPATA  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

**CITY OF PORTERVILLE**

Date: \_\_\_\_\_ By \_\_\_\_\_  
TITLE \_\_\_\_\_

Date: \_\_\_\_\_ By \_\_\_\_\_  
TITLE \_\_\_\_\_

Corporations Code section 313 requires that contracts with a corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president, and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer, unless the contract is accompanied by a certified copy of the corporation's Board of Directors' resolution authorizing the execution of the contract.

Approved as to Form  
County Counsel

By \_\_\_\_\_  
Deputy

Date \_\_\_\_\_

## Exhibit A

### CITY OF PORTERVILLE RECYCLE-ONLY HOUSEHOLD HAZARDOUS WASTE COLLECTION FACILITY

The COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, seek to partner to establish a Recycle-Only Household Hazardous Waste Collection Facility (Facility) to divert household hazardous waste (HHW) from the solid waste stream. Responsibilities under this Agreement to establish and maintain the Facility are as follows:

- a. CITY shall provide and make available an appropriate site to establish Facility at the City Corporation Yard located at 555 N. Prospect, Porterville, CA (Site).
- b. Prior to commencing operations, CITY shall submit the following written information to the Tulare County Certified Unified Program Agency (CUPA):
  1. A certification that the household hazardous waste collection facility will be operated in accordance with this article and with any other requirement that may be imposed by the department by regulation.
  2. All of the following information:
    - A. The Facility's name.
    - B. The Facility's location.
    - C. The Facility's generator identification number.
    - D. The date that the Facility will begin operation.
    - E. The Facility's operating schedule.
  3. In addition to the information required pursuant to paragraph (2) of subdivision (a), the public agency, or its contractor, shall also subsequently notify the CUPA of any significant change in the Facility's operating schedule.
- c. CITY shall limit materials to be accepted at the Facility to those recyclable household hazardous waste materials listed in paragraph 1 of subsection (b), Section 25218.8, Article 10.8, Chapter 6.5, Division 20, Health and Safety Code. These are:
  1. Latex paint.
  2. Used oil.
  3. Used oil filters.
  4. Antifreeze.
  5. Spent lead-acid batteries.
  6. Nickel-cadmium, alkaline, carbon-zinc, or other small batteries, if the facility is in compliance with Section 25216.1.

## Exhibit A

7. Intact spent fluorescent lamps.
8. Intact spent high intensity discharge (HID) lamps.
- d. CITY shall not accept any other hazardous wastes or other materials at the Facility other than the materials specified in paragraph (1) of subsection (b), Section 25218.8.
- e. CITY shall be responsible for training of employees with responsibilities for handling or managing recyclable household hazardous waste materials to be accepted at the Facility. The Occupational Safety & Health Administration requires that training be the responsibility of the employer.
  1. The training requirements for Small Quantity Universal Waste Handlers (i.e., handlers who at no time accumulate more than 5,000 kilograms of UW) are listed in the regulations (22CCR §66273.16): "A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility."
  2. The attached *Universal Waste Lamp Operations - Recommended Best Practices, Segregating Spent Lamps, Segregating Spent Batteries, Clean Harbors Battery Packaging Protocol (V06.2008)*, and *Battery Quick Reference* provides suggested guidance on hazards, proper handling and management, and emergency procedures (see Attachments 5, 4, 1, 2, and 3, respectively).
- f. CITY shall provide direct staff oversight of the Facility when open to the public to insure the following:
  1. The materials are transported to the collection facility by the person who generated the material.
  2. The materials transported to the facility are transported in accordance with Section 25218.5 as listed below:
  3. The total combined volume or weight of latex paint, used oil filters, antifreeze, and small batteries transported to the Facility by any one individual shall not exceed a total volume of 10 gallons or a total dry weight of 100 pounds. Up to two spent lead-acid batteries may be transported at the same time and not more than 20 gallons of used oil may be transported in the same vehicle if the volume of each individual container does not exceed five gallons.
- g. In conjunction with the COUNTY, CITY staff shall provide oversight of the Facility to insure the following:
  1. The materials collected are not stored at the Facility for more than 180 days, except that less than one ton of spent lead-acid batteries may be stored at the facility for up to one year. More than one ton of spent lead-acid batteries shall not be stored at the Facility for more than 180 days.
  2. Not more than 600 pounds of household batteries are stored at any one time and no

## Exhibit A

household batteries are stored for longer than 180 days. For the purposes of this Agreement, "household batteries" means primary or secondary batteries, including nickel-cadmium, alkaline, carbon-zinc, and other batteries generated as non-RCRA waste similar in size to those typically generated as household waste. "Household batteries" does not include lead-acid batteries.

3. The household batteries are stored and transferred in a manner which minimizes the possibility of fire, explosion, or any release of hazardous substances or hazardous waste constituents.
4. The Facility retains a copy of the hazardous waste manifest or bill of lading used during transportation of household batteries from the Facility for a period of three years. If a bill of lading is used, the bill of lading shall have, at a minimum, all of the following information:
  - A. The name, address, and telephone number of the collection location, transporter, and receiving facility.
  - B. A general description and quantity of batteries.
  - C. The date of the transfer.
  - D. The signatures of the transporter and the collection location representative.
- h. CITY shall manage collected materials in accordance with the hazardous waste segregation, containerization, labeling, accumulation, emergency response, and personnel training requirements of Chapter 6.5 of Division 20, Health and Safety Code and Title 22 California Code of Regulations under guidance by COUNTY.
- i. CITY shall post the signs depicted in Figure 1 (to be provided by COUNTY) to warn the public not to abandon used oil or other hazardous wastes at the facility.
- j. CITY may post the signs depicted in Figures 3 – 5 (to be provided by COUNTY) to indicate that used oil and oil filters are received at the Facility. If the sign in Figures 3 is posted, the Facility operators may elect to cover the phrase "Recycling Incentive Paid for Used Lubricating Oil in Containers During Business Hours from Members of the Public Who Change Their Own Oil" if the Facility operator chooses not to offer the recycling incentive to the public.
- k. CITY may post the signs depicted in Figures 6 – 13 (to be provided by COUNTY) as needed.
- l. CITY shall be responsible for:
  1. Unloading containers and packaging materials supplied by the COUNTY.
  2. Affixing appropriate labels and marking the accumulation start date on each container.
  3. Provide and oversee completion of a Survey Form by each person dropping off materials at the center.

## Exhibit A

4. Stacking and strapping containers of collected materials on pallets for transportation offsite.
  5. Coordinate transportation of collected materials by COUNTY staff or COUNTY contractor.
  6. Providing a certified forklift operator to loading palletized containers of collected materials onto COUNTY vehicle, or COUNTY contractor vehicle for transportation offsite.
- m. CITY Facility employees shall allow the public to drop off only latex paint with legible labels. No spray, oil base, lacquer, enamels or other paint may be accepted. No thinners, solvents, mineral spirits, or other flammable, combustible, or toxic liquid or toxic materials may be accepted. Latex paint containers shall be placed into a cubic yard box. Containers with a capacity of five gallons or greater may be stacked onto a pallet.
- n. CITY Facility employees should do the following before accepting used oil from the public:
1. Ask the customer if anything has been added to the used oil, such as gasoline, solvents, antifreeze, paint, or other household products. If the customer says they have added a contaminant, do not accept it.
  2. Examine the used oil to see if it has signs of layering, dirt or debris floating in it, or has an unusual color or odor. If the used oil appears contaminated, do not accept it.
  3. Facility employees must give any customer with contaminated used oil the location of the Visalia Permanent HHW Collection Center or the telephone number of the Tulare County Environmental Health Department (559-733-6441).
  4. CITY shall post the signs depicted in Figure 2 (to be provided by COUNTY) to remind both employees and customers not to mix anything with used oil or pour contaminated used oil into storage tanks.
  5. CITY Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container (see Figure 18).
- o. CITY Facility employees shall allow the public to drop off only used antifreeze that has not been contaminated or adulterated (see procedure above for used oil). CITY Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container (see Figure 18).
- p. CITY shall post the signs depicted in Figures 14 & 15 (to be provided by COUNTY) to remind both employees to insulate the terminals on spent batteries and cell phones to prevent discharge before placing into storage containers. CITY Facility employees shall categorize, segregate and package spent batteries collected from the public according to the attached *Segregating Spent Batteries, Clean Harbors Battery Packaging Protocol (V06.2008)*, and *Battery Quick Reference* and other subsequent guidance as may be necessary (see Attachments 1 – 3, respectively). CITY Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each



## Exhibit A

storage container (see Figure 17 or 18, as appropriate).

- q. CITY Facility employees ensure that spent fluorescent and high intensity discharge (HID) lamps collected from the public are properly segregated, containerized and labeled. CITY Facility employees shall be responsible for compliance with the applicable requirements for Small Quantity Universal Waste Handlers. The attached *Segregating Spent Lamps* and *Universal Waste Lamp Operations - Recommended Best Practices* are provided as suggested guidance (see Attachments 4 & 5, respectively). CITY Facility employees shall mark the accumulation start date on the preprinted labels (to be provided by COUNTY) on each storage container (see Figure 17).
- r. The COUNTY will provide the Facility with appropriate containers and packing materials. The Facility will be provided with the following containers at a minimum:
  - 1. Containers for latex paint collection including at least one cubic yard box with pallet.
  - 2. Containers for used oil collection including at least one 55- gallon drum with secondary containment.
  - 3. Containers for used oil filter collection including at least one 55- gallon drum.
  - 4. Containers for antifreeze collection including at least one 55- gallon drum with secondary containment.
  - 5. Storage for spent lead-acid batteries automobile batteries including at least one pallet with secondary containment.
  - 6. Containers for nickel-cadmium, alkaline, carbon-zinc, or other small batteries including at least:
    - A. One container for Carbon-Zinc (C-Zn) & Alkaline (Zn/MnO<sub>2</sub>) batteries.
    - B. One inner container consisting of a rigid polyethylene drum for Primary Lithium batteries; including Lithium Iron Disulfide (Li/FeS<sub>2</sub>) and Lithium-Manganese Dioxide (Li/MnO<sub>2</sub>) batteries.
    - C. One container for Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), & Nickel Zinc (Ni-Zn) batteries.
    - D. One container for Lithium Ion (Li-Ion) batteries.
    - E. One container for Small Sealed Lead-Acid (SSLA) i.e., "gel cell" batteries.
    - F. Absorbents and packing materials (Speedy-Dry, vermiculite, baking soda, etc.).
  - 7. Containers and packing materials for intact spent fluorescent lamps including at least:
    - A. One container for 4-foot long straight fluorescent tubes.
    - B. One container for 8-foot long straight fluorescent tubes.

## Exhibit A

- C. One container for U-bend tubes, circular tubes, and compact fluorescent lamps (CFL).
- D. One container with liner for universal waste lamps that are broken during the course of operations;
- 8. One container and packing materials for intact spent high intensity discharge (HID) lamps.
- s. The COUNTY will replenish the Facility with containers and packing materials as required.
- t. The COUNTY will utilize a licensed contractor with a valid hazardous waste transporter registration to pick up the antifreeze, used oil, and oil filters from the Facility. Paint and spent batteries and lamps will be transported by the COUNTY to the Visalia Permanent Household Hazardous Waste Collection Facility for consolidation and ultimate shipment to an approved facility. The COUNTY may also elect to have a licensed contractor with valid hazardous waste transporter registration transport paint and spent batteries and lamps directly from the Facility.
- u. The COUNTY will provide the Facility with appropriate labels to identify and transport wastes including, but not limited to, the labels depicted in Figures 16 – 34.
- v. The COUNTY will provide appropriate signage notifying the public of separate offsite collection opportunities for lighting ballasts and other categories of UW. Signage will include acknowledgement of the CITY for hosting the Recycle-Only Collection Facility, and of funding by the California Integrated Waste Management Board.
- w. The COUNTY will revise existing Health & Human Services website content to include the Facility. Bill inserts, flyers, posters, and stickers will also be used to advertise the Facility. All advertising and outreach materials will list the Facility and acknowledge the contribution of the CITY in protecting the environment.

## Attachment 1 SEGREGATING SPENT BATTERIES

The following guide lists the common types of batteries and appropriate management methods. This guide is intended as a general guide. Batteries of the same type and appearance may differ significantly between manufacturers. All batteries are potentially dangerous if mishandled.

### Automotive-type lead acid storage batteries

- Automotive-type lead acid storage batteries (equivalent in type and equivalent to, or smaller in size than, spent lead-acid storage batteries removed from motor vehicles as defined in Vehicle Code sections 415 and 670). Automotive-type lead acid storage batteries are also accepted for recycling at virtually all retailers that sell these types of batteries.

Handling (see INTACT LEAD ACID BATTERIES section on Page 1 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. Place intact batteries on pallet.
2. Palletized batteries limited to a single layer only – do not stack batteries.
3. Shrink-wrap batteries to pallet.
4. Band batteries to pallet. (Poly-strapping is recommended)
5. All terminals must be covered with duct tape or other insulator to prevent short circuiting.

Handling of lead acid batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.

The sulfuric acid contained in these batteries is very dangerous if spilled. Common baking soda may be used to neutralize spills.

### Universal Waste & Non-Hazardous Waste Batteries

Segregate Universal Waste & Non-Hazardous Waste Batteries into the following categories and containers:

#### 1. Dry Cell Battery Containing Zinc Electrodes (Nonhazardous):

- A. Carbon Zinc (C-Zn). (9V, AA, AAA, C, D, Lantern, Multi Cell). Carbon Zinc batteries produced prior to 1996 may contain mercury. Carbon Zinc batteries produced after 1996 generally do not exceed hazardous waste criteria. There are two common types of carbon zinc batteries - LeClanché and Zinc chloride carbon zinc.
- B. Alkaline, or Alkaline Manganese Dioxide-Zinc (Zn/MnO<sub>2</sub>). (9V, AA, AAA, AAAA, C, D, F, J, Lantern, N, Other) Alkaline batteries produced prior to 1996 may contain mercury. Alkaline batteries produced after 1996 generally do not exceed hazardous waste criteria.

Handling (see ALKALINE BATTERIES section on Page 7 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. Material must be Non-RCRA/Non-EPA regulated
2. Batteries must be intact

#### Attachment 1

3. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
4. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
5. Tape battery terminals or place into individual plastic bags and place in labeled container.

#### Handling of alkaline batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.
2. **Alkaline Mercury Batteries.** There are three common types of batteries that may contain added mercury:
  - A. Mercuric Oxide or Mercuric Oxide-Zinc ( $\text{ZnHgO}_2$ ). (Button, some 9V & Button Stack). These batteries contain a high percentage of mercury and are no longer sold in the US.
  - B. Silver Oxide ( $\text{Zn/Ag}_2\text{O}$ ) (Button). Silver Oxide batteries generally exceed hazardous waste criteria for silver and mercury (if present) content.
  - C. Zinc Air ( $\text{Zn/O}_2$ ). (9V, Button). Zinc air batteries generally exceed hazardous waste criteria for mercury (if present).

#### Handling (see ALKALINE MERCURY BATTERIES section on Page 6 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. Batteries must be intact
2. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
3. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
4. Acceptable battery types:
  - a. Alkaline Mercury Batteries
  - b. Mercury Batteries
  - c. Mercury Oxide Batteries
  - d. Zinc-Air Battery
  - e. Silver Oxide

#### Handling of alkaline mercury batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.
3. **Primary (Single Use) Lithium & Lithium Metal Batteries**
  - A. There are two common types of single-use lithium batteries:
    - i. Lithium Iron Disulfide ( $\text{Li/FeS}_2$ ). (AA, AAA).
    - ii. Lithium-Manganese Dioxide ( $\text{Li/MnO}_2$ ). (9V, Miniature, Multi, Multi Cell, Other).
  - B. All batteries containing lithium generally exceed hazardous waste criteria for reactivity. An explosion or burns may result if these batteries are disassembled or exposed to water, fire, or high temperature. Lithium-ion batteries can rupture, ignite, or explode when exposed to high temperatures or direct sunlight. Never short-circuit, open the battery casing, or damage the safety devices on these batteries as it may cause the battery to ignite or explode.

#### Attachment 1

- C. All types of intact Lithium Batteries; Hermetically Sealed, Unsealed and Small Tab Type Lithium Cells; excluding Lithium Ion MUST be packaged under mineral oil to prevent exposure to moisture. Batteries must be packaged as to remain completely submerged within the mineral oil, thus eliminating the potential of being exposed to air during shipment/transportation.

Handling (see LITHIUM BATTERIES section on Page 3 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. All drums shall be combination packaging, consisting of one or more inner packages secured in a non-bulk outer packaging.
2. Inner containers shall be of rigid poly (Note: CITY Facility employees will only place collected batteries into the inner container. COUNTY employees will inspect the full inner containers and subsequently place them into the outer container for transport).
3. Outer container must be steel and DOT approved for the packaged materials.
4. Maximum size of inner container is 5-gallons.
5. Exposed battery terminals must be covered with tape to prevent short-circuiting
6. Maximum 20 pounds of Lithium batteries per inner container.
7. Free liquid (oil) must be < 3 gallons per inner container.
8. Any void space in the outer container must be filled with vermiculite.
9. Containers must be closed securely.

Handling of lithium & lithium metal batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.

#### 3. **Secondary (Rechargeable) Lithium Ion Batteries**

- A. Lithium Ion (Li-Ion). (Button, Proprietary Battery Pack). These batteries are rechargeable and are often found in cell phones and laptop computers.
- B. All batteries containing lithium generally exceed hazardous waste criteria for reactivity. An explosion or burns may result if these batteries are disassembled or exposed to water, fire, or high temperature. Lithium-ion batteries can rupture, ignite, or explode when exposed to high temperatures or direct sunlight. Never short-circuit, open the battery casing, or damage the safety devices on these batteries as it may cause the battery to ignite or explode.

Handling (see INTACT LITHIUM ION BATTERIES section on Page 4 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. Batteries must be intact, never involved in a fire, and absent of any rise in temperature.
2. Do not pack batteries with visual evidence of swelling or bulging.
3. All batteries must be insulated from each other & have ends taped to prevent short circuit.
4. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
5. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only

#### Attachment 1

6. Batteries must be clearly labeled as "Lithium-Ion" to qualify for these packaging specifications. If Lithium battery type is questionable, ship as standard lithium batteries and follow applicable guidelines

7. If terminals are raised, weight cannot be superimposed upon the terminals.

#### Handling of lithium ion batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.

#### 4. Nickel Cadmium & Nickel Metal Hydride (Rechargeable)

A. Nickel Cadmium (Ni-Cd). (9V, AA, AAA, C, D, Battery Pack) These batteries generally exceed hazardous waste criteria for Nickel and Cadmium. Do not dismantle or short circuit as this may cause the battery to explode, leak or get hot causing personal injury.

B. Nickel Metal Hydride (Ni-MH). (9V, AA, AAA, C, D, Battery Pack) These batteries do not contain cadmium but generally exceed hazardous waste criteria for Nickel. Follow the same precautions as listed above for Ni-Cd batteries.

#### Handling: (see NICKEL COMPOUND BATTERIES section on Page 5 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

1. Full 55G drums must be steel for dry cells. Poly acceptable for 5 thru 30G drums and full 55G drums of wet cells only.
2. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire).
3. All batteries must be insulated from each other by placing into individual plastic bags or taping battery terminals to prevent short circuit.
4. Acceptable battery types included:
  - a. Nickel Cadmium, Wet cells (D002, D006)\*
  - b. Nickel Hydroxide Batteries (D002)\*
  - c. Nickel Cadmium Batteries (D006)\*
  - d. Nickel Iron Batteries
  - e. Rechargeable Ni-Cad Batteries (D006)\*
  - f. Non-Mercury Alkaline Batteries
  - g. Nickel Metal Hydride
  - h. Nickel Zinc
  - i. Non-Mercury Alkaline Dry-cell

*\*Universal waste rules may be utilized where applicable.*

#### Handling of nickel compound batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.

5. **Small Sealed Lead-Acid ("Gel Cell") batteries.** Some are rechargeable. These batteries contain lead and sulfuric acid. Small Sealed Lead-Acid batteries generally exceed hazardous waste criteria for lead content and corrosivity.

#### Handling: (see GEL CELL BATTERIES section on Page 2 of CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)):

#### Attachment 1

1. Use poly drums only (No Metal Drums with Poly-Liners).
2. Place 2 inches of speedy-dry on the bottom of each drum.
3. Stack gel cells providing 3 inches of vermiculite between layers of batteries.
4. Fill any void head-space in the drum with vermiculite.
5. Batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds.
6. All terminals must be covered with duct tape or other insulator to prevent short circuiting.
7. Larger Gel Cell batteries may also be palletized as outlined above for intact lead acid batteries.

#### Handling of nickel compound batteries that do not fit the above criteria:

1. Contact the Tulare County Division of Environmental Health at (559) 733-6441.

## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

When batteries are improperly packaged, the potential for damage or injury related to reactions and/or explosion greatly increases. Clean Harbors has recognized the inherent dangers associated with batteries and has implemented the following packing protocols. For shipments of batteries to Clean Harbors, these protocols must be followed in order to ensure safe and compliant handling and transportation of batteries. For additional guidance or assistance contact a Clean Harbors' Customer Service Representative by calling (800) 444-4244.

#### INTACT LEAD ACID BATTERIES

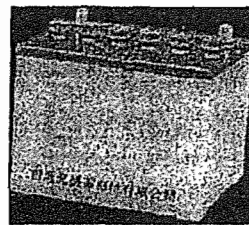
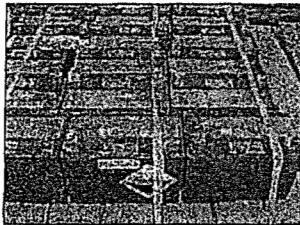
##### Shipping instructions:

###### Palletized

1. Place batteries on pallet.
2. Palletized batteries limited to a single layer only – do not stack batteries.
3. Shrink wrap batteries to pallet.
4. Band batteries to pallet. (Poly-strapping is recommended)
5. All terminals must be covered with duct tape or other insulator to prevent short circuiting. Use Hazardous Waste Manifest or B.O.L. as the shipping document.
6. Shipping Information:
  - a. Batteries, wet, filled with acid, 8, UN2794, PGIII or
  - b. Waste Batteries, wet, filled with acid, 8, UN2794, PGIII (D002, D008)\*
7. DOT corrosive (8) diamond is required on opposing sides of pallet next to label. 2 per pallet
8. The gross weight of the unit must not be greater than 500 lbs.

*\*Universal waste rules may be utilized where applicable.*

##### Examples:



#### LEAKING LEAD ACID BATTERIES OR SINGLE BATTERY SHIPMENTS

Clean Harbors is a full service environmental company which can handle your battery disposal needs. Occasionally, single lead acid batteries or leaking lead acid batteries may need to be removed from your location. For additional information on leaking or single batteries for shipment or to schedule Clean Harbors' Chemists for on-site assistance, please contact your Clean Harbors' Customer Services Representative at (800)444-4244.



## Attachment 2



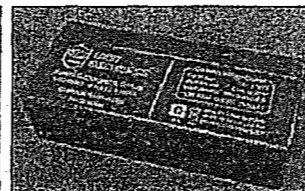
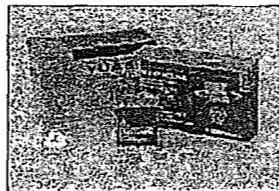
### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### GEL CELL BATTERIES

##### Shipping instructions:

1. Use poly drums only (No Metal Drums with Poly- liners).
  2. Place 2 inches of speedy-dry on the bottom of each drum.
  3. Stack gel cells providing 3 inches of vermiculite between layers of batteries.
  4. Fill any void head-space in the drum with vermiculite.
  5. Batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds.
  6. All terminals must be covered with duct tape or other insulator to prevent short circuiting.
  7. Shipping Information:
    - a. Batteries, wet, non-spillable, 8, UN2800, PGIII or
    - b. Waste Batteries, wet, non-spillable, 8 UN2800, PGIII (D002, D008)\*
- \*Universal waste rules may be utilized where applicable.*
8. Affix appropriate label to the container.
  9. DOT corrosive (8) diamond is required.
  10. Packing slips are required.
  11. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. **Drums cannot be shipped if not packaged to this protocol.**
  12. Larger Gel Cell batteries may also be palletized as outlined above for intact lead acid batteries.

##### Examples:



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### LITHIUM BATTERIES

##### Shipping Instructions:

All types of intact Lithium Batteries; Hermetically Sealed, Unsealed and Small Tab Type Lithium Cells; excluding Lithium Ion MUST be packaged under mineral oil to prevent exposure to moisture. Batteries must be packaged as to remain completely submerged within the mineral oil, thus eliminating the potential of being exposed to air during shipment/transportation.

- All drums shall be combination packaging, consisting of one or more inner packages secured in a non-hulk outer packaging.
- Inner containers shall be of rigid poly.
- Outer container must be steel and DOT approved for the packaged materials.
- Maximum size of inner container is 5-gallons.
- Exposed battery terminals must be covered with tape to prevent short-circuiting.
- Maximum 20 pounds of Lithium batteries per inner container.
- Free liquid (oil) must be < 3 gallons per inner container.
- Any void space in the outer container must be filled with vermiculite.
- Containers must be closed securely.

##### 1. Shipment information

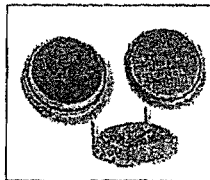
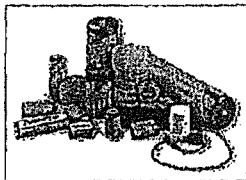
- a. If it is known that there is no reactive lithium present, then ship as:  
**Lithium Battery, 9, UN3090, PGII OR**
- b. If the presence of reactive lithium cannot be determined, then ship the batteries as:  
**Waste Lithium Battery, 9, UN3090, PGII (D001,D003)\***
- c. Note: Lithium batteries cannot be commingled with other material.
- d. Material must be manifested directly to end disposal facility only.

- Clean Harbors authorized lithium disposal facilities are:

Clean Harbors El Dorado, LLC  
309 American Circle  
El Dorado, AR 71730  
EPA: ARD069746192

Clean Harbors Aragonite, LLC  
1160 North Aptus Road  
Aragonite, UT 84029  
EPA: UTD981552177

##### Examples:



\* Universal waste rules may be utilized where applicable.

## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### INTACT LITHIUM ION BATTERIES

Lithium Ion Batteries Only

##### Shipping Instructions:

- Sources- Rechargeable Cell Phones, Laptops, etc.
- Batteries must be intact, never involved in a fire, and absent of any rise in temperature.
- Do not pack batteries with visual evidence of swelling or bulging.
- All batteries must be insulated from each other & have ends taped to prevent short circuit.
- Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
- Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
- Batteries must be clearly labeled as "Lithium-Ion" to qualify for these packaging specifications. If Lithium battery type is questionable, ship as standard lithium batteries and follow applicable guidelines
- If terminals are raised, weight cannot be superimposed upon the terminals.
- When drums are prepacked, top MUST be left off the drum and do not add vermiculite until QC'ed by Chemists/Driver prior to shipment. If not packed according to guidelines, drum is to be repacked. Drum cannot be shipped if not packaged to the guidelines.
- Shipping name: Lithium Battery, 9, UN3090, PGII
- Waste codes do not apply

##### Examples:



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### NICKEL COMPOUND BATTERIES

##### Shipping Instructions:

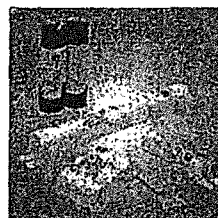
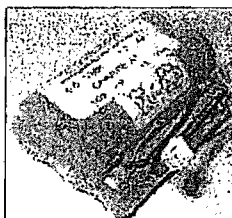
1. Full 55G drums must be steel for dry cells. Poly acceptable for 5 thru 30G drums and full 55G drums of wet cells only.
2. All batteries "must" be insulated from each other & have ends duct taped to prevent short circuit.
3. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
4. Acceptable battery types included:
  - a. Nickel Cadmium, Wet cells (D002, D006)\*
  - b. Nickel Hydroxide Batteries (D002)\*
  - c. Nickel Cadmium Batteries (D006)\*
  - d. Nickel Iron Batteries
  - e. Rechargeable Ni-Cad Batteries (D006)\*
  - f. Non-Mercury Alkaline Batteries
  - g. Nickel Metal Hydride
  - h. Nickel Zinc
  - i. Non-Mercury Alkaline Dry-cell

*\*Universal waste rules may be utilized where applicable.*

5. Shipping Information:

Proper shipping name will vary based on specific battery type. If assistance is required contact your Clean Harbors' Customer Service Representative at (800)444-4244.
6. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:



## Attachment 2



### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### ALKALINE MERCURY BATTERIES

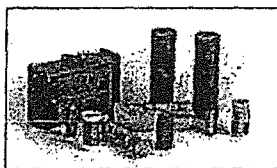
##### Shipping Instructions:

1. Batteries must be intact
2. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
3. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
4. Acceptable battery types:
  - a. Alkaline Batteries
  - b. Mercury Batteries
  - c. Mercury Oxide Batteries
  - d. Zinc-Air Battery
  - e. Silver Oxide
5. Shipping Information:

Waste Environmentally hazardous substances, solid, n.o.s., 9, UN3077, PGIII (D009)\*

\*Universal waste rules may be utilized where applicable.
6. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:



## Attachment 2



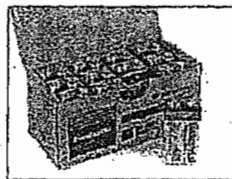
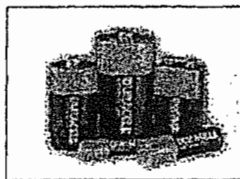
### CLEAN HARBORS BATTERY PACKAGING PROTOCOL (V06.2008)

#### ALKALINE BATTERIES

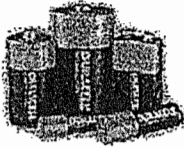
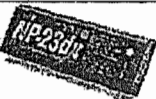
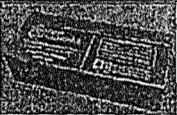
##### Shipping Instructions:

1. Material must be Non-RCRA/Non-EPA regulated
2. Batteries must be intact
3. Full 55G drums must be steel, Poly acceptable for 5 thru 30G drums only
4. Batteries may not be connected in series to one another (No two batteries may be connected by a common terminal or wire)
5. Shipping Information:  
**Non DOT regulated material; none, n/a**
6. When drums are pre-packed, top MUST be left off the drum and do not add vermiculite until material is reviewed by the Clean Harbors Chemists/Driver prior to shipment. If not packed according to guidelines, the drum must be repacked. Drums cannot be shipped if not packaged to this protocol.

##### Examples:

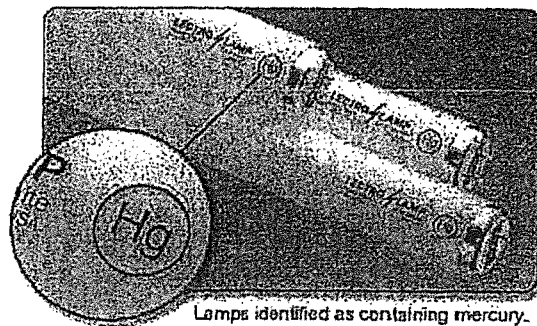


### Attachment 3

|                        | Type of Battery                                                                                                                 | Common Sizes                                        | Hazard(s)                       | Identification                                                                                                                                                                                                                                                                                                                                                                                                                        | Handling Instructions                                                                                                                                                                                                                                              |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Single Use Batteries   | Carbon-Zinc (C-Zn) & Alkaline (Zn/MnO <sub>2</sub> )                                                                            | 9V, AA, AAA, AAAA, C, D, F, J, Lantern, N, Other    |                                 |  <p>Classic; Super Heavy Duty; Industrial; Hercules Energizer, Duracell, etc</p>                                                                                                                                                                                                                                                                   | Tape terminals<br>Container – Poly (5 thru 30G drums only ) or steel                                                                                                                                                                                               |
|                        | Lithium (Single Use)<br>A. Lithium Iron Disulfide (Li/FeS <sub>2</sub> )<br>B. Lithium-Manganese Dioxide (Li/MnO <sub>2</sub> ) | A. AA, AAA<br>B. 9V, Mini, Multi, Multi Cell, Other | Reactive                        |                                                                                                                                                                                                                                                                  | Tape terminals<br>Inner Container – one-gallon rigid poly container<br>Max Wt – less than 20 pounds batteries per gallon<br>Other – submerge batteries in mineral oil                                                                                              |
| Rechargeable Batteries | Lithium Ion                                                                                                                     | Button, Proprietary Battery Pack.                   | Reactive                        |   <p>Look for "Li-ion" or this RBRC recycling symbol on the battery:</p>                                                                                                      | Tape terminals<br>Container –Poly (5 thru 30G drums only ) or steel<br>Other – must be intact with no visual evidence of swelling or bulging.                                                                                                                      |
|                        | Nickel-Cadmium and Nickel Metal Hydride                                                                                         | 9V, AA, AAA, C, D, Battery Pack                     | Cadmium, Nickel                 |   <p>Look for "Ni-Cd" or "Ni-MH" or these RBRC recycling symbols on the battery:</p>   | Tape terminals<br>Container –Poly (5 thru 30G drums only ) or steel                                                                                                                                                                                                |
|                        | Small Sealed Lead-Acid (i.e., gel cells)                                                                                        |                                                     | Lead, Corrosive (Sulfuric Acid) |   <p>Look for "Pb" or this RBRC recycling symbol on the battery.</p>                                                                                                    | Tape terminals<br>Container – poly only<br>Other – 2 inches of speedy-dry on the bottom of each drum, stack providing 3 inches of vermiculite between layers, individual batteries limited to 50 pounds each. Total gross weight of drum not to exceed 300 pounds. |

## Attachment 4 SEGREGATING LAMPS THAT CONTAIN MERCURY

Mercury-added lamps manufactured after November 30, 2003 will bear a label, which states, "Contains Mercury," or it will have the symbol "Hg" within a circle on the lamp (Hg is the scientific symbol for mercury on the periodic table of elements). This signifies that the bulb contains mercury. Incandescent and halogen lamps are nonhazardous and may continue to be discarded in the trash.



Segregate mercury-added lamps into the following categories and containers:

1. Fluorescent tubes, including low mercury tubes.

- A. All diameters of straight fluorescent tubes up to 4-feet in length;
- B. All diameters of straight fluorescent tubes up to 8-feet in length;



2. Compact Fluorescent Lamps, (CFL), Short (< 2 ft) Straight, U – Bend, & Circular Fluorescent Tubes, including low mercury lamps.

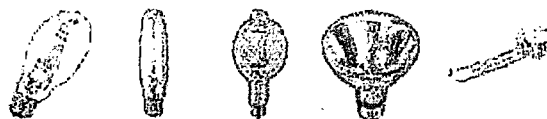


3. High Intensity Discharge lamps (HID). These bulbs are commonly used in security, outdoor and warehouse lighting. HID lighting is becoming popular for indoor use in commercial settings. The following are HID bulbs:

- A. Mercury Vapor, such as those sometimes used for street lighting.



- B. Metal Halide, such as floodlights for large indoor and outdoor areas and gymnasiums.



- C. High & Low-Pressure Sodium, such as those sometimes used as security and outdoor floodlights.



4. Ultraviolet ("Black Light") & Neon lamps



5. Scattershields and Coated Lamps



6. Broken lamps of all types



## Attachment 5

### UNIVERSAL WASTE LAMP OPERATIONS - RECOMMENDED BEST PRACTICES SMALL QUANTITY UNIVERSAL WASTE HANDLERS

**DESIGNATING AN ACCUMULATION AREA.** While an area should be set aside for accumulating spent lamps, you do not need to follow all of the strict rules for access, signs, formal training, and container technical standards that you do for a hazardous waste accumulation area. If located outside, please secure location after hours to prevent vandalism, and store boxes under overhead cover or plastic sheeting to protect from rain.

**TRAINING EMPLOYEES.** Small quantity handlers of universal waste must inform their employees in proper management of those universal wastes. A small quantity handler is one that never has 5,000 Kg (11,000 pounds or 5 ½ tons) of universal waste on hand at any one time.

- **Training requirements.** Small quantity handlers must "inform all employees who handle or have responsibility for managing universal waste." The information must describe proper handling and emergency procedures for lamps. At a minimum, the training should inform employees of the following:
  - The fact that spent lamps are regulated and **MUST** be recycled, not discarded in the trash.
  - Where to store spent lamps.
  - How to package spent lamps.
  - How to label spent lamps or containers of spent lamps.
  - How to indicate the proper accumulation time.
- **Methods for conducting training requirements:**
  - Posting requirements on the wall of the facility where employees will see them.
  - Handing out photocopied pages to employees.
  - A short training session delivered at an employee meeting or safety meeting.
  - Any other method that "informs" the employee.
- **Demonstrating compliance with training requirement.** It is important to document compliance with the training requirements. Keep a record of the dates that this guidance or other store procedures for handling universal waste are posted or distributed. You may also want to have the employee sign and date a record of the training.

#### **ACCUMULATING LAMPS.**

- **Containers.** All spent lamps must be placed in containers while in storage (and for shipment). Containers must be "that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps." The original boxes in which the lamps were sold are acceptable if they are structurally sound and in good condition. The COUNTY will provide the following containers:

## Attachment 5

- o Containers for all diameters of straight fluorescent tubes up to 4-feet in length;
- o Containers for straight fluorescent tubes from 4-feet to 8-feet in length;
- o Containers for straight fluorescent tubes up to 2-feet in length, U-bend tubes, circular tubes, and compact fluorescent lamps (CFL);
- o Containers for all categories of high intensity discharge lamps (HID), including Mercury Vapor, Metal Halide, and High & Low-Pressure Sodium lamps;
- o Containers with liners for all categories of broken lamps.

Additional containers may be obtained by calling the Tulare County Environmental Health Services contact at (559) 733-6441 to schedule a pickup.

- **Segregation.** It is important to properly segregate universal wastes into the proper packaging categories prior to placing. Refer to the attached guidance *SEGREGATING LAMPS THAT CONTAIN MERCURY* to properly identify, segregate and package each category of universal waste. Incandescent and halogen lamps are nonhazardous and may be discarded in the trash.
- **Containerizing.** Spent lamps should be placed into the appropriate container immediately upon arrival. Do not tape lamps together. This results in excess handling of lamps and additional charges. When the container is full, write the number of lamps placed within it on the outside. The container should then be closed to prevent lamps from falling out of it, and placed into the designated accumulation area where it will be safe from accidental breakage.
- **Labels.** Labels should be affixed to the spent lamps or the container of spent lamps as soon as spent lamps are generated. Each container of spent lamps must be labeled with one of the following: "Universal Waste-- Lamp(s)," or "Waste Lamp(s)," or "Used lamp(s)." The COUNTY will provide a supply of appropriate labels for all containers. Additional labels may be obtained by calling John Macedo at (559) 733-6441 extension 2824. The label may also be written on the container as long as it is clearly visible to persons entering the area.
- **Accumulation time limits.** You may accumulate spent lamps for up to one year prior to shipment to a recycler (or intermediary). You must be able to demonstrate that you are in compliance with the one-year time limit.
- **Recording accumulation dates.** Mark each container with the date that the first spent lamp was placed into the container.
- **Maintaining the accumulation area.** The accumulation area should be kept clean and free of obstacles and debris that could cause an employee to trip or stumble, breaking lamps.

### LAMP TRANSPORT

- **Arranging for transport.** Call the Tulare County Environmental Health Services contact at (559) 733-6441 to schedule a pickup. The accumulated lamps will either be transported to the Visalia HHW Collection Facility by Tulare County Environmental Health Services personnel or we will have our contractor pick them up directly from your facility. The Tulare County Environmental Health

## **Attachment 5**

Services will be responsible for complying with applicable Department Of Transportation requirements for labeling, marking, placarding, and shipping papers.

### **RESPONDING TO BROKEN LAMPS.**

Everyone that works with fluorescent tubes and other lamps occasionally breaks one. The Universal Waste Regulations allow accidentally broken lamps to be cleaned up and the residue managed as universal waste alongside the intact spent lamps. If a tube or other lamp is broken, carefully sweep up the pieces and place them in a dedicated drum with a poly liner. If the public drops off broken tubes, handle them in the same fashion as lamps accidentally broken at the collection facility.

#### **Cleaning up one or a few broken spent lamps:**

- Gently sweep up debris with a small broom to avoid suspending the phosphor powders in the air.
- Place the debris in a lined, labeled container or drum. Keep the container closed except when adding broken lamps.
- DO NOT VACUUM broken lamp debris. Vacuuming will disperse mercury throughout the area in the exhaust from the vacuum.

#### **Response to breaking a large number of tubes:**

If a more serious incident breaks a significant number of spent lamps, it may be necessary to close off the area until cleanup is completed. If a box of lamps break, place the entire box in a plastic bag immediately. DO NOT open the box. Close and seal the bag.

Figure 1. 18"x24" Stop! It's Illegal to Abandon Used Oil... Language: English and Spanish

# STOP!

## IT'S ILLEGAL To Abandon Used Oil Or Other Hazardous Substances Outside This Facility




TO REPORT ILLEGAL DISPOSAL OF USED OIL  
OR OTHER HAZARDOUS MATERIALS AT THIS  
LOCATION, PLEASE CALL:  
**1-800-698-6942**

UNDER PENALTY OF LAW: H&S CODE SECTIONS  
25189.5 (a-c) and 25250.5 (a)  
and PENAL CODE SECTION 374.8

# ¡ALTO!

## ES ILEGAL Dejar Su Aceite Usado O Otras Substancias Peligrosas Afuera De Este Negocio




Para reportar cualquier disposición de aceite usado o  
otros desechos peligrosos, por favor llame al  
**1-800-698-6942**

BAJO PENA DE LA LEY: S&S SECCIONES DE CÓDIGO  
25189.5 (a-c) y 25250.5 (a)  
Y CÓDIGO PENAL SECCIÓN 374.8

Figure 2. 9"x11" Stop!...Remember Used Oil Cannot be Mixed With... English and Spanish

# STOP!

## Remember Used oil **CANNOT** be mixed with:

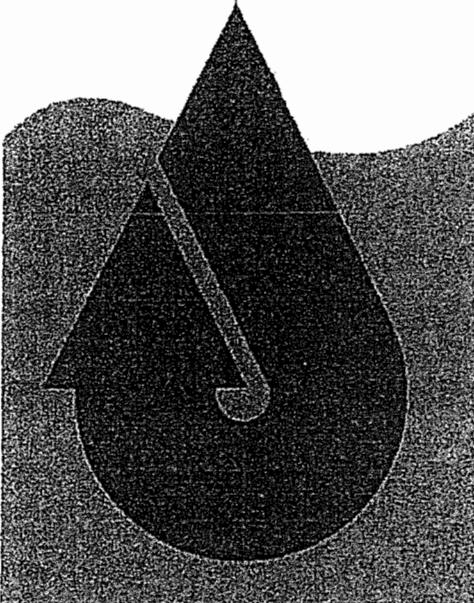


# ¡ALTO!

## Recuerde El aceite usado **NO DEBE** mezclarse con:



Figure 3. 24"x36" Informational and Symbolic; Language: English only



State of California Certified

# Used Oil Collection Center

**Used Oil Accepted from  
the Public at No Charge**

Recycling Incentive Paid for Used Lubricating Oil in  
Containers During Business Hours from Members of the  
Public Who Change Their Own Oil

Contaminated oil, or oil suspected of contamination may  
not be accepted

For more information or complaints concerning this center  
please call the California Integrated Waste Management  
Board at 916-341-6457

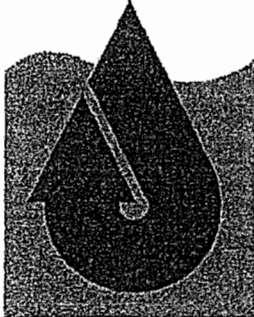
*You Know—You Shouldn't Happen*

Center Hours: \_\_\_\_\_ Center #19#

Figure 4. 18"x24" Symbolic; Language: English and Spanish

State of California Certified

# Used Oil

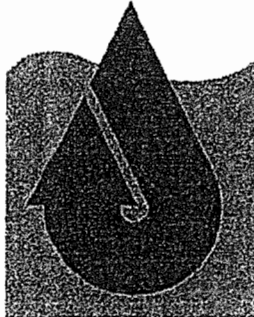


# Collection Center

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

State of California Certified

# Aquí Aceptamos



# Aceite Usado

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Figure 5. 11"x15" Recycle Used Oil Filters Here; Language: English and Spanish

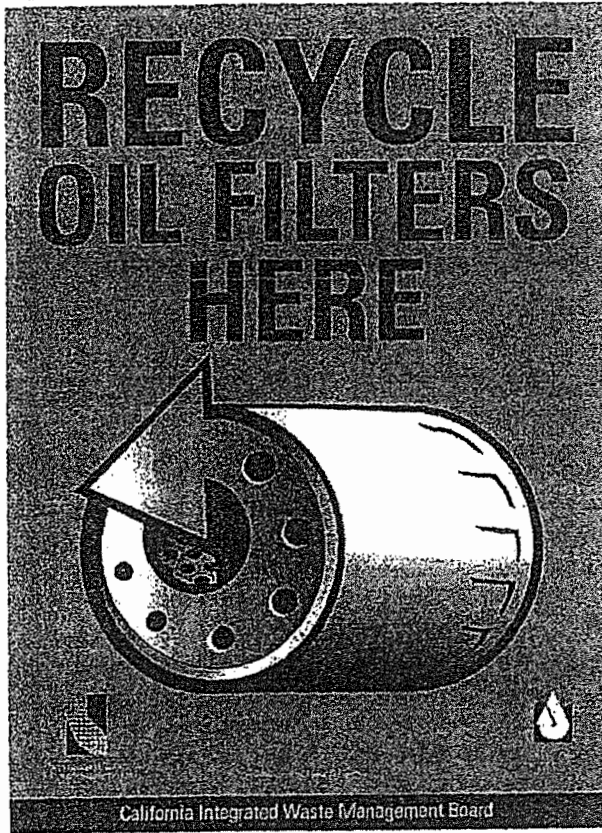




Figure 6. Persons Keep Out / Area De Almacenamiento De Desperdicios



**HAZARDOUS WASTE  
STORAGE AREA  
UNAUTHORIZED PERSONS  
KEEP OUT**



**AREA DE ALMACENAMIENTO  
DE DESPERDICIOS PELIGROSOS  
PERSONAL NO AUTORIZADO  
MANTENGASE AFUERA**

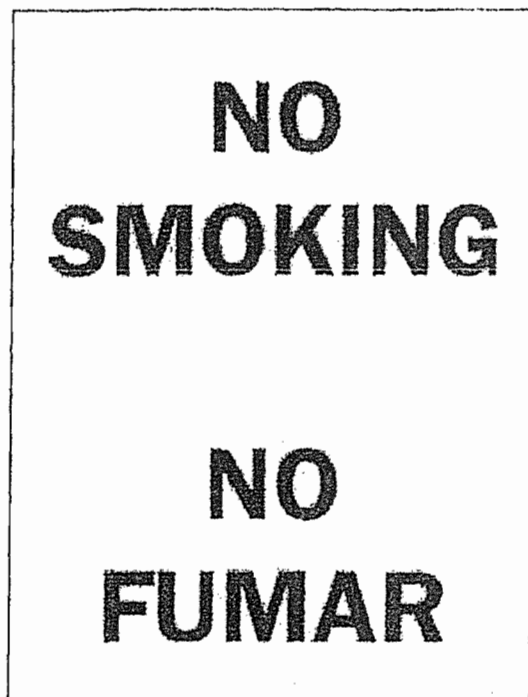
| Product | Description                        |
|---------|------------------------------------|
| H-38105 | Material: Aluminum Size: 14 x 10   |
| H-39505 | Material: Fiberglass Size: 20 x 14 |
| H-38605 | Material: Plastic Size: 14 x 10    |
| H-90542 | Material: Self Stick Size: 14 x 10 |

Figure 7. Help Keep This Place Clean / Ayude A Mantener Esta Area Limpia



| Product | Description                        |
|---------|------------------------------------|
| H-38349 | Material: Aluminum Size: 14 x 10   |
| H-39742 | Material: Fiberglass Size: 20 x 14 |
| H-38850 | Material: Plastic Size: 14 x 10    |
| H-90791 | Material: Self Stick Size: 14 x 10 |

Figure 8. No Smoking / No Fumar



| Product | Description                      |
|---------|----------------------------------|
| H-38420 | Material: Aluminum Size: 10 x 14 |
| H-39820 | Material: Fiberglass: 20 x 14    |
| H-38931 | Material: Plastic: 10 x 14       |

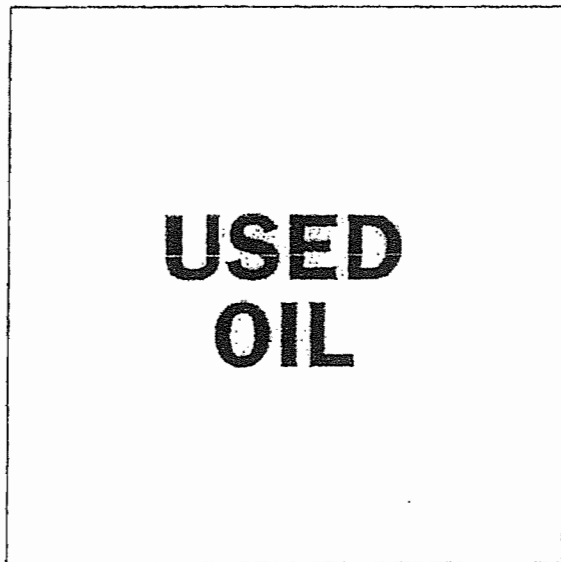
Figure 9. No Smoking / No Fumar



| Product | Description                   |
|---------|-------------------------------|
| H-39821 | Material: Fiberglass: 20 x 14 |
| H-38933 | Material: Plastic: 10 x 14    |
| H-90822 | Self Sticking: 10 x 14        |



Figure 10. Used Oil Sign



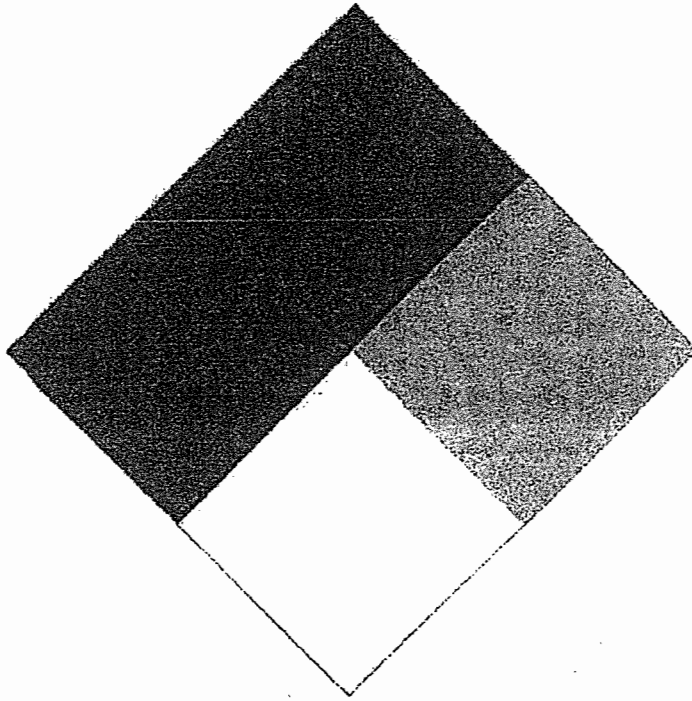
| Product | Description                       |
|---------|-----------------------------------|
| H-60350 | Material: Aluminum Size: 10 x 14  |
| H-43983 | Material: Self Stick Size: 7 x 10 |

Figure 11. All Visitors Report To Site Office Sign



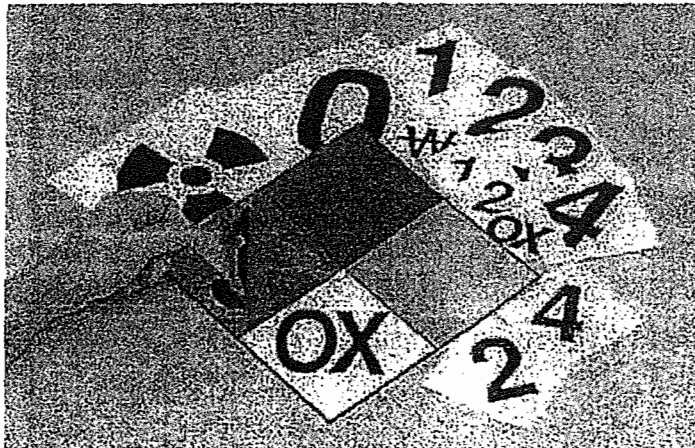
| Title                                   | Description                     |
|-----------------------------------------|---------------------------------|
| All Visitors Report To Site Office Sign | Material: Plastic Size: 18 x 24 |

**Figure 12. Diamond Only-Magnetic Sign**



The NFPA system is used for rating materials under emergency situations. This sign is printed on magnetic backing. It includes the distinctive NFPA diamond only. Sign measures 15" x 15". Sold per each.

**Figure 13. 6" Clear Vinyl Numbers**



Use these clear vinyl numbers to add hazard ratings to any NFPA sign. Each kit contains 3 each of numerals 0,1, 2,3, and 4 and one oxidizer, use no water and radioactive symbol. Available in your choice of sizes: 1", 2", 3", 4" or 6". Sold per kit.

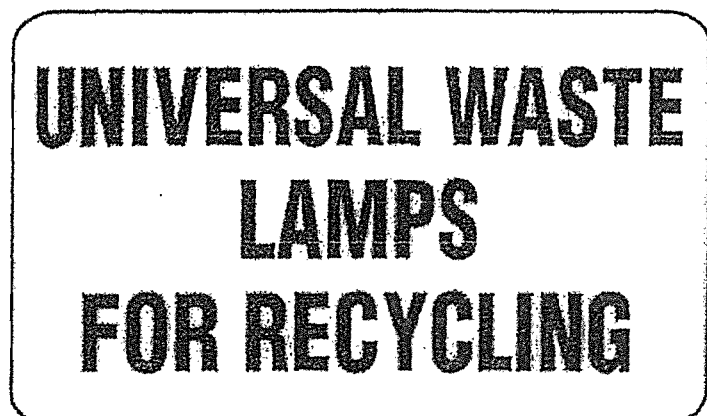
Figure 14. Battery Container label.



Figure 15. Cell Phone Container label



Figure 16. Universal Lamps Waste For Recycling Label



Size: 5" X 3" Material: White Paper Label,  
Color: White, Sold In Rolls Of 500

Figure 17. 60362 Universal Waste Labels

A rectangular label with a dark, textured background. The text "UNIVERSAL WASTE" is printed in large, bold, white, sans-serif capital letters at the top. Below this, there is a white rectangular area containing four lines of text, each followed by a horizontal line for writing: "CONTENTS", "ACCUMULATION START DATE", "SHIPPER", and "ADDRESS". At the bottom of this white area, the text "CITY, STATE, ZIP" is followed by a horizontal line for writing.

Size: 6" H X 6" W, Material: Paper Label,  
Color: Purple, Black On White  
Sold: 100/package

Figure 18. Revised California Waste Labels

**HAZARDOUS WASTE**

STATE AND FEDERAL LAW PROHIBIT IMPROPER DISPOSAL  
 IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY  
 AUTHORITY OR THE ENVIRONMENTAL PROTECTION AGENCY  
 OR THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL  
 GENERATOR INFORMATION

NAME \_\_\_\_\_ PHONE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

HAZARDOUS WASTE IDENTIFICATION

UNID NO. \_\_\_\_\_  
 EPA ID NO. \_\_\_\_\_  
 WASTE NO. \_\_\_\_\_  
 QUANTITY \_\_\_\_\_  
 QUANTITY OF CONTAINER \_\_\_\_\_

HAZARDOUS PROPERTIES

PHYSICAL STATE: ☐ SOLID ☐ LIQUID ☐ GASEOUS ☐ OTHER \_\_\_\_\_  
☐ CORROSIVE ☐ FLAMMABLE ☐ TOXIC ☐ REACTIVE ☐ OTHER \_\_\_\_\_

**HANDLE WITH CARE!**

Label Master, Inc. 1-800-821-5824 www.labelmaster.com

California hazardous waste label includes all the information necessary for marking a container for transport in California in compliance with the EPA regulations in 40CFR part 262 and 49CFR part 172.300. Labels measure 6" x 6" and are printed on heavyweight coated paper or exterior grade vinyl.

Figure 19. Nonspillable Battery label.

**NONSPILLABLE BATTERY**

1190 LABEL MASTER 1-800-821-5824 www.labelmaster.com

NONSPILLABLE BATTERY - 4" X 1" - 500  
 PER ROLL - PAPER

Figure 20. Corrosive 8 label



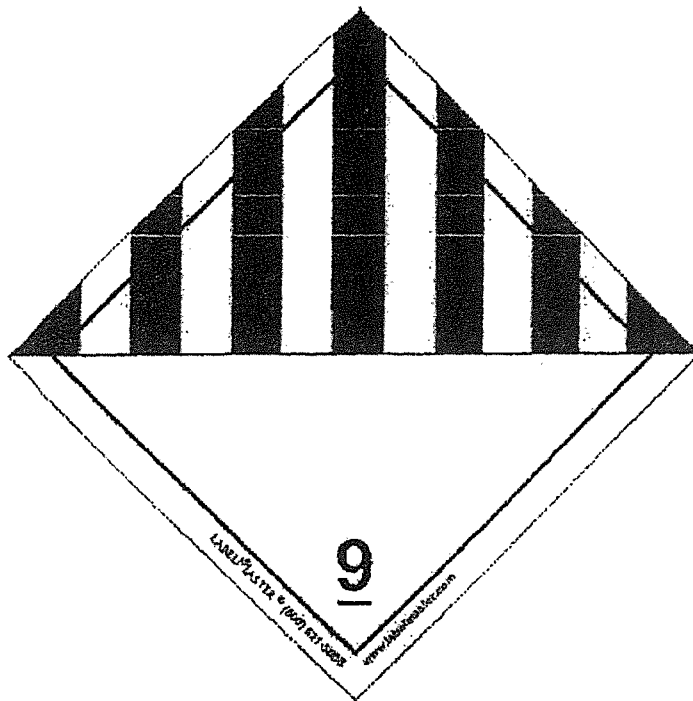
|                   |               |
|-------------------|---------------|
| Hazard Class Desc | Corrosive     |
| Hazard Class No   | 8             |
| Division Number   | N/A           |
| Text              | Corrosive 8   |
| Format            | Pack          |
| Quantity          | 50            |
| Material          | Paper         |
| Label Size        | 100mm x 100mm |
| Color             | White, Black  |

Figure 21. Batteries, Wet, Filled With Acid label



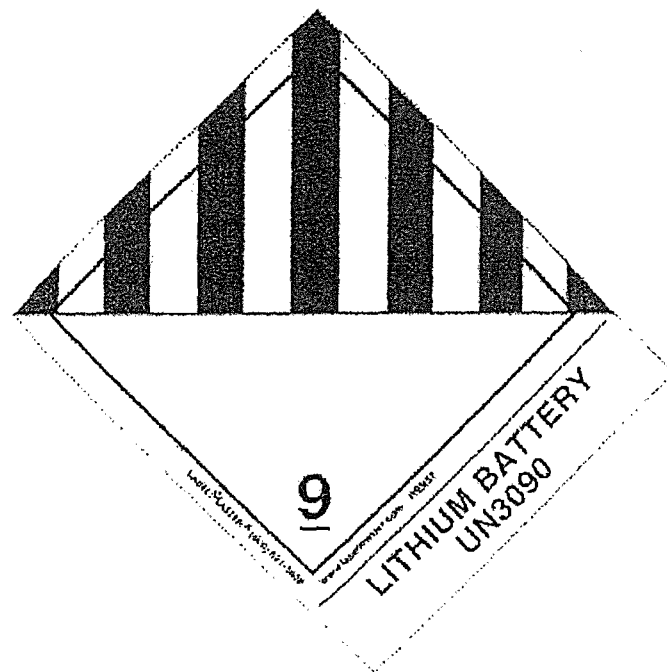
|                      |                                                              |
|----------------------|--------------------------------------------------------------|
| UN Number            | UN2794                                                       |
| Proper Shipping Name | Batteries, Wet, Filled with Acid                             |
| Hazard Class Desc    | Corrosive                                                    |
| Hazard Class No      | 8                                                            |
| Division Number      | N/A                                                          |
| Text                 | Corrosive 8<br>Batteries, Wet,<br>Filled with Acid<br>UN2794 |
| Format               | Rolls                                                        |
| Quantity             | 500                                                          |
| Material             | Paper                                                        |
| Label Size           | 100mm x 120mm                                                |
| Color                | White, Black                                                 |

Figure 22. Miscellaneous Dangerous Goods 9 Label



|                   |                               |
|-------------------|-------------------------------|
| Hazard Class Desc | Miscellaneous Dangerous Goods |
| Hazard Class No   | 9                             |
| Division Number   | N/A                           |
| Text              | 9                             |
| Format            | Pack                          |
| Quantity          | 50                            |
| Material          | Paper                         |
| Label Size        | 100mm x 100mm                 |
| Color             | White, Black                  |

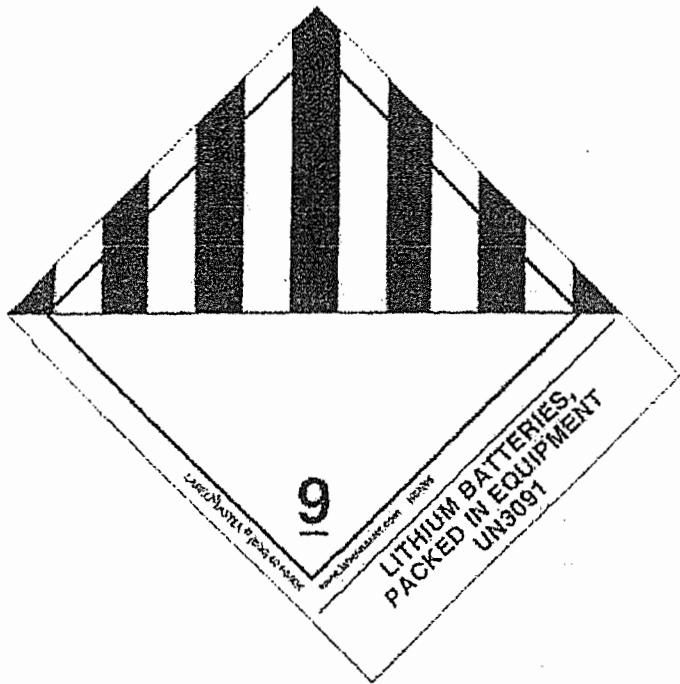
Figure 23. Lithium Battery UN3090 Label



|                      |                               |
|----------------------|-------------------------------|
| UN Number            | UN3090                        |
| Proper Shipping Name | Lithium Battery               |
| Hazard Class Desc    | Miscellaneous Dangerous Goods |
| Hazard Class No      | 9                             |
| Division Number      | N/A                           |
| Text                 | 9 Lithium Battery UN3090      |
| Format               | Rolls                         |
| Quantity             | 500                           |
| Material             | Paper                         |
| Label Size           | 100mm x 120mm                 |
| Color                | White, Black                  |

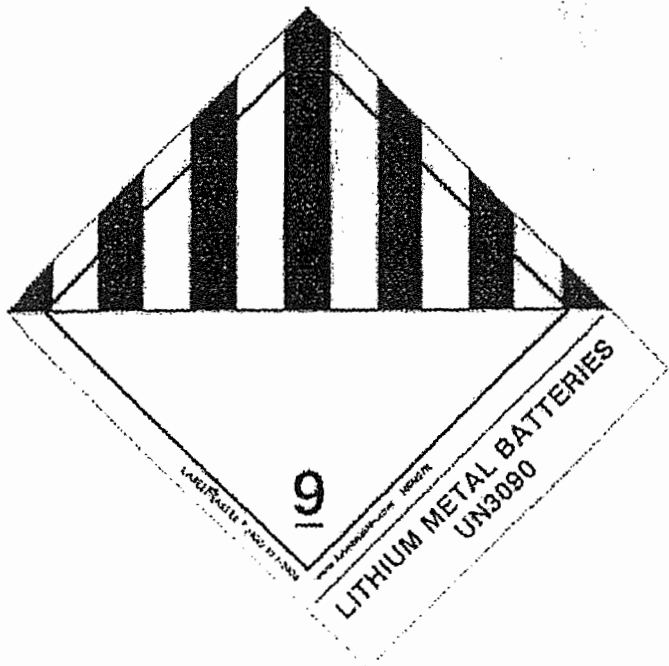


Figure 24. Lithium Batteries, Packed In Equipment UN3091 Label



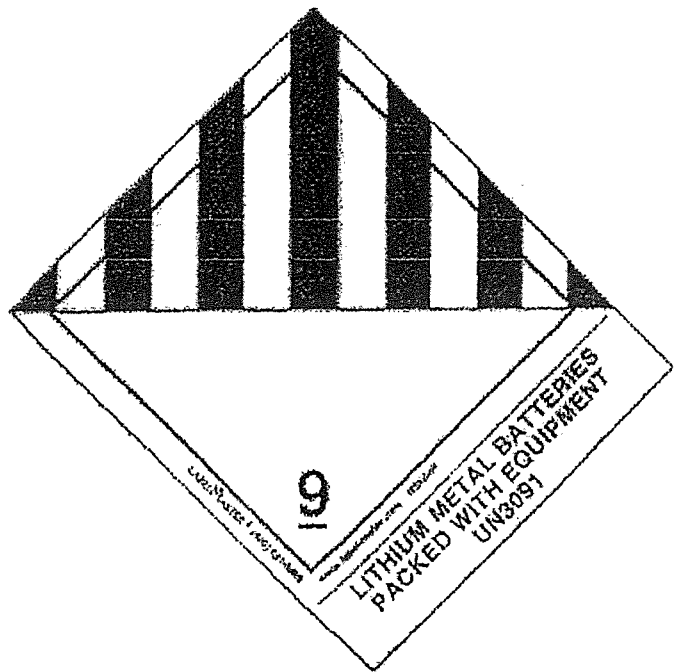
|                      |                                                 |
|----------------------|-------------------------------------------------|
| UN Number            | UN3091                                          |
| Proper Shipping Name | Lithium Batteries, Packed in Equipment          |
| Hazard Class Desc    | Miscellaneous Dangerous Goods                   |
| Hazard Class No      | 9                                               |
| Division Number      | N/A                                             |
| Text                 | 9 Lithium Batteries, Packed In Equipment UN3091 |
| Format               | Rolls                                           |
| Quantity             | 500                                             |
| Material             | Paper                                           |
| Label Size           | 100mm x 120mm                                   |
| Color                | White, Black                                    |

Figure 25. Lithium Metal Batteries UN3090 Label



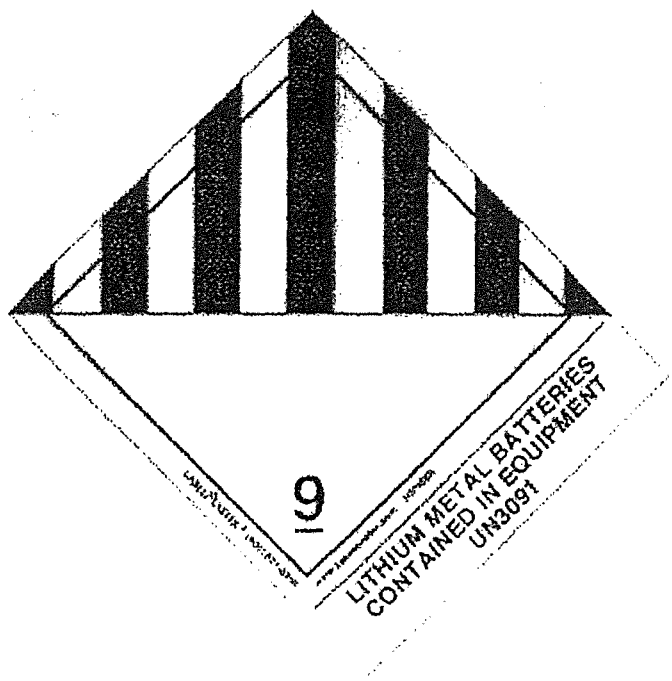
LITHIUM METAL BATTERIES", Hazard Class 9, UN3090, 100MM X 120MM SHIPPING NAME LABEL - PAPER LABEL - ROLLS OF 500

Figure 26. LITHIUM METAL BATTERIES PACKED WITH EQUIPMENT UN3091 label



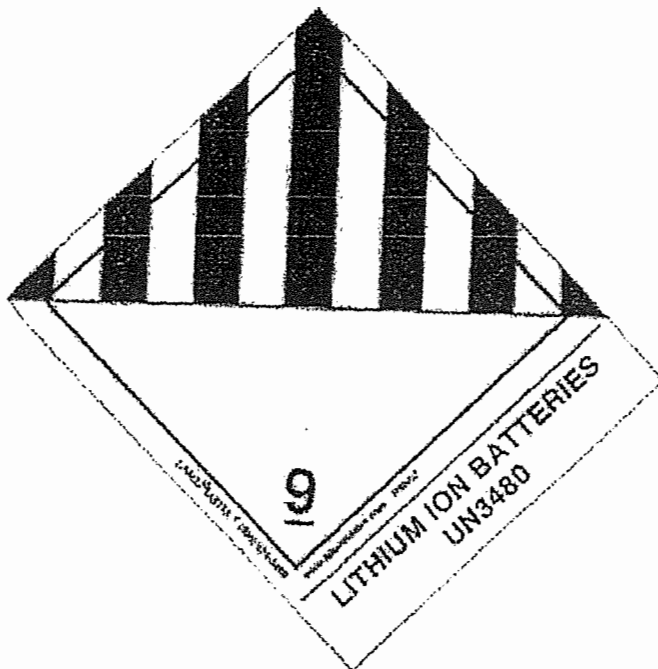
"LITHIUM METAL BATTERIES PACKED WITH EQUIPMENT", Hazard Class 9, UN3091, 100MM X 120MM Shipping Name Label - PAPER LABEL - ROLLS OF 500

Figure 27. LITHIUM METAL BATTERIES CONTAINED IN EQUIPMENT UN3091 label



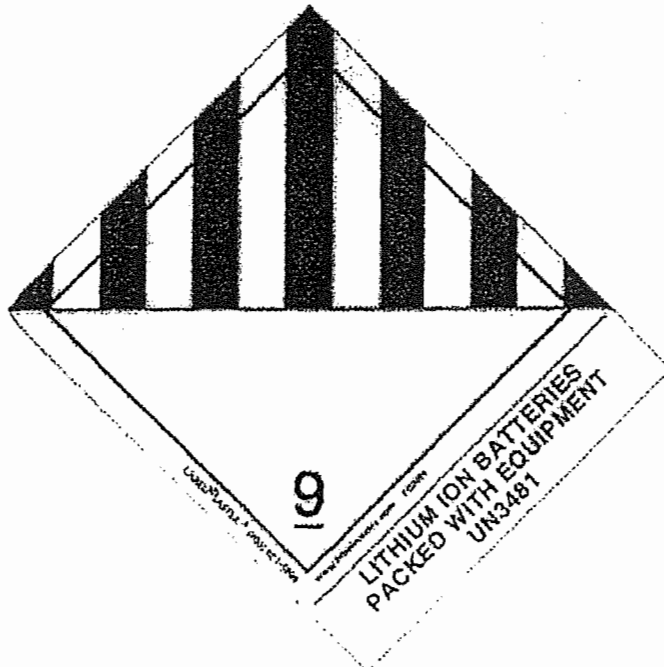
|                      |                                                          |
|----------------------|----------------------------------------------------------|
| UN Number            | UN3091                                                   |
| Proper Shipping Name | Lithium Metal Batteries, Contained In Equipment          |
| Hazard Class Desc    | Miscellaneous Dangerous Goods                            |
| Hazard Class No      | 9                                                        |
| Division Number      | N/A                                                      |
| Text                 | 9 Lithium Metal Batteries, Contained In Equipment UN3091 |
| Format               | Rolls                                                    |
| Quantity             | 500                                                      |
| Material             | Paper                                                    |
| Label Size           | 100mm x 120mm                                            |
| Color                | White, Black                                             |

Figure 28. LITHIUM ION BATTERIES UN3480 Label



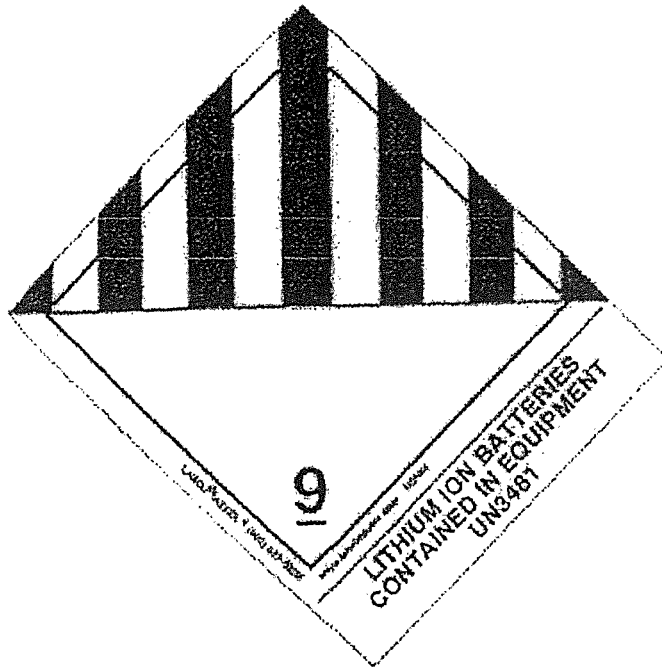
"LITHIUM ION BATTERIES" - HAZ CLASS 9, UN3480, 100MM X 120MM SHIPPING NAME LABEL - PAPER LABEL - ROLLS OF 500

Figure 29. LITHIUM ION BATTERIES PACKED WITH EQUIPMENT UN3481 Label



"LITHIUM ION BATTERIES PACKED WITH EQUIPMENT", Hazard Class 9, UN3481, 100MM X 120MM SHIPPING NAME LABEL - PAPER LABEL - ROLLS OF 500

Figure 30. LITHIUM ION BATTERIES CONTAINED IN EQUIPMENT UN3481 Label



LITHIUM ION BATTERIES CONTAINED  
IN EQUIPMENT", Hazard Class 9,  
UN3481, 100MM X 120MM SHIPPING  
NAME LABEL - PAPER LABEL - ROLLS  
OF 500

Figure 31. Lithium Batteries Inside label

LITHIUM BATTERIES INSIDE, PAPER,  
5.5" X 2", 500/ROLL

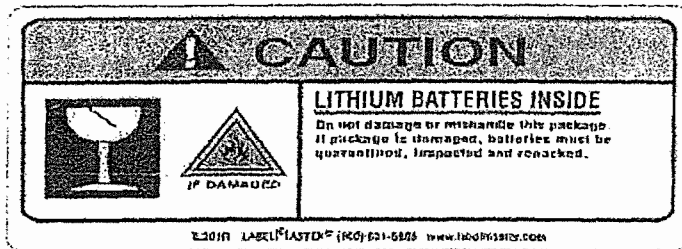


Figure 32. LITHIUM ION/POLYMER RECHARGEABLE BATTERIES INSIDE label

LITHIUM ION/POLYMER  
RECHARGEABLE BATTERIES INSIDE,  
PAPER, 5.5" X 2", 500/ROLL

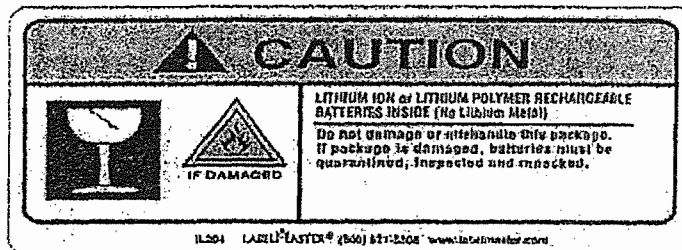


Figure 33. Lithium Battery Handling Label



The Lithium Battery Handling Label is required on all packagings carrying lithium ion batteries or lithium metal batteries by aircraft. The Lithium Battery Handling Label has space to designate whether the packaging contains a lithium ion battery or lithium metal battery and a contact phone number as required by the regulations. The red and black Lithium Battery Handling labels measure 120 mm x 110 mm and are designed in accordance with international air regulations.

Our Lithium Battery Label complies with IATA / ICAO January 1, 2009 requirements.

Use for the following UN Numbers:

UN 3090 Lithium Metal Batteries  
UN 3480 Lithium Ion Batteries  
UN 3091 Lithium Metal Batteries Contained in Equipment  
UN 3481 Lithium Ion Batteries Contained in Equipment

Figure 34. Primary Lithium Battery Labels



Certain shipments of lithium batteries are banned from passenger aircraft beginning December 29, 2004. Use this marking on shipments of primary (non-rechargeable) lithium batteries that part of this ban. This 6" x 4" label is printed on paper with 12 mm red text. Sold on rolls of 500.

**EXHIBIT B**  
**NON-PROFESSIONAL SERVICES**  
**INSURANCE REQUIREMENTS**

CONTRACTOR shall provide and maintain insurance for the duration of this Agreement against claims for injuries to persons and damage to property which may arise from, or in connection with, performance under the Agreement by the CONTRACTOR, his agents, representatives, employees and subcontractors, if applicable.

**A. Minimum Scope & Limit of Insurance**

1. Insurance Services Office Commercial General Liability coverage of \$1,000,000 combined single limit per occurrence (occurrence Form CG 00 01). If an annual aggregate applies it must be no less than \$2,000,000.
2. Insurance Services Office Form Number CA 00 01 covering Automobile Liability, (any auto) of \$1,000,000 per occurrence. If an annual aggregate applies it must be no less than 2,000,000.
3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

**B. Specific Provisions of the Certificate**

1. If any of the required insurance is written on a claims made form, the retroactive date must be before the date of the contract or the beginning of the contract work and must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract work.
2. CONTRACTOR must submit endorsements to the General Liability reflecting the following provisions:
  - a. The COUNTY, its officers, agents, officials, employees and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Contractor; or automobiles owned, leased, hired or borrowed by the CONTRACTOR.
  - b. For any claims related to this project, the CONTRACTOR's insurance coverage shall be primary insurance as respects the COUNTY, its officers, agents, officials, employees and volunteers. Any insurance or self-insurance maintained by the COUNTY, its officers, agents, officials, employees or volunteers shall be excess of the CONTRACTOR's insurance and shall not contribute with it.
  - c. Each insurance policy required by this agreement shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days prior written notice has been provided to the County.
3. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the COUNTY for all work performed by the CONTRACTOR, its employees, agents and subcontractors.
  - a. Waiver of Subrogation. The workers' compensation policy shall be endorsed with a waiver of subrogation in favor of the COUNTY for all work performed by the CONTRACTOR, its employees, agents and subcontractors. CONTRACTOR waives all rights against the COUNTY and its officers, agents, officials, employees and

volunteers for recovery of damages to the extent these damages are covered by the workers compensation and employers liability.

C. DeductiblesandSelf-InsuredRetentions

The COUNTY Risk Manager must approve any deductible or self-insured retention that exceeds \$100,000.

D. AcceptabilityofInsurance

Insurance must be placed with insurers with a current rating given by A.M. Best and Company of no less than A-:VII and a Standard & Poor's rating (if rated) of at least BBB and from a company approved by the Department of Insurance to conduct business in California. Any waiver of these standards is subject to approval by the County Risk Manager.

E. VerificationofCoverage

Prior to approval of this Agreement by the COUNTY, the CONTRACTOR shall file with the submitting department, certificates of insurance with original endorsements effecting coverage in a form acceptable to the COUNTY. Endorsements must be signed by persons authorized to bind coverage on behalf of the insurer. The COUNTY reserves the right to require certified copies of all required insurance policies at any time.



## **Exhibit "C"**

### **HIPAA REQUIREMENT**

The Health insurance Portability and Accountability Act of 1996 (HIPAA)

A. Definitions: Terms used, but not otherwise defined, in this Agreement shall have the same meaning as those terms in the Privacy Rule.

1. *Business Associate.* "Business Associate" shall mean CONTRACTOR.
2. *Covered Entity.* "Covered Entity" shall mean COUNTY.
3. *Individual.* "Individual" shall have the same meaning as the term "individual" in 45 CFR 164.501 and shall include a person who qualifies as a personal representative in accordance with 45 CFR 164.502(g).
4. *Privacy Rule.* "Privacy Rule" shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 CFR part 160 and part 164, subparts A and E.
5. *Protected Health Information.* "Protected Health Information" shall have the same meaning as the term "protected health information" in 45 CFR 164.501, limited to the information created or received by Business Associate from or on behalf of Covered Entity.
6. *Required By Law.* "Required By Law" shall have the same meaning as the term "required by law" in 45 CFR 164.501.
7. *Secretary.* "Secretary" shall mean the Secretary of the Department of Health and Human Services or his designee.

B. Obligations and Activities of CONTRACTOR

1. CONTRACTOR agrees to not use or disclose Protected Health Information other than as permitted or required by the Agreement or as Required By Law.
2. CONTRACTOR agrees to use appropriate safeguards to prevent use or disclosure of the Protected Health Information other than as provided for by this Agreement.
3. CONTRACTOR agrees to mitigate, to the extent practicable, any harmful effect that is known to CONTRACTOR of a use or disclosure of Protected Health Information by CONTRACTOR in violation of the requirements of this Agreement.
4. CONTRACTOR agrees to report to COUNTY any use or disclosure of the Protected Health Information not provided for by this Agreement of which it becomes aware.
5. CONTRACTOR agrees to ensure that any agent, including a subcontractor, to whom it provides Protected Health Information received from, or created or received by CONTRACTOR on behalf of COUNTY agrees to the same restrictions and conditions that apply through this Agreement to CONTRACTOR with respect to such information. CONTRACTOR agrees to provide access, at the request of COUNTY, and in the time and manner requested by COUNTY, to Protected Health Information in a Designated Record Set, to COUNTY or, as directed by COUNTY, to an Individual in order to meet the requirements under 45 CFR 164.524

6. CONTRACTOR agrees to make any amendment(s) to Protected Health Information in a Designated Record Set that the COUNTY directs or agrees to pursuant to 45 CFR 164.526 at the request of COUNTY or an Individual, and in the time and manner requested by COUNTY
7. CONTRACTOR agrees to make internal practices, books, and records, including policies and procedures and Protected Health Information, relating to the use and disclosure of Protected Health Information received from, or created or received by CONTRACTOR on behalf of, COUNTY to the COUNTY, in a time and manner requested by COUNTY for purposes of determining CONTRACTOR'S and/or COUNTY'S compliance with the Privacy Rule.
8. CONTRACTOR agrees to document such disclosures of Protected Health Information and information related to such disclosures as would be required for COUNTY to respond to a request by an Individual for an accounting of disclosures of Protected Health Information in accordance with 45 CFR 164.528
9. CONTRACTOR shall provide to COUNTY or an individual, in time and manner designated by COUNTY, information collected in accordance with Title 45, CFR, Section 164.528, to permit the Department to respond to a request by the individual for an accounting of disclosures of PHI in accordance with Title 45, CFR, Section 164.528

C. General Use and Disclosure Provisions: Except as otherwise limited in this Agreement, Business Associate may use or disclose Protected Health Information on behalf of, or to provide services to, COUNTY, if such use or disclosure of Protected Health Information would not violate the Privacy Rule if done by COUNTY or the minimum necessary policies and procedures of the COUNTY.

D. Specific Use and Disclosure

1. Except as otherwise limited in this Agreement, CONTRACTOR may use Protected Health Information for the proper management and administration of the CONTRACTOR or to carry out the legal responsibilities of the CONTRACTOR.
2. Except as otherwise limited in this Agreement, CONTRACTOR may disclose Protected Health Information for the proper management and administration of the CONTRACTOR, provided that disclosures are Required By Law, or CONTRACTOR obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and used or further disclosed only as Required By Law or for the purpose for which it was disclosed to the person, and the person notifies the CONTRACTOR of any instances of which it is aware in which the confidentiality of the information has been breached.
3. Except as otherwise limited in this Agreement, CONTRACTOR may use Protected Health Information to provide Data Aggregation services to COUNTY as permitted by 42 CFR 164.504(e)(2)(i)(B)

4. CONTRACTOR may use Protected Health Information to report violations of law to appropriate Federal and State authorities consistent with § 164.502(j)(1)

E. Obligations of COUNTY

1. COUNTY shall notify CONTRACTOR of any limitation(s) in its notice of privacy practices of COUNTY in accordance with 45 CFR 164.520, to the extent that such limitation may affect CONTRACTOR'S use or disclosure of Protected Health Information.
2. COUNTY shall notify CONTRACTOR of any changes in, or revocation of, permission by Individual to use or disclose Protected Health Information, to the extent that such changes may affect CONTRACTOR'S use or disclosure of Protected Health Information
3. COUNTY shall notify CONTRACTOR of any restrictions to the use or disclosure of Protected Health Information that COUNTY has agreed to in accordance with 45 CFR 164.522, to the extent that such restriction may affect CONTRACTOR'S use or disclosure of Protected Health Information.

F. Permissible Requests by COUNTY: Except as otherwise provided herein, COUNTY shall not request CONTRACTOR to use or disclose Protected Health Information in any manner that would not be permissible under the Privacy Rule if done by COUNTY

G. Miscellaneous

1. *Regulatory References.* A reference in this Agreement to a section in the Privacy Rule means the section as in effect or as amended.
2. *Amendment.* The Parties agree to take such action as is necessary to amend this Agreement from time to time as is necessary for COUNTY to comply with the requirements of the Privacy Rule and the Health Insurance Portability and Accountability Act of 1996, Pub L. No. 104-191.
3. *Survival.* The respective rights and obligations of CONTRACTOR under this Exhibit shall survive the termination of this Agreement.
4. *Interpretation.* Any ambiguity in this Agreement shall be resolved to permit COUNTY to comply with the Privacy Rule.

## EXHIBIT “D”

### CULTURAL COMPETENCE AND DIVERSITY

The CONTRACTOR is encouraged to support Tulare County Health and Human Services Agency in the journey to work effectively across and among all cultures. It is the desire of HHSA that services be sensitive to the diversity of the community served, including but not limited to ethnic, linguistic, sexual and cultural characteristics. Sensitivity includes acceptance and respect for the cultural values, beliefs and practices of the community, as well as the ability to apply an understanding of the relationships of language and culture to the delivery of supports and services.

CONTRACTOR and COUNTY agree that:

- **Cultural competence** is the integration and transformation of knowledge about individuals and groups of people into specific standards, policies, practices, and attitudes used in appropriate cultural settings to increase the quality of services, thereby producing better outcomes. Competence in cross-cultural functioning means learning new patterns of behavior and effectively applying them in appropriate settings.

CONTRACTOR will strive to:

- Ensure that agents, employees or officers providing services are sensitive to the ethnic, linguistic, sexual and cultural diversity of the community served. Sensitivity includes acceptance and respect for the cultural values, beliefs and practices of the community, as well as the ability to apply an understanding of the relationships of language and culture to the delivery of supports and services.
- Assure equal access for people with diverse cultural backgrounds and/or limited English proficiency. Limited English Proficiency includes literacy issues: those who cannot either read or write in any language.



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Authorization to Enter Into Aviation Fuel Supply Agreement with World Fuel Services, Inc.

**SOURCE:** Finance

**COMMENT:** The Porterville Municipal Airport currently purchases 100LL aviation gasoline and Jet-A turbine fuel from World Fuel Services, Inc. through its subsidiary, Ascent Aviation Group, Inc. World Fuel Services, Inc. is proposing a three-year agreement to supply the various aviation fuels to the Airport with Phillips 66 branding. In addition, they agree to advance up to a maximum of \$15,000 towards the purchase and installation of a new fuelmaster self-serve unit at the Airport.

The existing fuel island unit does not have wireless capability. Staff has been using a manual credit card machine and carbon receipt paper to process credit card transactions. Daily transaction logs are retrieved through an antiquated telephone patch panel and dial-up modem which constantly break down. With the new fuelmaster self-serve unit, the City will be able to implement cellular connection and process credit card transactions electronically. The point of sale electronic processing will also reduce credit card processing fees compared to the manual input system in place right now.

Additionally, Ascent Aviation Group, Inc. is currently not accepting Multi Service Fuel cards which is the preferred card used by the California Department of Forestry and Fire Protection (CAL FIRE) for purchasing fuel. This is causing a delay in the receipt of payments from CAL FIRE. The new contract will alleviate this problem.

Fuel purchases are budgeted in the Airport's operating budget.

**RECOMMENDATION:** That the City Council:

1. Approve the 3-year contract with World Fuel Services, Inc. for the supply of aviation fuels and the Phillips 66 branding agreement; and
2. Authorize the Finance Director to execute the same.

**ATTACHMENTS:**

1. Fuel Supply Agreement
2. Branding Agreement

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager



## **FUEL SUPPLY AGREEMENT**

**THIS FUEL SUPPLY AGREEMENT (this "Agreement")** is made and entered into this 1<sup>st</sup> day of June, 2016 (the "**Effective Date**") by and between **CITY OF PORTERVILLE ("Customer")**, a California Municipality located at 291 North Main Street, Porterville, CA 93257 and **WORLD FUEL SERVICES, INC.**, a Texas corporation on its behalf and on behalf of its Affiliates (collectively "**Seller**") located at 9800 N.W. 41<sup>st</sup> Street, Miami, FL 33178.

### **WITNESSETH:**

**WHEREAS**, Seller markets and distributes aviation fuels, and Customer is in the business of operating an aviation facility located at 1893 S. Newcomb, Porterville, CA 93257 which uses aviation fuels; and

**WHEREAS**, the parties have agreed that Seller will sell aviation fuels to Customer and Customer will purchase aviation fuels from Seller in accordance with the terms and conditions of this Agreement.

**NOW, THEREFORE**, in consideration of the premises and mutual covenants and undertakings set forth herein, Customer and Seller hereby agree:

1. **Scope.** During the term of this Agreement, Seller agrees to sell and Customer agrees to purchase all of Customer's requirements for branded and unbranded aviation gasoline, jet fuel, and any other products sold hereunder exclusively from Seller and that it will not purchase any such fuels or products from any other corporation, company, entity, or person. Customer represents and warrants that all products and services purchased hereunder will be for the purpose of conducting its business and that no aviation gasoline purchased hereunder shall be used or sold for non-aviation use. In addition, Seller offers a comprehensive Contract Fuel Program and in the event Customer engages in contract fuel sales, Customer agrees to use Seller's Contract Fuel Program exclusively. Customer covenants that all contract fuel sales will be through Seller's Contract Fuel Program and that it will not use any other supplier's contract fuel program.

2. **Duration and Renewal.** This Agreement shall be for an initial term of three (3) years beginning on the Effective Date ("Initial Term"). If at the end of the Initial Term, Customer has not purchased at least 804,000 gallons of combined aviation fuel from Seller (the "Required Minimum Gallons"), this Agreement shall automatically renew for one or more subsequent annual terms until Customer has purchased at least the Required Minimum Gallons. If upon the expiration of the Initial Term or any annual renewal term, Customer has purchased the Required Minimum Gallons, then this Agreement shall automatically renew for subsequent annual periods unless cancelled by either party providing written notice to the other party of its election to terminate at least ninety (90) days prior to the end of the Initial Term or any annual renewal period.

3. **Pricing.** Unless otherwise agreed in writing by the parties, the price per gallon for products sold hereunder shall be as established by Seller from time to time in its discretion. Prices are exclusive of all Taxes (as defined in Section 11 hereof) additives, freight charges, surcharges and fees. Notwithstanding any written agreement to the contrary, if Seller's cost of supplying fuel or services to Customer increases then, upon written notice to Customer, Seller may adjust its prices at affected delivery locations. Price changes will take effect as of the date of notification.

4. **Product and Product Standard.** The products to be sold hereunder are Jet A Turbine Fuel and 100LL Aviation Gasoline. Jet A Turbine Fuel produced by a refinery in the United States shall meet ASTM D 1655, latest revision, and Jet A Turbine Fuel produced by a refinery in Canada shall meet the requirements of CAN/CGSB-3.23, latest revision. 100LL aviation gasoline produced by a refinery in the United States shall meet ASTM D 910, latest revision. Seller warrants title to the products delivered hereunder, that it has the right to sell such products and that they are free from liens and adverse claims of every kind. EXCEPT AS SPECIFICALLY SET FORTH IN THIS SECTION, SELLER MAKES NO WARRANTIES OF ANY KIND TO CUSTOMER REGARDING THE PRODUCT SOLD HEREUNDER, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

5. **Credit and Payment Terms.** Payment by Customer shall be made by means of check, and the terms shall be net thirty (30) days subject to credit approval by Seller. Past due amounts shall accrue interest at a rate of one and one-half percent (1.5%) per month, or the maximum rate permitted by applicable law, whichever is less. All amounts more than fifteen (15) days past due shall incur an additional five percent (5%) administrative fee. Any waiver by Seller of interest charges or administrative fees on a particular invoice shall not be construed as a waiver by Seller of its right to impose such charges on other or subsequent deliveries. Seller reserves the right to apply Customer's payments to any outstanding invoices or obligations of Customer, as determined by Seller in its sole discretion, without regard to the aging of any account. Customer shall be liable for all fees and costs, including without limitation attorney's fees, incurred by Seller in connection with any collection activities undertaken by Seller for the non-payment of any amounts due hereunder by Customer. Seller reserves the right to modify or cancel the credit terms provided to Customer at any time, in its sole discretion upon notice to Customer. If Seller selects not to

extend or cancels any credit terms provided to Customer, prior to each delivery of aviation fuel, Customer shall: (a) make a prepayment to Seller; (b) cause to be issued a letter of credit in favor of Seller in a form, in an amount and from a bank that is acceptable to Seller from time to time in its sole discretion, or (c) give other security to Seller in a manner, of a type, in a form and in an amount that is acceptable to Seller. Seller reserves the right, in addition to all other rights and remedies available to it under the law, in equity or otherwise, to suspend further performance of Services, and demand payment of all outstanding balances, if Customer fails to make any payment as herein provided, or if Seller at any time deems itself insecure with regard to the creditworthiness or financial condition of Customer.

6. Business Development Funds. Following Customer's execution and delivery of this Agreement and any other agreements referred to in subsection 18(b), Seller agrees to advance to Customer business development funds (the "Business Development Funds") as follows:

(a) Up to a maximum of Fifteen Thousand Dollars (\$15,000.00) towards the purchase and installation of a Fuelmaster self serve unit.

(b) The Business Development Funds shall be retained by Customer free and clear of any claims by Seller for repayment, recoupment or setoff so long as Customer is not in default of this Agreement, any agreement referred to in subsection 18(b), or any other agreements between Seller and Customer; provided in the event that any such default is not cured within any grace period provided in this Agreement or any other such agreement, Customer shall repay to Seller, together with any other amounts due Seller hereunder, an amount equal to \$416.66 times the number of months remaining on the Initial Term of this Agreement.

(c) If at any time during the initial or any renewal term of this agreement, Customer purchases 804,000 gallons or more of combined aviation fuel (Jet fuel plus Avgas 100LL), Customer shall be relieved of any obligation or liability to repay to Seller the Business Development Funds.

7. Force Majeure. Neither party shall be liable for its failure to satisfy its obligations hereunder as a result of any cause beyond its control, including acts of God, acts of federal, state or local government, compliance with requests, regulations or orders of any governmental authority, fire, storm, flood, earthquake, explosion, accidents, acts of the public enemy, terrorism, war, riot, strike, lockout, or unavailability of or delays in delivery of any product which is the subject of this Agreement. If any such *force majeure* interruption occurs with respect to Seller's supply, Seller may substitute another fuel of the same brand, a different brand, or no brand so long as such aviation fuel meets the standards set forth in Section 4 above, and/or the quantities of aviation fuel required to be supplied under this Agreement may be ratably reduced for the period during which such *force majeure* interruption may exist.

8. Title and Risk of Loss. Seller's liability relating to the aviation fuel sold hereunder shall cease and title and risk of loss shall pass to Customer when said product passes the flange between Seller's delivery line and Customer's connection or vehicle.

9. Inspection and Measurement. Customer's inspection and measurement shall be based on meters or on certified tank truck capacities according to terminal practice. All quantities shall be adjusted to 60 degrees F temperature (unless otherwise specified by State Regulations) in accordance with the latest revised applicable parts of ASTM Designation D: 1250, IP Designation: 200 Petroleum Tables. The term "gallon" shall mean a U.S. gallon of 231 cubic inches. The term "tank truck" shall mean a transport truck with a tank storage capacity of not less than 3,000 gallons.

10. Deliveries. Deliveries shall be made at such times within the usual business hours of Seller as may be required by Customer, provided that reasonable advance notice is given by Customer. Seller shall prepare and furnish the receiving party with copies of bills of lading and other shipping papers. Seller shall not be required to make deliveries into vehicles supplied by Customer unless they are clean and empty immediately prior to delivery and shall not be required to load or deliver quantities less than the full capacity of the vehicle, except as otherwise authorized by Seller from time to time. If deliveries are to be made into Customer's storage facilities, Customer shall provide storage facilities sufficient to enable it to receive such deliveries and shall provide Seller with unimpeded and adequate ingress and egress twenty-four hours per day. Customer shall reimburse Seller on demand for any demurrage or other charges incurred by Seller by reason of Customer's failure to unload any delivery vehicle or release the same within the time allowed therefor without demurrage or other charge even though such failure may have arisen from causes beyond the control of Customer. All deliveries of aviation fuels shall be in full bulk transport quantities unless otherwise agreed by Seller. Seller's ability to offer products in the quantities and at the prices provided for under this Agreement is dependent upon the ratABILITY of Customer's demand. As such, Seller reserves the right to implement measures to control the proportionality, consistency and ratABILITY of Customer's demand.

11. Taxes. All prices are quoted in U.S. Dollars (unless otherwise specified) and exclude all duties, taxes, assessments, fees, and other charges, whether foreign or domestic, including, but not limited to, excise tax, VAT, GST, mineral oil tax, sales tax, use tax or any other tax, license fees, inspection fees, landing fees, airport fees, fees for the privilege



of buying, selling or loading aviation fuel, or other charges imposed by any governmental authority or agency or regulatory body, or third party upon, or measured by the gross receipts from or volume sold of any commodity, or on the production, manufacture, transportation, sale, use, delivery or other handling of such commodity, or any component thereof, or on any feature or service related thereto or of any invoice, existing at the time of any sale hereunder (collectively "Taxes"), which shall be added to the applicable price. When permitted, Customer shall assume and be directly responsible to the proper governmental units for any Taxes. When the laws, regulations or ordinances impose upon Seller the obligation to collect or pay such amounts, Customer shall pay to Seller all such amounts for which Seller may be liable. If Customer is entitled to purchase products free of any Tax, Customer shall furnish Seller proper exemption certificates. Customer acknowledges that it remains solely responsible for all Taxes and shall indemnify Seller against any liability for such Taxes even if Seller fails to include any such Taxes in its invoices. Customer's obligations under this Section 11 shall extend to any Taxes which are assessable against Customer as a result of any subsequent change in, or in interpretation of, any laws relating to such Taxes.

12. Conduct of Customer's Business. In the performance of this Agreement, Customer is engaged as an independent contractor. Customer shall conduct all operations hereunder in strict compliance with all applicable laws, ordinances and regulations of all governmental authorities, including but not limited to those issued by the Department of Transportation and those relating to the, production, manufacture, transportation, sale, use, delivery or other handling of products purchased hereunder. Customer shall diligently promote the sale of the petroleum products purchased under this Agreement, and shall conduct the operation of Customer's business in such a manner as to promote goodwill toward Seller and its products. Customer agrees to assist in the administration of any promotional programs Seller or its suppliers may establish for its customers.

13. Insurance.

(a) Customer shall maintain at Customer's own expense during the term of this Agreement: (i) Workers' Compensation and Employment Liability Insurance as prescribed by applicable law; (ii) Aviation General Liability (bodily injury and property damage) Insurance of not less than \$1,000,000 combined single limit per occurrence, but in the aggregate with respect to Products and Completed Operations Liability and any one offense/aggregate with respect to Personal Injury, and including but not limited to, personal injury, premises-operations, products and completed operations, and contractual Liability; (iii) Business Automobile Liability (bodily injury and property damage) Insurance of not less than \$1,000,000.00 combined single limit per occurrence, on all owned, non-owned and hired vehicles which are used by Customer; and (iv) any other insurance or surety bonding that may be required under the laws, ordinances and regulations of any governmental authority.

(b) The insurance specified in subsection (a) of this Section 13 shall require the insurer to provide Seller with thirty (30) days' prior written notice of any cancellation or material change in the insurance and shall name Seller as additional insured. The insurance required under clause (i) of subsection (a) above shall contain a waiver of subrogation against Seller and an assignment of statutory lien, if applicable.

(c) The insurance required under subsection (a) above shall provide that it is primary coverage to insurance carried by Seller. The insurance required above shall be issued by insurance companies which are reasonably acceptable to Seller. The insurance companies shall have no recourse against Seller, or any other additional insured, for payment of any premiums or assessments under any policy issued by a mutual insurance company. Customer shall be responsible for all deductibles in all of Customer's insurance policies. Customer shall furnish Seller with certificates for all insurance coverage.

(d) Seller has the right to modify, delete, add to or otherwise change the insurance requirements set forth in sections (a) through (c) inclusive provided that Seller provides Customer with thirty (30) days' notice of such change.

14. Indemnification. Each party shall indemnify, defend and hold the other party and its directors, officers, employees and agents harmless from and against any and all expenses (including attorneys' fees) liabilities and claims of whatsoever kind and nature, including but not limited to, those for damage to property (including property of the parties) or for injury to or death of any person (including a party), directly or indirectly, arising or alleged to arise out of or in any way connected with the willful misconduct, negligent acts or omissions, violation of law, or breach of this Agreement by the indemnifying party. The foregoing indemnity shall not apply to the extent such expense, liability or claims result from the negligent acts or omissions or willful misconduct of the party seeking indemnification.

15. Quality Control. Customer shall maintain the quality of Seller's aviation products and shall comply with any quality control procedures prescribed by Seller and its supplier. In no event shall Customer permit automotive engine fuels or kerosene to be sold as Seller aviation fuels or dispensed through equipment bearing Seller's or its suppliers' insignia. Customer shall immediately report to Seller any accident or incident involving a fueled aircraft. Any claim made by Customer for deficiency in product quality or quantity shall be waived unless made in writing within forty-eight (48) hours after delivery.

16. Confidential Information. Customer shall hold in confidence all manuals, guides, forms, instructions, software programs and other proprietary materials provided by Seller for Customer's use in promoting and selling Seller products, and all technical information, trade secrets and other confidential business information that is disclosed to Customer by

Seller (collectively "Confidential Information"). Customer shall not use Confidential Information for any purpose other than developing business for Seller's products and services, and shall not disclose Confidential Information to anyone other than Customer's employees or agents who have a need to know Confidential Information. Customer's obligations under this Section 16 shall survive termination of this Agreement.

17. Termination.

(a) Seller may, in addition and without prejudice to any of its other rights or remedies hereunder, terminate this Agreement upon giving Customer seven (7) days' prior written notice (or such other period as is specified herein) if any one or more of the following occurs and Customer fails to cure such breach within the applicable notice period: (i) Customer breaches or defaults on any covenant, condition or other provision of this Agreement, the branding schedule, note, security agreement, lease, or any other agreement of the parties; (ii) Customer fails to pay to Seller in a timely manner when due all sums to which Seller is legally entitled (whether or not such sums are owed under this Agreement); (iii) willful adulteration, commingling, mislabeling or misbranding of aviation fuels or other violations by Customer of trademarks utilized by Seller occur or unlawful, fraudulent or deceptive acts or practices or criminal misconduct by Customer relevant to Customer's performance of this Agreement occur; or (iv) Customer becomes insolvent, files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors, is adjudicated bankrupt, permits a receiver to be appointed, or permits or suffers a material disposition of its assets. With respect to a breach of subsection 17(a)(ii), in addition to all other rights hereunder, Seller may immediately suspend performance hereunder or terminate this Agreement without giving Customer notice or opportunity to cure.

(b) If Seller continues to accept orders from Customer following the expiration of the term of this Agreement, such sales shall be upon all of the terms and conditions hereof except that the relationship of the parties may be terminated at will.

(c) In the event this Agreement is terminated, all other agreements and instruments between the parties shall also terminate, and all amounts owing under any note or other document and all remaining Business Development Funds shall become due and payable. In addition, upon termination of this Agreement, any and all indemnity obligations, parties' rights upon breach, all collateral and security interests in favor of Seller, obligations arising upon termination (such as discontinuing the use of the trademarks and tradenames of Seller's supplier), confidentiality provisions, and any other terms of this Agreement which by their nature should survive termination shall all survive.

(d) No termination of this Agreement, even if on account of Seller's default, shall excuse Customer from paying any unpaid amounts owing for aviation fuel previously delivered hereunder, any remaining Business Development Funds, or from paying other outstanding amounts due Seller under this Agreement. The remedies provided in this Agreement are cumulative and not exclusive of any other remedies provided by law. HOWEVER, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE, OR EXEMPLARY DAMAGES.

18. Miscellaneous.

(a) Notices. All notices to be given hereunder by either party shall be in writing and sent by first class United States mail and facsimile transmission to the other, delivered to the address first listed above or at such other address or facsimile number as either party may designate to the other by written notice in the manner provided above.

(b) Entire Agreement. This Agreement, the attached branding agreement, all security agreements, notes, leases, and all other related documents of the parties constitute the entire agreement between the parties. The parties agree to execute and deliver a replacement branding agreement in substantially the same form (unless a new supplier requires a different form) if Seller determines to substitute aviation fuel of a different brand so long as such aviation fuel meets the requirements and standards set forth in Section 4 above. No other promises, agreements or warranties additional to this Agreement, the branding agreement, or other documents listed above shall be deemed a part hereof, nor shall any alteration or amendment of this Agreement or the branding agreement be effective without the express written agreement of both parties.

(c) No Conflict. Customer represents and warrants that neither the execution and delivery of this Agreement, nor the consummation of the transactions contemplated hereby, will: (a) violate or conflict with, or result in a breach of any provision of, or constitute a default under any existing agreement or other instrument or obligation to which it is a party (b) violate applicable law; or (c) require any action, or consent or approval of, or review by, any other party, except as shall have been duly obtained and effective as of the date of this Agreement.

(d) Assignment; Waiver. This Agreement may not be assigned by Customer, either voluntarily, involuntarily, or by operation of law, without the prior written consent of Seller, which consent shall not be unreasonably withheld. Fuel and/or services may be provided by an Affiliate of Seller. As used herein, an "Affiliate" of Seller is any corporation, partnership, joint venture or other entity in which World Fuel Services Corporation, a Florida corporation, owns,

directly or indirectly, an equity interest of fifty percent (50%) or more. In any transaction hereunder, the Affiliate issuing the invoice to Customer shall be deemed the Seller of the fuel and/or services. The waiver by either party of the breach of any provision hereof shall not constitute a waiver of any subsequent or continuing breach of such provision or provisions.

(c) Governing Law, Disputes. This Agreement shall be construed in accordance with the laws of the State of Florida without regard to conflict of laws provisions. Customer hereby consents to the jurisdiction of any state or federal court situated in Dade County, Florida and waives any objections based on forum non conveniens with regard to any actions, claims, disputes or proceedings relating to this Agreement, any related document, or any transactions arising therefrom, or enforcement and/or interpretation of any of the foregoing; provided, nothing herein shall affect a party's right to bring proceedings against the other party in the competent courts of any other jurisdiction or jurisdictions. Customer and Seller hereby waive any and all right to trial by jury in any action or proceeding relating to this Agreement or any documents relating to this Agreement, or any transaction arising herefrom or connected hereto. Customer and Seller each represents to the other that this waiver is knowingly, willingly and voluntarily given.

(f) Attorneys' Fees. In the event of any lawsuit between Seller and Customer arising out of or relating to the transactions or relationship contemplated by this Agreement, the substantially prevailing party shall be entitled to recover its reasonable costs including its reasonable attorneys' fees.

**IN WITNESS WHEREOF**, the parties have executed this Agreement which is made effective as of the date first above written.

**WORLD FUEL SERVICES, INC.**

**CITY OF PORTERVILLE**

By: \_\_\_\_\_

By: \_\_\_\_\_

Steve Drzymalla  
Vice President, Business Aviation

\_\_\_\_\_  
Printed Name and Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**BRANDING AGREEMENT**  
**(PHILLIPS 66® BRAND)**

During the term of this Branding Agreement, City of Porterville ("Customer") is authorized to and shall offer Company Products for sale under the Company Marks subject to the following terms and conditions:

1. Customer is hereby authorized to sell aviation fuels and other petroleum products supplied by Company pursuant to the Fuel Supply Agreement between Customer and Seller dated June 1, 2016 ("FSA") at the locations listed in the FSA (each a "Location"), under certain brands and signs, and under certain trade names, trademarks, trade dresses, brand names, labels, insignias, symbols and imprints owned by Company or used by Company in its business (collectively "Company Marks") as are specifically authorized by Company from time to time. Such aviation fuels and other petroleum products sold by Seller to Customer, and held for sale by Customer, under Company Marks pursuant to this Branding Agreement and the FSA are hereafter referred to as the "Company Products." Each of the following petroleum products shall be continuously stocked and offered for sale at Customer's Location in such quantities as are necessary to meet the demand therefore: Company's Aviation Gasoline 100LL and Company's Jet A Turbine Fuel.
2. Any and all signs, decals, posters, placards, plates, devices, graphic materials or other form of advertising matter consisting in whole or in part of the name of Company or any Company Marks (collectively, "Branded Materials") will be obtained by Customer, at Seller's expense, only from Company. Any and all rights in Company Marks and Branded Materials are, and shall remain, the property of Company. Any use of Company Marks or Branded Materials other than as specifically set forth herein shall be strictly prohibited. No signs, emblems, graphic materials or other form of advertising for competing products or brands may be displayed at any Location where Company Products are offered without the express written consent of Seller.
3. Customer agrees that it will not use or display any Branded Materials (a) in a manner which causes or is calculated to cause confusion as to the type, characteristics, quality or manufacture of any fuel or other product which Customer offers for sale; or (b) for the purpose of selling or promoting the sale of aviation fuel other than fuels supplied by Seller; or (c) for the purpose of selling or offering for sale any product which has been diluted or adulterated whether intentionally or not. Customer will at all times maintain its facilities and conduct its operations in compliance with those standards and procedures established from time to time by Company and applicable to aviation fixed based operators displaying any of the Company Marks or Branded Materials. Such standards and procedures may include (without limitation) image quality standards for the brand displayed, quality control and refueling procedures for products bearing such brand, and standards for services offered and facilities utilized by Customer in conjunction with such products. Seller or Philips 66 Company may, as each deems appropriate, including through the use of third party contractors, conduct periodic tests or inspections to confirm Customer's compliance with its obligations hereunder.
4. Seller desires to maintain the quality of Company Products sold hereunder. Accordingly, Customer will not in any manner mix, commingle, adulterate, blend, dilute or otherwise change the composition of any of Company Products purchased from Seller hereunder and resold by Customer under Company Marks unless mutually agreed by both parties pursuant to a site specific co-mingling agreement. If Customer offers for sale products purchased on an unbranded basis, Customer shall refrain from all use of Company Marks on or in connection with the sale of such products. Customer further agrees to protect the identity of Company's products and Company Marks by all reasonable means that would prevent customer confusion or misinformation, including, but not limited to, compliance with any guidelines issued by Seller and/or Company to prevent such confusion.
5. Customer shall accept and honor for payment all Company Accepted Credit Cards and Debit Cards as outlined in the then current Company Credit Card Guide and subject to the terms thereof. "Company Accepted Credit Cards" are defined in the Company Credit Card Guide, which is incorporated herein by this reference, and which may be revised from time to time or discontinued at Company's sole discretion, and which may be supplemented with Company's marketing website communications, and other forms of notification to Customer (all referred to collectively as the "Credit Card Guide"). Customer shall accept other payment methods designated by Company from time to time in the Company Credit Card Guide. Customer shall use Company's approved Electronic Point of Sale ("EPOS") devices for transaction processing.

6. Customer may be eligible to enroll in the Phillips 66-Branded Airport Dealers Excess Liability Insurance Program (the "Excess Liability Program"). In order to apply for enrollment, Customer must complete the following documents relating to the P66 Excess Liability Program and submit them to Company: (1) Invitation to Enroll; and (2) Letter of Understanding. Customer shall be required to meet such eligibility requirements as established by Company from time to time. Upon request, Seller will provide Customer with the necessary documentation to apply for enrollment; provided, however, that Customer's eligibility and enrollment in the Program shall be in the sole discretion of Company.
7. Upon termination of this Branding Agreement, or in any event upon demand by Company, Customer shall immediately discontinue the posting, mounting, display or other use of Company Marks or Branded Materials. In addition, Customer, at its own expense, shall uninstall and return to Company all salvageable signage and shall promptly return to Seller (or destroy) any and all Branding Material or other items that display Company Marks and shall obliterate the appearance of Company Marks from any of Customer's real or personal property.
8. Company reserves the right at any time to change its product line and specifications, trade dress, trade names, and trademarks or to change or withdraw any services offered in connection with any products such as, but not limited to, credit card acceptance. In the event of such change, Company shall be relieved of all obligation to sell such discontinued products or to offer such discontinued products, trade dress, trade name, trademark or services to Seller and Customer; and, if Company shall market any other brand or product in lieu of the discontinued items, this Branding Agreement shall embrace such new brands or products. Neither Company nor Seller shall be liable to Customer by reason of any such changes.
9. This Branding Agreement shall have the same term as the FSA and shall terminate only when the FSA terminates, unless earlier terminated by Seller upon notice to Customer: (a) if Customer fails to comply with the requirements of this Branding Agreement; or (b) if a new Branding Agreement is substituted for this Branding Agreement pursuant to the terms of the FSA. The parties agree to execute and deliver a replacement branding agreement in substantially the same form (unless a new supplier requires a different form) if Seller determines to substitute aviation fuel of a different brand so long as such aviation fuel meets the requirements and standards set forth in Section 4 of the FSA.
10. Customer may not assign or transfer any right to use Company Marks or Branded Materials without Company's prior approval.
11. The term "**Company**" as used in this Branding Agreement refers to **Phillips 66 Company** as owner of the brands, marks, and other intellectual property which is the subject matter of this Branding Agreement. The term "**Seller**" as used in this Branding Agreement refers to World Fuel Services, Inc. or one of its Affiliates (as defined in the FSA) in its capacity as "Seller" under the FSA.
12. This Branding Agreement is hereby incorporated by reference in and made part of the FSA for all purposes.

**IN WITNESS WHEREOF**, the parties have executed this Branding Agreement which is made effective as of this 1<sup>st</sup> day of June, 2016.

**WORLD FUEL SERVICES, INC.**

**CITY OF PORTERVILLE**

By: \_\_\_\_\_

By: \_\_\_\_\_

Steve Drzymalla  
Vice President, Business Aviation

\_\_\_\_\_  
Printed Name and Title

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Laboratory Instrument Service Contract

**SOURCE:** Public Works

**COMMENT:** The City Laboratory Gas Chromatography/Mass Spectrometer instrument is under service contract with the instrument manufacturer. The service contract includes one preventive maintenance service call, unlimited technical support, and an onsite technician for instrument repair as needed. The City Laboratory needs to renew the following contract to continue instrument technical support:

Gas Chromatography/ Mass Spectrometry  
Agilent Technologies - \$7,140 for one year  
Contract period 8/16 to 7/17.

The service contract fee is paid from the Laboratory operating budget.

**RECOMMENDATION:** That the City Council:

1. Approve the service contract with Agilent Technologies for one (1) year; and
2. Authorize payment for these services from the laboratory operating budget.

**ATTACHMENTS:**

**Appropriated/Funded:** MB

**Review By:**

Department Director:  
Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Request to Suspend the 2016 CPI Rate Increase Until the July 19, 2016, Public Hearing

**SOURCE:** Public Works

**COMMENT:** The current water rate structure has water rate increases scheduled for July 1st for the next four years based on the Consumer Price Index (CPI). A Public Hearing to consider a new water rate structure is scheduled for July 19th, 2016. Notices have been sent in accordance with Proposition 218 notification requirements.

It is staff's recommendation that the City Council suspend the CPI rate increase scheduled for July 1st until it considers the proposed water rate structure on July 19th, 2016.

**RECOMMENDATION:** That City Council suspend the CPI rate increase scheduled for July 1st, 2016, as Council will consider modifying the water rate structure at a public hearing on July 19th, 2016.

**ATTACHMENTS:**

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Request to Apply for Bureau of Justice Assistance FY16 Edward Byrne Memorial Justice Assistance Grant

**SOURCE:** Police

**COMMENT:** The City of Porterville has received notification that our jurisdiction is eligible to apply to the Bureau of Justice Assistance for a grant award of \$14,726. The City of Porterville Police Department requests approval to file the grant application for funds from the Edward Byrne Memorial Justice Assistance Grants Program, established within the Bureau of Justice Assistance.

The purpose of the JAG Program is to provide local jurisdictions with opportunities to reduce crime and improve public safety through the use of the grant funds for a variety of activities, from increasing personnel and equipment resources for law enforcement, to developing and supporting programs to enhance effective criminal justice processes.

Recent active shooter events, such as the tragic event in San Bernardino, has prompted the Police Department to carefully evaluate their Active Shooter Response capabilities and several changes have been made to further improve those capabilities. The Police Department would like to continue those efforts by proposing that JAG Grant funds awarded be used to purchase basic tactical first aid kits for all sworn and field personnel, rifle ammunition for training and deployment, and rifle magazines to allow for the deployment of more ammunition by field officers.

**RECOMMENDATION:** That the City Council:

1. Authorize the filing of the FY16 Jag/Byrne grant application;
2. Authorize the Police Chief to sign all necessary documents as they pertain to the grant; and
3. Authorize a budget adjustment upon receipt of the funds.

**ATTACHMENTS:** 1. Resolution FY2016 JAG/BYRNE Grant

**Appropriated/Funded:** MB

**Review By:**

Department Director:

Eric Kroutil, Police Chief



Final Approver: John Lollis, City Manager

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
GRANTING PERMISSION TO APPLY FOR  
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS;  
AUTHORIZING ACCEPTANCE OF THOSE FUNDS WHEN RECEIVED; AND  
APPROVING A BUDGET ADJUSTMENT TO THE POLICE DEPARTMENT BUDGET

BE IT HEREBY RESOLVED by the City Council of the City of Porterville as follows:

1. That the Porterville Police Department apply for FY2016 Edward Byrne Memorial Justice Assistance Grant (JAG) funds; and
2. That the City of Porterville accept the FY2016 Edward Byrne Memorial Justice Assistance Grant (JAG) funds when received; and
3. That the Police Department proposed budget appropriation for Fiscal Year 2016/2017 be increased \$14,726 from JAG funds received to allow for the expenditure of those Grant Funds to purchase tactical first aid kits, ammunition, and rifle magazines to enhance their Active Shooter Response capabilities.

PASSED, APPROVED, AND ADOPTED this 7<sup>th</sup> day of June, 2016.

---

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

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By Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Consideration of Street Closure for Porterville Library Summer Reading Program Kick-Off Event

**SOURCE:** Parks and Leisure Services

**COMMENT:** The Annual Summer Reading Kick-Off event will take place at Centennial Plaza Park on Monday, June 13, from 4 p.m. to 7 p.m. Staff has planned for all of the play equipment to be located on the park site and for our community partners to set up their informational booths within the street closure area. The annual kick-off event accommodates between 400-500 participants.

**RECOMMENDATION:** That the City Council authorize the temporary closure of Cleveland Street at corner of Main Street to the alley way east.

**ATTACHMENTS:** 1. Internal Civic Event Form

**Appropriated/Funded:**

**Review By:**

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

# CITY OF PORTERVILLE

## Internal Community Civic Event

(For events primarily sponsored and organized by City Departments)



Application Date: 5/10/2016 Event Date: 6/13/2016

Location of Event: Centennial Plaza Park

Name of Event: Summer Reading Kickoff

Sponsoring Department: Parks & Leisure Dept.- Library Division

Department Contact: Yuliana Andrade

Affiliated Organizations: \_\_\_\_\_

### City Services Requested:

|                            |                                                                                                                      |                    |            |           |
|----------------------------|----------------------------------------------------------------------------------------------------------------------|--------------------|------------|-----------|
| Barricades (Quantity)      | 2                                                                                                                    | Refuse Pickup:     | <u>Yes</u> | <u>No</u> |
| Amplified Noise Permit     | <u>Yes</u> <u>No</u>                                                                                                 | Police Assistance: | <u>Yes</u> | <u>No</u> |
| Parks Facility Application | <u>Yes</u> <u>No</u>                                                                                                 | Street Sweeping:   | <u>Yes</u> | <u>No</u> |
| Assembly Permit            | <u>Yes</u> <u>No</u>                                                                                                 |                    |            |           |
| Other:                     | <u>Request for street closure attached. Requesting to close off Cleveland Avenue from Main St. to the Alley Way.</u> |                    |            |           |

### Staff Comments (list special requirements or conditions for event):

Event will include 1 bounce house and one obstacle course. Staff will coordinate use of tables, chairs & canopies. Waivers to be filled out by all participants. Outside Amplifier Permit approved. Staff will coordinate use of barricades.

P&LS Director: Vehicles to remain off grass.

Public Works Director: N/A

Community Dev. Director: ComDev has no comments. Have a great event!

Field Services Manager: No Comments.

Fire Chief: All good and well, with no additional comments from Fire.

Police Chief: See attached.

Admin Services Director: Risk Management requires that all guardians/parents of minor participants of the bounce house and/or the obstacle course sign waivers.

**CITY OF PORTERVILLE/POLICE DEPARTMENT**  
**Community Civic Event Application**

**Summer Reading Kickoff**  
**June 13<sup>th</sup>, 2016**  
**Centennial Plaza Park**

Proposed Conditions/Requirements:

- 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.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- An Outside Amplifier Permit has been 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

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 City Library  
41 W Thurman Ave. Porterville CA. 93257
- 2 Address where amplification equipment is to be used: 296 N. Main St. Porterville CA
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Uliana Andrade
- 4 Type of event for which amplification equipment will be used: Summer Reading Carnival Kickoff
- 5 Dates and hours of operation of amplification equipment: 6/13/16, 4-7pm
- 6 A general description of the sound amplifying equipment to be used: 1 PA system speaker/microphone

Section 18-9

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

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

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

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

[Signature]  
Signature of Applicant

5/2/16  
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.

[Signature]  
City of Porterville, Chief of Police/Designee

5-6-16  
Date

# 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

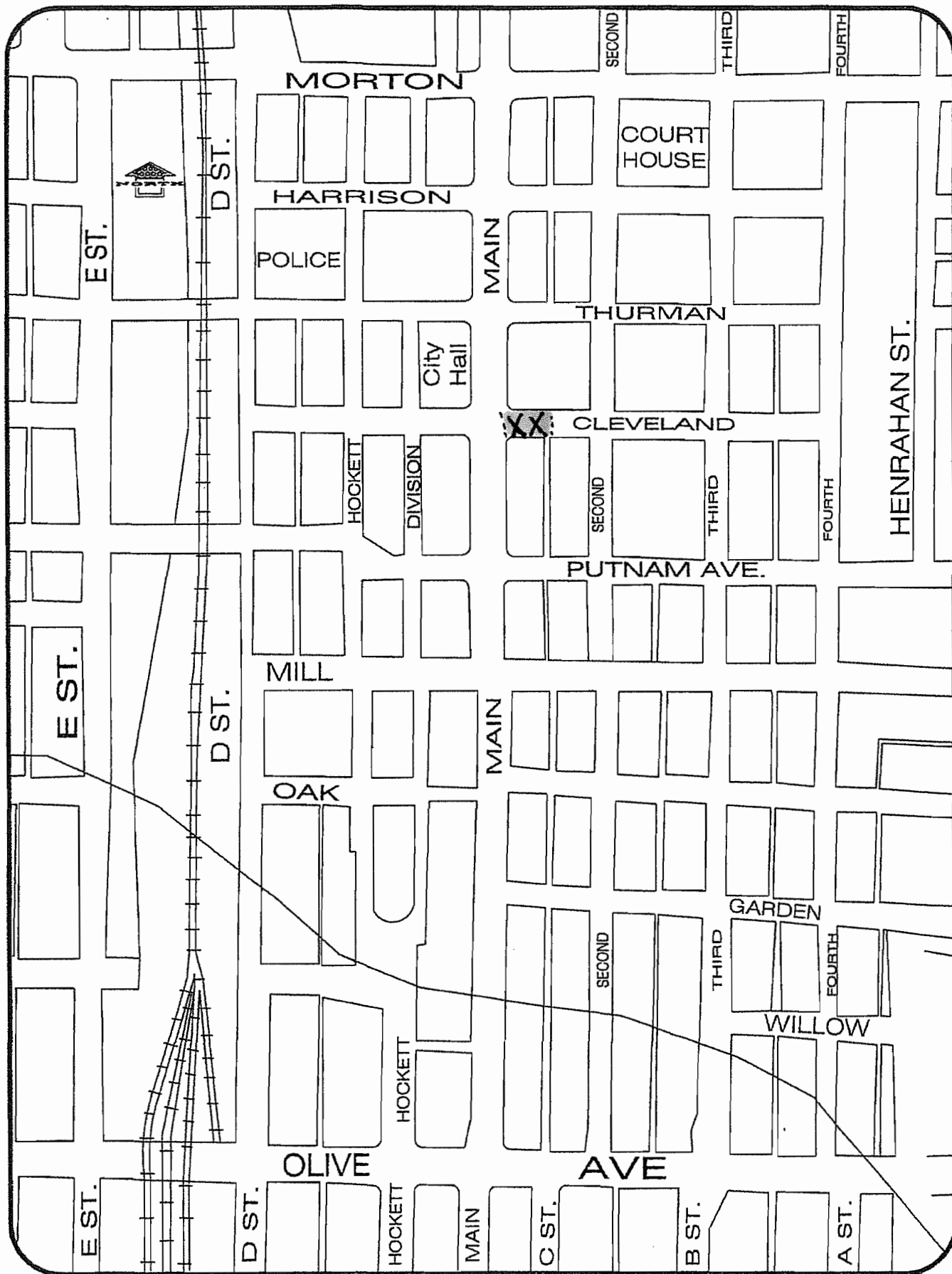
Name of event: Summer Reading Kickoff Carnival

Sponsoring organization: Porterville City Library

Event date: 6/13/16 Hours: 4pm - 7pm

**ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:**

| Closed                         |                 |                  |                    |
|--------------------------------|-----------------|------------------|--------------------|
| <u>Street Name</u>             | <u>From</u>     | <u>To</u>        | <u>Activity</u>    |
| <u>Cleveland</u>               | <u>Main St.</u> | <u>Alley way</u> | <u>SRP kickoff</u> |
|                                |                 |                  |                    |
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| <u>Sidewalks</u>               | <u>From</u>     | <u>To</u>        | <u>Activity</u>    |
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|                                |                 |                  |                    |
| <u>Parking lots and spaces</u> | <u>Location</u> | <u>Activity</u>  |                    |
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## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Approval for Community Civic Event - Boys and Girls Club of the Sequoias - Built for Life, Inc. - Olympic Day 2016 - June 18, 2016

**SOURCE:** Finance

**COMMENT:** Boys and Girls Club of the Sequoias and Built for Life, Inc. are requesting approval to hold Olympic Day 2016, at Zalud Park on Saturday, June 18, 2016, from 10:00 a.m. to 1:00 p.m. This event is being held to promote and educate the youth about the Olympic ideas of fair play, respect, perseverance, and sportsmanship with various activities for children ages four through sixteen years old. A BBQ lunch is included along with awards and prizes.

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

**RECOMMENDATION:** That the City Council approve the Community Civic Event Application and Agreement from the Boys and Girls Club of the Sequoias and Built 4 Life, Inc. subject to the Restrictions and Requirements contained in the Application and Exhibit A of the Community Civic Event Application.

**ATTACHMENTS:**

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

**Appropriated/Funded:**

**Review By:**

Department Director:

Final Approver: John Lollis, City Manager

5/30/16

## 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: 5/24/16 Event date: 6-16-16  
Event time: 10:00am

Name of Event: Olympic Day 2016

Sponsoring organization: Boys & Girls of the <sup>Sequoias</sup> Phone #  
Address:

Authorized representative: Built For Life Inc. Phone # 559-802-6566  
Address: 304 Sequoia Circle Porterville, CA 93257

Event chairperson: Aaron Alafa Phone # 559-802-6566

Location of event ~~at~~ Zalmed Park  
(Location map must be attached)

Type of event: To Promote and Educate youth about Olympic Ideas  
Fair Play, Respect, Perseverance, Sportmanship

Non-profit organization status: BL# 004524

(IRS Determination)

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

Barricades (quantity): \_\_\_\_\_ Street sweeping Yes \_\_\_\_\_ No X

Police protection Yes \_\_\_\_\_ No X Refuse pickup Yes \_\_\_\_\_ No X

Other: \_\_\_\_\_

Parks facility application required: Yes ✓ No \_\_\_\_\_ Attached Pd.

Assembly permit required: Yes \_\_\_\_\_ No ✓ Attached \_\_\_\_\_

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

Appr. Deny

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

# CITY OF PORTERVILLE

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

### *What constitutes a Community Civic Event?*

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

**All City Code requirements** are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at [www.ci.porterville.ca.us/govt/CityClerk/](http://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)*

A.A. 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.**

A.A. 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](http://www.tularehhsa.org).

A.A. Authorized Representative Initials

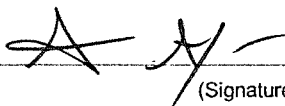
**First aid station:** Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

A.A. 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.

Built For Life Inc.

(Name of Organization)



(Signature)

2-17-16

(Date)

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

Location: Zalvad Park Event date: 6-18-16 Event time: 10:00am

[illegible]

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

# CITY OF PORTERVILLE

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

Name of event: Olympic Day 2016

Sponsoring organization: Boy's Girls Club of the Sequoias

Event date: June 18, 2016 Hours: 10:00am - 1:00pm

### ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

#### Closed

| <u>Street Name</u>             | <u>From</u>     | <u>To</u>       | <u>Activity</u> |
|--------------------------------|-----------------|-----------------|-----------------|
|                                |                 |                 |                 |
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| <u>Sidewalks</u>               | <u>From</u>     | <u>To</u>       | <u>Activity</u> |
|                                |                 |                 |                 |
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| <u>Parking lots and spaces</u> | <u>Location</u> | <u>Activity</u> |                 |
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Requirements for Community Civic Event  
Boys and Girls Club of the Sequoias and Built 4 Life, Inc.  
Olympic Day 2016  
June 18, 2016

Finance Director:  
*M. Bemis*

Public Works Director, Acting:  
*M. Reed*

Community Development Manager:  
*J. Phillips*

Field Services Manager: *B. Styles* No comments.

Fire Chief: *G. Irish* No comments.

Parks and Leisure Services Director:  
*D. Moore*

Police Lieutenant:  
*C. Contreras*

Administrative Services Director: *P. Hildreth* Please see Exhibit A, page 2. In addition to the required insurance, all participants must complete a waiver of liability.

## Requirements for Community Civic Event

Sponsor: Boys and Girls Club of the Sequoias and Built 4 Life, Inc.  
Event: Olympic Day 2016  
Event Chairman: Aaron Alafa  
Location: Zalud Park  
Date of Event: June 18, 2015  
Time of Event: 10:00 a.m. to 1:00 p.m.

### RISK MANAGEMENT: Conditions of Approval

That Built 4 Life, Inc. provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the 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.

Baseball  
Event A

Baseball  
Event B

Basketball  
Events

Registration  
Tent

First Aid  
Station

Barbecue and  
Lunch Service

Miscellaneous Children's  
Events

NEIGHBORHOOD



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: Aaron Alafia  
39 Carmelita St, Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Zalud Park, Porterville, CA
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Aaron Alafia  
39 Carmelita St, Porterville, CA 93257
- 4 Type of event for which amplification equipment will be used: Olympic Day 2016  
Physical Fitness for children ages 4-16 years
- 5 Dates and hours of operation of amplification equipment: June 20, 2016  
10:00 am - 1:00 pm
- 6 A general description of the sound amplifying equipment to be used: Speaker System for Events  
and awards

Section 18-9

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

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section. (Ord. Code § 6311)

Section 18-14

It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

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

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

[Signature]  
Signature of Applicant

8-2-16  
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.

[Signature]  
City of Porterville, Chief of Police/Designee

5-25-16  
Date



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/14/2016

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).

| <b>PRODUCER</b><br>Christina Miceli(9518527)<br>268 W Olive Ave Ste B<br>Porterville CA 93257-3436 |        | <b>CONTACT NAME:</b> Christina R. Miceli<br><b>PHONE (A/C, No, Ext):</b> 559-781-8600<br><b>FAX (A/C, No):</b> 559-781-3468<br><b>E-MAIL ADDRESS:</b> cmiceli@farmersagent.com                                                                                                                                                                                                                                                                                                                       |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
|----------------------------------------------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------|--------|-------------------------------------|-------|---------------------------------------|-------|------------------------------------------|-------|------------------------------------------------------|-------|------------|--|------------|--|
| <b>INSURED</b><br>AARON ALAFA<br>DBA: BUILT 4 LIFE<br>304 SEQUOIA CIRCLE<br>PORTERVILLE CA 93257   |        | <table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Truck Insurance Exchange</td><td>21709</td></tr><tr><td>INSURER B: Farmers Insurance Exchange</td><td>21652</td></tr><tr><td>INSURER C: Mid Century Insurance Company</td><td>21687</td></tr><tr><td>INSURER D: United States Liability Insurance Company</td><td>25895</td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table> |  | INSURER(S) AFFORDING COVERAGE | NAIC # | INSURER A: Truck Insurance Exchange | 21709 | INSURER B: Farmers Insurance Exchange | 21652 | INSURER C: Mid Century Insurance Company | 21687 | INSURER D: United States Liability Insurance Company | 25895 | INSURER E: |  | INSURER F: |  |
| INSURER(S) AFFORDING COVERAGE                                                                      | NAIC # |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER A: Truck Insurance Exchange                                                                | 21709  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER B: Farmers Insurance Exchange                                                              | 21652  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER C: Mid Century Insurance Company                                                           | 21687  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER D: United States Liability Insurance Company                                               | 25895  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER E:                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |
| INSURER F:                                                                                         |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |                               |        |                                     |       |                                       |       |                                          |       |                                                      |       |            |  |            |  |

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

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

| INSR LTR | TYPE OF INSURANCE                                                                                        | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                               |
|----------|----------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|------------------------------------------------------|
| D        | <input checked="" type="checkbox"/> GENERAL LIABILITY                                                    |           |          | CP1612870     | 06/18/2016              | 06/19/2016              | EACH OCCURRENCE \$ 1,000,000                         |
|          | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY                                         |           |          |               |                         |                         | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 |
|          | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR                           |           |          |               |                         |                         | MED EXP (Any one person) \$ 5,000                    |
|          |                                                                                                          |           |          |               |                         |                         | PERSONAL & ADV INJURY \$ 1,000,000                   |
|          |                                                                                                          |           |          |               |                         |                         | GENERAL AGGREGATE \$ 2,000,000                       |
|          | GEN'L AGGREGATE LIMIT APPLIES PER:                                                                       |           |          |               |                         |                         | PRODUCTS - COMP/OP AGG \$ INCLUDED                   |
|          | <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC |           |          |               |                         |                         | \$                                                   |
|          | <b>AUTOMOBILE LIABILITY</b>                                                                              |           |          |               |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$               |
|          | <input type="checkbox"/> ANY AUTO                                                                        |           |          |               |                         |                         | BODILY INJURY (Per person) \$                        |
|          | <input type="checkbox"/> ALL OWNED AUTOS                                                                 |           |          |               |                         |                         | BODILY INJURY (Per accident) \$                      |
|          | <input type="checkbox"/> HIRED AUTOS                                                                     |           |          |               |                         |                         | PROPERTY DAMAGE (Per accident) \$                    |
|          | <input type="checkbox"/> SCHEDULED AUTOS                                                                 |           |          |               |                         |                         | \$                                                   |
|          | <input type="checkbox"/> NON-OWNED AUTOS                                                                 |           |          |               |                         |                         |                                                      |
|          | <b>UMBRELLA LIAB</b>                                                                                     |           |          |               |                         |                         | EACH OCCURRENCE \$                                   |
|          | <input type="checkbox"/> EXCESS LIAB                                                                     |           |          |               |                         |                         | AGGREGATE \$                                         |
|          | <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$                                       |           |          |               |                         |                         | \$                                                   |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>                                                     |           |          |               |                         |                         | WC STATUTORY LIMITS 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 (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

OLYMPIC DAY  
ZALUD PARK  
700 N. EL GRANITO ST.  
PORTERVILLE, CA 93257

**CERTIFICATE HOLDER****CANCELLATION**

CITY OF PORTERVILLE  
291 N. MAIN ST.  
PORTERVILLE, CA 93257

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

AUTHORIZED REPRESENTATIVE

Policy Number: CP1612870

**POLICY CHANGES**

Effective Date of Change: 06/18/2016

Expiration Date: 06/19/2016

Change Endorsement No.: 003

Agent: 95-18-327

Named Insured: AARON ALAFA  
 DBA: BUILT 4 LIFE  
 304 SEQUOIA CIRCLE  
 PORTERVILLE, CA 93257

The following item(s):

|   |                                         |  |                                              |
|---|-----------------------------------------|--|----------------------------------------------|
|   | Insured's Name                          |  | Insured's Mailing Address                    |
|   | Policy Number                           |  | Company                                      |
|   | Effective / Expiration Date             |  | Insured's Legal Status / Business of Insured |
|   | Payment Plan                            |  | Premium Determination                        |
| X | Additional Interested Parties           |  | Coverage Forms and Endorsements              |
|   | Limits / Exposures                      |  | Deductibles                                  |
|   | Covered Property / Location Description |  | Classification / Class Codes                 |
|   | Rates                                   |  | Underlying Insurance                         |

is (are) changed to read {See Additional Page(s)}:

The above amendments result in a change in the premium as follows:

| No Changes                           | To Be Adjusted At Audit | Additional Premium | Return Premium |
|--------------------------------------|-------------------------|--------------------|----------------|
|                                      |                         | \$                 | \$             |
| Authorized Representative Signature: |                         |                    |                |



## Policy Changes Endorsement Description

ADD ADDITIONAL INTEREST  
CITY OF PORTERVILLE  
291 N. MAIN ST.  
PORTERVILLE, CA 93257

OLYMPIC DAY  
ZALUD PARK  
700 N. EL GRANITO ST.  
PORTERVILLE, CA 93257

### Removal Permit

If Covered Property is removed to a new location that is described on this Policy Change, you may extend this insurance to include that Covered Property at each location during the removal. Coverage at each location will apply in the proportion that the value at each location bears to the value of all Covered Property being removed. This permit applies up to 10 days after the effective date of this Policy Change; after that, this insurance does not apply at the previous location.



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Request for Proclamation - Dr. John Snavelly

**SOURCE:** Administrative Services

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

Mayor Stowe has requested that the Council consider approval of a proclamation in recognition of Porterville Unified School District Superintendent Dr. John Snavelly. If approved, the proclamation will be presented at Dr. Snavelly's retirement dinner on June 17, 2016.

**RECOMMENDATION:** That the City Council consider approval of the request to issue a proclamation recognizing Dr. John Snavelly.

**ATTACHMENTS:** 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager



City of Porterville  
REQUEST FOR PROCLAMATION

Date of Request: 6/2/16  
Name of Event/Individual: DR. JOHN SAMVELY  
i.e. "Porterville Tourism Week", "Mr. John Doe"  
Name of Sponsoring Organization: CITY COUNCIL (MAYOR)  
Name of Contact Person: MILT STOWE  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ FAX: \_\_\_\_\_  
E-mail: \_\_\_\_\_

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

Date(s) of Event: JUNE 17, 2016

Date of Council Meeting to be presented, if applicable: JUNE 7, 2016  
(Council meets 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month.)

Individual or representative attending Council Meeting to receive proclamation:

N/A

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

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

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

City Clerk's Section

Request Received: 6/2/16 Sponsored by: Stowe Date: 6/2/16  
Approved by Council: yes ☐ no ☐ Date: \_\_\_\_\_  
Notification to Contact person done (date): \_\_\_\_\_ in writing ☐ by phone ☐  
Items (s) ☐ mailed \_\_\_\_\_ ☐ faxed \_\_\_\_\_ ☐ picked up \_\_\_\_\_  
Comment: \_\_\_\_\_



## CITY COUNCIL AGENDA – JUNE 7, 2016

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

**SOURCE:** Administrative Services

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

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

**RECOMMENDATION:** That the City Council approve the draft Resolution amending the Employee Pay & Benefit Plan pursuant to the provisions contained in the executed Memorandum of Understanding between the City of Porterville and the Porterville City Firefighters Association.

**ATTACHMENTS:** 1. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RESOLUTION NO. \_\_\_\_-2016

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

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

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

WHEREAS, there has been concurrence on a Memorandum of Understanding with the Porterville City Firefighters Association for the period from July 1, 2015, until December 31, 2017, covering provisions to amend the Employee Pay and Benefit Plan as they relate to employees holding positions represented by such recognized employee organization.

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

I. TERM OF MEMORANDUM OF UNDERSTANDING

Thirty (30) months – July 1, 2015 to December 31, 2017.

II. SALARIES

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

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

III. OFF- SCHEDULE STIPEND

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



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

IV. CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)

PCFA employees shall continue to pay four percent (4%) towards the Employer's contribution rate.

Effective July 1, 2015, the City's CalPERS employer contribution rate for the Safety group increased from 32.507% to 33.306% (an increase of 0.799% from prior year). The City agrees to absorb this rate increase.

Effective July 1, 2016, the City's CalPERS employer contribution rate for the Safety group will increase from 33.306% to 36.055% (a difference of 2.492% from the prior year). The City agrees to absorb this rate increase.

The City and PCFA shall split 50/50 any additional increase to the CalPERS Safety group in FY 2017/2018.

V. VACATION SELL BACK

Shift Employees-

Subject to IRS regulations, PCFA employees with at least five (5) years of service with the City of Porterville shall have the opportunity to sell back up to forty-eight (48) hours of vacation time provided said employee has utilized a minimum of ninety-six (96) hours of vacation time within the twelve (12) months prior to the sell back pay period and provided a balance of at least forty-eight (48) hours remains on account after sell back. Under extenuating circumstances created by departmental workload, the City Manager may permit the sell back when an employee has utilized less than ninety-six (96) hours but more than forty-eight (48) hours within the prior twelve (12) month period. Said sell back shall occur once per year, during the second pay period of October.

Non-Shift Employees-

Subject to IRS regulations, PCFA employees with at least five (5) years of service with the City of Porterville shall have the opportunity to sell back up to forty (40) hours of vacation time provided said employee has utilized a minimum of eighty (80) hours of vacation time within the twelve (12) months prior to the sell back pay period and provided a balance of at least forty (40) hours remains on account after sell back. Under extenuating circumstances created by departmental workload, the City Manager may permit the sell back when an employee has utilized less than eighty (80) hours but more than forty (40) hours within the prior twelve (12) month period. Said sell back shall occur once per year, during the second pay period of October.

VI. EDUCATIONAL INCENTIVE

PCFA employees may receive a maximum of 2½% for certifications received from an accredited trade school. Skills acquired from an accredited trade school must be beneficial to the City of Porterville's Fire Department. Examples of eligible certifications include, but are not limited to: Auto and diesel mechanics, any medical licenses or certificates other than those listed as minimum qualifications for employment, instructor certification or licensure in any of the fire sciences. Compensation eligibility for trade school certification other than those listed above will be determined by the Fire Chief, on a case-by-case basis.

PCFA employees may count the units taken for EMT, EMT-II, and EMT-P certification towards the qualifying units for AA Degree incentive pay.

VII. UNIFORM POLICY

The physical fitness uniform shall primarily be worn when engaged in physical fitness. The physical fitness uniform shall include a Fire Department tee shirt and/or sweatshirt, dark blue, 100% cotton, with the department logo. Shorts and/or sweat pants shall be dark blue, 100% cotton. Shorts shall have an inseam sufficient to rest between the lower thigh and midline of the knee.

Nylon or other synthetic material shirts, shorts, and other fitness uniform items should not be worn under PPE because those fabrics may melt.

VIII. OVERTIME

The City and PCFA shall work together to create a system that can be implemented in a fair and equitable manner.

IX. OES/LGST LIST

The City agrees with PCFA's proposal and acknowledges that there may be unique circumstances that are difficult to predict and that the below lists are not exhaustive. To the extent not included in the below lists, unique circumstances shall be decided by the Fire Chief and/or his/her designee on a case-by-case basis.

It is agreed that the following circumstances, within the 14-21 day commitment period, will not result in a change in the employee's position on the OES/LGST list:

1. Scheduled vacations;
2. Court appearances;

3. Employee accepts the assignment but does not get 12 hours of overtime while on assignment;
4. Previously approved training/class;
5. Shift trade;
6. Birth/imminent birth of employee's child;
7. Long-term illness or injury;
8. Child care issues; and/or
9. Employee accepts the assignment but is out of the area and unable to make the call back time.

It is agreed that the following circumstances, within the 14-21 day commitment period, will result in the employee being dropped to the bottom of the OES/LGST list:

1. Employee turns down the assignment;
2. Employee accepts the assignment and gets 12 or more hours of overtime (consecutive or non-consecutive); and
3. An employee that does not call back upon receiving a message regarding an assignment shall be dropped down the list to a position below everyone else, including the employees that accept the assignment for which the employee did not return the call.

#### X. VACATION SCHEDULING

The master vacation schedule is developed between October and December for vacation to be taken the following calendar year. To provide ample opportunity for the use of earned vacation, during the annual vacation selection process, two employees are eligible to schedule vacation for the same shift, so long as the remaining shift personnel can fill the required functional positions for company officers, engineers, and firefighters. At least one permanent company officer shall be on duty each shift.

To provide for the public safety, the orderly operation of the department, and ensure the department can operate within its allocated budget, if after the annual vacation scheduling calendar has been finalized, no employees on a shift have requested a vacation for a particular shift, one new vacation request will be permitted. This language will supersede the side agreement that was signed on November 10, 2011.

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

PASSED, APPROVED, AND ADOPTED this 7<sup>th</sup> day of June, 2016

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Minor Conditional Use Permit to Allow the Use of a Dog Grooming Establishment in the CR (Retail Center) Zone District

**SOURCE:** Community Development

**BACKGROUND:**

In April, the Chief Building Inspector notified staff of work being done at 1392 W. Olive Avenue, Suite F, for a proposed dog grooming business. Staff reviewed the use and current zoning, and determined that it would require a minor conditional use permit to allow the establishment in this zone. On April 22, 2016, Mr. Alvarado submitted the Project Review Committee application for the minor conditional use permit to allow the use of a dog grooming establishment.

**COMMENT:** On May 4, 2016, the Project Review Committee met with the applicant, Mr. Eddie Alvarado, to discuss the project. The site is located at 1392 W. Olive Avenue, Suite F. The applicant is requesting approval of a minor conditional use permit to allow the use of a dog grooming establishment in the Town and Country shopping center. The applicant's business will consist exclusively of dog grooming services. The proposed pet grooming business does not include boarding or veterinary care.

**ANALYSIS:** The request for a minor conditional use permit to allow a dog grooming establishment is not projected to cause a negative impact on the surrounding tenants or community. A specific limitation according to Table 203.02(4) of the Porterville Development Ordinance ("PDO") is that the use shall be completely enclosed in a building of soundproof construction. The applicant has complied and provided plans that describe soundproofing measures that will be installed. Additionally, staff has placed a condition that upon reports of excessive noise related to the business, staff will schedule a date to verify nuisance. The project shall be required to adhere to the performance standards identified in Section 306 of the PDO, for noise, odor, and maintenance. All activities associated with the proposed use shall be exclusively confined to the interior of the building. A condition of approval is in place for the applicant to provide animal waste disposal bag dispensers for patrons and periodically inspect the parking areas for animal waste. Furthermore, upon approval of the use permit, any future violations of regulations of the codes pertaining to the safety of the animals or the conditions of the facility, and/or excessive service calls by the Police Department (Animal Control) may result in revocation of the use permit.

Due to the location being in the CR zone, staff has provided conditions of approval for the use to operate. The site is consistent with the Retail Center zoning and General Plan policies support commercial centers with a mix of tenants to serve both local and regional needs. The use of a dog grooming establishment is permitted with approval of a minor conditional use permit.

ENVIRONMENTAL REVIEW:

On May 17, 2016, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to the “General Rule” exemption 15061(b)(3).

RECOMMENDATION: That the City Council adopt the draft Resolution approving Minor Conditional Use Permit (2016-010-C) to allow the use of a dog grooming establishment in the CR (Retail Center) Zone District subject to conditions of approval.

ATTACHMENTS:

1. Attachment 1 Locator Map
2. Attachment 2 Site Plan
3. Attachment 3 Floor Plan
4. Draft Resolution

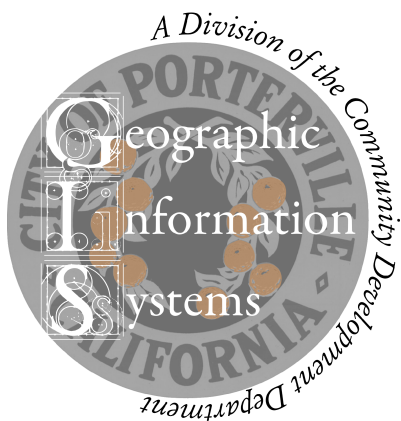
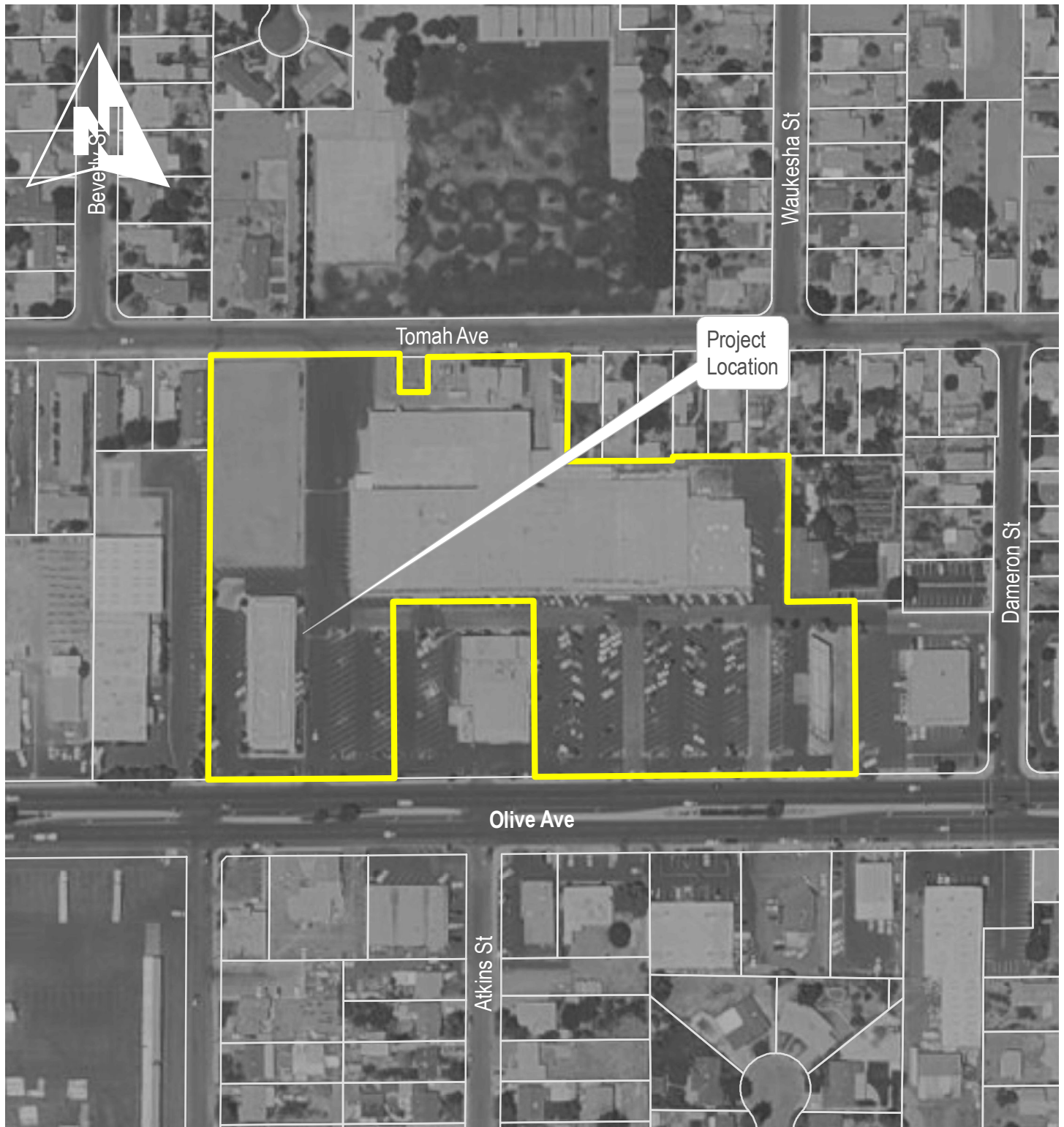
Appropriated/Funded:

Review By:

Department Director:

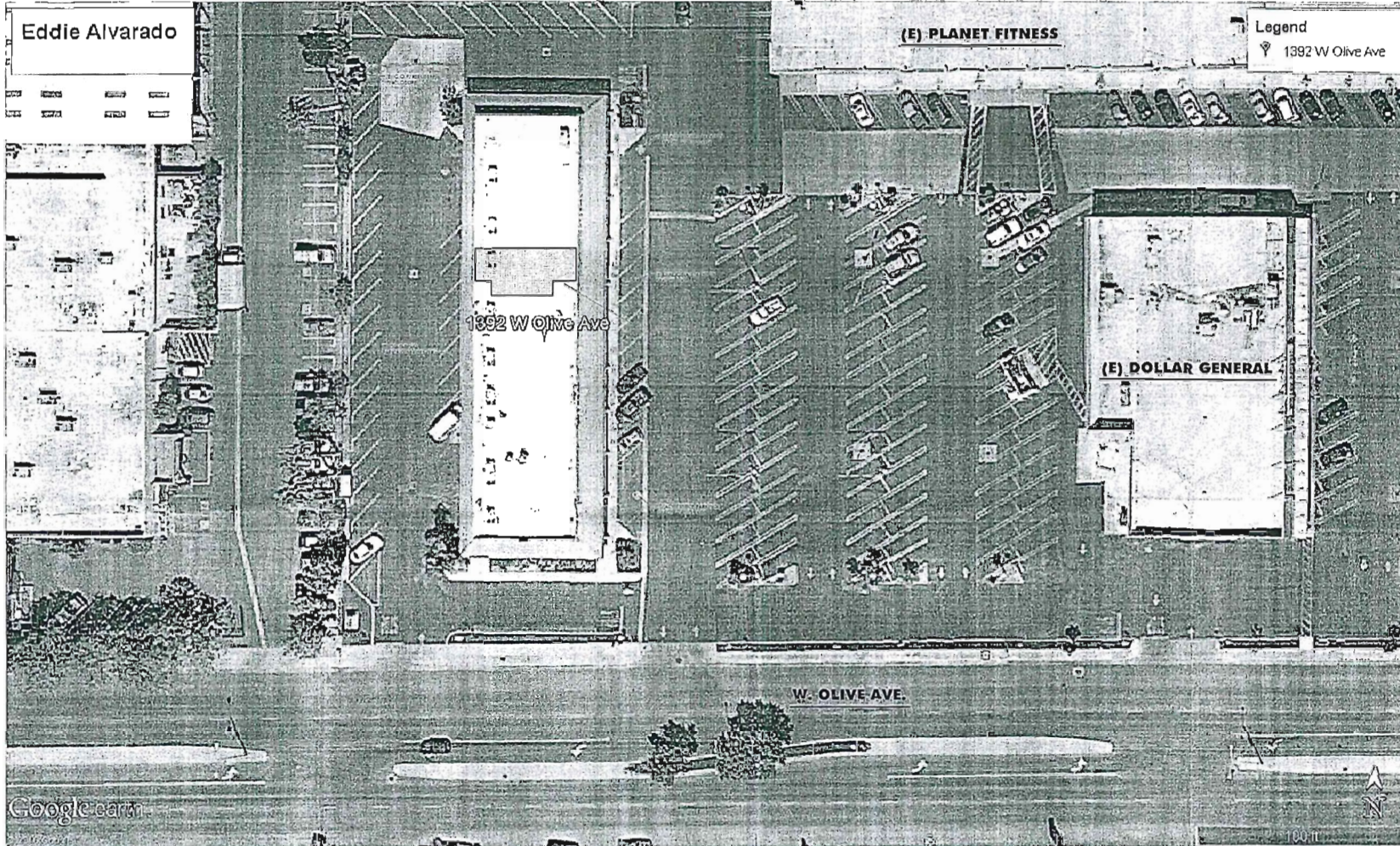
Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



PRC 2016-010  
TI for Dog Grooming @ 1392 W Olive Ste F  
Project Locator Map  
1" = 200 ft.





Eddie Alvarado

(E) PLANET FITNESS

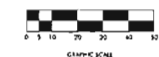
Legend  
1392 W Olive Ave

1392 W Olive Ave

(E) DOLLAR GENERAL

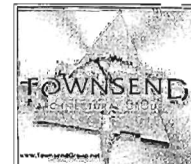
W. OLIVE AVE.

Google Earth



**SITE PLAN, (GOOGLE EARTH)**

SC. #11



444 CENTER STREET, SUITE 100  
PORTERVILLE, CA 93257  
(559) 385-5000 FAX (559) 385-1000



A New Tenant  
Improvement for:

**Eddie Alvarado**  
1392 W. Olive Ave., Suite P  
Porterville, CA  
93257

DRAWN BY: H. T. TAYLOR  
DESIGNED BY: T. TAYLOR  
CHECKED BY: B. TAYLOR  
DATE: 12/10/11

**REVISION**

| REVISION | DATE |
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THIS SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



GOOGLE EARTH

SITE PLAN

PROJECT NUMBER: 16T21

SHEET  
**A-1**



REVISION

RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF MINOR CONDITIONAL  
USE PERMIT (PRC 2016-010-C) TO ALLOW THE USE OF A DOG GROOMING  
ESTABLISHMENT AT 1392 W. OLIVE AVENUE, SUITE F

WHEREAS: The City Council of the City of Porterville, at its regularly scheduled meeting of June 7, 2016, conducted a public hearing to consider Minor Conditional Use Permit (PRC 2016-010-C) to allow the use of a dog grooming establishment at 1392 W. Olive Avenue Suite F; and

WHEREAS: The City Council of the City of Porterville requires the review and approval of a Minor Conditional Use Permit to allow dog grooming establishments in the Retail Center Zone District; and

WHEREAS: On May 17, 2016, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act, pursuant to the "General Rule" exemption, Section 15061(b)(3) of the California Code of Regulation (CEQA Guidelines); and

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

WHEREAS: The City Council made the following findings:

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

The subject site is consistent with the Retail Center zoning district and General Plan policies that support commercial centers with a mix of tenants to serve both local and regional needs. The use will be compatible with existing buildings and surrounding tenants and supports the General Plan Land Use Implementation Policies by promoting the revitalization and infill development in existing retail shopping centers.

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

Conditions of approval are included herein to ensure that the establishment operates in a manner that will preserve the public health, safety and welfare of the properties in the vicinity. The site is located within an existing building and the project is conditioned that the use be completely enclosed in a building of soundproof construction and that all activities associated with the grooming of animals shall be exclusively confined to the interior of the building. The request for a Minor

Conditional Use Permit to allow a dog grooming establishment is not projected to cause a negative impact on the surrounding community.

3. This project is Categorical Exempt pursuant to CEQA Guidelines §15061(b), (3) - General Rule: the approval of the dog grooming establishment will cause no physical change to the environment.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Minor Conditional Use Permit (PRC 2016-010-C) subject to the following conditions:

1. Upon approval of the minor conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council.
2. Upon approval of the minor conditional use permit, any future violations of regulations of the codes pertaining to the safety of the animals or the conditions of the facility, and/or excessive service calls by the Police Department (Animal Control) may result in revocation of the use permit.
3. At all times the facility shall be operated and maintained to comply with State Laws, the City of Porterville Zoning Ordinance, adopted Building Codes and all other applicable laws and ordinances.
4. Unless an extension of time is granted by the City Council, the minor conditional use permit shall expire two years after the date of approval.
5. The City Council may approve a one-year extension of any permit or approval granted under this ordinance upon receipt of a written application with the required fee before the permit expires.
6. All activities associated with the proposed use shall be exclusively confined to the interior of the building.
7. The applicant shall adhere to the Porterville Development Ordinance; General Standards for uses and buildings.
8. Pursuant to Section 306.08 (Maintenance); sites and facilities shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.
9. Pursuant to Section 306.05 (Noise); no use may generate noise that is in violation of the City's Noise Standards contained in Chapter 18, Article IX, of the Porterville Municipal Code or other standards as may be adopted by the City Council.
10. Pursuant to Section 306.09 (Odors); no use, process or activity shall produce objectionable odors that are perceptible without instruments by a reasonable person at the lot lines of a site.

11. The applicant shall adhere to Section 18-90.5(a) Residential Interior Noise Standards: It is unlawful for any person at any location within the incorporated areas of the city, to operate or cause to be operated within a dwelling unit or on property occupied by a nonresidential use, any source of sound or to allow the creation of any noise which causes the noise level when measured inside another dwelling unit to exceed the noise level standards as set forth in the following table:

| Category                          | Daytime<br>7:00 A.M. To 10:00 P.M. | Nighttime<br>10:00 P.M. To 7:00 A.M. |
|-----------------------------------|------------------------------------|--------------------------------------|
| Maximum sound level ( $L_{MAX}$ ) | 55                                 | 45                                   |

18-90.5(b) The noise level standards specified above shall be reduced by five (5) dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

18-90.5(c) If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level without the source can be measured, the noise level measured while the source is in operation shall be compared directly to the noise level standards. (Ord. 1757, 8-18-2009)

12. Upon reports of excessive noise related to the dog grooming business, staff will schedule a date to verify nuisance.
13. Pet shops that provide animal grooming services shall not allow boarding longer than 24 hours.
14. Kennels are not permitted in the CR zone district.
15. Hours of operation shall be limited from 7:00 a.m. to 10:00 p.m. Applicant stated during project review, that the intended hours of operation shall be 8:00 a.m. to 5:00 p.m.
16. The proposed pet grooming business shall not include veterinary care, boarding, or pet day care services.
17. Pursuant to Ordinance 1824 Article I Section 5-2.24 Leash Requirements: It shall be unlawful for the owner or handler in lawful possession or control of a dog to walk the dog on any public place or right-of-way without the dog being secured or tethered by a fixed length leash not to exceed six feet, and the number of dogs shall not exceed the number of dogs the owner or handler can reasonably and safely control and in no circumstance shall the number of dogs exceed three.
18. Pursuant to Ordinance 1824 Article III Section 5-3.9(a) Public Nuisance: It is declared to be a nuisance, and it shall be unlawful, for any person owning or having control or custody of any animal to do any of the following:

- a. Section 5-3.9 (a)(2) permit an animal to defecate on public property without immediately cleaning or removing the excrement to a proper receptacle;
  - b. Section 5-3.9 (a)(3) permit unsanitary conditions to exist on any premises where an animal is kept which would cause foul or obnoxious odors, attract flies or vermin or otherwise threaten public health and safety.
19. To ensure animal waste is not left in the walkways and parking areas, the applicant shall provide animal waste disposal bag dispensers for patrons and periodically inspect the parking areas for animal waste.
20. If the applicant wishes to display temporary signs such as banners, flags, or other forms of temporary signs, a temporary sign permit is needed in order to display the signs. A temporary sign permit shall be granted for any one business or building for a period of three calendar months and can be picked up at City Hall for a flat rate fee. Only two temporary signs can be used with one permit and only one permit can be used at one time.
21. Unless otherwise noted, the developer/applicant shall comply with the City Master Plans and Standard Drawings, Standard Specifications for Public Works Construction (2012 Edition), and Standard Plans and Specifications (2010 Standards), except where they are in conflict with current access compliance regulations, the current California Building Code, the Tulare County Hazardous Waste Management Plan, the California Manual on Uniform Traffic Control Devices, the Porterville Circulation Element, and the Tulare County Congestion Management Program.
22. The developer/applicant shall submit three complete sets of plans, signed by a licensed Architect or Engineer, including two sets of energy calculations and structural calculations.
23. Plan submittals shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.
24. Plan submittals shall comply with all current applicable Codes.
25. The developer/applicant shall make payment of the required plan check fees at the time of building permit plan submittal.
26. The developer/applicant shall provide a means for controlling both the sound and odor involved and include these items in their permit application.
27. The developer/applicant shall pay all fees according to the Municipal Code and State Law.
28. Restrooms, main entrance(s), and paths of travel from the required accessible parking stalls shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.

29. Compliance forms and worksheets are required to be included with all plan submittals (per California Green Code).
30. Signs require separate plans submittal and separate permits per the Development Ordinances.
31. The Building Official has designated the proposed construction to be a “B” Occupancy Classification.
32. Allow two weeks review time for the initial plan check submittal and an additional two weeks review time for each subsequent re-submittal.
33. See attached plan check list.
34. **NO DEFERRED ITEMS.** Plans submitted with deferred items will automatically be rejected and are not guaranteed a complete plan review prior to said rejection.
35. A Knox box will be required. A “Grand Master” key that opens all locked areas including locked gates will also be required and placed inside the Knox Box. An application and ordering is done online at the Knox box web page. <http://www.knoxbox.com/>.
36. Fire extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire Department.

PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of June, 2016.

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Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

BY \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – JUNE 7, 2016

SUBJECT: Riverwalk Marketplace Phase II

SOURCE: Community Development

### BACKGROUND:

The Riverwalk Phase II project consists of a 202,854 square foot regional commercial center on approximately 21.8± acres at the northeast corner of Vandalia Avenue and Indiana Street. An Environmental Impact Report (“EIR”) was prepared pursuant to the provisions of the California Environmental Quality Act (“CEQA”), distributed to responsible state agencies and made available to the public. A 45-day public comment period was held from February 22, 2011, to April 8, 2011. The Final EIR was sent to the two State agencies that commented and was made publicly available from January 27, 2012 to February 5, 2012.

On February 7, 2012, the City Council adopted Resolution 12-2012 certifying the Final Environmental Impact Report, adopting a statement of overriding considerations, Resolution 13-2012 approving Conditional Use Permit 2-2010, and Resolution 14-2012 approving Tentative Parcel Map 4-2010.

California Healthy Communities Network (“CHCN”) filed a Petition for a Writ of Mandate in the Tulare County Superior Court on March 9, 2012, and a first-amended petition on September 21, 2012. The Tulare County Superior Court entered a judgement on April 11, 2013, denying CHCN’s Petition for Writ of Mandate and upholding the City’s certification of the Final EIR and the project approvals in all respects. Thereafter, CHCN filed an appeal to the State of California Fifth District Court of Appeal on July 3, 2013. In an Opinion dated September 3, 2014, the Court of Appeal found in favor of CHCN and reversed the Superior Court’s decision with respect to the adequacy of the Greenhouse Gas (“GHG”) emissions analysis. The Court of Appeal determined that the City “failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of the reduced quantity of emissions claimed.” (Opinion at p.2). As such, the Court held that the Final EIR failed to provide substantial evidence to support the City’s determination that the Project’s impacts on global climate change from GHG emissions would be less than significant.

On January 12, 2015, the Superior Court issued a peremptory writ of mandate commanding the City to set aside its February 7, 2012, actions certifying the Final EIR and approving Conditional Use Permit No. 2-2010 and Tentative Parcel Map No. 4-2010, and to take appropriate action to ensure compliance with CEQA as to the following matter only as identified in the Court of Appeal opinion: the City’s determination that the Project’s impacts on global climate change from

greenhouse gas emissions will be less than significant was not supported by substantial evidence. It further determined that the GHG analysis was severable from the remainder of the EIR, severance would not prejudice complete and full compliance with CEQA, and the remainder of the EIR complied with CEQA.

The Partial Recirculated Draft Environmental Impact Report (“PRDEIR”) analyzing GHG impacts was circulated for more than CEQA’s required 45-day period, from November 18, 2015, through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015, to obtain further input and comments on the PRDEIR.

On May 27, 2016, the City of Porterville published a notice of Public Hearing for the Final Partial Recirculated Environmental Impact Report (“FPREIR”), consisting of the PRDEIR, the written comments received on the PRDEIR, and the written responses of the City of Porterville to environmental issues raised in the written comments.

The FPREIR has been transmitted to the State Clearinghouse (SCH# 2008091149), was sent to State agencies, and was made publicly available from May 27, 2016 to June 6, 2016.

COMMENT: On April 21, 2015, the City Council adopted Resolution 46-2015 which set aside and rescinded the City Council’s decisions of February 7, 2012, consistent with the Superior Court’s directive. The project currently presented to the City Council involves no changes from the project as originally proposed in 2012. Because the initial approvals were set aside, all approvals must be re-processed and reconsidered by the City Council. On June 1, 2016, the Project Review Committee revisited the project conditions of approval, noting that because no changes to the project had been proposed, no changes to conditions of approval will be necessary. Following the Project Review Committee meeting, the Parcel Map Committee convened and similarly revisited the parcel map. While the map was updated to identify the change in property ownership since the initial approval, no substantive changes were proposed, and the Parcel Map Committee voted unanimously to recommend that the City Council consider the parcel map with the whole of the action and approve the map. The applicant is requesting approval of: (1) Conditional Use Permit (PRC 2016-016-C-PM) to (a) amend the Conceptual Development Plan for the Viejo Robles Planned Development, (b) adopt a Specific Plan to allow the development of an approximately 202,854 square foot commercial shopping center known as Riverwalk Marketplace Phase II on a 21.8± acre site within the Viejo Robles Planned Development, and (c) approve the Master Sign Program, and permit the off-site sale of alcohol within the grocery section of the Walmart store, and (2) Tentative Parcel Map (PRC 2016-016-C-PM) to split two existing parcels and a remainder into five new parcels.

The project includes development of:

- 161,602 square foot Walmart Supercenter retail store;
- 9,386 square foot Pad 12 to be used for future commercial tenants;



10,995 square foot Pad 13 to be used for future commercial tenants;  
14,090 square foot Pad 14 to be used for future commercial tenants; and  
6,781 square foot building on Outlot A to be used for future commercial tenants.

The principal building pad will contain a Walmart Supercenter totaling 161,602 square feet, including a 5,762 square foot outdoor garden center. This retail anchor would be constructed on the northern 16.69 acres of the site, which includes approximately 838 parking stalls, primarily positioned immediately to the south of the building pad, a few spaces to the east and west of the building. The Walmart Store would include 92,305 square feet of general merchandise area, 24,964 square feet of grocery sales area, 9,289 square feet of grocery support area, 5,153 square feet of retail tenant area which consists of leasable area for a bank and fast food outlet area, 13,706 square feet of stockroom receiving area, and 10,423 square feet of ancillary area. The project would also include a 5,762 square foot outdoor garden center that, when included with the other uses would total 161,602 square feet.

The store would offer a full-service supermarket, garden center, pharmacy/medical clinic, optical center, one-hour photo processing lab, portrait studio, and hair and nail salons. The store will also have two spaces available for lease to a bank and fast food outlet inside the store. The range of products available will include groceries and general retail merchandise including alcohol for off-site consumption, pool chemicals, petroleum products such as motor oils, pesticides, and paint products.

As proposed, the store would operate 24 hours a day and would require a staff of approximately 300 persons. This number may increase as needed during the busy holiday seasons. There will be more than three shifts since some part time associates and full time associates will have flexible working hours throughout the week.

#### Loading Docks and Deliveries

One loading dock is planned for the Walmart store, located along the northern portion of the Walmart building and containing four loading bays. The loading docks are depressed, built below ground level to reduce noise impacts and include walled downward driveways that delivery trucks use to reach the enclosed loading docks. The loading dock bay doors will utilize sealed rubber gaskets which enable unloading activities to occur inside the store, directly from the truck to the building. Mitigation Measure Noise 5.1-1 requires that the project applicant shall prohibit truck idling in excess of five minutes at the loading docks by posting signs at clearly visible locations on the loading docks instructing drivers to turn off their engines within five minutes of arrival. According to Walmart, they exceed this requirement by automating their delivery trucks for a three minute maximum idling period. Walmart truck engines have a forced shut off mechanism that turns the truck off automatically after three minutes of idling. (If a truck includes a refrigeration unit, the unit remains refrigerated by a motor in

the front of the trailer, which sounds similar to a window A/C unit.)

Truck deliveries would be received on the north side of the building. Delivery hours are not limited; however, the anticipated delivery schedule would be as follows:

Four-axle truck transport refrigeration units, two trucks per day, or 13 trucks a week;

Four-axle truck without transport refrigeration units, six trucks a day or 38 trucks a week; and

Two-axle/vendor delivery trucks, nine trucks per day or 44 units a week with no deliveries on Wednesday or Sunday.

The EIR found that non-continuous operational noises from store operations would exceed the City's  $L_{\max}$  nighttime threshold of 65dB(A) as a result of nighttime operation of forklifts outside in the vicinity of the garden center. Use of a forklift was found to create a noise level of 67.2 dB(A) at the closest residence, located 138 feet from the noise source. Mitigation Measure Noise 5.7-3 prohibits forklift operation between the hours of 10 PM and 7AM daily.

The impact remains significant when noise levels are evaluated under the City's noise standards for ambient noise levels which are 50 dB(A) for daytime and 45dB(A) for nighttime hours. The analysis assumed that all onsite noise-generating equipment would be in use at the same time on a constant basis. This analysis provides an extremely conservative assessment of the Project's potential noise impacts, though use of the ambient noise standards tends to overstate the impact as compared to the evaluation of the spontaneous and non-constant use of the various pieces of on-site operational equipment (see Revised DEIR, pp. 5.7-47 to 5.7-49).

The remaining retail pads are located along the perimeter of the project site fronting Vandalia Avenue and Indiana Street. While no specific tenants have been identified for the outlying pads, future tenants are likely to include convenience restaurants, bank, sporting goods, or other similar retail or office use consistent with the uses permitted in the Retail Centers general plan land use designation. The proposed Tentative Parcel Map would split two existing parcels and a remainder into five new parcels as summarized below.

| <i>Parcel</i>                | <i>Acreage</i> | <i>Building Pad Size</i> | <i>Parking Spaces</i> |
|------------------------------|----------------|--------------------------|-----------------------|
| Parcel 1<br>(Walmart Anchor) | 16.69 acres    | 161,602 square feet      | 838 spaces            |
| Parcel 2<br>(Outlot A)       | 1.04 acres     | 6,781 square feet        | 70 spaces             |
| Parcel 3<br>(Pad 13)         | 1.14 acres     | 10,995 square feet       | 60 spaces             |
| Parcel 4<br>(Pad 14)         | 1.84 acres     | 14,090 square feet       | 99 spaces             |
| Parcel 5<br>(Pad 12)         | 1.04 acres     | 9,386 square feet        | 46 spaces             |

The Walmart site will be accessed by the public from two vehicle access points on Vandalia Avenue, and one access point on Indiana Street, as represented in Attachment 2- Site Plan. Truck access is provided through a vehicular connection point on Springville Avenue and along the back loading zone that connects to the existing shopping center east of the project site. Loading for Walmart will take place along the north frontage of the building, behind a 12-foot masonry block soundwall that will be built atop a three-foot berm for a total of 15 feet of noise screening and attenuation. Loading for the other pads is provided with individual loading zones near each building.

Pedestrian and bicycle access is provided via several sidewalks that loop around the project site and connect each store and pad with each other.

The proposed Walmart building is a concrete block/masonry building with significant building enhancements and articulation to match the architectural style of the existing Riverwalk Marketplace Commercial Center. Building colors are neutral earth tones to complement other buildings in the center. Spanish/Mediterranean architectural features are proposed on the southern façade to include enhanced entryways/towers, tile roofs, stucco exteriors, arches, cornices, and window treatments similar to those found in the existing center. Staff worked extensively with the applicant to ensure that massing was broken up by varied wall planes, roof lines, and other architectural features. Attachment 11, Exhibit B(ii)- Exterior Elevation depicts the proposed building elevations, materials and colors.

As noted, a 12-foot high masonry block wall is proposed on top of a three-foot berm along the north property line to screen the loading zone from being visible to the residences on the north side of Springville Avenue and provide sound attenuation. The proposed wall will continue the existing wall design located on the north side of the Riverwalk Marketplace Center and match it in terms of height, style, and materials. Included in the proposed wall will be the continuation of the landscaped berm found in the existing shopping center. Along Walmart's western property line, the wall steps down to 14 feet adjacent to the east property line of the parcel at the southeast corner of Indiana Street and Springville Avenue (which is not a part of this Project) and eight feet along its south property line.

Landscaping is provided throughout the site to be consistent with that of the existing shopping center, with the most intensive landscape schemes located at the site vehicular entrances along Vandalia Avenue and Indiana Street. Shade trees are proposed every four parking spaces throughout the parking lot and at the end of parking isles. Additional landscaping is provided along the perimeter of the site and near proposed buildings to enhance the visual quality of the development. Some landscaping details adjacent to Pads 12, 13, 14, and Outlot A have been left out in order to accommodate flexible building site needs of future tenants. Exact landscaping arrangements around these buildings will be provided and reviewed at the time they are proposed for construction. Landscaping shall be consistent with City Standards and the City's Water Efficient Landscape Ordinance. Landscaping is also provided along both screening walls along the

west and north boundaries of the site to enhance the visual quality of the walls and reduce likelihood of graffiti.

Project signage will be governed by the Riverwalk Marketplace Sign Program, which includes signs for Walmart, the outlying pad sites, and shared freestanding pylon and monument signs with the Riverwalk Marketplace Phase I project site. The sign program allows Walmart's use of several existing multi-tenant monument signs that exist in Phase I, including a space on the large pylon sign along State Route 190.

Construction of this project would include the needed utility improvements to service the facility, including appropriate street improvements to Springville Avenue and Indiana Street, consistent with the Circulation Element of the General Plan.

ANALYSIS: *Zoning and Land Use*

The project consists of a regional commercial center on approximately 21.8± acres in the southwestern portion of the city, which is the second and last phase of the Riverwalk Marketplace Commercial Center regional shopping center. The project area is bounded by State Route 190 on the south, Riverwalk Marketplace Phase I on the east, Springville Avenue on the north and Indiana Street on the west. The project site is bordered by residential uses on the north, to the south beyond State Route 190, and to the west; the Riverwalk Marketplace Phase I commercial development is on the east. The site is located about a quarter of a mile east of State Route 65. Access will be provided to the site from several points. The main access will be provided via three drive approaches off of Vandalia Avenue, with secondary approaches off of Indiana Street, Springville Avenue and by way of private drive aisles through Riverwalk Marketplace Phase I.

The Porterville 2030 General Plan designates the site as Retail Centers (CR), while the site was zoned as Central Commercial (C-2) with a Planned Development (PD) Overlay [(PD) C-2]. The C-2 zoning was in effect when this application was deemed completed, per Resolution 119-2010. It is currently zoned Planned Development. Additionally, the site is part of the Viejo Robles Conceptual Development Plan, which designates the majority of the site for commercial uses. One component of the application is a modification to the Conceptual Development Plan to bring it in conformance with the General Plan. With Council's authorization to modify the Conceptual Development Plan, the project would be consistent with the current General Plan land use designation of Retail Centers and the Planned Development zone.

The project is proposed to integrate with the existing Riverwalk Marketplace Shopping Center in function and design. Building architecture, signage, landscaping, parking lot layout, and vehicular access have all been designed to achieve this goal.

### *Off-Sale Alcoholic Beverage License*

Due to the initial application submittal date preceding adoption of the recently adopted Development Code, this project is subject to the previous Zoning Ordinance. Section 2100 of the Porterville Zoning Ordinance required approval of a Conditional Use Permit (CUP) for new establishments to sell alcoholic beverages under an off-sale license. It is relevant to note that §301.02 of the Porterville Development Ordinance contains the same requirement. The subject site is located in Census Tract 41.01. The California Department of Alcoholic Beverage Control (ABC) has indicated that Census Tract 41.01 can accommodate up to eight off-sale licenses without being deemed “over concentrated.”

At present, eleven off-sale licenses exist. As a result, a letter requesting approval of Finding of Public Convenience or Necessity for the off-sale license is required from the ABC. In such circumstances, the ABC may grant no additional licenses unless the City Council determines that there is a need of public convenience or necessity in the community for an additional alcoholic beverage license. As the applicant, Walmart Stores is requesting consideration for a Type 21 off-sale alcoholic beverage license. The availability of wine, beer, and spirits in Walmart’s grocery and retail store atmosphere presents a convenience to their customers. This is the only off-sale liquor license proposed as a component of the project.

### *Master Sign Program*

Project signage will be governed by the Riverwalk Marketplace Sign Program, which includes signs for Walmart, the outlying pad sites, and shared freestanding pylon and monument signs with the Riverwalk Marketplace Phase I project site. The sign program allows Walmart’s use of several existing multi-tenant monument signs that exist in Phase I, including a space on the large pylon sign along State Route 190. Two ten-foot high multi-tenant signs are proposed in Phase II, as well as six proposed wall signs on the Walmart building. All signage is intended to be tasteful, appropriate in scale, and harmonious in design to the existing signage of the center. The Riverwalk Marketplace Phase I sign program detailed provisions regarding shopping center signage that will apply to the Project’s outlying building pads; the Walmart sign program focuses specifically on signage on the Walmart parcel and building.

### *Parcelization*

The proposed Tentative Parcel Map would split two existing parcels and a remainder into five new parcels as summarized below.

| <i>Parcel</i>             | <i>Acreage</i> | <i>Building Pad Size</i> |
|---------------------------|----------------|--------------------------|
| Parcel 1 (Walmart Anchor) | 16.69 acres    | 161,602 square feet      |
| Parcel 2 (Outlot A)       | 1.04 acres     | 6,781 square feet        |
| Parcel 3 (Pad 13)         | 1.14 acres     | 10,995 square feet       |
| Parcel 4 (Pad 14)         | 1.84 acres     | 14,090 square feet       |
| Parcel 5 (Pad 12)         | 1.04 acres     | 9,386 square feet        |

ENVIRONMENTAL REVIEW:

The Final Partial Recirculated EIR has been transmitted to the State Clearinghouse (SCH# 2008091149), was sent to State agencies, and was made publicly available from May 27, 2016, to June 6, 2016.

RECOMMENDATION:

That the City Council:

1. Adopt the draft Resolution certifying the Final Environmental Impact Report, as well as the Final Partial Recirculated Environmental Impact Report, adopting Findings of Fact, adopting a Statement of Overriding Considerations, and adopting a Mitigation Monitoring Plan for the Riverwalk Marketplace Phase II Project;
2. Adopt the draft Resolution approving a Conditional Use Permit to (a) amend the Conceptual Development Plan for the Viejo Robles Planned Development, (b) adopt a Specific Plan for the Planned Development to be known as the Riverwalk Marketplace Phase II project with all approved plans and exhibits, (c) approve the Master Sign Program and (d) permit the off-site sale of alcohol within the grocery store portion of the Walmart store and authorize the Mayor to sign the Letter of Public Convenience or Necessity; and
3. Adopt the draft Resolution for approval of a Tentative Parcel Map.

ATTACHMENTS:

1. Project Locator
2. Final Partial Recirculated EIR
3. Draft Resolution - EIR
4. Exhibit A-1 - EIR Final Findings of Fact
5. Exhibit B - MMRP
6. Draft Resolution - CUP
7. Letter of Public Convenience
8. Alcoholic Beverage Control Concentration Map
9. Exhibit A - Conditions of Approval
10. Exhibit B(i) - Preliminary Site Plan
11. Exhibit B(ii) - Project Elevations
12. Exhibit B(iii) - Material Board
13. Exhibit B(iv) - Preliminary Landscape
14. Exhibit B(v) - Preliminary Grading Plan
15. Exhibit B(vi) - Preliminary Utility Plan
16. Exhibit B(vii) - Preliminary Staging
17. Exhibit B(viii) - Preliminary Lighting
18. Exhibit B(ix) - Master Sign Program
19. Draft Resolution - Tentative Parcel Map
20. Exhibit A - Parcel Map Sheets

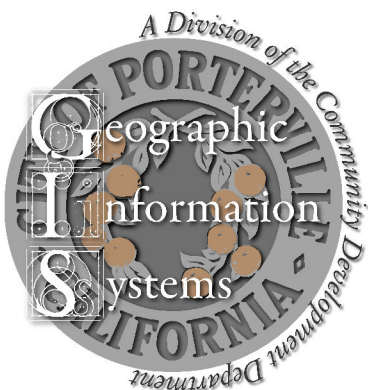
Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



Riverwalk Phase II  
Project Locator Map  
1" = 400 ft.



**FINAL**  
**Partial Recirculated**  
**Environmental Impact Report**  
**Riverwalk Phase II Project**  
**City of Porterville, Tulare County, California**  
**State Clearinghouse No. 2008091149**

Prepared for:  
**City of Porterville**  
Community Development Department  
291 North Main Street  
Porterville, California 93257  
559.782.7460

Contact: Jennifer Byers, Community Development Director

Prepared by:  
**FirstCarbon Solutions**  
7265 N. First Street, Suite 101  
Fresno, CA 93720

Contact: Dave Mitchell, Senior Air Quality Scientist

Date: May 11, 2016

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## SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Porterville has evaluated the comments received on the Riverwalk Phase II Project Partial Recirculated Draft Environmental Impact Report (PRDEIR). The responses to the comments and errata, which are included in this document, comprise the Final Partial Recirculated EIR for use by the City of Porterville in its review.

This document is organized into two sections:

- **Section 1 - Introduction.**
- **Section 2 - Responses to Written Comments:** Provides a list of the agencies and individuals that commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.

The Final Partial Recirculated EIR includes the following contents:

- Partial Recirculated Draft EIR (provided under separate cover)
- Partial Recirculated Draft EIR appendices (provided under separate cover)
- Responses to Written Comments on the Partial Recirculated Draft EIR (Section 2 of this document)

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## SECTION 2: RESPONSES TO WRITTEN COMMENTS

### 2.1 - List of Authors

A list of the public agencies and individuals that provided comments on the Partial Recirculated Draft EIR is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

| Author | Author Code |
|--------|-------------|
|--------|-------------|

#### State Agencies

|                          |     |
|--------------------------|-----|
| State Clearinghouse..... | SCH |
|--------------------------|-----|

#### Individuals

|                                  |       |
|----------------------------------|-------|
| M. R. Wolfe and Associates ..... | WOLFE |
|----------------------------------|-------|

### 2.2 - Responses to Comments

#### 2.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Porterville, as the lead agency, evaluated the comments received on the Partial Recirculated Draft EIR (State Clearinghouse No. 2008091149 for the Riverwalk Phase II Project, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final Partial Recirculated EIR for the Project in accordance with CEQA Guidelines Section 15132.

#### 2.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

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Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

January 5, 2016

RECEIVED

JAN 11 2016

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

Community Development Department

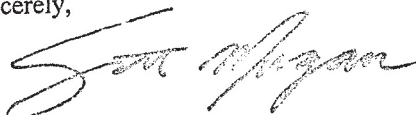
Subject: Riverwalk Marketplace Phase 2  
SCH#: 2008091149

Dear Jennifer Byers:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 4, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

  
Scott Morgan  
Director, State Clearinghouse

SCH-1

Document Details Report  
State Clearinghouse Data Base

**SCH#** 2008091149  
**Project Title** Riverwalk Marketplace Phase 2  
**Lead Agency** Porterville, City of

**Type** EIR Draft EIR  
**Description** Note: Partial Re-circulated

The project would include the construction and development of approx. 202,854 sq. ft. of primarily retail uses among five building pads, anchored by a 161,602 sq. ft. Walmart store with all appurtenant structures and facilities. The Walmart store would offer, among other things, groceries and general retail merchandise and would operate 24 hours per day.

**Lead Agency Contact**

**Name** Jennifer Byers  
**Agency** City of Porterville  
**Phone** 559-782-7460  
**email**  
**Address** 291 N. Main Street  
**City** Porterville  
**Fax**  
**State** CA **Zip** 93257

**Project Location**

**County** Tulare  
**City** Porterville  
**Region**  
**Lat / Long** 36° 11' N / 119° 01' 43" W  
**Cross Streets** Indiana Street & Springville Drive  
**Parcel No.** 260-050-004, 006, 009; 260-060-012  
**Township** 21S **Range** 27E **Section** 35 **Base** MDB&M

**Proximity to:**

**Highways** Hwy 65 & 190  
**Airports** Porterville Municipal  
**Railways**  
**Waterways** Tule River  
**Schools** PVUSD; Porterville College  
**Land Use** Vacant/Planned Development/Retail Centers

**Project Issues** Other Issues

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Department of Housing and Community Development; Air Resources Board; State Water Resources Control Board, Division of Financial Assistance; Regional Water Quality Control Bd., Region 5 (Fresno); Public Utilities Commission; Native American Heritage Commission

**Date Received** 11/18/2015 **Start of Review** 11/18/2015 **End of Review** 01/04/2016

SCH-1  
CONT

## **State Agencies**

### ***Governor’s Office of Planning and Research State Clearinghouse and Planning Unit (SCH)***

#### *Response to SCH-1*

The comment letter is the standard form letter issued by the Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit confirming that the Draft EIR was distributed to various state agencies, and that the City of Porterville has complied with statutory noticing obligations. No comments from state agencies were received. No further response is necessary.

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January 7, 2016

WOLFE  
Page 1 of 12

**Via E-Mail**

Jennifer Byers, Community Development Director  
City of Porterville  
291 North Main Street  
Porterville, California 93257  
planning@ci.porterville.ca.us

**Re: Comments on Partial Recirculated Draft EIR for Riverwalk  
Marketplace Phase II Project**

Dear Ms. Byers:

On behalf of the California Healthy Communities Network (“HCN”) and its members who live and/or work in the City of Porterville (“City”), please accept the following comments on the Partial Recirculated Draft Environmental Impact Report (“PRDEIR”) for the above-referenced Wal-Mart Expansion Project.

HCN was the petitioner in *California Healthy Communities Network v. City of Porterville*, the case that resulted in the appellate decision overturning the greenhouse gas (“GHG”) impact analysis in the original EIR that the City certified for the Riverwalk Marketplace Phase II Project in 2012. HCN recognizes and appreciates the City’s good faith efforts to address the analytic defects identified by the Court of Appeal. However, as explained in the body of this letter, the PRDEIR’s approach to GHG impact analysis and mitigation unfortunately remains defective under CEQA, a fact affirmed by a recent State Supreme Court decision that applies directly to the current PRDEIR.

WOLFE-1

**I. The PRDEIR’s significance threshold of a 29 percent reduction in “business-as-usual” emissions is not justified under recent Supreme Court precedent.**

In November, 2015, in *Center for Biological Diversity v California Dept. of Fish and Wildlife* (“*Newhall*”) \_\_Cal.4th\_\_, the California Supreme Court upheld the principle that a significance threshold may be based on consistency with AB 32. Slip Opinion at 17. *Newhall* also upheld the use of a comparison to BAU conditions as a “comparative tool for evaluating efficiency and conservation efforts.” *Id.* at 19.

WOLFE-2

However, *Newhall* firmly invalidated the use of a threshold of significance, like the one used in the RDEIR here, that merely requires a showing that emissions are 29% less than BAU for 2002-2004. *Id.* at 19-23

In *Newhall*, the court held that the agency had failed to demonstrate that a “project-level reduction of 31 percent in comparison to business as usual is consistent with achieving AB 32’s statewide goal of a 29 percent reduction from business as usual.” Slip Op. at 19. The court observed that neither the AB 32 Scoping Plan nor the EIR at issue related the statewide level of reductions to the reductions that should be required from individual projects, noting obvious reasons that attaining a different level of reduction may be necessary (e.g., the likelihood that new projects must attain greater efficiency than already-built projects to meet the overall target). *Id.* at 20-21. The court also pointed out that the EIR at issue improperly relied on unsupported assumptions that the density and intensity of land use at the project site under BAU conditions was consistent with the Scoping Plan’s statewide business-as-usual model. *Id.* at 21-22. In sum, *Newhall* held that the EIR was deficient as an informational document because it “simply assumes that the level of effort required in one context, a 29 percent reduction from business as usual statewide, will suffice in the other, a specific land use development.” *Id.* at 22-23.

WOLFE-2  
CONT

Here, the PRDEIR relies on the very same threshold that *Newhall* expressly invalidated. Relying on the SJVAPCD’s guidance, the PRDEIR identifies a quantitative threshold for determining significance as a 29 percent reduction from 2002-2004 BAU conditions. PRDEIR 2-24 to 2-25; 2-28 to 2-30. The PRDEIR states:

“This level of GHG reduction is based on the target established by ARB’s Scoping Plan to achieve the AB 32 goal of reducing California’s emissions to 1990 levels by 2020. The BAU analysis approach ensures that emission reductions are sufficient to overcome the effects of predicted growth and achieve State reduction targets.” PRDEIR, p. 2-30.

WOLFE-3

However, nowhere does that SJVAPCD guidance cure the defects identified in the *Newhall* decision. In particular, the PRDEIR does not relate AB 32’s 20 percent statewide goal for emission reductions to the reductions that should be required from individual projects. Neither does it explain why new development projects do not need to attain more efficiency than the average, to compensate for the fact that there is no requirement for existing development to become more efficient. The PRDEIR does not relate the density and intensity of BAU land use conditions to the assumptions used in the Scoping Plan’s statewide BAU model. Indeed, as discussed below, unlike the original EIR, the PRDEIR no longer relies on

claims about improvements in density and intensity compared to BAU conditions as the basis to find impacts less than significant.

WOLFE-3  
CONT

## II. The PRDEIR GHG-1 significance determination is not based on a bright-line numerical threshold.

*Newhall* offers guidance for agencies to make an adequate significance determination by identifying three “pathways for compliance” with CEQA’s requirements to evaluate significance of GHG emissions. Slip Op. at 24-28. The current PRDEIR quite obviously does not meet the requirements of the first and third options, because it shares the same defects as the *Newhall* EIR with regard to the first option and because it does not attempt the third option.

Under the first option, an agency might try to determine and justify a percent reduction compared to BAU at the proposed location, i.e., to cure the defects inherent in the unjustified assumption that a 29 percent reduction from BAU is an adequate basis to find a project consistent with AB 32’s statewide goals:.

“First, although we have found the particular comparison made here lacking in support, and although doubt has been cast on the Scoping Plan’s project-level appropriateness (see Final Statement of Reasons, *supra*, at pp. 24–25), a business-as-usual comparison based on the Scoping Plan’s methodology may be possible. On an examination of the data behind the Scoping Plan’s business-as-usual model, a lead agency might be able to determine what level of reduction from business as usual a new land use development at the proposed location must contribute in order to comply with statewide goals.” *Newhall*, Slip Op. at 25.

WOLFE-4

As discussed above, this PRDEIR has not cured the defects because it has precisely the same shortcomings as the *Newhall* EIR in making such a determination.

Under the third option, an agency might develop and justify a bright-line numerical threshold:

“Third, a lead agency may rely on existing numerical thresholds of significance for greenhouse gas emissions, though as we have explained (*ante*, p. 14), use of such thresholds is not required. (Guidelines, § 15064.4, subd. (b)(2); see, e.g., Bay Area Air Quality Management Dist. (BAAQMD), CEQA Guidelines Update: Proposed Thresholds of Significance (May 3, 2010), pp. 8–21 [regional air quality district for the San Francisco Bay Area proposes a threshold of 1100 MTCO<sub>2</sub>E in annual emissions as one alternative agencies

may use in determining CEQA significance for new land use projects].)” Slip Op. at 27.

WOLFE-4  
CONT

However, as the PRDEIR acknowledges, neither the City nor SJVAPCD has developed such a numerical threshold. RDEIR, p. 2-29.

**III. The PRDEIR’s significance determination does not show for each source of GHG emissions that it is subject to adopted regulations that have been determined to reduce GHG emissions from that source to a level that is not a considerable contribution.**

*Newhall* permits reliance on regulations adopted to implement GHG goals. The *Newhall* court identifies a second option for significance determination. An agency may determine significance by determining whether a project’s emissions will comply with an adopted regulatory program intended to reduce GHG emissions from “particular activities” or “areas governed by the regulations:

“Second, a lead agency might assess consistency with A.B. 32’s goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities. (See Final Statement of Reasons, supra, at p. 64 [greenhouse gas emissions —may be best analyzed and mitigated at a programmatic level.]) To the extent a project’s design features comply with or exceed the regulations outlined in the Scoping Plan and adopted by the Air Board or other state agencies, a lead agency could appropriately rely on their use as showing compliance with —performance based standards adopted to fulfill —a statewide . . . plan for the reduction or mitigation of greenhouse gas emissions. (Guidelines, § 15064.4, subds. (a)(2), (b)(3); see also id., § 15064, subd. (h)(3) [determination that impact is not cumulatively considerable may rest on compliance with previously adopted plans or regulations, including —plans or regulations for the reduction of greenhouse gas emissions].)

WOLFE-5

A significance analysis based on compliance with such statewide regulations, however, only goes to impacts within the area governed by the regulations. That a project is designed to meet high building efficiency and conservation standards, for example, does not establish that its greenhouse gas emissions from transportation activities lack significant impacts.” *Newhall*, Slip Op. at 25.

CEQA Guidelines § 15064(h)(3) provides that the regulations be “previously approved,” and that they be “specified in law or adopted by the public agency with jurisdiction over the affected resource through public review process to implement,



interpret, or make specific the law enforced or administered by the public agency.” Furthermore, the regulations must “provide[] specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.” The lead agency relying on such regulations must “explain how implementing the particular requirements in the plan, regulation or program ensure that the project’s incremental contribution to the cumulative effect is not cumulatively considerable.”

CEQA Guidelines §15064.4(b)(3) also requires that the regulations actually have been adopted through a public review process and that the requirements of those regulations must reduce or mitigate the projects GHG emissions. Thus, to rely on compliance with regulations to find a projects GHG emissions to be less than cumulatively considerable, a number of conditions must be met:

- The regulations must be adopted, not just planned
- The regulations must contain specific requirements to avoid or less GHG emissions
- The lead agency must show that each source of GHG emissions (i.e., each of the “particular activities” or “areas governed by the regulations” – *Newhall* 25) is in fact covered by regulations
- The lead agency must explain how the regulations will actually avoid or mitigate the GHG contributions from that source to a less than cumulatively considerable level

Here, the PRDEIR purports to show that the Project emissions from some activities are subject to some regulatory programs intended to implement some of A.B. 32’s goals. However, the PRDEIR fails to show that for each of the particular activities generating emissions there are in fact regulatory programs in effect sufficient to ensure that AB 32’s Goals in that area are met. In short, as elaborated upon below, there is no evidence that the AB 32 regulatory program in that area is now complete.

**BUILDING EFFICIENCY:** PRDEIR Table 2-5, “Reductions from Greenhouse Gas Regulations,” identifies a 30 percent reduction of “energy consumption subject to the regulation” from Project buildings that meet the latest version of Title 24 (currently 2013). There is no evidence in the PRDEIR that reductions from compliance with the 2013 version of Title 24 will in fact ensure that Scoping Plan reductions related to energy use by buildings will be met. Furthermore, the EIR only claims a 30 percent reduction for that portion of the “energy consumption subject to the regulation.” This might or might not be a material portion of the actual energy used by the buildings.

WOLFE-5  
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**WATER USE:** Table 2-5 also identifies a 20 percent savings in water use, purportedly based on a “Water Efficient Land Use Ordinance.” PRDEIR, p. 2-33 to 2-34. It identifies what appears to be another 20% water savings attributable to Green Building Code Standards. *Id.* The PRDEIR states that local agencies are required by AB 1881 to adopt a landscape ordinance by 2010, but the PRDEIR does not state whether Porterville has in fact adopted such an ordinance, or identify the requirements of that ordinance. RDEIR, p. 2-21.

Despite the Table 2-5 references to a model landscape ordinance under AB 1881 and Green Building Standards, it appears the PRDEIR actually attributes the 20 percent reduction to SBX-7-7. However, SBX-7-7 only announces a statewide goal of a 20 percent cut. Water Code, § 10608.16. SBX-7-7 does not in fact mandate a 20 percent reduction in water use, especially for commercial projects. SBX-7-7 mandates at most a 10 percent reduction in commercial, industrial, and institutional water use. Water Code, § 10608.16(b)(2)(C). Furthermore, SBX-7-7 reductions in urban water use generally may be as small as 5 percent because the only clear mandate applicable to an individual urban retail water supplier is that per capita water use be cut at least 5 percent. Water Code § 10608.22. That is, section 10608.22 permits a retail water supplier to comply with water reduction requirements by reducing its “base daily per capita water use” by only 5 percent.

WOLFE-7

Moreover, the law contemplates that the state shall “provide flexibility to communities and regions in meeting the targets” after considering climate, population density, and historic conservation efforts. Water Code, § 10608.20(b)(4). This flexibility may very well result in smaller reductions for purveyors with low density, hot climates, and some record of historic conservation efforts, characteristics that apply in Porterville. Finally, the baseline period for SBX-7-7 reductions is not the same as the 2002-2004 BAU baseline period, so the percent reductions identified in the PRDEIR do not track the AB 32 reductions.

In sum, the PRDEIR contains no evidence that total water use would be 20 percent less than the BAU baseline water use based on actual enforceable regulations, and no evidence to support its claim that a 20 percent water use reduction is sufficient to meet the AB 32 goals.

**ENERGY:** Table 2-5 identifies a 15.3 percent reduction in energy use from the purchase of electricity subject to the Renewable Portfolio Standard (RPS). While the PRDEIR discusses the origin of the RPS in an executive order, it does not demonstrate that the RPS would be sufficient to meet the AB 32 goals.

WOLFE-8

**CONSTRUCTION:** Table 2-5 does not identify any action to regulate construction emissions and Table 2-6 indicates that there would in fact be no

WOLFE-9

reduction from BAU levels. The PRDEIR does not explain how the Project could be doing its fair share to minimize construction emissions if there are no apparent efforts to reduce those emissions.

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CONT

**TRANSPORTATION:** The Court of Appeal found that the original EIR's claim of a 40.2 percent reduction in transportation emissions attributed to the location and intensity of the Project and other development was not supported. The PRDEIR simply abandons the original EIR's claim, and instead focuses only on getting to the 29 percent overall reduction, crediting the project with a 34.4 percent reduction in transportation emissions attributed to statewide regulation of vehicle fuel standards (the Pavley vehicle emission standards and the low carbon fuel standards). PRDEIR, p. 2-33 to 2-34. This approach ignores the mandate to local agencies purporting to show consistency with AB 32 goals that they show they have taken responsibility to plan land use so as to accomplish a fair share of the necessary reduction in GHG emissions attributable to transportation.

*Newhall* explains that that "transportation emissions are affected by the location and density of residential and commercial development" and the Scoping Plan does not propose statewide regulation of land use planning to address this. 26. Instead, the Scoping Plan relies on local governments, which "bear the primary burden of evaluating a land use project's impacts on greenhouse gas emissions." 26. A local agency can use a programmatic "geographically specific" GHG reduction plan to tier or streamline CEQA analysis (26), but, as the PRDEIR acknowledges, Porterville has not done so. PRDEIR, p. 2-25.

WOLFE-10

*Newhall* also explains that CEQA allows streamlining of transportation impacts analysis for "certain residential, mixed use and transit priority projects that are consistent with the limits and policies specified in an applicable sustainable communities strategy" based on S.B. 375. Slip Op. at 26-27. However, this commercial project does not meet the requirements for streamlined review under SB 375 because it is not a residential, mixed use, or transit priority project. Pub. Resources Code §§ 21155, 21155.2, 21159.28; Guidelines, § 15183.5. Nor does the PRDEIR's claim that this commercial Project is "consistent with the modeling assumptions used to develop SB 375 regional targets" (PRDEIR, p. 2-41) make it subject to streamlined CEQA review. Finally, this commercial project is not in fact subject to any of the "limits and policies specified in an applicable sustainable communities strategy" (*Newhall*, p. 27), because, as the PRDEIR admits, the sustainable communities strategy only applies to new housing development. PRDEIR, p. 2-16.

Accordingly, the City bears the burden to show that with regard to this Project the City would be regulating the location and intensity of development so as to do its

fair share in controlling transportation emissions in order to meet AB 32 goals. The PRDEIR makes no effort to address this question whatsoever. It is not sufficient merely to recite compliance with statewide fuel standard in a misguided effort to show that the Project meets the 29 percent reduction threshold of significance invalidated by the California Supreme Court. Nor is it sufficient to allege a 4.68 percent reduction in transportation emissions from land use diversity and some pedestrian amenities. PRDEIR, Table 2-7. Neither the 29 percent reduction in overall GHG emission nor the 4.68 percent reduction in transportation emissions are linked to AB 32 goals to show that these percentage reductions are sufficient, fair shares of the reductions needed to justify a finding that the source is not a considerable contribution.

In other words, the PRDEIR fails to present facts and analysis to demonstrate that the regulatory reductions claimed are sufficient to meet the AB 32 goals for two reasons. First, there is no showing that the Project actually complies with all applicable regulations for the particular activity or area; this is because the PRDEIR's only concern was to identify a 29 percent overall reduction, not to systematically identify all applicable AB 32 regulations and demonstrate compliance. Second, there is no showing for each of the "particular activities" or "areas governed by the regulations" (*Newhall* at 25) that the regulatory program for those particular activities or areas is now complete and sufficient to meet AB 32's goals for that area or activity.

**IV. The PRDEIR's analysis under GHG-2 does not comply with CEQA because the AB 32 Scoping Plan is not a specific regulation adopted by a public agency with jurisdiction over the project, and the PRDEIR does not show that the project's reductions are a fair share of the AB 32 goal for each emissions source.**

CEQA Guidelines § 15064.4(b) requires an agency to consider three factors, among others, in determining GHG significance:

"A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment: (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting; (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project. (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is

WOLFE-10  
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WOLFE-11

substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.”

Preliminarily, we note that the PRDEIR misreads this Guideline as permissive rather than mandatory, stating that a lead agency “may” rather than “should” take each of these factors into account. PRDEIR, p. 2-28. It then states that the City has taken into account only the second and third factors. PRDEIR, p. 2-29. Thus, the PRDEIR fails to explain how it takes the first factor into account. Furthermore, the PRDEIR’s analysis of the third factor is fundamentally flawed. The analysis under Impact GHG-2 purports to find that the “project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce the emission of greenhouse gasses.” The RDEIR’s analysis of this factor consists of a table purporting to show the Project’s general consistency with the “applicable strategies” of the AB32 Scoping Plan. Merely showing that the project does not conflict with such a plan does not demonstrate that it fulfills the plan, i.e., that it provides sufficient GHG reductions to fulfill the objective of that plan with respect to each GHG emission source.

WOLFE-11  
CONT

As explained above, *Newhall* allows agencies to rely on consistency with AB 32 Goals, but only if an EIR shows that the project will do its fair share to meet that goal. *Newhall* makes clear that AB 32 and its Scoping Plan are not themselves “regulations or requirements” compliance with which would be evidence that GHG emissions for a particular activity is less than significant:

“A.B. 32 did not create a set of ‘regulations or requirements’ implementing a plan’ (Guidelines, § 15064.4, subd. (b)(3)); indeed, it is not a plan but rather a statement of policies and objectives. The Scoping Plan adopted pursuant to A.B. 32 is a plan for reducing greenhouse gas emissions, but does not itself establish the regulations by which it is to be implemented; rather, it sets out how existing regulations, and new ones yet to be adopted at the time of the Scoping Plan, will be used to reach A.B. 32’s emission reduction goal. At the time the Natural Resources Agency promulgated Guidelines section 15064.4, the agency explained that the Scoping Plan ‘may not be appropriate for use in determining the significance of individual projects . . . because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan.’ (Final Statement of Reasons, *supra*, at pp. 26–27).

WOLFE-12

In short, neither A.B. 32 nor the Scoping Plan establishes regulations implementing, for specific projects, the Legislature’s statewide goals for reducing greenhouse gas emissions. Neither constitutes a set of regulations or

requirements adopted to implement a statewide reduction plan within the meaning of Guidelines section 15064.4, subdivision (b)(3).” *Newhall*, Slip Op. at pp. 15-16.

*Newhall* thus holds that an agency may consider consistency with AB 32 Goals to determine if GHG emissions are significant, but only if it shows that the project “is consistent with the plan and is doing its fair share to achieve the plan’s goals.” *Newhall* at 16. The case’s fundamental holding is that an EIR’s GHG analysis is inadequate if it fails to show that the attainment of a 29 percent overall reduction from BAU conditions was in fact a fair share. The opinion makes clear that for each “particular activity” or source of emissions, an agency must show there will be a fair share reduction. In the absence of an adopted GHG mitigation plan or regulation that is based on analysis showing it is sufficient to meet the fair share requirement, the agency must itself show the project will be doing its fair share.

WOLFE-12  
CONT

In the current case, the PRDEIR’s Table 2-8 does not do this. None of the entries in Table 2-8 identify the needed reductions for each emission source or strategy and none demonstrate that the Project attains an emission reduction that meets this goal. Indeed, the table apparently admits that some AB32 goals have not been implemented through programs or regulations. For example, the PRDEIR apparently admits that the Vehicle Efficiency Measures have not been initiated. PRDEIR, p. 2-41. And it claims that the project is “consistent” with the Million Solar Roofs Program merely because it will have a “solar ready roof that would allow for future implementation of this strategy.” PRDEIR, p. 2-42, emphasis added.

**V. The RDEIR fails to provide facts and analysis to justify claimed trip reductions.**

The PRDEIR’s claim of a 4.68 percent reduction in transportation emissions in Table 2-7, attributed to land use diversity and some pedestrian amenities, is not supported with analysis in the PRDEIR itself. Nowhere does the PRDEIR or its appendices set out the calculations from which these percent reductions were determined. Review of the CalEEMod output in Appendix A shows that the PRDEIR assumes an 11.79 percent reduction in VMT from four CalEEMod mitigation measures, namely: “Increase Diversity, Improve Destination Accessibility, Increase Transit Accessibility, and Improve Pedestrian Network.” See 6/8/15 3:49 PM output, page 7, Section 4,

WOLFE-13

Although the RDEIR Table 2.7 cites “CAPCOA report Quantifying GHG Measures,” the RDEIR does not set out the assumptions and calculations specified in CAPCOA for the reductions claimed. Specifically, it fails to set out the data required to calculate VMT reductions for LUT-3, LUT-4, LUT-5, and SDT-1 in CAPCOA,

Quantifying GHG Mitigation Measures, 2010.<sup>1</sup> It is unclear whether the claimed reductions are conservative or aggressive in terms of the range of values that CAPCOA identifies. It is also unclear what specific assumptions were made regarding the land use index, the elasticity of VMT with respect to that index, distance to downtown/job center, the elasticity of VMT with respect to that distance, transit and its effect on VMT, transit mode shares, or elasticity of transit demand. The PRDEIR should be revised to provide all of the quantitative information needed to justify the specific VMT reductions claimed.

WOLFE-13  
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**VI. The PRDEIR fails to consider the need for GHG reductions after 2020 in its significance determination.**

The PRDEIR's significance determination focuses exclusively on indicia of whether the Project will meet the now short-term 2020 goals set out by AB 32. The Supreme Court in *Newhall* addressed an EIR issued in 2010, and expressly did not consider whether CEQA required it to address the state's goals beyond 2020. *Newhall*, Slip Op. at 16-17. However, the court did explain that "consistency with year 2020 goals will become a less definitive guide, especially for long-term projects that will not begin operations for several years." *Id.* at 17. Indeed: "[a]n EIR taking a goal-consistency approach to CEQA significance may in the near future need to consider the project's effects on meeting longer term emissions reduction targets." *Id.*

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Here the PRDEIR is from 2015, not 2010, and the Project will not become operational for at least some time if it is approved. Accordingly, if the PRDEIR is to rely on a "goal consistency" analysis, it must determine significance with reference to the project consistency with the discuss the project's consistency with longer term goals. These include: (1) the goal of a 40 percent reduction below 1990 levels by 2030, as set out in Executive Order B-30-15, and (2) the goal of an 80 percent reduction below 1990 levels by 2050 set out in Executive Order S-3-05. These orders are not based on the Governors' whims but on a scientific determination that such reductions are needed to avoid climate impacts. Accordingly, the PRDEIR's statements that these Executive Orders have no regulatory mandate are irrelevant to a significance determination.

**VII. Conclusion**

The *Newhall* decision did not create new obligations under CEQA. Rather, it clarified public agencies' legal duties for analysis and mitigation of GHG impacts in

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<sup>1</sup> Available at <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

EIRs that have essentially been in place via the statute and Guidelines for years. Accordingly, these comments and concerns would apply with equal force even if *Newhall* were not on the books. Although the City almost certainly will need to revise and recirculate the PRDEIR in light of *Newhall*, the case at least presents a fairly clear roadmap for future compliance with CEQA's requirements for analysis and mitigation of GHG impacts with regard to the Riverwalk Marketplace Phase II Project.

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CONT

For all these reasons, HCN respectfully requests that the City address and correct the problems and issues identified above in a revised and recirculated PRDEIR.

Thank you for your consideration of these comments.

Yours sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'M Wolfe', with a long horizontal flourish extending to the right.

Mark R. Wolfe  
John H. Farrow  
On behalf of the California Healthy  
Communities Network

MRW:am



## Individuals

### ***M.R. Wolfe and Associates (WOLFE)***

#### *Response to WOLFE-1*

The commenter indicates that he represents Healthy Communities Network (HCN) and provides a history of their legal challenge to the Project. The commenter also generally claims that the PDEIR's approach to GHG impact analysis and mitigation is not appropriate based on the recent California Supreme Court Decision in *Center for Biological Diversity v. California Department of Fish and Wildlife (Newhall Ranch)* which purportedly invalidated use of the SJVAPCD threshold of 29 percent below BAU to assess the Project's GHG significance.

The PRDEIR applies the same SJVAPCD threshold of 29 percent below BAU to assess the Project's GHG significance as did the previous RDEIR for the Project. The commenter did not dispute the City's use of the SJVAPCD GHG threshold during the Project's prior administrative approval process nor did it challenge the City's use of the SJVAPCD GHG threshold during the judicial proceedings that arose from HCN's challenge to the RDEIR. In fact, the commenter expressly endorsed the City's use of the SJVAPCD threshold during the judicial proceedings. (See HCN Reply Brief, p. 14 ["HCN does not challenge City's broad discretion to determine its own significance threshold for the Project's GHG emissions . . . The City was indeed free to select a significance threshold, a guidance document, and/or a methodology of its own choosing. HCN's claim is that once the City made these choices, it was bound by CEQA's information disclosure mandates . . ."]; see also Id. at p. 2 ["HCN does not dispute that CEQA allowed the City broad discretion to choose an appropriate methodology for determining the Project's GHG impacts."]). [See Attachment A]

The Court of Appeal described the deficiencies in the original EIR that were required to be remedied. Specifically, the Opinion determined that the City, "failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of the reduced quantity of emissions claimed." (Opinion at p. 2). As a result, the Order directed the City to "take the appropriate action to ensure compliance with CEQA . . . only as identified in the opinion of the Fifth District Court of Appeal in this matter . . ." (Order at p. 1.) The Court did not rule that use of the SJVAPCD GHG threshold was improper nor it order the City to further support its use of the SJVAPCD GHG threshold. Rather, the Court ruled that the emission reductions claimed were not supported by substantial evidence.

Under these circumstances, the commenter is precluded from now challenging the City's use of the SJVAPCD GHG threshold because it is beyond the scope of the Court of Appeal's prior judgment and preemptory writ of mandate. (See *Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4<sup>th</sup> 455, 480 ("*Ballona Wetlands*") ["We conclude that a trial court's retained jurisdiction under Public Resources Code Section 21168.9(b) is limited to ensuring compliance with the preemptory writ of mandate. **After considering the petitioner's challenges to an EIR or other agency action and rendering a final judgment and preemptory writ of mandate, a trial court evaluating a return to the writ may not consider any newly asserted challenges arising from the same material facts in existence as the time of the judgment. To do so would undermine the finality of the judgment.**" (Emphasis added)]).

The commenter's newly asserted challenge based on the same material facts in existence at the time of the Court of Appeal's judgment is directly contrary to its previous position taken during the judicial proceedings.

Notwithstanding, as described in the PRDEIR and further elaborated below (more specifically in Responses WOLFE-2 and WOLFE-3), the City's reliance on the SJVAPCD's adopted GHG threshold complies with CEQA and does not otherwise conflict with the California Supreme Court's decision in *Newhall Ranch*.

#### *Response to WOLFE-2*

The commenter summarizes *Newhall Ranch* and claims that it invalidated the use of a threshold of significance like the one used in the PRDEIR.

The commenter misrepresents the Court's decision in *Newhall Ranch* and its application to the Project. On November 30, 2015, the California Supreme Court issued its decision in *Newhall Ranch* invalidating the GHG analysis for a large master planned residential development in Los Angeles County consisting of over 20,000 residential dwelling units and other uses. In particular, the Court upheld: (1) use of the statewide emissions reduction goal in AB 32 as a significance criterion (pp. 15-19), (2) use of the Scoping Plan's BAU model "as a comparative tool for evaluating efficiency and conservation efforts" of the project (pp. 18-19), and (3) a comparison of the project's expected emissions to a BAU model rather than a baseline of pre-project conditions (pp.15-19.). The commenter does not appear to take issue with the Court's decision in this regard.

Contrary to the commenter's assertion, however, *Newhall Ranch* **did not** invalidate the SJVAPCD's adopted GHG threshold used in this PRDEIR. Rather, the Court invalidated the County's use of a BAU threshold, which was not adopted by an expert air agency, on the grounds that the "administrative record discloses no substantial evidence that the Newhall Ranch's project-level reduction of 31 percent in comparison to [BAU] is consistent with achieving AB 32's statewide goal of a 29 percent reduction from [BAU] ...." (p. 19, original italics; see also p. 23 ("Nor is Justice Corrigan correct that our analysis 'assumes project-level reduction in greenhouse gas emissions must be greater than the reduction California is seeking to achieve statewide.' [internal citations omitted] . . . [W]e only hold that DFW erred in failing to substantiate its assumption that the Scoping Plan's statewide measure of emissions reduction can also serve as the criterion for an individual land use project."))

In so doing, the Court in *Newhall Ranch* questioned whether "a greater degree of reduction may be needed" from new versus existing development to achieve the statewide goal set forth in AB 32 (p. 20). The Court also stated that the EIR failed to contain sufficient evidence to conclude that the "land use density" assumptions used in the EIR's GHG emissions model relate to the land use density assumptions used in the Scoping Plan's BAU model (p. 21–22). Because this information was not contained in the *Newhall Ranch* EIR, the Court determined that the record in *Newhall Ranch* did not contain substantial evidence supporting the BAU threshold.

The Court in *Newhall Ranch* outlined "potential pathways to compliance" that future EIRs could use to determine if GHG emissions from a given project are significant. Specifically, the Court advised that:

- **Substantiation of Project Reductions from BAU.** A lead agency may use a BAU comparison based on the Scoping Plan’s methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the “data behind the Scoping Plan’s business-as-usual model” to determine the necessary project-level reductions from new land use development at the proposed location. (p. 25).
- **Compliance with Regulatory Programs or Performance Based Standards.** A lead agency “might assess consistency with A.B. 32’s goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities. (See Final Statement of Reasons, *supra*, at p. 64 [greenhouse gas emissions ‘may be best analyzed and mitigated at a programmatic level.’].) To the extent a project’s design features comply with or exceed the regulations outlined in the Scoping Plan and adopted by the Air Resources Board or other state agencies, a lead agency could appropriately rely on their use as showing compliance with ‘performance based standards’ adopted to fulfill ‘a statewide . . . plan for the reduction or mitigation of greenhouse gas emissions.’ (CEQA Guidelines § 15064.4(a)(2), (b)(3); see also *id.*, § 15064(h)(3) [determination that impact is not cumulatively considerable may rest on compliance with previously adopted plans or regulations, including ‘plans or regulations for the reduction of greenhouse gas emissions’].)” (p. 25.)
- **Compliance with GHG Reduction Plans or Climate Action Plans (CAPs).** A lead agency may utilize “geographically specific GHG emission reduction plans” such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis (p. 26).
- **Compliance with Local Air District Thresholds.** A lead agency may rely on “existing numerical thresholds of significance for greenhouse gas emissions” adopted by, for example, local air districts (p. 27).

Described more particularly below, the City’s approach to analyzing GHG impacts for the Riverwalk Phase II Project was consistent with the available “potential pathways to compliance,” as articulated in *Newhall Ranch*. Moreover, substantial evidence supports the City’s reliance on the SJVAPCD’s GHG significance threshold for this Project. Substantial evidence further supports the fact that the Project’s overall 37 percent reduction from BAU reduces its fair share of GHG emissions and is consistent with achieving AB 32’s statewide 2020 goal.

*Response to WOLFE-3*

The commenter repeats his claim that the Supreme Court decision in *Newhall Ranch* invalidated use of the SJVAPCD threshold. The commenter further claims that the PRDEIR does not otherwise cure the defects identified by the Court in the *Newhall Ranch* decision by (1) relating AB 32’s 29 percent statewide goal for emission reductions to the reductions that should be required for individual projects; (2) explaining why new development projects do not need to attain more efficiency than the average to compensate for the fact that there is no requirement for existing development to become more efficient; or (3) relating the density and intensity of BAU land use conditions to the assumptions used in the Scoping Plan’s statewide BAU model. Finally, the commenter asserts that

the Newhall Ranch decision offers guidance for agencies to make an adequate significance determination, but that the PRDEIR fails to comply with such guidance.

Contrary to the commenter's assertion, *Newhall Ranch* did not invalidate the SJVAPCD GHG threshold, which was adopted by an expert air agency with jurisdiction over air quality matters in San Joaquin Valley.

The City's use of the SJVAPCD's GHG threshold is both reasonable and appropriate. As explained above, *Newhall Ranch* described "potential pathways to compliance" to determining the significance of a project's GHG emissions. Some of these were not available to the City here. For example, the PRDEIR describes that the City does not currently have a formal GHG reduction plan or a recommended emissions threshold for determining significance associated with GHG emissions for development projects (pp. 2-25, 2-27, 2-40). Moreover, neither the City nor the SJVAPCD has developed bright line numerical screening thresholds (p. 2-29). As those options are not available to the City in connection with this PRDEIR, the City has chosen to rely on a GHG threshold adopted by the regional air district with jurisdiction over air quality matters in San Joaquin Valley (including the City of Porterville) and with particular expertise with respect to GHG.

CEQA is clear that a lead agency may rely on thresholds developed by other agencies that have particular expertise in the subject matter under consideration. (See, e.g., State CEQA Guidelines, Appendix G, Sample Question III ("[w]here available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make a significance determination").) OPR's December 2009 Final Statement of Reasons for Amendments to State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97 specifically describes that this applies in the case of assessing GHG significance (p. 25<sup>1</sup>).

The SJVAPCD "Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA" (SJVAPCD GHG CEQA Guidance) was prepared after a lengthy public process that included public notice and comments by a wide range of stakeholders. Further, the SJVAPCD GHG CEQA Guidance was not challenged.<sup>2</sup> Thus, the City's reliance on the SJVAPCD GHG threshold is directly consistent with the mandate in *Newhall Ranch*, which describes that a lead agency may rely on existing numerical thresholds of significance for GHG emissions, such as those developed by an air district (*Newhall Ranch*, p. 27.) While not a "bright line" screening threshold, the SJVAPCD GHG threshold is nonetheless specific and quantitative, designed to help ensure that the State achieves its GHG reduction goals under AB 32. As described in the PRDEIR, the SJVAPCD GHG threshold is based on reductions required by projects to achieve consistency with the AB 32 reduction target and the ARB Scoping Plan that provides the State strategy and regulatory framework for achieving the AB 32 target (PRDEIR, pp. 2-29 to 2-30.) Consistency is determined by comparing the reduction from BAU emissions required by the State to reach the AB 32 2020 target with the reductions from BAU achieved by the Project's sources of emissions during the same 2020 timeframe.

<sup>1</sup> California Natural Resources Agency. 2009. Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97, p. 25. Website: [http://resources.ca.gov/ceqa/docs/Final\\_Statement\\_of\\_Reasons.pdf](http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf). Accessed May 9, 2016.

<sup>2</sup> Notably, the commenter's direct challenge to the propriety of the SJVAPCD GHG threshold should have been asserted against SJVAPCD during its public rulemaking process, not in connection with a single retail store in the City of Porterville that is consistent with the City's underlying General Plan designation and zoning.

As such, the City appropriately exercised its independent judgment in electing to rely on SJVAPCD's GHG CEQA guidance.

Moreover, as described more particularly below, an examination of the Scoping Plan demonstrates that SJVAPCD's 29 percent below BAU threshold is consistent with achieving AB 32's current statewide goal of 21.7 percent below BAU in 2020. The Project-level reduction of 37 percent below BAU in 2020, which significantly exceeds both the SJVAPCD threshold by 7.3 percent and the current statewide goal by 15.3 percent, further ensures that the Project does its fair share to help the State achieve its reduction goal under AB 32. As a result, the Project's contribution to a cumulative impact would not be considerable.

### **Scoping Plan Regulatory Program**

The Scoping Plan includes a regulatory strategy that will result in the State achieving the AB 32 target by 2020, accounting for growth projected by 2020. When the Scoping Plan was first adopted in 2008, most of the regulations to implement it had not been adopted. This resulted in a gap between the reductions achieved by regulations and those reductions required to show consistency with the 2020 BAU percentage reduction. In the *Newhall Ranch* case, the project was required to determine reductions from its land use design and transportation measures to close the gap and exceed the identified 29 percent reduction below BAU threshold. If that project were analyzed today, the gap would likely be closed by regulations that have since been adopted to reduce GHG emissions from project sources, and possibly no reductions from land use design would be required to meet the 2020 target, at least for portions of the project built prior to 2020.

Specifically, since the adopting of AB 32, the State has embarked on an ambitious regulatory development program to implement the Scoping Plan, which continues today. As explained in the First Update to the Scoping Plan (2014) (2014 Scoping Plan Update), all of the regulations needed to achieve the AB 32 target have now been adopted. The 2014 Scoping Plan Update describes the progress achieved in adopting the regulations, and establishes that the State is on track to meet the targets accounting for the latest growth forecasts. (See 2014 Scoping Plan Update, stating that "California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32"; see also Governor Brown's introduction to Executive Order B-30-15, stating that "California is on track to meet or exceed the current target of reducing greenhouse gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32).")

Most of the reductions required to reach AB 32's 2020 reduction target will be achieved by regulations that apply to both existing and new development, including the RPS, Pavley standards, LCFS, landfill regulations, regulations and programs on high global warming potential (GWP) gases, initiatives on water conservation (such as SB X7-7), and the indirect influence of the Cap and Trade system on electricity and transportation fuel prices. These regulations are sufficient to achieve AB 32's goal to reduce statewide GHG emissions to 1990 levels by 2020. For this reason, ARB's 2010 Cap and Trade Inventory Update revised the 2020 target reduction from BAU from 28.4 percent to 21.7 percent. The reduced target is a result of ARB's revised inventory that reflects slower than predicted growth compared to the 2008 Scoping Plan.

The 2014 Scoping Plan Update provided additional information supporting the progress toward reaching the 2020 AB 32 target. Accounting only for implementation of Pavley I and achievement of the 20 percent RPS mandate in the inventory baseline and revised GWPs from the Intergovernmental Panel on Climate Change (IPCC), the State will require only a 15.3 percent reduction to achieve the 2020 target. In other words, implementation of the Scoping Plan measures and associated emissions reductions are working as anticipated in the 2008 Scoping Plan. As such, the Project's use of the SJVAPCD threshold of 29 percent below BAU is more conservative than the revised reduction target of 21.7 percent based on a 2002 to 2004 regulatory baseline and the 15.3 percent target based on Pavley I and 20 percent RPS regulations that were fully implemented by the 2009 to 2011 regulatory baseline.

### ***Reductions Needed from Land-Use Development Projects***

Moreover, as part of the original 2008 AB 32 Scoping Plan, ARB recommended a greenhouse gas reduction goal for **local governments** of 15 percent below 2008 levels by 2020 “to ensure that their municipal and community-wide emissions match the State’s reduction target” (p. ES-5 of *Climate Change Scoping Plan* December 2008). The Scoping Plan is clear that local governments should apply this reduction target for community-wide emissions (which include land use decisions associated with residential and commercial activity) (ARB Scoping Plan 2008, pp 26-27).<sup>3</sup> Sources of GHG emissions associated with community-wide activity includes existing and projected residential energy use, commercial and industrial energy use, on-road transportation, solid waste, agriculture (livestock, fertilizer, and offroad agriculture equipment), and aircraft operations.

An examination of the 2008 Scoping Plan’s emission inventory (*Detailed 2020 BAU Emissions Projection and Methodology*<sup>4</sup>) confirms that the 15 percent reduction target is a subset of the State’s overall reduction target of approximately 29 percent, and that its application to local land use decisions is consistent with achieving AB 32’s statewide goal (ARB 2008<sup>5</sup>). Specifically, based on the 2008 Scoping Plan, the 2002-2004 Average total emissions for the State is 468.78 MMTCO<sub>2</sub>e. The 2020 BAU Forecast for the State is 596.4 MMTCO<sub>2</sub>e. This yields an annual increase of approximately 7.97 MMTCO<sub>2</sub>e between the 2004 and 2020 BAU scenarios. As such, the 2008 BAU Forecast for the State would be approximately 500.68 MMTCO<sub>2</sub>e. As previously discussed, the 2020 statewide target is 427 MMTCO<sub>2</sub>e. Thus, in order for 2008 BAU emissions to achieve the 2020 statewide target, local governments would need to reduce their emissions (including community-wide emissions) by approximately 15 percent. Notably, the SJVAPCD’s 29 percent reduction target is almost two times greater than the 15 percent reduction target that the Scoping Plan determined local governments should adopt to ensure that community-wide emissions, including those attributed to residential and commercial activity, further the State’s reduction target.

In addition, the Scoping Plan estimates for land-use development-related sources further supports the SJVAPCD’s BAU threshold. In order to relate statewide BAU emission reductions to local project reductions below BAU, the state GHG inventory can be disaggregated, isolating land use

<sup>3</sup> Additionally, the California Supreme Court in *Newhall Ranch* specifically identified the City of Milpitas Climate Action Plan and the City of San Bernardino Sustainability Mater Plan as examples of Climate Action Plans that could be used for CEQA streamlining purposes. (*Newhall Ranch*, p. 26.) Both of these plans rely on a 15% reduction target from BAU conditions in accordance with the Scoping Plan.

<sup>4</sup> [http://www.arb.ca.gov/cc/inventory/archive/bau\\_archive.htm](http://www.arb.ca.gov/cc/inventory/archive/bau_archive.htm).

<sup>5</sup> [http://www.arb.ca.gov/cc/inventory/archive/sp\\_2008\\_projection.pdf](http://www.arb.ca.gov/cc/inventory/archive/sp_2008_projection.pdf).

development-related sources including, Transportation (On-Road Passenger Vehicles; On-Road Heavy Duty), Electric Power (Electricity; Cogeneration), Commercial and Residential (Residential Fuel Use; Commercial Fuel Use) and Recycling and Waste (Domestic Waste Water Treatment).

Based on the ARB's inventory used for the Scoping Plan, emissions attributable to "land use-driven" sectors total approximately 295.53 MMTCO<sub>2</sub>e for 1990 and 400.22 MMTCO<sub>2</sub>e projected for 2020 business-as-usual conditions.<sup>6</sup> Thus, a 26.2 percent reduction from statewide "land use-driven" GHG emissions would be necessary to meet the AB 32 goal of returning to 1990 levels by 2020<sup>7</sup>. As such, the SJVAPCD's target of 29 percent used in the PRDEIR is 2.8 percent more stringent than the actual reduction necessary from land use development-related sources.

### ***Addressing New Versus Existing Development***

The commenter asserts that the PRDEIR does not explain why new development projects do not need to attain more efficiency than the 29 percent BAU reduction (which may be considered the "average" reductions necessary) to compensate for the fact that existing development is not required to become more efficient. Importantly, new development projects, including this Project, **do** attain more efficiency than existing development to help the State achieve its GHG reduction goal. Compliance with Title 24 ensures that the proposed Project will result in greater GHG emission reductions than existing development and will be more efficient than the average reductions contemplated in the Scoping Plan. As such, the Project is doing more than its fair share to reduce GHG emissions associated with energy usage.

More specifically, the PRDEIR describes that the Project will reduce GHG emissions attributed to building energy use by 28.9 percent from BAU in 2020 (PRDEIR, p. 2-34, Table 2-6). This is at least two times more energy efficient than an existing building that would have been built pre-AB 32. Based on a comparison of 2008 to 2013 Title 24 reductions required, newly constructed non-residential buildings result in an overall reduction of approximately 22 percent energy demand, while non-residential redevelopment (which would apply to existing buildings) results in an overall reduction of only approximately 10 percent energy demand. Additionally, the 2013 Title 24 standards currently in effect yield an approximately 68 percent energy savings when compared with the 2005 Title 24 standards (in place pre-AB 32)<sup>8</sup>. Lastly, an examination of the Scoping Plan reductions achieved through the Energy Efficiency sector (including Title 24) from existing and new developments reveals that the Project's reduction of 28.9 percent significantly exceeds the reduction rate of approximately 15 percent of the total 169 MMTCO<sub>2</sub>e reduction needed statewide for 2020.

As such, the Project will be reducing its energy-related GHG emissions at a rate substantially greater than the average required of existing and new development pursuant to the Scoping Plan. The PRDEIR describes on page 2-19 that the Project will be subject to the Title 24 standards at the time building permits are processed. At this time, the 2013 Title 24 standards are currently in effect;

<sup>6</sup> See page D-17 of the Bay Area Air Quality Management District CEQA Guidelines Updated May 2011, which contains the 1990 and 2020 statewide emissions associated with "land use-driven" sectors based on ARBs emissions inventory. [http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines\\_May%202011\\_5\\_3\\_11.ashx](http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_May%202011_5_3_11.ashx).

<sup>7</sup> This approach has been used by other lead agencies such as the Bay Area Air Quality Management District (BAAQMD).

<sup>8</sup> See Table 2: Summary of First-Year-Electricity Savings in the Impact Analysis 2008 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings, November 2007. See Table 2: Summary of First-Year-Electricity Savings in the California Energy Commission's Consultant Report: Impact Analysis California's 2013 Building Energy Efficiency Standards, July 2013.

notwithstanding, it is likely that by the time the building permits are processed for this Project, the 2016 Title 24 standards will be in effect (the 2016 Title 24 standards take effect on January 1, 2017). The PRDEIR did not take any credit for implementation of the more restrictive 2016 Title 24 standards for which the CEC estimates will provide 5 percent electric energy savings from non-residential buildings compared to 2013 Title 24.<sup>9</sup>

It is also important to note that compliance with state regulations results in **existing development** becoming more efficient over time as well. Most reductions required to reach AB 32's 2020 reduction target will be achieved by regulations that apply to both existing and new development, including the following:

- California Light-Duty Vehicle Greenhouse Gas Standards: this measure applies to all vehicles whether they will access new or existing development.
- Energy Efficiency: this measure applies primarily to new development through implementation of more stringent Title 24 requirements for new construction, but also applies to certain building remodels.
- Renewable Portfolio Standards: this measure applies to new and existing development when electricity is provided by a utility company.
- Low Carbon Fuel Standard: this measure applies to all vehicles whether they will access new or existing development.
- Regional Transportation-Related GHG Targets: this measure applies to both new and existing development through the adoption of regional GHG targets established by the local COG.
- Vehicle Efficiency Measures: this measure applies to all vehicles whether they will access new or existing development.
- Million Solar Roofs: this measure applies to both new and existing development.
- Medium/Heavy Duty Vehicles: this measure applies to all medium/heavy duty vehicles whether they will access new or existing development.
- Recycling and Waste: this measure applies to both new and existing development.

In summary, the Project is doing more than its fair share to help the State achieve its AB 32 goals because:

- (a) As new development, the Project is doing more to reduce its emissions than existing development.
- (b) The Project is doing more than the average reductions assumed in the Scoping Plan for existing and new development.

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<sup>9</sup> See CEC 2015. 2016 Building Energy Efficiency Standards Adoption Hearing Presentation. Website: [http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2015-06-10\\_hearing/2015-06-10\\_Adoption\\_Hearing\\_Presentation.pdf](http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2015-06-10_hearing/2015-06-10_Adoption_Hearing_Presentation.pdf). Accessed May 11, 2016.



- (c) In any event, with respect to existing development in general, because most regulations apply to both existing and new development, existing development is and will continue to improve over time.

### ***Addressing Density and Location***

The commenter also asserts that the PRDEIR does not relate the density and intensity of BAU land use conditions to the assumptions used in the Scoping Plan's statewide BAU model. The land use density and intensity identified in the PRDEIR for the Project is consistent with the density and intensity assumptions in the Scoping Plan. As such, the Project does not require a greater reduction than the SJVAPCD 29 percent below BAU threshold to account for density and intensity assumptions in the Scoping Plan.

Specifically, the Project is consistent with the General Plan land use designation and intensity, which were provided to the State for purposes of calculating BAU and 2020 emissions estimates by the City of Porterville and the Tulare County Association of Governments (TCAG). A Project that is consistent with the General Plan land use designation and intensity would, therefore, be consistent with the density and intensity assumptions in the Scoping Plan. The Project also does not exceed the local or regional growth forecasts assumed by TCAG.

Density and intensity assumptions are integral to the Scoping Plan BAU inventory. The Vehicles Miles Traveled (VMT) estimates used in the inventory are based on data from regional transportation models that in turn are based on the latest planning assumptions for the communities in each region. The 2008 Scoping Plan and 2014 Scoping Plan Update include growth factors, population, and density based on information provided by local councils of government (COGs) and local cities based on applicable General Plan land use designations and forecasts<sup>10</sup>.

Moreover, the PRDEIR establishes that the Project would further reduce GHG emissions attributed to VMT due to its location and the existing infrastructure. Among other things, the Project: (1) is located within close proximity (.25 miles or less) to single-family residential, multi-family residential, retail, open space and industrial land uses; (2) is located within walking distance (.2 miles) from a transit stop that is served by 24 daily weekday stops; and (3) improves pedestrian access by linking the Project site via pedestrian walkways to the bus stop and City sidewalks which connect to neighboring residential and commercial development (PRDEIR, 2-35 and 2-36). As such, the Project's Land Use and Transportation Measures further ensure that any emissions associated with VMT will be consistent with (i.e., equal to or less than) what is assumed in the Scoping Plan.

In conclusion, an examination of the Scoping Plan further supports the use of the SJVAPCD threshold, and confirms that its 29 percent or greater reduction from BAU is an appropriate basis to find the Project consistent with AB 32's statewide goals. As described in the PRDEIR, the State's goal is 21.7 percent, not 29 percent; thus, application of the SJVAPCD's higher 29 percent threshold

<sup>10</sup> Based on the 2008 Scoping Plan, the VMT estimates used in the inventory are based on data from regional transportation models that are in turn based the latest planning assumptions for the communities in each region. The planning assumptions used in the transportation model account for the different trip generation potential of the household types in the community and average vehicle ridership in the community. Therefore, BAU forecasts based on VMT in the baseline inventory (2002-2004 average) are based on the density and intensity of each community. [http://www.arb.ca.gov/cc/inventory/archive/sp\\_2008\\_projection.pdf](http://www.arb.ca.gov/cc/inventory/archive/sp_2008_projection.pdf).

further substantiates that the Project would not interfere with AB32. Here, the Project is anticipated to result in a 32.3 percent reduction by implementing regulations designed to achieve AB 32 compliance (PRDEIR, p. 2-34). This alone supports a less than significant finding. Moreover, the PRDEIR describes that the Project would obtain benefits from its location and infrastructure that would reduce project vehicle miles traveled and result in total Project GHG reduction of 37 percent (PRDEIR, p. 2-36). Finally, the PRDEIR qualitatively describes additional Project design features that likely would lead to additional GHG emissions reductions (PRDEIR pp. 2-37 to 2-39). Taken together, the Project's finding of less than significant is fully supported.

*Response to WOLFE-4*

The commenter states that an agency may try to justify the percent reduction from BAU threshold of 29 percent, but this has not been done in the PRDEIR. The commenter then indicates that a bright line numerical threshold such as the BAAQMD 1,100 MTCO<sub>2</sub>e threshold could be used but it is not available in this case. See responses to WOLFE-2 and WOLFE-3 for justification for the 29 percent reduction from BAU threshold.

The bright line thresholds proposed by BAAQMD, SCAQMD, and SMAQMD are intended as small project exemption thresholds to minimize the administrative burden on Lead Agencies and developers for projects that contribute minimal amounts of GHG emissions. The thresholds assume that projects comprising 10 percent of emission growth in the region would not provide a significant cumulative contribution. Conversely, 90 percent of the emissions in the region would exceed the threshold, and thus would be subject to additional environmental analysis to determine significance. The analysis prepared for the PRDEIR was accomplished to provide the additional review needed to determine significance.

*Response to WOLFE-5*

The commenter states that *Newhall Ranch* permits reliance on regulations adopted to implement GHG goals as a second option for significance determination. The commenter further claims that the PRDEIR does not demonstrate that, for each of the particular activities generating emissions, there are in fact regulatory programs in effect sufficient to ensure that AB 32's goals are met.

CEQA allows lead agencies to consider whether regulatory programs are adequate to reduce a project's potentially significant environmental effects. Under AB 32, the State's emission inventory must be reduced to 1990 levels by 2020. One of the questions in the CEQA Guidelines checklist regarding GHG asks is whether a project conflicts with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. The ARB Scoping Plan and its implementing regulations provide the regulatory framework for the State to achieve its target and to track its progress.

An important underlying assumption when making a significance determination based on compliance with regulations is that the regulations are adequate to address the impact to a less than significant level. If compliance with regulations is sufficient to mitigate the impact to a less than significant level, then a project is not required to provide any additional mitigation to further reduce the impact. If, however, regulations are only partially effective in mitigating the impacts, or if the regulatory program is not fully implemented, there may be a gap between the amount that can be

reasonably claimed from regulation and the amount needed to achieve the less than significant target. During the early years after adoption of the ARB Scoping Plan, only some of the regulations identified in the Scoping Plan as necessary to meet the AB 32 2020 target had been adopted, and mere compliance with adopted regulations was deemed to be an insufficient basis on which to conclude that a project's GHG emissions would not be cumulatively considerable.

In the 2014 Scoping Plan Update, however, ARB confirmed that the State had now adopted sufficient laws and regulations to achieve the AB 32 target, including the following measures that address nearly all primary sources of emissions for new development projects:

- Building Energy Use: Title 24, Renewable Portfolio Standard (33% by 2020), Cap and Trade.
- Transportation: Pavley I, Advanced Clean Cars, Low Carbon Fuel Standard, SB 375, Cap and Trade.
- Solid Waste: Landfill methane control and waste diversion requirements.
- Water: SB X7-7 water conservation requirements.
- Large Stationary Sources: Cap and Trade.

Thus, the State has now successfully completed most of its regulatory programs, and when combined with growth forecasts lower than initially expected in the 2008 AB 32 Scoping Plan, it is on track to achieving the 2020 target. Therefore, one can reasonably conclude that regulations currently in place are adequate to achieve the 2020 target, and that projects that comply with GHG regulations are doing their fair share.

The PRDEIR explains in detail the adopted regulations that reduce GHG emissions, the extent to which they apply to the Project and the amount of the reduction to the Project's cumulative GHG emissions. The modeling results provided in the PRDEIR from the BAU analysis identify the emissions from each source and the percentage reduction from each source. Specifically, the PRDEIR at Section 2.2.3—State of California, provides detailed descriptions of the regulations adopted by the State to reduce GHG emissions. The PRDEIR, page 2-33, Table 2-5 Reductions from Greenhouse Gas Regulations lists the regulations that apply to the Project, describes how each regulation applies, provides the methodology used to calculate Project reductions, and specifies the percent reduction from each emission source. Table 2-5 references the source for each emission reduction percentage claimed for the Project. Table 2-6 on page 2-34 Project Operational GHG provides Project emissions for each source category under the BAU scenario and with the application of applicable regulations, as well as the percent reduction by sector and for the entire Project.

The commenter asserts that, pursuant to CEQA Guidelines 15064(h)(3), regulations must be previously approved and subject to a public review process by the agency with jurisdiction over the resource. All regulations used to determine emissions reductions from regulations in the PRDEIR have been adopted by the State agency with jurisdiction over the resource, which includes ARB, the California Energy Commission (CEC), the Department of Water Resources, and the California Building Standards Commission. Table 2-5 provides references for the adopted regulations. The regulations have both mandatory measures and performance-based standards and the agencies identified the anticipated reductions in vehicle emissions, energy use, energy emissions, and water use that fulfill the statewide Scoping Plan.

In *Newhall Ranch*, the Supreme Court states, “a project [that] is designed to meet high building efficiency and conservation standards, for example, does not establish that its GHG emissions from transportation activities lack significant impact.” The PRDEIR does not simply discuss building efficiency and conservation standards; it also provides emission estimates for each emission source and reductions for each emission source in determining significance. As discussed in detail in the Response to WOLFE-3, the State regulations rely heavily on reductions from the three main sources of emissions from the project—mobile sources, energy use and refrigerants. As shown in PRDEIR Table 2-6, these sources comprise nearly 97 percent of the Project’s emissions inventory and are reduced by 28.9 percent for energy, 34.4 percent for mobile passenger vehicles, 22.0 percent for heavy-duty trucks, and 48.2 percent for refrigerants through compliance with regulations applicable to the Project. As described in Response to WOLFE-3 above, reductions from regulations that apply to these sources are sufficient for the State to reach its target accounting for growth.

In conclusion, the Project’s compliance with the adopted Scoping Plan regulations is an appropriate separate and independent basis upon which to determine its consistency with AB 32. Therefore, as was determined by application of the SJVAPCD GHG threshold, the Project does not provide a cumulatively considerable contribution of GHG emissions and is less than significant.

#### *Response to WOLFE-6*

The commenter indicates that there is no evidence that 30 percent reduction from building energy efficiency will ensure that the Scoping Plan reductions related to energy consumption will be achieved. The commenter is also concerned that the 30 percent reduction applies only to a portion of building energy consumption.

As discussed in Responses to WOLFE-3 and WOLFE-5, the 2014 Scoping Plan Update demonstrates that the State will achieve its 2020 target with the regulations currently in place accounting for increases from new development that are included in the Scoping Plan BAU forecast. The Scoping Plan Update includes a reduction estimate for building energy efficiency from Title 24. The regulation itself accounts for differences in growth rates, building types, and climate in its estimate of energy savings, so the reduction estimate is valid throughout the State. The CalEEMod model used to quantify Project emissions includes calculation methods to allocate emission reductions only to portions of the buildings affected by the regulation. The percent reduction from BAU in the PRDEIR accurately reflects the savings from Title 24 that apply to the Project’s energy emissions.

As also discussed in Response to WOLFE-3, the Project results in approximately 68 percent energy savings when comparing the 2005 Title 24 standards (in place pre-AB 32) with the 2013 Title 24 standards currently in effect. This reduction far exceeds the average reduction assumed in the Scoping Plan of 15 percent for existing and new developments associated with Energy Efficiency measures (including Title 24). Furthermore, the PRDEIR did not take any credit for implementation of the more restrictive 2016 Title 24 standards that will likely be in effect when the Project obtains its building permits. Finally, the PRDEIR qualitatively describes that the Project includes additional design features that likely would lead to additional GHG emissions reductions (PRDEIR 2-37 to 2-39). Accordingly, the 28.9 percent reduction of energy consumption more than adequately achieves the Scoping Plan’s objectives.

*Response to WOLFE-7*

The commenter questions the 20 percent reduction in water use attributable to the California Green Building Code Standards (CalGreen), the Model Water Efficient Landscape Ordinance (MWELO) and SBX-7-7 claimed in the PRDEIR emission reduction estimates for the Project.

The PRDEIR's emission reductions are conservative and supported by substantial evidence. Specifically, with respect to outdoor water use, the City adopted a landscape ordinance on November 17, 2015. The California Department of Water Resources estimates that the ordinance update is expected to provide reductions of 20 percent from new residences and 35 percent from commercial development compared to the 2009 ordinance<sup>11</sup>. The 35 percent reduction exceeds the 20 percent used in PRDEIR reduction estimate for outdoor water use compared to business as usual. The City of Porterville Water Conservation and Efficiency Ordinance (Chapter 25, Article 1, Division 6)<sup>12</sup> implements the State Model Water Efficiency Ordinance 2015 Update and will provide reductions required by SBX-7-7 for City compliance. Based on this information, the reductions claimed for water savings from landscape regulations are conservatively low.

With respect to indoor water use, the 2010 CalGreen Code includes a mandatory 20 percent in non-residential indoor water use as referenced in the PRDEIR on page 2-20. The Walmart Store is expected to exceed the 20 percent mandate with its water conservation design features listed in Table 2-8 on page 2-38 of the PRDEIR. The low flow faucets reduce water usage by 84 percent, and activation sensors provide an additional 20 percent reduction from this source compared with fixtures without these features. Walmart's proposed 0.125 gallon per flush (gpf) urinals provide 74.4 percent savings compared with 0.5 gallon per flush systems mandated by 2013 CalGreen Building Code (5.303.3) and its 1.28 gpf toilets meet the 2013 CalGreen Code requirements. No whole-building water calculations were available, so the conservative 20 percent reduction was included in the water reduction estimate in the PRDEIR.

The commenter indicated that compliance with SBX-7-7 would not achieve the 20 percent reduction in water use by 2020 stated at page 2-33 to 3-34 of the PRDEIR. The 20 percent reduction applies to overall reductions required for water providers and has lower requirements for commercial development.

Although the overall reduction from SBX-7-7 would apply to the City of Porterville water system as a whole, the City will achieve this percentage by reductions from existing and new development. The reductions from new commercial development will achieve greater reductions on a percentage basis than existing development because new development is subject to mandatory water conservation requirements for outdoor and indoor water use described above. Existing development will achieve reductions primarily due to voluntary conservation measures.

The water conservation measures were all adopted as enforceable regulations after the 2002–2004 baseline year and are therefore valid reductions from BAU. As a result, the entirety of the analysis accounting for Project emissions and reductions achieved by all regulations applicable to the Project

<sup>11</sup> California Department of Water Resources. 2015. Water Commission Adopts Model Water Efficient Landscape Ordinance. July 15. Website: <http://drought.ca.gov/topstory/top-story-42.html>.

<sup>12</sup> Porterville Water Ordinance: Website: [http://www.sterlingcodifiers.com/codebook/index.php?book\\_id=679](http://www.sterlingcodifiers.com/codebook/index.php?book_id=679).

provides substantial evidence that the Project's contribution of GHG emissions is not cumulatively considerable. There is no evidence that additional reductions in water use are required by the State to achieve the AB 32 2020 target.

*Response to WOLFE-8*

The commenter questions whether the 15.3 percent reduction in energy use claimed for the Renewable Portfolio Standard (RPS) is sufficient to meet AB 32 targets.

The 15.3 percent GHG emission reduction from BAU claimed from RPS is based on the electric utility that will provide electricity to the Project (Southern California Edison) achieving the State's RPS 33 percent renewable mandate. RPS is an integral component to the State's strategy for achieving the 2020 target, but is only one piece of the comprehensive strategy contained in the Scoping Plan and its implementing regulations. As discussed in Response to WOLFE-3, the State indicates that it is on track to meet the 2020 target with its adopted regulatory program as described in the 2014 Scoping Plan Update. This means that the combined benefits of the adopted regulations, most of which apply to new development, are sufficient to achieve the AB 32 target. The energy sector in particular is heavily regulated on the generation side with RPS and Cap and Trade and on the demand side with Title 24 building energy efficiency standards and CalGreen. RPS applies to existing and new development, so it will reduce the per capita emissions of every electricity user in the State served by a regulated electric utility.

*Response to WOLFE-9*

The commenter indicates that Table 2-5 of the PRDEIR does not identify any regulation of construction equipment, and that Table 2-6 does not claim any reductions from BAU.

The construction inventory is a small fraction of the State's BAU inventory (0.55 percent). The Scoping Plan does not propose regulations or rely on reductions from construction equipment to achieve its 2020 reduction target. Similarly, the Project's amortized emissions were added to the Project emissions and no reductions were claimed or needed in order to demonstrate that the Project exceeds the 29 percent BAU threshold. Project amortized construction emissions of 30 MTCO<sub>2</sub>e were only 0.22 percent of the total BAU inventory. Construction does not make a substantial contribution to the Project's GHG emissions.

*Response to WOLFE-10*

The commenter states that the analysis of transportation emissions ignores the mandate for local agencies to show consistency with AB 32 goals related to land use planning and transportation.

AB 32 does not contain any specific mandate or goals for local agencies regarding land use and transportation. It calls upon ARB to develop cost-effective strategies to reduce emissions needed to reach the 2020 target. The ARB Scoping Plan includes Measure T-3 Regional Transportation Related Greenhouse Gas Targets with an estimated reduction of 3.0 MMTCO<sub>2</sub>e by 2020 in the Scoping Plan Update or a 0.55 percent reduction from BAU or a 1.7 percent reduction in transportation sector emissions.

SB 375 provided the implementation path for this measure with its regional target process. TCAG adopted regional targets based on the latest planning assumptions. These targets have been

accepted by ARB and have been incorporated in the Tulare Regional Transportation Plan/Sustainable Communities Strategy (TRTP/SCS). The Project site is consistent with the General Plan which is the primary source of land use planning assumptions used for the TRTP/SCS and related targets. Therefore, the Project is consistent with the assumptions used to show that the County would achieve the regional targets adopted for the County including the City of Porterville and therefore, the Project is also consistent with the Scoping Plan.

Additional reductions from site design and density are not required to show consistency since these are not a requirement of the TRTP/SCS. However, as shown in the PRDEIR, the Project will achieve additional reductions of 4.68 percent from the land use and transportation measures listed in PRDEIR Table 2-7 compared with averages for this type of development as represented by Institute of Transportation Engineers (ITE) trip generation rates and trip lengths for each region in CalEEMod default modeling assumptions.

First, as shown on Table 2-9 of the PRDEIR (pp. 2-40 to 2-43), the Project is consistent with all applicable Scoping Plan measures. The commenter is incorrect in stating that the only concern was to identify a 29 percent overall reduction. Impact GHG-2 (PRDEIR p. 2-40) clearly shows that the PRDEIR considered other issues to determine whether the Project would result in a significant GHG impact. Second, any regulation that is adopted by the State would in effect be a requirement of the Project or its patrons. For example, the Pavley Fuel Efficiency Standards and the Low Carbon Fuel Standards are state requirements that would apply to vehicles accessing the Project. Further, as discussed in response WOLFE-3, the State's regulatory program implementing the Scoping Plan is fully adopted and effective, putting California on track meet or exceed AB 32's 2020 goal.

*Response to WOLFE-11*

With respect to the three factors for determining GHG significance listed in CEQA Guidelines 15064.4(b), the commenter states that the PRDEIR fails to consider the first factor and its consideration of the third factor is fundamentally flawed.

The commenter is mistaken. The PRDEIR appropriately considered both of these factors when assessing the Project's GHG significance (PRDEIR pp. 2-29 to 2-30).

With regard to Factor 1, the PRDEIR described the extent to which the Project increases emissions compared to the existing environmental setting. The site is vacant and the analysis assumes that all emissions generated by the Project constitute an increase in emissions compared with existing conditions (PRDEIR, 2-9). The amount of the increase in emissions is reported on PRDEIR page 2-31 in Table 2-3 for construction GHG emissions and on page 2-34 in Table 2-6 for operational GHG emissions.

Pages 2-29 to 2-30 of the PRDEIR then describe that SJVAPCD has not adopted best performance standards (BPS) for development projects or a bright line screening threshold. Accordingly, it is appropriate to use the SJVAPCD's GHG threshold, which is based on reductions by projects necessary to achieve consistency with the AB 32 reduction target and the ARB Scoping Plan, which in turn provides the State strategy and regulatory framework for achieving that target (PRDEIR, 2-29.)

Using consistency with AB 32's statewide goal and with a local air district threshold such as the SJVAPCD's GHG threshold used here, as opposed to an absolute numeric threshold, to measure significance, was expressly upheld in *Newhall Ranch*. ("While Guidelines section 15064.4 states a lead agency—should consider, among other factors, '[t]he extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting' (id., subd. (b)(1)) and '[w]hether the project emissions exceed a threshold of significance that the lead agency determines applies to the project' (id., subd. (b)(2)), the section does not mandate the use of absolute numerical thresholds to measure the significance of greenhouse gas emissions. The factors listed in subdivision (b) are not exclusive. They are rather intended 'to assist lead agencies in collecting and considering information relevant to a project's incremental contribution of GHG emissions and the overall context of such emissions.' (Final Statement of Reasons, supra, at p. 24.)" (*Newhall Ranch*, p. 14).

With regard to Factor 3, Section 15064.4(b) of the CEQA Guidelines provides the following guidance regarding compliance with regulations:

The extent to which the project complies with regulations or **requirements adopted to implement a statewide, regional, or local plan** for the reduction or mitigation of greenhouse gas emissions. Such regulations or **requirements must be adopted by the relevant public agency** through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions.

The ARB Scoping Plan is the "statewide" plan for the reduction or mitigation of greenhouse gas emissions. No local plans have been adopted for this area. The Scoping Plan and its ensuing regulations were adopted through a public review process and include specific requirements that reduce or mitigate a project's incremental contribution of GHG emissions. The specific regulations that apply to the Project are fully described in the PRDEIR (see pp. 2-14 to 2-22). The quantitative benefit of the regulations on the Project's incremental contribution are provided in Table 2-5 and Table 2-6 of the PRDEIR. The results of the analysis demonstrate that the reductions to GHG emissions achieved by the Project exceed the amount required by the State to achieve its 2020 target from development related sources and from the entire statewide inventory.

Further, the PRDEIR describes on page 2-1 that climate change is a global problem caused by the cumulative emissions from activities taking place around the world. No individual development project would have a measurable impact on the Earth's climate. The Supreme Court recognized this and on page 11 of the *Newhall Ranch* opinion quotes CEQA (§21083, subd. (b)(2); see Guidelines, § 15064, subd. (h)(1).) "With respect to climate change, an individual project's emissions will most likely not have any appreciable impact on the global problem by themselves, but they will contribute to the significant cumulative impact caused by greenhouse gas emissions from other sources around the globe." Furthermore, on page 12 the Court states, "these considerations militate in favor of consistency with meeting A.B. 32's statewide goals as a permissible significance criterion for project emissions. Meeting our statewide reduction goals does not preclude all new development. Rather, the Scoping Plan—the state's roadmap for meeting A.B. 32's target—assumes continued growth and



depends on increased efficiency and conservation in land use and transportation from all Californians.”)

*Response to WOLFE-12*

The commenter states that agencies may rely on consistency with AB 32 goals, but only if an EIR shows that the Project will do its fair share to meet that goal and claims that the PRDEIR does not meet this criterion. The commenter further states that the AB 32 and the Scoping Plan are not regulations or requirements compliance with which would be evidence that GHG emissions from a particular activity is less than significant. The commenter is mistaken in his assessment of the PRDEIR’s consistency analysis with AB 32 targets and Scoping Plan measures. The Project’s consistency analysis with ARB’s adopted Scoping Plan complies with CEQA and is otherwise consistent with *Newhall Ranch*.

The California Supreme Court in *Newhall Ranch* clearly affirms that the Scoping Plan (and its adopted regulations) is considered a statewide plan for the reduction or mitigation of greenhouse gas emissions that may be used to assess consistency with AB 32 under CEQA. Specifically, the Court stated: “To the extent a project’s design features comply with or exceed the regulations outlined in the Scoping Plan and adopted by the Air Resources Board or other state agencies, a lead agency could appropriately rely on their use as showing compliance with ‘performance based standards’ adopted to fulfill ‘a statewide . . . plan for the reduction or mitigation of greenhouse gas emissions.’ (CEQA Guidelines § 15064.4(a)(2), (b)(3); see also id., § 15064(h)(3) [determination that impact is not cumulatively considerable may rest on compliance with previously adopted plans or regulations, including ‘plans or regulations for the reduction of greenhouse gas emissions’].)” (p. 25.)

The PRDEIR describes that the City of Porterville has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, and goal-setting process required to identify a reduction target and to take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97. Further, although the SJVAPCD has adopted a Climate Action Plan, such plan does not contain measures that are applicable to development projects. Therefore, the SJVAPCD Climate Action Plan cannot be applied to the Project. Since no other local or regional Climate Action Plan is in place, the PRDEIR appropriately assessed the Project’s consistency with ARB’s adopted Scoping Plan, the overarching goals of AB 32, as well as the regulatory measures adopted to further AB 32’s goals (PRDEIR, pp. 2-40 to 2-43)

The commenter on page 10 of his letter claims that PRDEIR Table 2-8 does not provide sufficient analysis of each particular activity or source of emissions to determine if the Project is sufficient to meet the fair share requirement. It appears that the commenter is referring to Table 2-9—Scoping Plan Reduction Measures Consistency Analysis and not Table 2-8. The analysis in PRDEIR Table 2-9 is a qualitative analysis of project consistency with Scoping Plan measures. The quantitative analysis of Project consistency with AB 32 targets is provided under Impact GHG-1, beginning on PRDEIR page 2-30. The commenter indicates that the discussion Scoping Plan Measure 7—Vehicle Efficiency Measures in PRDEIR Table 2-9 “admits that the Vehicle Efficiency Measures have not been initiated.” The ARB adopted the Tire Pressure Regulation in 2009. The ARB indicated in its Status of Initial Scoping Plan Measures that the Tire Tread Program in the Scoping Plan is under consideration by the United States Department of Transportation. Low Friction Oil and Solar Reflective Automotive Paint

and Window Glazing is part of the Advanced Clean Cars measure. It is likely that the ARB will have adopted regulations under its authority fulfilling the measure by 2020.<sup>13</sup> Therefore, the PRDEIR statement correctly characterizes the measure and the Project's consistency with the measure. Importantly, the measure applies to vehicles that would access the Project and will provide GHG reductions when implemented and not to development projects directly. In any case, the PRDEIR analysis claims no reductions from this measure to demonstrate consistency with AB 32 targets.

The Million Solar Roofs measure is a voluntary incentive based program with no mandates on development projects to install solar panels. The Project's solar ready roof will enable the Project to participate in this program on a voluntary basis as envisioned by the measure. The consistency analysis is accurate as written.

Furthermore, Scoping Plan implementation is ongoing, as discussed in Responses WOLFE-3 and WOLFE-5, the 2014 Scoping Plan Update clearly demonstrates that California is on track to achieve this reduction target, and in fact, the ARB's 2010 Cap and Trade Inventory Update revised the 2020 target to 21.7 percent down from 28.4 percent. The 2014 Scoping Plan Update further reduced 2020 target to 15.3 percent as a result of ARB's revised inventory and emissions projection that accounts for several regulations put in place as a result of AB 32. In other words, implementation of the Scoping Plan measures and associated emissions reductions are working at a rate better than originally anticipated in the 2008 Scoping Plan.

#### *Response to WOLFE-13*

The commenter states that the PRDEIR fails to justify claimed trip reductions.

The reductions claimed are fully justified by substantial evidence in the PRDEIR, which relied on the CalEEMod model to estimate the reductions that would be achieved by the Project's design and surrounding environment. CalEEMod was developed by CAPCOA, which includes expert air agencies from around the State (including SJVAPCD). CalEEMod is the model accepted for use for CEQA purposes throughout California. The CalEEMod mitigation component is based on the California Air Pollution Control Officers Association (CAPCOA) report Quantifying GHG Measures<sup>14</sup>. Each measure and the range of reductions achieved is supported by technical studies and data.

The PRDEIR provides full disclosure of the assumptions used and the justification for using each measure in Table 2-7. The modeling assumptions listed in the table are entered directly into CalEEMod mitigation component to generate the estimated reduction. The input values used in the analysis apply to the Project are based on actual measurements and are neither conservative nor aggressive assumptions. Additionally, all of the percent reductions identified on Table 2-7 are within the general range of effectiveness as identified by CAPCOA (see CAPCOA pp. 162–175, 186–189), and in fact the sum total does not exceed the established maximum reductions allowed by CAPCOA for the particular land use setting. Furthermore, the reductions identified in the PRDEIR on Table 2-7 are conservative in that the percent reductions for LUT-3, LUT-4, and LUT-5 are significantly less than the allowable range identified by CAPCOA. For example, CAPCOA identifies a range of effectiveness for LUT-3 to be

<sup>13</sup> ARB. 2014. First Update to the AB 32 Scoping Plan. Website: [http://www.arb.ca.gov/cc/scopingplan/2013\\_update/appendix\\_b.pdf](http://www.arb.ca.gov/cc/scopingplan/2013_update/appendix_b.pdf). Accessed May 9, 2016.

<sup>14</sup> Quantifying Greenhouse Gas Mitigation Measures, August 2010 CAPCOA. Source: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.

9-30 percent and the PRDEIR only takes a 3.87 percent reduction, LUT-4 identifies a 6.7-20 percent reduction and the PRDEIR takes only a 0.06 percent reduction, LUT-5 identifies a 0.5-24.6 percent reduction and the PRDEIR only takes a 0.04 percent reduction. Similarly SDT-1 identifies a range of effectiveness to be 0-2 percent, the PRDEIR identifies a 0.71 percent reduction, which is within the identified range by CAPCOA. Furthermore, the associated reductions are applicable to the Project as identified on Table 2-7 in the PRDEIR. As shown, the project applicability meets the criteria for each individual measure as identified by CAPCOA. Lastly, the Project results in a total reduction of 4.68 percent from land use and transportation measures, which is less than half of the maximum reduction of 10 percent allowed by CAPCOA for combining measures (see CAPCOA, p. 55).

Finally, as discussed in WOLFE-10, no reductions are needed from trip reduction measures to show that the Project would not conflict with the AB 32 targets and the ARB Scoping Plan that addresses the AB 32 2020 target. These reductions represent only the additional amount predicted for the Project from land use and transportation measures that apply to mobile sources. As shown in Table 2-6, the Project achieves a reduction of 32.3 percent from BAU in the year 2020 with regulations applied. This is above the 29-percent reduction required by SJVAPCD thresholds to demonstrate consistency with AB 32 targets. As described earlier, the ARB originally identified a reduction of 28.4 percent from BAU as needed to achieve AB 32 targets. The 2008 recession and slower growth in the years since 2008 have reduced the emissions forecasted for 2020 and the amount needed to be reduced to achieve 1990 levels as required by AB 32 to 21.7 percent. In any case, the reductions from regulatory measures alone are adequate to exceed the conservative 29 percent reduction threshold. Therefore, the impact from project GHG emissions is less than significant.

*Response to WOLFE-14*

The commenter indicates that the PRDEIR fails to consider the need for GHG reductions after 2020 in its significance determination.

*Newhall Ranch* does not hold that a 2030 threshold is required for projects, much less that one should be applied to a commercial project of the size of this Project, which will be constructed and operating prior to the 2020 AB 32 target year. As discussed in the PRDEIR on page 2-15, post-2020 targets are speculative because there are no estimates of future reduction commitments from the State. Once the Project is operational, it will be subject to all current and future regulations applicable to existing development. The amount, if any, needed from projects for later years beyond compliance with current regulations has not been determined. Once the State adopts post-2020 targets by a legislative mandate, projects with operational start dates that are after 2020 may need a new threshold. Until that occurs, the only valid performance standard or threshold for projects at this time is based on the project's consistency with the 2020 target.

Reductions post-2020 are currently only goals set forth in Governor Brown's Executive Order B-30-15 for 2030, and by Governor Schwarzenegger's Executive Order S-05-03 for 2050 which direct actions by State agencies only, and not by local jurisdictions. Without a legislated target and a new Scoping Plan containing the State's strategy and regulatory plan for achieving the next target, an analysis of the Project's role in achieving the target or its impact on the State's ability to meet that target would be speculative. In any case, projects built before 2020 are not required to comply with undefined performance standards.

EO B-30-15 requires the following:

1. A new **interim** statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 is established in order to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050.
2. All **state agencies with jurisdiction over sources of greenhouse gas emissions** shall implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.
3. **The California Air Resources Board shall update the Climate Change Scoping Plan** to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

EO-03-05 requires the following:

1. That the following greenhouse gas emission reduction targets are hereby established for California: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels;
2. That the Secretary of the California Environmental Protection Agency (Secretary) shall coordinate oversight of the efforts made to meet the targets with: the Secretary of the Business, Transportation and Housing Agency, Secretary of the Department of Food and Agriculture, Secretary of the Resources Agency, Chairperson of the Air Resources Board, Chairperson of the Energy Commission, and the President of the Public Utilities Commission;
3. That the Secretary shall report to the Governor and the State Legislature by January 2006 and biannually thereafter on progress made toward meeting the greenhouse gas emission targets established herein;
4. That the Secretary shall also report to the Governor and the State Legislature by January 2006 and biannually thereafter on the impacts to California of global warming, including impacts to water supply, public health, agriculture, the coastline, and forestry, and shall prepare and report on mitigation and adaptation plans to combat these impacts; and
5. That as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

Legislation consistent with the EO was adopted by the California Legislature in 2006 providing regulatory authority to pursue the 2020 target but did not include the 2050 target. Legislative efforts in 2015 failed to adopt new targets for 2030 provided in EO B-30-15 or for 2050.

There is substantial evidence for the infeasibility for a local jurisdiction to meet the 80 percent below 1990 levels by 2050 in the near-to-medium term absent a real post-2020 State plan of action. Thus, requiring compliance with the 2030 goal in EO-B-15-30 or 2050 goal in EO S-03-05 as de facto significance thresholds in CEQA documents is impractical because, for the most part, the technology needed to achieve those goals has yet to be developed or is still in the developmental stage.

Instead, the limit of GHG analysis for CEQA documents should be the current State GHG planning horizon. At present, the only true State reduction plan is the AB 32 Scoping Plan, which has a verified and quantified reduction plan to 2020 only. Once the State has a defined a plan for 2030, then CEQA analysis and thresholds should shift from the current 2020 horizon to the 2030 horizon. When a post-2030 plan is in effect, the horizon should shift again.

Although the proposed Project's emissions levels in 2030 and 2050 cannot be reliably quantified, statewide efforts are underway to facilitate the State's achievement of that goal and it is reasonable to expect the proposed Project's emissions level (9,100 metric tons of CO<sub>2</sub>e per year) to decline as the regulatory initiatives identified by ARB in the First Scoping Plan Update are implemented, and other technological innovations occur. Stated differently, the proposed Project's emissions total at build-out presented in Table 2-6 of the PRDEIR represents the maximum emissions inventory for the Project as California's emissions sources are being regulated (and foreseeably expected to continue to be regulated in the future) in furtherance of the State's environmental policy objectives. As such, given the reasonably anticipated decline in proposed Project emissions once fully constructed and operational, the proposed Project is consistent with the Executive Orders' goals.

The Scoping Plan recognizes that AB 32 establishes an emissions reduction trajectory that will allow California to achieve the more stringent 2050 target: "These [greenhouse gas emission reduction] measures also put the State on a path to meet the long-term 2050 goal of reducing California's greenhouse gas emissions to 80 percent below 1990 levels. This trajectory is consistent with the reductions that are needed globally to stabilize the climate." In addition, ARB's First Update "lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050," and many of the emission reduction strategies recommended by ARB would serve to reduce the proposed Project's post-2020 emissions level to the extent applicable by law:

1. Energy Sector: Continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero net energy building goals, would serve to reduce the proposed Project's emissions level. Additionally, further additions to California's renewable resource portfolio would favorably influence the proposed Project's emissions level.
2. Transportation Sector: Anticipated deployment of improved vehicle efficiency, zero emission technologies, lower carbon fuels, and improvement of existing transportation systems all will serve to reduce the proposed Project's emissions level.
3. Water Sector: The proposed Project's emissions level will be reduced as a result of further desired enhancements to water conservation technologies.
4. Waste Management Sector: Plans to further improve recycling, reuse and reduction of solid waste will beneficially reduce the proposed Project's emissions level.

While the 2020 cap would remain in effect post-2020, the Cap-and-Trade Program is not currently scheduled to extend beyond 2020. However, ARB has expressed its intention to extend the Cap-and-Trade Program beyond 2020 in conjunction with setting a mid-term target. The "recommended

action” in the First Update for the Cap-and-Trade Program is: “Develop a plan for a post-2020 Cap-and-Trade Program, including cost containment, to provide market certainty and address a mid-term emissions target.” The “expected completion date” for this recommended action is 2017. In his January 2015, inaugural address, Governor Jerry Brown expressed a commitment to achieve “three ambitious goals” that he would like to see accomplished by 2030 to reduce the State’s GHG emissions:

- (1) increasing the State’s Renewable Portfolio Standard from 33 percent in 2020 to 50 percent in 2030;
- (2) cutting the petroleum use in cars and trucks in half; and
- (3) doubling the efficiency of existing buildings and making heating fuels cleaner.

These expressions of Executive Branch policy may be manifested in adopted legislative or regulatory action through the state agencies and departments responsible for achieving the State’s environmental policy objectives, particularly those relating to global climate change. Further, recent studies show that the State’s existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the State to meet the 2050 target.

Given the proportional contribution of mobile source-related GHG emissions to the State’s inventory, recent studies also show that relatively new trends, such as the increasing importance of web-based shopping, the emergence of different driving patterns by the “millennial” generation and the increasing effect of Web-based applications on transportation choices, are beginning to substantially influence transportation choices and the energy used by transportation modes. These factors have changed the direction of transportation trends in recent years, and will require the creation of new models to effectively analyze future transportation patterns and the corresponding effect on GHG emissions. For the reasons described above, the proposed Project’s post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would comply with whatever measures are enacted that state lawmakers decide would lead to an 80-percent reduction below 1990 levels by 2050. Note again that the Project already includes several project design features that exceed regulatory requirements and reduce vehicle miles traveled.

Accordingly, taking into account the Project’s anticipated emissions, project design features, standard measures and the progress being made by the State towards reducing emissions in key sectors such as transportation, industry, and electricity, the Project furthers the State’s goals of

reducing greenhouse gas emissions to 1990 levels by 2020 and further reducing them to 80-percent reduction below 1990 levels by 2050, and does not obstruct attainment with these goals.

*Response to WOLFE-15*

The commenter offers concluding remarks summarizing the issues discussed in the previous comments.

As described in the responses to comments provided herein, the City has adopted a valid GHG threshold based on substantial evidence. The Project will comply with regulations that are sufficient to achieve the required reductions necessary to demonstrate consistency with the ARB Scoping Plan. Moreover, the Project is consistent with the adopted Scoping Plan. Thus, under either threshold, the Project's contribution to a cumulative significant GHG impact will not be considerable and is less than significant.

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RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2008091149)  
FOR THE RIVERWALK MARKETPLACE II PROJECT AS REVISED BY AND  
INCLUDING THE FINAL PARTIAL RECIRCULATED ENVIRONMENTAL IMPACT  
REPORT PREPARED TO COMPLY WITH THE SEPTEMBER 3, 2014 JUDGMENT AND  
JANUARY 12, 2015 DECISION ORDERING THE PREPARATION OF A LEGALLY  
ADEQUATE ANALYSIS OF THE PROJECT'S GREENHOUSE GAS ANALYSIS

WHEREAS, the City Council of the City of Porterville reviewed and considered the Final Environmental Impact Report (SCH# 2008121133) prepared for the Riverwalk Marketplace Phase II Project ("Final EIR"), which would permit the construction of a 202,854 square foot retail commercial center on a 21.8± acre site divided among five building pads, anchored by a 161,602 square foot Walmart Store with the off-site sale of alcohol and four outlot tenants, located at the northeast corner of Vandalia Avenue and Indiana Street (the "Project"). The Project requires a: (1) conditional use permit ("CUP") to (a) amend the Conceptual Development Plan for the Viejo Robles Planned Development to extend the commercial designation west to the Indiana Street right of way, (b) adopt a Specific Development Plan to allow the development of an approximately 202,854 square foot commercial shopping center known as Riverwalk Marketplace Phase II on a 21.8± acre site within the Viejo Robles Planned Development, (c) approve a Master Sign Program for the project and (d) permit the off-site sale of alcohol within the grocery section of the Walmart Store; and (2) a tentative parcel map to split two existing parcels and a remainder into five new parcels; and after finding that full and fair public hearings had been held on the Final EIR and after having considered all comments received thereon, at a duly noticed public hearing on February 7, 2012, the City Council adopted Resolution 12-2012, certifying the Final EIR (SCH# 2008091149) as adequate; and

WHEREAS, as set forth in Council Resolution 12-2012, the City Council, as required by the California Environmental Quality Act ("CEQA"), adopted a Statement of Overriding Considerations, due to the Final EIR's identification of significant and unavoidable impacts from Construction Noise, Operational Noise combined transportation and non-transportation noise, Cumulative Noise, and Traffic, after finding that the Project's benefits outweighed the significant and unavoidable impacts, and adopted Findings of Fact that all other potentially significant environmental impacts are less than significant, or will be reduced to a level that is less than significant with the imposition of enforceable, feasible, and effective mitigation measures contained in the Final EIR and made enforceable through the Mitigation and Monitoring and Reporting Program ("MMRP"); and

WHEREAS, the process leading to the City Council's certification of the Final EIR and related actions taken on February 7, 2012, included the following events:

- On September 29, 2008, the City of Porterville circulated the Initial Study/Notice of Preparation (IS/NOP) to responsible agencies, trustee agencies, and regional agencies, along with organizations and interested persons for the 30-day circulation period required under CEQA Guidelines, Section 15082.

- Following circulation of the IS/NOP, updated project plans reflected an increase in total square footage from 225,580 square feet to 256,471 square-foot. Rather than proceed with the Draft EIR's evaluation of a 256,471 square foot project, the City determined that it would instead update and reissue the NOP for an additional 30-day review period starting on November 25, 2008. The second NOP circulation period closed on December 24<sup>th</sup>. In all, the public received nearly 90 days to review and comment upon the scope and content of the Draft EIR for Riverwalk Marketplace Phase II project.
- The Draft EIR (SCH# 2008091149) was prepared and circulated for a 45-day public review period as required by state law from April 1, 2010, to May 17, 2010. The City Council conducted a public hearing to receive comments on the Draft EIR.
- After the Draft EIR had been released for public review and all comments had been received, the City learned that the project's square footage had been reduced in size from 222,715 to 202,854 square feet. The City concluded that this square footage reduction would affect the project description and potentially require revised analysis and conclusions in each section of the Draft EIR's impact analysis. Instead of preparing a Final EIR that encompassed this level of potential change to the Draft EIR's analysis, the City decided to prepare and circulate a Revised DEIR ("RDEIR"). The RDEIR would evaluate the revised project with its reduced square footage, and would include an expanded noise analysis using a 2009 City Noise Ordinance that had not been in effect when the Draft EIR was prepared and had not been made publicly available since that time.

The City intended that the RDEIR would address the public comments received on the Draft EIR with a revised impact analysis or with additional information needed to clarify the Draft EIR's analysis of any specific issue, and in particular, the written DEIR comments submitted by attorney Mark Wolfe on behalf a group opposed to the Walmart project operating under the name "Healthy Community Networks."

- On July 7, 2010, the Parcel Map Committee held a public meeting and discussed concerns and conditions relevant to the proposed project. Conditions developed as a result of this meeting and subsequent staff review were discussed with the applicant's agent and incorporated into the draft resolution of approval.
- On February 22, 2011, the City provided the State Clearinghouse with a Notice of Completion, and published the Notice of Availability in the Porterville Recorder. The RDEIR was circulated for public review and comment from February 22, 2011, to April 8, 2011.
- The Porterville City Council conducted a public hearing on March 15, 2011, for the purpose of allowing the public an opportunity to provide oral and written comments on the RDEIR. The City Council received 20 verbal comments at this hearing. At the close of the public review period on April 8, 2011, the City had received 28 public written comments on the RDEIR. Of these comments, three were from public agencies. One of these letters was a transmittal letter from the Governor's Office of Planning and Research

State Clearinghouse and Planning Unit acknowledging that the City had complied with the review requirements for state agencies and that no comments from state agencies had been received by the Clearinghouse. The other two were from the California Department of Transportation and the San Joaquin Valley Air Pollution Control District. The remaining 25 comments were received from private individuals. Of these remaining comments, 7 raised substantive comments on the Draft EIR that were addressed in the Final EIR, and 21 expressed unqualified support for the Project. All comments received were included in the Final EIR with a written response as required by CEQA.

- The Final EIR consists of the RDEIR together with a single volume dated January 2012 and titled *Riverwalk Marketplace Phase II Final Environmental Impact Report*. The Final EIR Section 2 is the “Response to Comments” section. It includes all written and oral public comments submitted on the RDEIR by interested public agencies, organizations, and members of the public and the City’s written responses to the environmental issues raised in those comments. Section 3 includes all “Additions and Corrections” made to the RDEIR which reflects the changes made in response to comments and other information. Section 3 includes a list of the RDEIR pages where refinements, clarifications, and corrections were made, followed by those same pages, as corrected.

On January 27, 2012, the City posted the Final EIR and the Notice of Availability online at the City’s website <http://www.ci.porterville.ca.us/>. The Notice of Availability indicated that the EIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville’s website: <http://www.ci.porterville.ca.us/>.

The three public agencies that submitted comments on the RDEIR each received a CD of the Final EIR via overnight carrier on January 27, 2012. Delivery confirmations are on file with the City of Porterville. The City sent each individual that commented on the Draft EIR a copy of the Notice of Availability of the Final EIR.

- On February 7, 2012, the City Council adopted Resolution 12-2012 certifying the Final Environmental Impact Report, adopting a statement of overriding considerations, Resolution 13-2012 approving Conditional Use Permit 2-2010, and Resolution 14-2012 approving Tentative Parcel Map 4-2010.

WHEREAS, California Healthy Communities Network (“CHCN”) filed a Petition for a Writ of Mandate in the Tulare County Superior Court on March 9, 2012, and a first-amended petition on September 21, 2012.

WHEREAS, the Tulare County Superior Court entered a judgment on April 11, 2013, denying CHCN’s Petition for Writ of Mandate and upholding the City’s certification of the Final EIR and the project approvals in all respects.

WHEREAS, CHCN filed an appeal to the State of California Fifth District Court of Appeal on July 3, 2013. In an Opinion dated September 3, 2014, the Court of Appeal found in favor of CHCN and reversed the Superior Court’s decision with respect to the adequacy of the Greenhouse

Gas (“GHG”) emissions analysis. The Court of Appeal determined that the City “failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of the reduced quantity of emissions claimed.” (Opinion at p.2). As such, the Court held that the Final EIR failed to provide substantial evidence to support the City’s determination that the Project’s impacts on global climate change from GHG emissions would be less than significant.

WHEREAS, on January 12, 2015, the Superior Court issued a peremptory writ of mandate commanding the City to set aside its February 7, 2012, actions certifying the Final EIR and approving Conditional Use Permit No. 2-2010 and Tentative Parcel Map No. 4-2010, and to take appropriate action to ensure compliance with CEQA as to the following matter only as identified in the Court of Appeal opinion: the City’s determination that the Project’s impacts on global climate change from GHG emissions will be less than significant was not supported by substantial evidence. It further determined that the GHG analysis was severable from the remainder of the EIR, severance would not prejudice complete and full compliance with CEQA, and the remainder of the EIR complied with CEQA.

WHEREAS, on April 21, 2015, the City Council of the City of Porterville adopted Resolution 46-2015, setting aside and rescinding without prejudice Council’s decisions on February 7, 2012, for the Riverwalk Marketplace Phase II Project.

WHEREAS, to comply with the January 12, 2015 Writ of Mandate, the City of Porterville prepared a Partial Recirculated Draft Environmental Impact Report (“PRDEIR”) analysis of the project’s potential GHG impacts. Due to the holidays, the PRDEIR circulated for more than CEQA’s required 45-day period, from November 18, 2015 through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015 to obtain further input and comments on the PRDEIR;

WHEREAS, on November 18, 2015, a Notice of Availability of the PRDEIR and Notice of Public Hearing were published in the Porterville Recorder, a newspaper of general circulation, and the public hearing was announced by the Porterville Recorder in a news article prior to the meeting, and notice was mailed to property owners and residents within a five-hundred (500) foot radius, and was mailed to interested parties who had requested notice. The PRDEIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville’s website: <http://www.ci.porterville.ca.us/>; and

WHEREAS, on May 27, 2016, the City of Porterville published a notice of Public Hearing for the Final Partial Recirculated Environmental Impact Report (“FPREIR”), consisting of the PRDEIR, the written comments received on the PRDEIR, and the written responses of the City of Porterville to environmental issues raised in the written comments; and

WHEREAS, on June 7, 2016, after ten days published notice, a public hearing was held before the City Council to consider the FPREIR.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville, has reviewed and considered the Final EIR (SCH# 2008091149), as revised by and including the

FPREIR, and finds that it was prepared in compliance with CEQA, the September 3, 2014 Judgment and January 12, 2015 Decision, and that it is it (SCH# 2008091149) a legally adequate Final Environmental Impact Report for the Project.

BE IT FURTHER RESOLVED that the City Council certifies the Final Environmental Impact Report ("Final EIR"), as revised by and including the FPREIR, for the Project, based on the findings contained in Exhibit "A" hereto, the following specific findings and the evidence in the record:

1. That full and fair public hearings have been held on the Final EIR, as revised by and including the FPREIR, and the City Council having considered all comments received thereon, determines that the Final EIR, as revised by and including the FPREIR, is legally adequate and complete, and is hereby incorporated by reference.
2. That the Porterville City Council hereby determines that the Final EIR, as revised by and including the FPREIR, has been prepared in compliance with CEQA, the state and local environmental guidelines and regulations, the September 3, 2014 Judgment and January 12, 2015 Decision of the Tulare County Superior Court, issued in Case No. VCU246336.
3. That the Porterville City Council has independently reviewed and analyzed the information contained therein, including the written comments received on the Draft EIR, the PRDEIR, and the FPREIR, and the written and oral testimony and comments received in the public hearings.
4. That the Porterville City Council does hereby find and recognize that the Final EIR has been revised by the incorporation of the FPREIR, and that the Final EIR as revised reflects the independent judgment of the City of Porterville, as Lead Agency for the Project.
5. That the Porterville City Council hereby finds with respect to the adverse environmental impacts detailed in the Final EIR, as revised by and through the incorporation of the FPREIR:
  - a. That based on information set forth in the Final EIR, the Findings of Fact attached to this Resolution as Exhibit "A-1," the Impact Findings attached as Exhibit "A," and the list of mitigation measures included in the mitigation monitoring program attached as Exhibit "B," and incorporated herein by reference, the Porterville City Council finds and determines that changes or alterations have been required in or incorporated into the Riverwalk Marketplace Phase II Project which avoid or substantially lessen the potentially adverse environmental effects identified in the Final EIR for: Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Solid Waste Disposal.
  - b. That based on information set forth in the Final EIR and in the Findings of Fact, the adverse environmental effects related to construction noise, operational noise combined transportation and non-transportation noise, cumulative noise, and traffic

are significant effects which cannot be entirely mitigated or avoided if the project is approved and implemented.

- c. That no additional adverse impacts will have a significant effect or result in substantial or potentially substantial adverse changes in the environment as a result of the Riverwalk Marketplace Phase II Project.

BE IT FURTHER RESOLVED that the Porterville City Council adopts the Statement of Overriding Considerations for the Project contained in Exhibit "A" Section V. In adopting the Statement of Overriding Considerations, the City Council hereby finds that the Project has eliminated or substantially lessened all significant effects on the environment where feasible, and finds that the remaining significant unavoidable construction noise, operational noise combined transportation and non-transportation noise, cumulative noise, and traffic impacts resulting from the project are acceptable in light of environmental, economic, social or other considerations set forth herein because the benefits of the project outweigh the significant and adverse effects of the construction noise, operational noise combined transportation and non-transportation noise, cumulative noise, and traffic impacts identified in the Final EIR, SCH# 2008091149 and Section V, of Exhibit "A."

BE IT FURTHER RESOLVED, that the Porterville City Council hereby determines that the Final EIR prepared for the Project and revised by and through incorporation of the FPREIR (SCH# 2008091149), is adequate and complete pursuant to the requirements of CEQA, and so certifies it.

BE IT FURTHER RESOLVED, that the Porterville City Council authorizes and directs that a Notice of Determination with respect to the Final EIR, revised by and including the FPREIR, pertaining to the approval of the Riverwalk Marketplace Phase II Project and all other actions in furtherance thereof be filed.

PASSED, APPROVED, AND ADOPTED this 7<sup>th</sup> day of June, 2016.

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Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

## EXHIBIT A-1

### **CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RIVERWALK MARKETPLACE PHASE II PROJECT, AND THE CITY'S FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE APPROVAL OF THE RIVERWALK MARKETPLACE PHASE II PROJECT**

#### **I. INTRODUCTION**

The City of Porterville, as lead agency under the California Environmental Quality Act (Pub. Res. Act § 21000 *et seq.*) and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000-15387) (collectively, "CEQA"), has completed the Final Environmental Impact Report for the Riverwalk Marketplace II Project, SCH # 2008091149 (hereinafter, "Final EIR" or "EIR").

On February 7, 2012, at a publicly noticed meeting, the City Council of the City of Porterville ("Council"), as the City's decision-making body, considered the Project, which included the following discretionary approvals: Conditional Use Permit 2-2010 and Tentative Parcel Map 4-2010 (the "Associated Actions"). Following a public hearing, the City Council voted to approve the Project and the Associated Actions.

On March 9, 2012, M.R. Wolfe & Associates filed a lawsuit challenging the City's certification of the Final EIR (SCH# 2008091149) prepared for the Riverwalk Marketplace Phase II Project titled *California Healthy Communities Network vs. City of Porterville* (Case No. VCU246336) in the Visalia Superior Court, County of Tulare, and a first-amended petition on September 21, 2012.

The Tulare County Superior Court entered a judgment on April 11, 2013, denying California Healthy Communities Network's ("CHCN") Petition for Writ of Mandate and upholding the City's certification of the Final EIR and the project approvals in all respects.

CHCN filed an appeal to the State of California Fifth District Court of Appeal on July 3, 2013. In an Opinion dated September 3, 2014, the Court of Appeal found in favor of CHCN and reversed the Superior Court's decision with respect to the adequacy of the Greenhouse Gas ("GHG") emissions analysis. The Court of Appeal determined that the City "failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of the reduced quantity of emissions claimed." (Opinion at p.2). As such, the Court held that the Final EIR failed to provide substantial evidence to support the City's determination that the Project's impacts on global climate change from GHG emissions would be less than significant.

On January 12, 2015, the Superior Court issued a peremptory writ of mandate commanding the City to set aside its February 7, 2012, actions certifying the Final EIR and approving Conditional Use Permit No. 2-2010 and Tentative Parcel Map No. 4-2010, and to take appropriate action to ensure compliance with CEQA as to the following matter only as identified in the Court of Appeal opinion: the City's determination that the Project's impacts on global climate change from greenhouse gas emissions will be less than significant was not supported by substantial evidence. It further determined that the GHG analysis was severable from the

remainder of the EIR, severance would not prejudice complete and full compliance with CEQA, and the remainder of the EIR complied with CEQA.

On April 21, 2015, the City Council of the City of Porterville adopted Resolution 46-2015, setting aside and rescinding without prejudice Council's decisions on February 7, 2012, for the Riverwalk Marketplace Phase II Project.

To comply with the January 12, 2015, Writ of Mandate, the City of Porterville prepared a Partial Recirculated Draft Environmental Impact Report ("PRDEIR") analysis Greenhouse Gas ("GHG") impacts. Due to the holidays, the PRDEIR circulated for more than CEQA's required 45-day period, from November 18, 2015, through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015, to obtain further input and comments on the PRDEIR

On November 18, 2015, a Notice of Availability of the PRDEIR and Notice of Public Hearing were published in the Porterville Recorder, a newspaper of general circulation, and the public hearing was announced by the Porterville Recorder in a news article prior to the meeting, and notice was mailed to property owners and residents within a five-hundred (500) foot radius, and was mailed to interested parties who had requested notice. The PRDEIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville's website: <http://www.ci.porterville.ca.us/>.

On May 27, 2016, the City of Porterville published a notice of Public Hearing for the Final Partial Recirculated Environmental Impact Report ("FPREIR"), consisting of the PRDEIR, the written comments received on the PRDEIR, and the written responses of the City of Porterville to environmental issues raised in the written comments.

On June 7, 2016, at a duly noticed public meeting, the City Council of the City of Porterville ("Council"), as the City's decision-making body, held a public hearing to consider the Final Partial Recirculated Environmental Impact Report ("FPREIR") and considered the Project, which includes the following discretionary approvals: Conditional Use Permit and Tentative Parcel Map (PRC 2016-016-C-PM) (the "Associated Actions"). The Council voted to certify the Final EIR and approve the Project and the Associated Actions. This document embodies the City's approval of the Project and contains the City's Findings of Fact in support of its certification of the Final EIR. The City's Statement of Overriding Considerations in approving the Project is set forth in Section V herein.

This document embodies the City's approval of the Project and contains the City's certification of the Final EIR, its Findings of Fact under CEQA, and its Statement of Overriding Considerations made in approving the Project.

This Findings of Fact document is organized into the following sections:

A. Section I, "**Introduction**," provides an Introduction to the Document.



**B.** Section II, “**Project Description**,” provides a summary of the Project, a statement of the Project objectives, the alternatives considered in the Final EIR, and an overview of the Record of Proceedings for approval of the Project.

**C.** Section III, “**Certification of the Final EIR**,” provides an overview of the EIR process and sets forth the City’s findings in support of certification of the Final EIR.

**D.** Section IV sets forth the **Findings** required under CEQA, as follows:

**1.** Part IV.A: Findings regarding the environmental review process and the contents of the Final EIR.

**2.** Part IV.B: Findings regarding the environmental impacts of the Project and the mitigation measures for those impacts identified in the Final EIR and adopted as conditions of approval. As described in Part IV.B, the City hereby adopts the impact findings as set forth in Exhibit A to these findings.

**3.** Part IV.C: Findings regarding alternatives and the reasons that such alternatives to the Project are not approved.

**E.** Section V, “Statement of Overriding Considerations,” sets forth the substantial benefits of the Project that outweigh and override the Project’s significant unavoidable impacts, such that the impacts are considered acceptable.

## **II. PROJECT DESCRIPTION**

### **A. Development of the Project.**

The Project consists of the development and operation of a regional commercial center located on 21.8± acres in the southwestern portion of the city of Porterville. The Project is the second and last phase of the Riverwalk Marketplace Commercial Center regional shopping center. The Project completes the development of the Riverwalk Marketplace commercial retail center that the City approved in or about 2006, and that has been partially developed with a Lowe’s Home Improvement Store and other retail uses. The EIR prepared and certified for the Riverwalk Marketplace commercial center initially included both Phase I and Phase II—with one of the project’s main anchors being the Walmart Store. (However, organized Walmart opposition threatened to delay the entire project for an indefinite time while the City and EIR could address the primary contention of the opposition that the Walmart store would result in “urban decay” in the rest of the city.) Ultimately, the Riverwalk Marketplace developer/applicant scaled back the proposal to exclude what would eventually become Phase II including the controversial Walmart Store. Due to the change in the project description resulting from the removal of Walmart anchor and Phase II, the site plan and building layout of Riverwalk Marketplace was redesigned, and the EIR did not evaluate the Project that the City has approved, as reflected in these Findings of Fact.

The Riverwalk Marketplace developer, city residents, and City have waited six years for the completion of the Riverwalk Marketplace Phase II EIR. The existing commercial center’s ongoing struggle to fill its vacant tenant spaces is anticipated to come to an end with the

approval and development of the Project and its Walmart Store anchor, as indicated by substantial evidence in the record.

The Project will complete the Riverwalk Marketplace commercial center with an additional 202,854 square feet of commercial floor space located west of the existing center. The Project would be anchored by a 161,602 square foot Walmart Store, and four retail/restaurant pads located around the southern perimeter of the Project site. The Project is projected to provide approximately 340 new full- and part-time jobs, with 300 of those jobs attributed to the Walmart Store.

### **1. Project Site.**

The project site is located on a 21.8 acre site on the northeast corner of Indiana Street and Vandalia Avenue, northeast of the State Route 190/State Route 65 interchange in the city of Porterville. The Porterville 2030 General Plan designates the site as Retail Centers (CR), which the City reserved for regional shopping centers located at major roadway intersections. Large format or “big box” retail uses are permitted by right pursuant to the site’s CR (Retail Center) with a Planned Development (PD) Overlay zoning classification. The site is subject to the Viejo Robles Conceptual Development Plan, which is being amended to designate the remainder of the site for commercial uses consistent with the City’s 2030 General Plan. The Project site’s location within the Viejo Robles Planned Development triggers the need for a conditional use permit (“CUP”). (Development Code §207.09). A CUP is also necessary for the off-site sale of alcohol under a Type 21 alcohol license at the Walmart Store. A Tentative Parcel map is also necessary for dividing the project site into five separate lots.

The site remains vacant and is sited immediately west of the existing Riverwalk Marketplace commercial retail center. Other surrounding uses include residences to the north, to the south beyond State Route 190, and to the west. The site is located about a quarter of a mile east of State Route 65. The project site was disturbed by rough grading during the construction of the adjacent Riverwalk Marketplace Phase I and development of Vandalia Avenue, which bisects the southerly portion of the project site. As part of Riverwalk Marketplace Phase I, curb and gutter improvements exist along Vandalia and Springville Avenues. An existing sidewalk with a landscaped parkway and street trees can be found along the south side of Vandalia Avenue. Existing frontage improvements include nostalgic street lights along both sides of Vandalia Avenue and standard “cobra head” street lights along Springville Avenue. There are no frontage improvements currently installed along the Riverwalk Phase II side (east side) of Indiana Street; however the Project includes installation of extensive landscaping onsite as well as landscaped parkways, street trees and sidewalks along the public right of way.

Site access will be provided at several points. The main vehicular access will be provided via three drive approaches off of Vandalia Avenue, with secondary approaches off of Indiana Street, Springville Avenue and by way of private drive aisles through Riverwalk Marketplace Phase I. Delivery trucks will access the Project site through a vehicular connection point on Springville Avenue and along the back loading zone that connects to the existing shopping center east of the project site. Loading for the Walmart Store will take place along the north frontage of the Walmart building at the loading docks. Loading for the other pads is provided with individual loading zones near each building.

## **B. Project Characteristics.**

### **1. Walmart Store Operational Features.**

The Walmart Store would operate 24 hours a day, 7 days a week, offering general merchandise and grocery sales, a garden center, a medical clinic, a pharmacy with drive-up window, a food tenant, a branded retail tenant, and outdoor seasonal event sales. The food sales area would occupy approximately 25,000 square feet, with a food sales support area of just under 10,000 square feet. The medical clinic would provide basic services, such as check-ups, and would not offer more advanced services such as surgical procedures. Store support uses include outdoor storage, loading docks, mechanical equipment, and a trash compactor. These operational features are well screened and buffered, as described below:

*Loading facilities.* Loading facilities will be located in the rear of the store on its northern side, and consist of four truck bays (with below grade truck wells) and one at-grade delivery door. Walmart loading docks are entered by a truck backing down a ramp depressed to more than four feet below ground level, with side block walls that stand ten feet above ground level. Those ramp walls provide screening and additional noise-reduction. The loading dock bay doors attach to the rear of the truck using sealed rubber gaskets that enable unloading activities to occur inside the store, directly from the truck to the building.

*Truck deliveries.* The following truck deliveries, truck type, are anticipated at the Walmart store: (1) Four-axle trucks with transport refrigeration units - 13 trucks per week; (2) Four-axle trucks without transport refrigeration units - 38 trucks per week; and (3) Two-axle/vendor trucks - 44 trucks per week (no deliveries on Wednesday or Sunday). Delivery-related noise was not identified as creating a significant unavoidable impact in large part due to the following features:

**a.** Walmart trucks equipped with automated engine shut off features which prevent idling of more than three minutes (State Law prohibits idling over five minutes).

**b.** Walmart refrigeration trucks which also automatically shut off after three minutes of idling (though a small built-in motor, which produces noise levels approximately equivalent to a standard window air-conditioning unit, consuming less fuel and emitting less harmful pollutants than the truck engine, is utilized to keep deliveries cool).

**c.** Trucks and loading bays, equipped with rubber gaskets that form a temperature and sound-attenuating seal between the rear of delivery trucks and the loading area inside the store.

*Forklifts—No Nighttime Use Permitted.* Forklifts are generally used in the store and in the vicinity of the loading area and exterior garden center. The EIR found that nighttime forklift usage would exceed the City's  $L_{max}$  nighttime threshold of 45dB(A). Specifically, forklift use was found to create a noise level of 67.2 dB(A) at the closest residence, located 138 feet from the noise source. Mitigation Measure Noise 5.7-3 prohibits forklift operation between the hours of 10 PM and 7AM daily.

*Soundwalls and Visual Screening.* To minimize noise-related impacts upon residents and provide visual screening from store operations to the northwest, north, and northeast of the Walmart store, the Project includes new screen walls at the northwestern site boundaries, and additionally continues construction of the existing northern screen wall (from Phase I) across the northern boundary of the Walmart site (except for an opening for incoming delivery and service vehicles). Specifically, the Project includes as part of its design:

**d.** A 12-foot masonry block sound wall will be built atop a three-foot tall berm to screen the loading dock area, for an effective height of 15 feet of screening and noise attenuation along the Project site's northern boundary.

**e.** 10-foot barrier walls will run along both sides of the delivery truck ramp that leads to the below-grade loading docks (docks recessed 4 feet ± at deepest portion).

**f.** A 14-foot screen/sound wall to be constructed along the northwestern property line.

**g.** An eight-foot screen/sound wall which will run along the portion of the northern site boundary which is most immediately adjacent to Indiana Street;

**h.** Screen walls around trash compacting and solid waste/recycling storage facilities; and

**i.** Parapet walls will be constructed above roof level to screen roof-top equipment.

## **2. Outlot Development.**

The Project's parcel map will legally divide the two existing parcels and a remainder into five new parcels. In addition to the Walmart Store, remaining retail pads are located along the Project site's southern and eastern perimeter, fronting Vandalia Avenue and Indiana Street, ranging in size from 6,781 square feet up to 14,040 square feet for a combined total of 41,252 square feet of commercial uses. No tenants currently have been selected, but they may include apparel, banks/financial services, electronics/telecommunications, health and beauty, home entertainment, novelties, postal/shipping, and similar uses. Restaurant tenants may include quick-serve and sit-down restaurant uses.

## **3. Project Design.**

### **a. Walmart Building Architectural Elements.**

The design of the Walmart building reflects the ambiance and scale of Porterville and the surrounding development, with significant building enhancements and articulation to match the architectural style of the existing Riverwalk Marketplace Commercial Center. Building colors feature neutral earth tones to complement other buildings in the center and the Spanish/Mediterranean architectural features proposed on the southern façade. Store elevations also include enhanced entryways, towers, tile roofs, stucco exteriors, arches, cornices and window treatments similar to those found in the existing Riverwalk Marketplace Commercial Center. Staff

worked extensively with the applicant to ensure that building massing was broken up by varied wall planes, roof lines, and other architectural features that lead to a quality design. Attachment 4-Exterior Elevation depicts the building elevations, materials and colors. The primary building material will be masonry block designed with an earth-toned color palate that also features multicolor accent walls. Large expanses of walls will receive architectural treatment, including the distinct articulation of colors, textures, and shapes.

**b. Soundwall Design.**

As noted, a 12-foot high masonry block wall is proposed on top of a landscaped three-foot berm along the north property line to screen the Walmart Store's loading zone from residences on the north side of Springville Avenue and provide sound attenuation. The new sound/screen wall and landscaped berm will both extend the design of the existing masonry block wall currently located on the north side of the existing Riverwalk Marketplace Center and match it in terms of height, style, and materials, as will the 14-foot sound/screenwall that will continue along the Project's western boundary and the eight foot wall along the project's northwestern boundary which is most immediately adjacent to Indiana Street.

**c. Landscaping Design.**

The Project incorporates a number of landscaping and design features to create an aesthetically pleasing development. Architectural details such as trellises, tower elements, and other architectural features have been incorporated into the project design, consistent with the architectural design's theme of pedestrian-friendly features that helps soften building mass. Landscaping is provided throughout the site and is consistent with that of the existing shopping center, with the most intensive landscape schemes located at the site vehicular entrances along Vandalia Avenue and Indiana Street. Shade trees are proposed every four (4) parking spaces throughout the parking lot and at the end of parking isles, which exceeds the Municipal Code requirement of a minimum of one tree per eight parking spaces. Shrubs, and ground covers would be incorporated into the landscape design where applicable. Additional landscaping is provided along the perimeter of the site and near proposed buildings to enhance the visual quality of the development. Some landscaping details adjacent to Pads 12, 13, 14, and Outlot A have been left out in order to accommodate flexible building site needs of future tenants. Exact landscaping arrangements around these buildings will be provided and reviewed at the time they are proposed for construction. Landscaping is also provided along both screening walls along the west and north boundaries of the site, to enhance the visual quality of the walls and reduce likelihood of graffiti.

In addition, the applicant will install City-approved street trees along the Springville Avenue, Indiana Street, and Vandalia Avenue frontages of the property. A five-foot-wide screen-planting strip would also be planted along a property line separating the parking area from any adjacent public street.

All landscaping will be watered by an automatic irrigation system and will be permanently maintained by the property owner. The project must comply with the City's Water Efficient Landscape Ordinance, which establishes design criteria for water-efficient landscaping in new projects.

**d. Signage.**

Phase I of Riverwalk Marketplace included a master sign program that set the standard for signage in design, size, location, appearance, and number. The existing freestanding signs fall into two categories: center identification signs and multi-tenant (smaller scale) monument signs. The center identification signs have accounted for Walmart signage.

Project signage will be governed by the Riverwalk Marketplace Sign Program, which includes the Walmart sign program (Specific Plan, Exhibit B) and the above-referenced Riverwalk Marketplace Phase I sign program. The Walmart sign program describes Walmart's use of several existing multi-tenant monument signs that exist in Phase I, including a space on the large pylon sign along State Route 190. Signage also includes several small multi-tenant signs and six wall signs on the Walmart building. All signage is intended to be tasteful, appropriate in scale, and harmonious in design to the existing signage of the center. The outlot signage is unknown at the time of this writing, but would likely include illuminated wall signage similar to other nearby commercial uses, depending on the ultimate tenant mix. Project conditions require sign permit approval in accordance with the Riverwalk Marketplace Sign Program which includes guidelines for signage on the outlot building pads.

**e. Project Lighting.**

The Project includes a combination of lighting fixtures located throughout the site and parking area. Various one, two, three, and four light fixtures would be located in these areas, and would be mounted on poles 39-feet in height, with a three-foot base for a total height of 42 feet. Decorative wall lighting fixtures would be used to highlight the front façade and below tree canopies at the pedestrian level along main entries, and along the sign wall to create a nighttime environment that promotes safe movement of pedestrian and vehicle traffic. The decorative pole lights would have an average height of 12 feet. Security lighting would be located at service areas. Project lighting as designed is shielded, recessed, and directed to prevent Project site lighting spilling onto adjacent uses. Illuminated wall signage is reserved for the Walmart building's front elevation. This will reduce lighting impacts to neighboring properties.

**f. Roof Plan.**

The Walmart building would locate mechanical equipment on the roof including rooftop air conditioning units and condenser houses. The air conditioning units would be Lennox SG Series units and would be made up of 3-ton units (four), 5-ton units (six), 10-ton units (ten), and 20-ton units (six). These air conditioning units would be spread over the rooftop area. In addition, approximately 234 skylights would be spread evenly over the roof's surface. These skylights would be used to reduce electric lighting during the daytime, as described further under Sustainable Features, below. Three condenser houses and three refrigeration units would be located at the northwestern portion of the building rooftop. These units would supply the refrigeration needs for the grocery sales area, which would be located directly underneath. A parapet wall of approximately seven feet high would surround the perimeter of the roof to screen the rooftop mechanical uses from surrounding views, as well as attenuate noise from these units.

#### **g. Security Measures**

Walmart Project security features will help ensure a secure environment for project customers and employees, and will require the new Walmart Store to:

- (i) Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis;
- (ii) As appropriate, based upon the crime survey, establish a parking lot patrol that assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) both during the day and nighttime hours; and employ a plainclothes patrol inside the store to ensure safety and security.
- (iii) Install closed-circuit camera systems (surveillance cameras) inside and outside the store.
- (iv) Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site.
- (v) Provide lighting in the parking areas that will ensure public safety.
- (vi) Prohibit consumption of alcohol in the parking lots by having associates regularly "patrol" the parking areas while collecting shopping carts, and report any inappropriate activity to the store managers. (Also, per state law, alcohol sales will be limited to the hours of 6:00 AM to 2:00 AM of the following day).

#### **h. Sustainable Features**

Walmart implements a number of sustainable practices that reduce their impact on the environment. By implementing the latest sustainable features in use by Walmart when the Project is built, the store will meet or exceed the energy efficiency rating standards of Title 24. To achieve this reduction in energy consumption, the Walmart Store will incorporate, at a minimum, the following sustainability features, or other features that are equally efficient and in use at the time of Store construction described in the EIR at pages 3.0-24-3.0-27.

### **C. Project Objectives**

The Project seeks to fulfill the basic objectives set forth in the EIR at page 3.0-1-3.0-2 ("Project Objectives"), described herein as follows:

- 1. To help reverse leakage of retail spending from Porterville to outlying retail centers;
- 2. Develop the project site with a regional retail shopping center in conformance with the City of Porterville General Plan and other applicable land use regulations;

3. Maximize the retail opportunity presented by a site located along the Jaye Street Corridor and immediately adjacent to State Route 190, a significant transportation corridor.

4. Take maximum advantage of transportation improvements already built along the Jaye Street Corridor and intended to accommodate additional commercial land uses complimentary to those already in existence;

5. Maximize the opportunity to provide commercial development of sufficient scale to serve a regional market area in locations in close proximity to the intersection of SR-65 and SR-190 to help establish this area as a retail shopping destination, as envisioned in the City general Plan;

6. Provide a commercial retail development that:

a. Meets the current unmet demand of the consumers residing within the city of Porterville and demand from planned future residential development in the city;

b. Serves both the local and regional market area to attract customers and new business including retailers into the city of Porterville;

c. Results in a net fiscal benefit to the city of Porterville by providing new sales tax revenue and increased property tax revenues;

d. Creates new jobs and opportunities for city residents in furtherance of the goals and policies of the General Plan's Economic Development Element;

e. Maximizes the opportunity for Riverwalk Marketplace Phase I to serve as a well-designed retail center that will capture out-of-town sales tax revenue.

#### **D. Summary of Alternatives in the Final EIR**

Section 6.0 of the RDEIR examined the environmental impacts of each of the following Project Alternatives as compared with the original Project, and evaluated the relative ability of each alternative to satisfy the Project Objectives:

1. **No Project/No Development Alternative:** The Project site would remain in its existing condition and no development would occur;

2. **No Project/Future Development:** The project site would be developed at an unspecified time in the future in a manner consistent with applicable site land use designations.

3. **Reduced Density Alternative:** The site would be developed with a total of 179,172 square feet of retail space split among four building pads. The overall site plan would be similar to that of the Project and building pads 12 through 14 would remain unchanged in size and location. Outlot A would not be developed and would serve as a landscape buffer and



the grocery component of the Walmart Store would be removed for a total store size of 141,701 square feet along with a 6,612 square foot outdoor garden center.

**4. Mixed-Use Center Alternative:** This alternative would develop 270 residential units and approximately 91,500 square feet of commercial uses. The commercial uses would include a Walmart totaling 61,500 square feet and several outlots totaling 30,000 square feet that could be used for small retail tenants or restaurants. Parking would be provided in surface parking lots rather than in parking structures.

**5. Alternative Project Location Alternative.** This alternative analyzes the development of an approximately 21.8 acre project site located approximately one mile southwest of the project site, at the northwest corner of SR-65 and Scranton Avenue. This alternative would be the same size and design as the proposed project.

#### **E. Record of Proceedings**

Various documents and other materials constitute the record upon which the City bases these findings and the approvals contained herein. The location and custodian of these documents and materials is the City of Porterville Community Development Department, located at 291 North Main Street, Porterville, CA 93257.

### **III. CERTIFICATION OF THE FINAL EIR**

The Final EIR comprises a project-level analysis containing the environmental review evaluating the impacts of approval of the Project and the Associated Actions. The Final EIR has State Clearinghouse No. 2008091149, and the EIR was prepared in the manner specified in Section IV.A.1, which is incorporated by reference here. The Final EIR is comprised of five volumes of information, which include:

**A.** The Revised Draft Environmental Impact Report (“RDEIR”), which consists of three volumes.

- 1.** Volume 1 of the RDEIR assesses the potential environmental effects of implementation of the Project, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives.
- 2.** Volumes 2 and 3 of the RDEIR consist of Appendices referred to in Volume 1.

**B.** Volume 4 is comprised of the comments on the RDEIR submitted by interested public agencies, organizations, and members of the public; written responses to the environmental issues raised in those comments; a list of refinements to and clarifications to the RDEIR, and revisions to the text of the Draft EIR reflecting changes made in response to comments and other information.

**C.** The Final Partial Recirculated Environmental Impact Report (“FPREIR”) prepared in response to the September 3, 2014 Judgment and January 12, 2015 Decision, to provide a legally adequate evaluation of the cumulative significant of the Project’s Greenhouse Gas emissions. The FPREIR includes the Partial Recirculated Draft Environmental Impact Report (“PRDEIR”), the revisions of and additions to the PRDEIR; the written comments received on the PRDEIR; the written responses of the City of Porterville to environmental issues raised in the written comments; and other information added by the City of Porterville as specified in the record. This information comprises Volume 5 of the Final EIR.

**D.** The City hereby certifies as follows:

- 1.** That it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR, as revised by and including the FPREIR, prior to making the following certifications and the findings in Section IV, below;
- 2.** That, pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090), the Final EIR, as revised by and including the FPREIR, has been completed in compliance with the CEQA and the State CEQA Guidelines; and
- 3.** That the Final EIR, as revised by and including the FPREIR, reflects its independent judgment and analysis.

#### **IV. CEQA FINDINGS**

Having received, reviewed, and considered the Final EIR and other information in the record of proceedings, the City hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines:

- Part IV.A: Findings regarding the environmental review process and the contents of the Final EIR.
- Part IV.B: Findings regarding the environmental impacts of the Project and the mitigation measures for those impacts identified in the Final EIR and adopted as conditions of approval. As described in Part II.B, the City hereby adopts the impact findings as set forth in Exhibit A to these findings.
- Parts IV.C&D: Findings regarding alternatives discussed in the Final EIR and the reasons that such alternatives to the Project are not approved.
- Part IV.E: Findings Regarding Project Alternatives Scoped-Out of the EIR.
- Part IV.F: Findings Regarding Adequacy of Range of Alternatives.
- Part IV.G: Description of the Mitigation Monitoring and Reporting Program (“MMRP”) for the Project which is included as Exhibit B to Attachment

3 (Final EIR Resolution), and is incorporated herein in its entirety by reference.

Part IV.H: Summary of the findings and determinations regarding the Project.

In addition, these findings incorporate by reference Section V of this document, which includes the Statement of Overriding Considerations and determines that the benefits of implementing the Project outweigh the significant and unavoidable environmental impacts that will result, and therefore justifies approval of the Project despite those impacts.

The City certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings that concern the environmental issues identified and discussed in the Final EIR.

**A. Environmental Review Process**

**1. Draft EIR Initial Study/Notice of Preparation**

On September 29, 2008, the City of Porterville circulated the Initial Study/Notice of Preparation (IS/NOP) to responsible agencies, trustee agencies, and regional agencies, along with organizations and interested persons for the 30-day circulation period required under CEQA Guidelines, Section 15082. The IS/NOP described a project proposing development of a 225,580-square-foot commercial center. The IS/NOP requested that the agencies, organizations, and others provide the City of Porterville with specific details about the scope and content of the environmental information to be contained in the Draft Environmental Impact Report (Draft EIR), as it related to each entity's area of statutory responsibility.

Following circulation of the IS/NOP, updated project plans reflected an increase in total square footage from 225,580 square feet to 256,471 square feet. Rather than proceed with the Draft EIR's evaluation of a 256,471 square foot project, the City determined that it would instead update and reissue the NOP for an additional 30-day review period starting on November 25, 2008. The second NOP circulation period closed on December 24<sup>th</sup>. In all, the public received nearly 90 days to review and comment upon the scope and content of the Draft EIR for Riverwalk Marketplace Phase II project.

**2. Draft EIR Release for Public Review and Comment.**

Draft EIR SCH# 2008091149 was prepared and circulated for a 45-day public review period as required by state law from April 1, 2010, to May 17, 2010. The City Council conducted a public hearing to receive comments on the Draft EIR.

**3. Preparation of the Revised Draft EIR.**

After the Draft EIR had been released for public review and all comments had been received, the City learned that the project's square footage had been reduced in size from 222,715 to 202,854 square feet. The City concluded that this square footage reduction would affect the project description and potentially require revised analysis and conclusions in each section of the Draft EIR's impact analysis. Instead of preparing a Final EIR that encompassed this level of

potential change to the Draft EIR's analysis, the City decided to prepare and circulate a Revised DEIR ("RDEIR"). The RDEIR would evaluate the revised project with its reduced square footage, and would include an expanded noise analysis using a 2009 City Noise Ordinance that had not been in use when the Draft EIR was prepared and had not been made publicly available since that time.

The City intended that the RDEIR would address the public comments received on the Draft EIR with a revised impact analysis or with additional information needed to clarify the Draft EIR's analysis of any specific issue, and in particular, the written DEIR comments submitted by Attorney Mark Wolfe on behalf a group opposed to the Walmart project, operating under the name "Healthy Community Networks."

#### **4. RDEIR's Circulation for Public Review and Comment.**

On February 22, 2011, the City provided the State Clearinghouse with a Notice of Completion, and published the Notice of Availability in the Porterville Recorder. The RDEIR was circulated for public review and comment from February 22, 2011, to April 8, 2011.

The Porterville City Council conducted a public hearing on March 15, 2011 for the purpose of allowing the public an opportunity to provide oral and written comments on the RDEIR. The City Council received 20 verbal comments at this hearing. At the close of the public review period on April 8, 2011, the City had received 28 public written comments on the RDEIR. Of these comments, three were from public agencies. One of these letters was a transmittal letter from the Governor's Office of Planning and Research State Clearinghouse and Planning Unit acknowledging that the City had complied with the review requirements for state agencies and that no comments from state agencies had been received by the Clearinghouse. The other two were from the California Department of Transportation and the San Joaquin Valley Air Pollution Control District. The remaining 25 comments were received from private individuals. Of these remaining comments, 7 raised substantive comments on the Draft EIR that were addressed in the Final EIR, and 21 expressed unqualified support for the Project. All comments received were included in the Final EIR with a written response as required by CEQA.

#### **5. Final EIR Preparation Public Release – January 2012.**

The Final EIR consists of the RDEIR together with a single volume dated January 2012 and titled *Riverwalk Marketplace Phase II Final Environmental Impact Report*. The Final EIR Section 2 is the "Response to Comments" section. It includes all written and oral public comments submitted on the RDEIR by interested public agencies, organizations, and members of the public and the City's written responses to the environmental issues raised in those comments. Section 3 includes all "Additions and Corrections" made to the RDEIR which reflects the changes made in response to comments and other information. Section 3 includes a list of the RDEIR pages where refinements, clarifications and corrections were made, followed by those same pages, as corrected.

On January 27, 2012, the City posted the Final EIR and the Notice of Availability online at the City's website <http://www.ci.porterville.ca.us/>. The Notice of Availability indicated that the EIR was available for public review in print form at the following address: City of

Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville's website: <http://www.ci.porterville.ca.us/>

The three public agencies that submitted comments on the RDEIR each received a CD of the Final EIR via overnight carrier on January 27, 2012. Delivery confirmations are on file with the City of Porterville. The City sent each individual that commented on the Draft EIR a copy of the Notice of Availability of the Final EIR.

## **6. Preparation of the Partial Recirculated Draft EIR**

The City of Porterville prepared a Partial Recirculated Draft Environmental Impact Report ("PRDEIR") to evaluate the cumulative significant of the Project's Greenhouse Gas emissions. Due to the holidays, the City circulated for public review the PRDEIR for more than CEQA's required 45-day period, from November 18, 2015 through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015 to obtain further input and comments on the PRDEIR.

## **7. Release of the Final Partial Recirculated EIR**

On May 27, 2016, the City of Porterville released the Final Partial Recirculated EIR ("FPREIR"), consisting of the PRDEIR, the revisions of, and/or additions to, the PRDEIR; the written comments received on the PRDEIR; the written responses of the City of Porterville to environmental issues raised in the written comments; and other information added by the City of Porterville as specified in the record. The Final Partial Recirculated EIR constitutes Volume 5 of the Final EIR prepared for the project.

## **B. Impact Findings.**

**The City finds and determines there was procedural compliance with the mandates of CEQA and that the Final EIR, as modified by the FPREIR, provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues and to the September 3, 2014 Judgment and January 12, 2015 Decision of the Tulare County Superior Court in Case No. VCU246336 regarding CEQA's requirements for a legally adequate Greenhouse Gas analysis.**

### **1. Absence of Significant New Information**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR, but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide examples of significant new information under this standard.

**The City recognizes that the Final EIR, as modified by the FPREIR, contains additions, clarifications, modifications, and other minor changes. With respect to this information, the City finds as follows:**

**a. Air Quality.** Comments received from the San Joaquin Valley Air Pollution Control District (SJVAPCD) requested minor changes to the methodology by which air quality impacts were calculated in the RDEIR. These refinements did not affect the conclusions presented in the RDEIR, but rather refine analysis presented in the RDEIR. The following modifications were made in response to the Air District's comments:

**Terminology:** The agency indicated that the RDEIR erroneously stated that "stationary" sources include both "point" and "area" sources of emissions, whereas the agency's guidance notes that "stationary/point" sources and "area" sources are two separate categories of emissions. The agency requested that this statement be corrected. Changes have been made in the Errata Section of the Final EIR to provide the correct terminology for stationary sources.

**Health Risk Assessment:** The December 2011 Final Health Risk Assessment ("HRA") incorporates all revisions suggested by the SJVAPCD. The HRA also responds to Attorney Mark Wolfe's comment criticizing the RDEIR's analysis of the Project's potential to result in a significant impact related to the emissions of toxic air contaminants, or "TACs." In response, an updated cumulative TAC analysis was prepared using the methodology Mr. Wolfe strenuously advocated be used on a recently-approved Walmart Project EIR, going so far as to file a CEQA challenge to that EIR on the basis that the EIR should have utilized the San Francisco Bay Area's own Air District's adopted thresholds for conducting a "cumulative TAC analysis," notwithstanding the fact that the governing district, the SJVAPCD, does not have an adopted threshold to use for conducting a cumulative TAC analysis and has consistently instructed the air quality consultant for that EIR not to prepare a "cumulative TAC analysis." The supplemental cumulative TAC analysis confirms the conclusions in the RDEIR that the Project's emissions would not result in a significant increase in health risks. The Final HRA and supplemental cumulative TAC analysis present no "new information" that would trigger recirculation per CEQA Guideline Section 15088.5. The results of the HRA, incorporating all revisions requested by the SJVAPCD, confirm the RDEIR's conclusions that the Project will not exceed SJVAPCD thresholds for cancer risk and chronic non cancer health hazards.

**NOx:** Modifications to the NOx analysis presented in the RDEIR were also made based on SJVAPCD comments. Incorporating SJVAPCD recommendations, the amount actually achieved through rule compliance can be confirmed by use of the SJVAPCD Rule 9510 Fee Estimator that provides the official reductions required when submitting an Air Impact Assessment Application to the SJVAPCD. In this case, a 25 percent reduction from the 13.14 tons per year baseline results in NOx emissions of 9.85 tons per year, which is below the SJVAPCD NOx significance threshold of 10 tons per year.

**Ambient Air Quality Analysis:** At the request of the SJVAPCD, an Ambient Air Quality Analysis (AAQA) was prepared for the Project. The results of the AAQA confirmed that the Project would not result in an exceedance of state or federal ambient air quality standards.

**b. Noise.** The RDEIR identified the estimated post-project noise levels at the residences nearest to the project site, which included 11 homes located along Springville Avenue and 10 homes located along S. Indiana Street. These homes were selected for evaluation in the RDEIR based on their proximity to the project site, where the greatest operational noise impacts were anticipated to originate. Due to existing and projected future traffic noise, the noise levels at these homes exceed a daytime noise level of 50.0 dB(A) and a nighttime noise level of 45.0 dB(A) under 2012 without project conditions and future (2030) cumulative without project conditions. In this situation, the RDEIR found that a significant project-related impact would occur if the Project's contribution to the existing noise levels would be greater than 1.5 dB(A). The increase in noise levels at these homes under 2012 plus project conditions and future cumulative (2030) plus project conditions would be greater than 1.5 dB(A). Therefore, the noise impacts at these homes under 2012 plus project conditions and future (2030) cumulative plus project conditions is considered significant and unavoidable even after mitigation. Further mitigation to reduce the sound made by vehicles and lessen the noise levels experienced at these homes both under current conditions and post-project conditions has not yet been developed.

In response to public comments questioning why the RDEIR's noise evaluation did not also evaluate noise levels at the residences located behind the eight homes selected, the noise consultant refined the RDEIR's noise modeling to identify the noise-attenuation provided by the existing eight homes on S. Indiana Street relative to the homes further west of the Project on Milo Place.

The Final EIR includes noise modeling for eight homes located on Milo Place for non-transportation noise sources. These homes are located to the west of the project site but were not included in the RDEIR. The noise modeling in the RDEIR modeled the noise impacts for non-transportation sources for the row of homes along S. Indiana Street, which are located in front of the homes on Milo Place, when viewed from the perspective of the project site. Noise levels are generally reduced by increasing the distance between the source and receptor and by placing barriers (e.g., buildings) between the source and receptor that blocks the line-of-sight. It was expected that due to the increased distance between the project site and the homes on Milo Place and the attenuating effect of the row of homes along S. Indiana Street, the noise levels for the homes along Milo Place would exhibit lower levels compared to the homes along S. Indiana Street.

The analysis in the Final EIR indicates that the estimated daytime (Ld) noise levels from non-transportation project noise at the homes along Milo Place, which are located behind (to the west of) the homes along S. Indiana Street, would be below 47 dB(A) with attenuation. The nighttime (Ln) values are lower by approximately 3 to 4 dB(A) for the corresponding houses. Thus, the nighttime noise levels from non-transportation project sources would be below 45 dB(A) for the homes along Milo Place. Again, the noise reduction is based on the attenuating effects of increased distance between the source and receptor and the row of homes that would act as a barrier and block the line-of-sight for the homes along Milo Place. Because the noise levels for the homes along Milo Place would be less than the noise levels already identified in the RDEIR, the noise modeling and additional analysis reveals no new or more significant environmental impacts, within the meaning of Guidelines Section 15088.5.

**c. Transportation.** Since circulation of the RDEIR, minor clarifications were made to Transportation Mitigation Measures 5.10-5 and 5.10-6 which address

the intersections of Plano Street/Poplar Avenue (SR 190) and SR-65/Scranton. The changes reflect the City's determination that intersection widening, rather than installation of a traffic signal, is the preferred interim improvement at both intersections. The Project will still pay a fair-share financial contribution to the cost of the improvement, as described in Final EIR pages 5.10-41 and 42. Payment of the fair share costs for widening at both intersections will continue to mitigate the Project's impact at the intersections to a level that is less than significant. The Project remains responsible for 2.23 percent (Plano/Poplar) and 2.28 percent (SR-65/Scranton) of the traffic volumes at these intersections and its fair-share payments to the City will total 2.23 percent and 2.28 percent of the costs for the planned improvements. The Project's fair-share payments will reduce the impacts of the project to a less than significant level.

**d. Other Minor Changes.** Various minor changes and edits have been made to the text and tables of the RDEIR, as set forth in the Final EIR. These changes are generally of an administrative nature such as correcting typographical errors, making minor adjustments to the data, and adding or changing certain phrases to improve readability.

**e. Late Comments from Attorney Mark Wolfe in his February 6<sup>th</sup> letter.** Late February 6, 2012, City staff received a 79-page package of additional EIR comments from Mark Wolfe and Associates (the "Wolfe letter"). Wolfe and his experts opine on a number of points related to the EIR's analysis of (1) greenhouse gas emissions; (2) traffic and in essence, the applicability of Transportation Demand Measures to mitigate a 2030 cumulative traffic impact caused by the estimated queuing distance at the intersection of Intersection #3--Olive Avenue/Jaye Street; and (3) and the Project's noise impacts on adjacent residents that disagree with the expert opinions of the City's own experts retained to prepare the EIR and its underlying technical studies related to noise. A difference of opinion among experts does not amount to a violation of CEQA. In response to the late comment letter submitted by Attorney Mark Wolfe & Associates on February 6, 2012, Staff has coordinated with the team of experts utilized in the preparation of the EIR to review the Wolfe letter and respond to its contents. The City together with its EIR consultant has prepared a response to the Wolfe letter, set forth in the City's February 7, 2012 Rebuttal Memo to Council. Specifically, staff worked with Impact Sciences and their air quality, noise and traffic consultants, as well as Michael Brandman & Associates to prepare the responses to Mr. Wolfe's letter and underlying studies he relies upon. The responses, and the entirety of the Rebuttal Memo are hereby incorporated by reference in this document as though fully set forth herein.

**f. Comments from Attorney Mark Wolfe on the PRDEIR.** Mark Wolfe and Associates also submitted a comment letter on the PRDEIR on January 7, 2016 regarding the PRDEIR's analysis of greenhouse gas emissions, alleging, among other things, that the City's use of the San Joaquin Air District's greenhouse gas threshold was improper ("Wolfe PRDEIR Letter"). The City responded to this comment letter in detail in the FPDEIR, further clarifying and amplifying the PRDEIR's conclusion that application of the San Joaquin Air District's greenhouse gas threshold is supported by substantial evidence and that quantification of the Project's GHG reductions is both conservative and supported by substantial evidence.

**The City finds that the Wolfe letter and the PRDEIR Letter do not raise any new significant information within the meaning of CEQA Guidelines Section 15088.5 that would require the**



**revision of the EIR, as modified by the FPREIR, and its recirculation for further public review and comment.**

(i) It is the opinion of the City that the Wolfe letter does not raise any issues that would indicate that the EIR failed to disclose a significant project impact, relied upon a defective methodology in evaluating project impacts, or otherwise contains a flaw that would require the EIR to be revised and recirculated for further public review.

(ii) The Wolfe letter and its underlying studies does not constitute significant new information or demonstrate that the public has been denied meaningful public review or the opportunity to comment on additional project impacts or feasible mitigation measures or alternatives that are not adopted.

(iii) As a response to questions posed in the late correspondence, the Rebuttal Memo provides further explanation and clarification of information already contained in the FEIR. The City disagrees with Wolfe letter's characterization of the Final EIR responses to his comments on the RDEIR, reaffirms that the Final EIR provided thorough and complete responses to all comments received during the 45-day RDEIR review period.

(iv) The City has strived to provide all information in a timely and complete manner with the intent that all potential impacts are appropriately evaluated and presented for meaningful public review and comment, and to provide all of the potential impacts and benefits of the proposed Project to the decision makers. All requested information that was reasonably related to the analysis and potentially significant environmental impacts have been presented in a good faith effort at full CEQA compliance.

(v) While the nearly 80 pages of technical information should have been provided to the City during the appropriate 45-day comment period for the Draft EIR, the City has endeavored to respond in good faith and has prepared responses to each of the issues raised in the comments which follow in order to provide final clarity on these issues for purposes of producing a complete administrative record.

(vi) With respect to the Wolfe PRDEIR Letter, the PRDEIR and FPREIR evaluated the Project's greenhouse gas emissions in accordance with CEQA, as directed by the Court of Appeal. The FPREIR responds to this comment letter in detail, clarifying and amplifying the PRDEIR's conclusion that application of the San Joaquin Air District's greenhouse gas threshold is supported by substantial evidence and that quantification of the Project's GHG reductions is both conservative and supported by substantial evidence.

**The City finds this additional information does not constitute significant new information requiring recirculation, but rather that the additional information merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.**

In addition to the changes and modifications described above, the Final EIR, as modified by the FPREIR, provides additional information in response to comments and questions from agencies and the public. Prior to approval of the Project, commenters suggested various additional mitigation measures or modifications to the mitigation measures identified by the EIR,

particularly with respect to noise-related design features and mitigation measures. As an example, attorney Mark Wolfe on behalf of the “Healthy Community Networks” suggested an increase in the height of the soundwall to mitigate noise impacts resulting from loading dock activities. However, the EIR includes analysis of the 12 foot soundwall (located atop a three foot landscaped berm for a total height of 15 feet) and its noise-attenuating properties. The Final EIR explained that even with the increased height of the sound wall, post-project noise levels at homes along Springville Avenue would remain the same and continue to exceed the conservative noise level threshold utilized in this analysis. As this suggested mitigation measure does not substantially lessen or avoid identified noise impacts, it is not an effective, appropriate or legally-required measure the City is required by CEQA to impose. The measure would also result in potential aesthetic impacts due to its severe height that exceeded the size of the Riverwalk Marketplace commercial center’s existing soundwalls and would inhibit the integrated appearance and functionality of the center.

Other comments requested minor modifications in mitigation measures identified in the Draft EIR; requested mitigation measures that were in fact already incorporated into proposed mitigation; requested mitigation measures for impacts that were less than significant; requested levels of detail that are not necessary for environmental review but will be submitted in advance of later permits and approvals; or requested additional mitigation measures for impacts as to which the Draft EIR identified mitigation measures that would reduce the identified impact to a less-than-significant level; these requests are declined as unnecessary. Additional modifications were suggested to the project design. As stated in the Final EIR, these changes were determined to be infeasible, unsafe, or likely to reduce the effectiveness of other mitigation measures identified for air quality, greenhouse gases, and traffic impacts.

**The City finds that information added in the Final EIR, as modified by the FPREIR, does not constitute significant new information requiring recirculation, but rather that the additional information clarifies or amplifies an adequate EIR. Specifically, the City finds that the additional information, including the changes described above, does not show that:**

- (1) A new significant environmental impact would result from the Project or from a new mitigation measure to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

**Based on the foregoing, and having reviewed the information contained in the Final EIR, as modified by the FPREIR, and in the record of City's proceedings, including the comments on the RDEIR and PRDEIR and the responses thereto, and the above-described information, the City finds that no significant new information has been added to the Final EIR, as modified by the FPREIR, since public notice was given of the availability of the RDEIR and PRDEIR that would require recirculation of the Final EIR, as modified by the FPREIR.**

## **2. Differences of Opinion Regarding the Impacts of the Project**

In making its determination to certify the Final EIR, as modified by the FPREIR, and to approve the Project, the City recognizes that the Project involves several complex environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The City has reviewed and considered, as a whole, the evidence and analysis presented in the RDEIR, the evidence and analysis presented in the comments on the RDEIR and PRDEIR, the evidence and analysis presented in the Final EIR, as modified by the FPREIR, the information submitted on the Final EIR, as modified by the FPREIR, and the reports prepared by the experts who prepared the EIR, the City's consultants, the applicants' consultants, and by staff, addressing those comments. The City has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the City to make its decisions after weighing and considering the various viewpoints on these important issues.

**Accordingly, the City certifies that its findings are based on full appraisal of all of the evidence contained in the Final EIR, as modified by the FPREIR,, as well as the evidence and other information in the record addressing the Final EIR, as modified by the FPREIR.**

### **C. Impacts and Mitigation Measures**

These findings provide the written analysis and conclusions of the City regarding the environmental impacts of the Project and the mitigation measures identified in the Final EIR, as modified by the FPREIR, and adopted by the City as conditions of approval for the Project. In making these findings, the City has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the analysis used in the Final EIR.

**The City finds that the determination of significance thresholds is a judgment within the discretion of the City; the significance thresholds used in the Final EIR, as modified by the FPREIR, are supported by substantial evidence in the record, including the expert opinion of the Final EIR preparers and City consultants and staff; and the significance thresholds used in the Final EIR, as modified by the FPREIR, provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.**

Exhibit A attached to these findings and incorporated herein by reference summarizes the environmental determinations of the Final EIR about the Project's environmental impacts before and after mitigation. This exhibit does not attempt to describe the full analysis of

each environmental impact contained in the Final EIR, as modified by the FPREIR. Instead, Exhibit A provides a summary description of each environmental impact, identifies the applicable mitigation measures described in the Final EIR, and states the City's findings on the significance of each environmental impact after imposition of the applicable mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR, as modified by the FPREIR, and these findings hereby incorporate by reference the discussion and analysis in the Final EIR, as modified by the FPREIR, supporting the Final EIR's determinations regarding the Project's environmental impacts and mitigation measures designed to address those impacts.

**The City approves the findings set forth in Exhibit A hereto as its findings regarding the Project's environmental impacts before and after mitigation. In making these findings, the City ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, as modified by the FPREIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR, as modified by the FPREIR, relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.**

**The City adopts, and incorporates as conditions of approval of the Project, the mitigation measures set forth in the MMRP attached as Exhibit B to reduce or avoid the potentially significant and significant impacts of the Project, as well as certain less-than-significant impacts.**

In adopting these mitigation measures, the City intends to adopt each of the mitigation measures identified by the Final EIR and applicable to the Project. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from Exhibit B, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit B fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

In comments on the RDEIR, various measures were suggested by commenters as additional mitigation measures or modifications to the mitigation measures identified by the EIR. Some of the EIR's mitigation measures were modified in response to such comments. Other comments requested minor modifications in mitigation measures identified in the RDEIR, requested modifications that were infeasible, requested mitigation measures for impacts that were less than significant, or requested additional mitigation measures for impacts as to which the RDEIR identified mitigation measures that would reduce the identified impact to a less-than-significant level; these requests are declined as unnecessary.

**With respect to the additional measures suggested by commenters that were not added to the Final EIR, the City adopts and incorporates by reference, separately and independently, the reasons set forth in the responses to comments contained in the Final EIR as its grounds for rejecting adoption of these mitigation measures.**

## **D. Basis for the City's Decision to Approve the Project and Reject Other Alternatives**

### **1. The City Findings Relating to Alternatives.**

In making these findings, the City certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR, including the information provided in comments on the RDEIR and the responses to those comments in the Final EIR. The Final EIR's discussion and analysis of these alternatives is not repeated in total in these findings, but the discussion and analysis of the alternatives in the Final EIR are incorporated in these findings by reference to supplement the analysis here. The City also certifies that it has independently reviewed and considered all other information in the administrative record.

The City finds that the range of alternatives studied in the Final EIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project's environmental effects, while accomplishing most of the Project Objectives. The City finds that the alternatives analysis is sufficient to inform the City, agencies, and the public regarding the tradeoffs between the degrees to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the achievement of the Project Objectives and other economic, environmental, social, technological, and legal considerations.

The City finds the Project Objectives are met. As set forth in Section B above, the City has adopted mitigation measures that avoid or reduce, to the extent feasible, the significant environmental effects of the Project. As explained in Section V of these findings, while these mitigation measures will not mitigate all Project impacts to a less-than-significant level, they will mitigate those impacts to a level that the City finds is acceptable. **The City finds the remaining alternatives infeasible. Accordingly, the City has determined to approve the Project instead of approving one of the remaining alternatives.**

In making this determination, the City finds that when compared to the other alternatives described and evaluated in the Final EIR, the Project, as mitigated, provides a reasonable balance between satisfying the Project Objectives and reducing potential environmental impacts to an acceptable level. The City further finds and determines that the Project should be approved, rather than one of the other alternatives, for the reasons set forth below and in the Final EIR.

#### **a. No Project/No Development Alternative**

Under CEQA, a "No Project Alternative" compares the impacts of proceeding with a Project with the impacts of not proceeding with the Project. A No Project Alternative describes the environmental conditions in existence at the time the Notice of Preparation was published or some other supportable time period, along with a discussion of what would be reasonably expected to occur at the site in the foreseeable future, based on current plans and consistent with available infrastructure and community services.

The "No Project/No Development Alternative" considered in the Final EIR assumes that if the Project is not approved, no further development of the Project Site would occur

in the foreseeable future. Thus, the Project site would remain as a disturbed, unimproved vacant site for the foreseeable future. Typically, a more realistic assumption is that, at some time in the future, the site could be built out with other commercial uses, consistent with its existing entitlements scenario that is evaluated under Alternative 2, No Project/Future Development Alternative.

**The City hereby rejects the No Project/No Build Alternative as infeasible.**

While this alternative would temporarily eliminate the significant unavoidable impacts related to traffic and circulation and noise it would not meet any of the objectives of the Project. With respect to the Project Objectives, the No Project Alternative would not provide additional employment opportunities and would not provide the long-awaited and much needed development on the currently underutilized Project site. On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the alternative's failure to achieve any of the Project Objectives, and its failure to effect the other beneficial attributes of the Project identified above and in Section V, below.

**b. No Project/Future Development Alternative**

Under the "No Project/Future Development Alternative," the site is assumed to be developed in a manner consistent with its land use designations. The project site is designated as retail center by the Land Use Map of the Porterville 2030 General Plan and was zoned PD(C-2), Central Commercial Zone with a Planned Development Overlay. The site is served by existing water, sewer, natural gas, telephone, and cable lines that are present within existing roadway rights-of-way. The site offers good visibility from SR-190, and is readily accessible. Perhaps most importantly, there is an existing demand for retail goods and services that is not being met in the city as evidenced by the existing retail sales leakage from the city.

Given the above characteristics, it can be assumed that the site would likely be developed at some time in the future with a retail commercial center if the currently proposed project is not approved. The C-2 land use designation establishes a FAR of 0.35. Therefore, the maximum development that could occur on the approximately 21.8± acre project site would be an approximately 320,160-square-foot commercial development, roughly 100,000 square feet denser than the Project itself.

The Future Development Alternative could result in a 63 percent increase in floor space compared to the proposed project given the allowable FAR, and thus environmental impacts potentially greater than presented by Project could occur. Traffic noise could increase due to the potential for an additional 4,033 average daily vehicle trips, compared to the proposed Project. However, it takes a doubling of traffic volumes to create an audible increase in noise levels along a roadway. Since implementation of either the Project or this alternative would not double traffic volumes along studied roadway segments, neither development scenario would cause an audible noise increase in roadway noise. As with the Project, operational noise levels generated by this alternative would be typical of that occurring in a retail center and would therefore exceed the thresholds provided by the Porterville Noise Ordinance at adjacent single-family residential units. While providing no apparent environmental benefit, this alternative also would fail to meet the following Project Objectives to the same extent as would the Project:

**The City hereby rejects the No Project/Future Development Alternative as infeasible.** This Alternative would not meet the Project Objectives to the same degree as would the Project due to the fact that site development would be deferred until some unspecified time. This deferment would delay, if not indefinitely postpone, the following tangible and long-awaited benefits that the city and its residents would realize from the Project:

*Completion of Riverwalk Marketplace:* Development of a vibrant retail shopping center that completes the Riverwalk Marketplace Phase I project and help attract much-needed tenants to its vacant spaces, and capture out of town sales tax revenue would not occur as planned, and possibly not for many years given the slow pace of economic recovery. The Future Development Alternative would fail to serve both the local and regional market area and attract customers and new business including retailers into the city of Porterville.

*Sales Tax Dollars:* The Future Development Alternative would not provide the City with more than \$622,000 in net new revenue to the City's general fund and new job opportunities for residents urgently needed now, during a time of record unemployment and extreme budgetary constraints.

*Continued sales leakage:* A Future Development Alternative extends the time period for the City to continue watching sales tax dollars flow into outlying jurisdictions that can offer its residents a modern retail shopping experience.

As this Project Alternative would also result in either the same, similar or potentially increased environmental effects in most of the environmental topic areas evaluated in the Final EIR, on balance, the Alternative is less desirable than the Project and is rejected by the City. Any environmental benefits thought to exist by virtue of a delay in the Project site's development are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of beneficial attributes as the Project as described above and in Section V, below, in the time frame the Project will provide those benefits.

### **c. Reduced Density Alternative**

Under the Reduced Density Alternative, the approximately 21.8 acre project site would be developed with a total of 179,172 square feet of retail space split among four building pads. This represents a 12 percent reduction in overall Project floor area compared to the project. Under this alternative, the Walmart Store size would be reduced from a total of 161,602 to 151,313 square feet and the store's grocery component would be removed. Outlot A would not be developed but would serve as a landscape buffer to the north and Building Pads 12 through 14 would remain unchanged in size and location fronting along Vandalia Avenue. The reduced size would translate into a reduction of 48 AM peak hour trips and roughly 300 PM peak hour trips from those the Project would create. While this alternative could lessen some of the environmental effects of the Project, objectives related to maximizing the commercial uses on the Project site, and increasing the overall commercial potential of Porterville, would not be met as completely as under the Project.

*Unmet demand:* The Walmart Store would not serve as a true one-stop shopping experience city residents have requested, and would fail to meet the current unmet demand of the

consumers residing within the city of Porterville and demand from planned future residential development in the city.

*Less Regional Draw:* Removing the Walmart Store's grocery component changes the Project's key anchor from a Walmart Supercenter to a Walmart Discount Store, unable to satisfy existing unmet demand for a convenient one-stop shopping experience. As such, the Project would not serve as a regional draw to the same extent as the Project, and would not maximize the retail opportunity presented by the Project site, with its prime location along the Jaye Street Corridor and immediately adjacent to State Route (SR) 190, a significant transportation corridor.

*Leakage:* The Project could be less effective at helping to reverse the documented leakage of retail spending and the resulting sales tax dollars from Porterville to outlying retail centers;

*Failure to Maximize Project's Location:* The reduced density alternative would fail to take maximum advantage of transportation improvements already built along the Jaye Street Corridor and intended to accommodate additional commercial land uses complimentary to those already in existence. As compared to the Project, it would be of less assistance to the City's goal to establish the area near the intersection of SR-65 and SR-190 as a retail shopping destination, as envisioned in the City General Plan.

The Reduced Project Alternative also fails to provide a commercial development that will maximize the opportunity for Riverwalk Marketplace.

**The City hereby rejects the Reduced Intensity Alternative as infeasible.** The Reduced Density Alternative would be inconsistent with some key fundamental Project Objectives, and would not fully meet other Project Objectives and, on balance, is less desirable to the City than the Project.

#### **d. Mixed-Use Center Alternative**

The Mixed-Use Center Alternative consists of 270 residential units and approximately 91,500 square feet of commercial uses. The commercial uses would include a Walmart totaling 61,500 square feet and several outlots totaling 30,000 square feet that could be used for small retail tenants or restaurants. It should be noted that the FAR for this alternative is 0.35, considerably lower than the maximum FAR of 2.0 allowed within the Retail Center land use designation. The lower FAR is required to accommodate both structures and parking for the alternative, without the cost prohibitive use of parking structures.

The Mixed-Use Alternative would reduce trip generation when compared to the Project, lessening vehicle trips because it involves reduced retail square footage (which tends to generate higher trips per-square-foot than office and residential uses). Overall, the Mixed-Use Center Alternative would result in a reduced potential for impacts with regards to Air Quality, Traffic, Sanitary Sewer, Solid Waste, and Energy; but could create greater impacts with regards to Noise, Fire Services, Police Services, and Water Supply, as is further detailed in the Final EIR



**The City hereby rejects the Mixed Use Center Alternative as infeasible.** The Mixed-Use Alternative would be inconsistent with some fundamental Project Objectives, and would not fully meet other Project Objectives, and is less desirable than the Project, as follows:

*Remote and Speculative Alternative:* The uncertainty associated with this alternative as well as the difficulty attracting a mixed-use developer in the current economy make this alternative undesirable and impractical. The City finds that were it to proceed with this Alternative, it is foreseeable that the Project site would remain vacant for an extended period of time, delaying the City's receipt of the type of benefits provided by the Project, as discussed in Section V, below.

*Less Revenue Generated:* Another fundamental objective of the Project is to maximize the amount of general sales tax and property tax revenues to accrue to the various agencies within the Project area. The Mixed Use Center Alternative, which likely would require greater municipal expenses and generate less revenue, would not maximize the amount of general sales tax and property tax revenues as stated in the Project Objectives.

On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of beneficial attributes as the Project as described above and in Section V, below.

**e. Alternative Project Location Alternative**

This alternative analyzes the development of an approximately 21.8 acre project site located approximately 1 mile southwest of the project site, at the northwest corner of SR-65 and Scranton Avenue. Through consultation with the City of Porterville, this site was chosen due to its size, location in relationship to SR-190 and SR-65, as well as its relative distance from sensitive uses (i.e., residential uses). This alternative would be the same size and design as the project which would consist of a 202,854-square-foot commercial development including a 161,602-square-foot Walmart and four outlots totaling 41,252 square feet.

Implementation of the Alternative Project Site Alternative would satisfy most of the project objectives. This alternative contains a similar commercial development that would be consistent with the Porterville General Plan, and would help to alleviate the demand for additional retail uses within the City. However, project objectives pertaining to the location of the project site at the confluence of SR-190 and SR-65 and the Jaye Street Corridor would not be met. In addition, this alternative would not complement the Riverwalk Marketplace Phase I project to create a larger retail center.

**The City hereby rejects the Alternative Project Location Alternative as infeasible.** The Alternative Project Location Alternative would be inconsistent with some fundamental Project Objectives, and would not fully meet other Project Objectives, and is less desirable than the Project.

*Not a Retail Center:* One of the objectives of the Project is to complement the Riverwalk Marketplace Phase I to serve as a well-designed retail center that will capture out of

town sales tax revenue. Failure to meet this important Project Objective would eliminate a key component of the Project.

*Remote and Speculative:* Due to the primarily agricultural nature of surrounding uses, it is unlikely that sufficient infrastructure exists within the project vicinity to accommodate a commercial development of this size. The required extension of required infrastructure may not be prohibitively expensive. Additional issues include ownership, as the ability to acquire the site is uncertain.

On balance, the environmental benefits that might be achieved with this alternative are outweighed, independently and separately, by the reasons described above, and the failure of this alternative to provide the same level of beneficial attributes as the Project as described above and in Section V, below.

**With respect to alternatives suggested by commenters, the City hereby adopts and incorporates by reference the reasons set forth in the responses to comments contained in the Final EIR, separately and independently, as its grounds for finding infeasible rejecting those alternatives.**

## **2. Findings Regarding Adequacy of Range of Alternatives.**

The City finds that the range of alternatives evaluated in the EIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project's environmental effects, while accomplishing most, but not all, of the Project Objectives. The City finds that the alternatives analysis is sufficient to inform the City and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the City's ability to achieve most, or all, of its Project Objectives.

## **V. STATEMENT OF OVERRIDING CONSIDERATIONS**

### **A. Impacts That Remain Significant**

As discussed in Exhibit A and the EIR, the City has found the following impacts would remain significant following adoption and implementation of the mitigation measures and imposed on the Project:

**1. Construction Noise:** Exterior noise levels at sensitive receptors around the Project site during construction would be exposed to daytime noise levels that exceed 60.0 dB(A). The City's Municipal Code exempts construction noise from compliance with the City's noise ordinance; however, the EIR adopted a conservative approach to noise impact evaluation and determined that the noise impacts resulting from construction would be treated as non-exempt.

**2. Operational Noise:** The Project will include features that produce noise. In both the year 2012 and 2030 (cumulative) scenarios, residences along Indiana Street and Springville Avenue would be exposed to noise levels that exceed the daytime noise level threshold of 50.0 dB(A) and the nighttime noise level threshold of 45.0 dB(A) per the Porterville Noise

Ordinance. The Project's installation of 12-foot high sound/screen wall atop the 3-foot high landscape berm, effectively screens the loading area and a ban on nighttime use of forklifts will significantly reduce these impacts. Nonetheless, largely due to the assumptions used in the noise study's evaluation of the Project's noise-generating operational features, the impact remains significant when noise levels are evaluated under the City's noise standards for ambient noise levels which are 50 dB(A) for daytime and 45dB(A) for nighttime hours. The analysis assumed a conservative worst-case scenario in which all onsite noise-generating equipment would be in use at the same time and on a constant basis, while actual use of the various pieces of on-site operational equipment will be spontaneous and sporadic, and not constant as assumed and modeled.

**3. Traffic and Transportation:** Assuming that the City's General Plan has correctly predicted how much and what type of development will be built out during the next 20 years—i.e. that all of the future development projected by the General Plan occurs and adds the correlating number of vehicles to the City's circulation system, the Project would cause the westbound left turn lane and the eastbound left turn lane at the intersection of Olive Avenue and Jaye Street to exceed capacity in the PM hour in the year 2030. It is not technically or physically feasible to lengthen the storage lane to accommodate Project contributions to queue lengths due to intersection geometry. For this reason, the Project creates a significant and unavoidable transportation impact in the 2030 cumulative scenario.

All feasible mitigation measures have been applied to the project. Thus, no feasible mitigation is available to reduce the above impacts to a less-than-significant level.

## **B. Overriding Considerations Justifying Project Approval**

**In accordance with CEQA Guidelines Section 15093, the City has, in determining whether or not to approve the Project, balanced the economic, social, technological, and other Project benefits against its unavoidable environmental risks, and finds that each of the benefits of the Project set forth below outweighs the significant adverse environmental effects that are not mitigated to less-than-significant levels.**

This statement of overriding considerations is based on the City's review of the Final EIR, as modified by the FPREIR, and other information in the administrative record. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the Project. The benefits of the Project are as follows:

### **1. *Creation of New Jobs***

The Project would generate both temporary construction jobs as well as approximately 300 full- and part-time jobs. With the exception of a very few Walmart management positions that may be filled by transferees from other localities, the vast majority of the permanent jobs will not require special skills and could be filled by existing local residents. Consequently, it is reasonably expected that the city of Porterville and its residents will enjoy the economic and social benefits from added employment opportunities offered by the Project.

These new employment opportunities are especially beneficial given the economic backdrop and the city's high unemployment rate. The unemployment rate in Porterville increased

by 7.8 percentage points from 2006 to 2010 and is currently 15.6 percent. Moreover, data shows the Trade Area, as defined in the EIR, has more residents commuting to employment outside its boundaries than non-residents commuting to jobs in the Trade Area. According to the EIR, only 61.9 percent of those employed in the Trade Area also live within its borders. This net outflow of workers indicates that the workers commuting into the area do not constitute a net increase in demand; in fact, according to the EIR analysis, area residents who work elsewhere likely spend some of their disposable income near their places of employment.

## **2.      *Generation of City Sales Tax Revenues***

According to analysis in the EIR, the Project at buildout would generate an estimated \$58.7 million in annual sales (estimated in 2008 dollars). In terms of revenues to the City, the Fiscal Impact Analysis estimated the Project would generate annual fiscal revenues of approximately \$734,000, primarily from sales and use tax, and secondarily from property tax and utility users tax. Sales and Use Tax is the largest source of projected City revenues from the Project, accounting for 76 percent of the total. The next largest sources of projected City revenues would be from Secured Property Tax, and Utility Users Tax, accounting for nine percent each of the total. Costs associated with the Project, meanwhile, are estimated at \$112,000, leaving a net surplus of \$622,000. These revenues will go to the City's General Fund, which is the primary funding source for the construction, operation and maintenance of a number of essential City services, programs and facilities, including fire and police services, recreation programs, transit operations, library services, public infrastructure such as water and sanitary sewer service, and administrative functions, among other items.

### **3. *Prevent Continued “Sales Leakage” to Other Communities.***

The City and surrounding Trade Area is losing \$45.1 million each year in potential sales revenues as a substantial number of local consumers shop out of town for general merchandise and other retail goods, as well as visit restaurants and other eating or drinking places located outside the trade area. This leakage analysis is more fully described in the EIR and urban decay analysis prepared for the EIR. The Project will be a key component of the City’s retail base and will help stem the documented “leakage” of retail and discount sales to other communities. The Project will provide a unique retail shopping opportunity – in particular, a one-stop, efficient shopping destination for general merchandise goods, apparel, household items and groceries at affordable prices. The City is aware of the fact that its residents currently must travel to other jurisdictions in order to enjoy the unique and efficient discount retail shopping that the Project will provide, because the same opportunity does not exist within the city. By providing this retail shopping opportunity, residents are less likely to travel out of the city to fulfill their shopping needs, and instead are likely to shop at the Project, as well as other retail uses near the Project.

### **4. *Provision of Needed Source of Goods***

The Project will provide retail options that currently do not exist in the trade area, with updated, modern, and energy efficient construction, in close proximity to local consumers and residents. The analysis of sales leakage and capture as well as detailed evidence in the record, demonstrates the city’s need for a more convenient source of goods for which significant and vocal consumer demand exists, and which can serve customers during both daytime and nighttime in a safe and secure environment. In addition to convenience, the community will benefit insofar as this closer source of goods leads to less vehicle miles traveled overall and associated environmental impacts.

### **5. *Modern, Energy-Efficient, Sustainable Project Design***

The Project includes numerous beneficial features that would serve the community, including the implementation of numerous sustainable design, siting and building features, as fully discussed in the EIR and in these Findings in Section II.B(h). The Project would be the first in the city to incorporate this level of sustainability on a commercial project of this magnitude.

### **6. *Traffic Improvements***

The Project will contribute its fair share through the payment of traffic impact fees and the construction of roadway improvements found necessary to service projected traffic volumes and ensure adequate levels of service.

### **7. *Successful Completion of Riverwalk Marketplace.***

The Project would complete the development of the Riverwalk Marketplace Commercial Center retail center, Phase I, of which the City approved in 2006, and that has been partially developed with a Lowe’s Home Improvement Store and other retail uses. The Project site has long been contemplated for commercial retail use by the General Plan and Zoning Ordinance.

### **C. Mitigation Monitoring and Reporting Program**

In accordance with CEQA and the CEQA Guidelines, the City must adopt a mitigation monitoring and reporting program (“MMRP”) to ensure that the mitigation measures adopted herein are implemented. The mitigation measures set forth in the MMRP will be enforced as outlined in the MMRP, through imposition of mitigation milestones and definite mitigation obligations. At each milestone in the process (e.g., issuance of building permits, issuance of the final certificate of occupancy, etc.), City staff will verify that the Project applicant has satisfied all applicable mitigation obligations. **The City hereby adopts the Mitigation Monitoring and Reporting Program for the Project attached to these findings as Exhibit B.**

### **D. Summary**

1. Based on the foregoing findings and the information contained in the administrative record of proceedings, the City has made one or more of the following findings with respect to each of the significant environmental effects of the Project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects on the environment and/or;

b. Specific economic, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the Project.

2. Based on the foregoing findings and information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the Project have been eliminated or substantially lessened where feasible; and

b. Any remaining significant effects on the environment found unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section V, above.

## **Attachments to Exhibit A-1:**

**[FINDINGS OF FACT IN SUPPORT OF THE CITY'S  
CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT  
REPORT PREPARED FOR THE RIVERWALK  
MARKETPLACE PHASE II PROJECT, APPROVAL OF THE  
PROJECT NOTWITHSTANDING ITS SIGNIFICANT AND  
UNAVOIDABLE ENVIRONMENTAL IMPACTS AND  
ADOPTION OF A STATEMENT OF OVERRIDING  
CONSIDERATIONS]**

**EXHIBIT A: Impact Findings**

**EXHIBIT B: Mitigation Monitoring and Reporting  
Program**

## EXHIBIT B

### MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the *California Environmental Quality Act (CEQA) Guidelines* requires that:

*[I]n order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.*

The City of Porterville, Community Development Department has been designated as the Lead Agency for the proposed project at the project site.

A Draft EIR was prepared to address the potential environmental impacts of the project. Where appropriate, the Draft EIR identified project design features or recommended mitigation measures to avoid or to mitigate potential impacts identified to a level where not significant impact on the environment would occur. This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor implementation of the mitigation measures required for the Riverwalk Marketplace Phase II project.

The mitigation measures identified in the Draft EIR are categorized by the environmental impact section. Following each mitigation measure is identification of the following:

- **Monitoring Phase:** The phase of the project during which the mitigation measure shall be monitored, such as: Pre-Construction, including the design phase; Construction; Prior to Issuance of a Building Permit; Prior to Issuance of a Certificate of Occupancy; Occupancy (post-construction).
- **Enforcement Agency:** The agency with the power to enforce the mitigation measure.
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made.

The MMRP for the Riverwalk Marketplace Phase II project will be in place throughout all phases of the project. The project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below, to the



appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been achieved. The City's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to the City Planning Division shall be at the discretion of the Environmental Coordinator. Generally, each report will be submitted to the City Planning Division in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. City Community Development Department, in conjunction with the project applicant, shall assure that project construction occurs in accordance with the MMP. Departments listed below are all departments of the City of Porterville, unless otherwise noted.

## **2. MITIGATION FOR ENVIRONMENTAL IMPACTS**

### **5.1 Air Quality**

- 5.1-1:** The project applicant shall prohibit truck idling in excess of 5 minutes at the loading docks by posting signs at clearly visible locations on the loading docks instructing drivers to turn off their engines within 5 minutes of arrival.

**Monitoring Phase:** Continuous  
**Enforcement Agency:** San Joaquin Valley Air Pollution Control District  
**Monitoring Agency:** San Joaquin Valley Air Pollution Control District

### **5.2 Biology**

- 5.2-1:** Within 30 days prior to ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March through August in the project region, or as determined by a qualified biologist), the applicant shall have weekly surveys conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the disturbance zone or within 300 feet (500 feet for raptors and special status species) of the disturbance zone. The surveys shall continue on a weekly basis with the last survey being conducted no more than seven days prior to initiation of disturbance work. If ground disturbance activities are delayed, then additional pre-disturbance surveys shall be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities.

If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors and special-status species) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the surveys shall be provided to CDFG in the Annual Mitigation Status Report.

**Monitoring Phase:** Prior to Construction  
**Enforcement Agency:** California Department of Fish and Game  
**Monitoring Agency:** California Department of Fish and Game

### **5.3 Cultural Resources**

**5.3-1:** In the event that cultural resources are unearthed during project subsurface activities, all earth disturbing work within a 200-meter radius must be temporarily suspended or redirected until an archaeologist or paleontologist has evaluated the nature and significance of the find. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the archaeologist or paleontologist. Construction on other parts of the project will be subject to Public Resources Code Section 21083.2(i). After the find has been appropriately mitigated, pursuant to this measure, work in the area may resume.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

## **5.7 Noise**

**5.7-1:** Prior to issuance of grading permits, the construction contractor(s) shall prepare a construction management plan for review by the City's Public Works Department that identifies the means to be utilized to attenuate construction noise to within City thresholds at nearby single-family residential units. These measures may include, but are not limited to, the following:

- Place stationary construction equipment as far from noise-sensitive uses as feasible.
- All construction equipment shall be equipped with appropriate mufflers in good working condition.
- Truck routes shall avoid travel through residential areas or past sensitive uses.

**Monitoring Phase:** Prior to Grading Permits  
**Enforcement Agency:** Department of Public Works  
**Monitoring Agency:** Department of Public Works

**5.7-2:** Construction activity shall be limited to between the hours of 6:00 AM and 9:00 PM Monday through Friday and 7:00 AM and 9:00 PM on Saturday and Sunday. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted on a sign no smaller than 4 feet by 8 feet at all construction entrances to allow for surrounding property owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

**5.7-3:** A 10-foot-high construction noise barrier shall be installed along the project frontage with Springville Avenue and Indiana Street prior to grading activities. The noise barrier shall either be constructed of a minimum 0.5-inch plywood or utilize acoustical blankets with a minimum Sound Transmission Class of 12. The barrier shall remain in place until noise intensive aspects of construction are completed.

**Monitoring Phase:** Construction  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

- 5.7-4:** The project applicant shall require that the forklift operation occurring at the proposed Walmart Building occur during daytime hours of operation only (from 7:00 AM to 10:00 PM) and that the forklift should not be used during the nighttime (from 10:00 PM to 7:00 AM).

**Monitoring Phase:** Occupancy  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

## **5.10 Traffic and Transportation**

- 5.10-1:** Prior to the issuance of building permits, the project applicant shall provide the City with all transportation-related development fees in accordance with the latest adopted fee schedule.

**Monitoring Phase:** Prior to Building Permits  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

- 5.10-2:** Prior to the issuance of building permits, the project applicant shall provide the City with all transportation-related fair share contributions to the City's Transportation Development Fund for all improvements not covered by the current fee program.

**Monitoring Phase:** Prior to Building Permits  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

- 5.10-3:** The City shall update its Transportation Impact Fee Program and adopt a new fee by 2013, to include, at a minimum, the improvements identified in **Mitigation Measures 5.10-4 to 5.10-9** that may be needed to mitigate cumulative traffic impacts if these improvements are not included in the proposed Tulare County Transportation Impact Fee Program, Measure R program, or funded by other sources.

**Monitoring Phase:** By March 2013  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

- 5.10-4:** Main Street & SR-190 Off-Ramp (South) – Contribution of fair share fee (2.96 percent) toward installation of a traffic signal.

**Monitoring Phase:** When needed based on City traffic surveys  
**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-5:** Jaye Street & Poplar Avenue (SR-190) - Contribution of fair share fee (11.31 percent) toward addition of one eastbound through lane, one westbound left-turn lane, and one northbound left-turn lane.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-6:** Plano Street & Poplar Avenue (SR-190) - Contribution of fair share fee (2.23 percent) toward intersection widening, including the addition of one eastbound left-turn lane, one eastbound through lane, and one westbound left-turn lane; one westbound through lane, one northbound left-turn lane; and one northbound through lane, one southbound left-turn lane, and one southbound through lane.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-7:** SR-65 & Scranton - Contribution of fair share fee (2.28 percent) toward intersection widening, including addition of one east-bound left-turn lane, one westbound left-turn lane, one northbound through lane, and one southbound through lane.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-8:** Poplar Avenue (SR-190) between Jaye Street and Plano - Contribution of fair share fee (7.61 percent) toward Addition of two lanes.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-9:** Jaye Street between Montgomery Avenue & Gibbons Avenue - Contribution of fair share fee (5.45 percent) toward addition of left-turn lanes.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-10:** Olive Street & Jaye Street: Project in 2008, 2012, and 2030 would increase the existing northbound left turn storage queue length by 40 feet, 39 feet, and 65 feet, respectively, in the PM peak hour period, warranting an extension of this lane by 65 feet, and by opening day.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

**5.10-11:** Springville Avenue & Jaye Street: Project with other mitigation measures would cause queue length at eastbound left turn lane to exceed existing storage capacity by 31 feet in the 2030 during the PM peak hour period, warranting an extension of this turn lane by 31 feet.

**Monitoring Phase:** When needed based on City traffic surveys

**Enforcement Agency:** Community Development Department, Department of Public Works

**Monitoring Agency:** Community Development Department, Department of Public Works

## **5.13 Solid Waste Disposal**

**5.13-1:** During construction, the contractor shall separate all project construction debris and construction-related debris into recyclable and non-recyclable items. Recyclable items shall include those materials that have value and can be diverted from landfill disposal. All recyclable debris shall be transported to appropriate recycling facilities to reduce waste disposed of at County landfills.

**Monitoring Phase:** Construction

**Enforcement Agency:** Community Development Department

**Monitoring Agency:** Community Development Department

- 5.13-2:** Prior to issuance of grading permits, the project applicant shall submit for review a Construction and Demolition Recycling Plan to the City of Porterville. The plan shall include means to separate recyclable/reusable construction debris. The plan shall include the method the contractor will use to haul recyclable materials and shall include the method and location of material disposal.

**Monitoring Phase:** Prior to Grading Permits  
**Enforcement Agency:** Community Development Department  
**Monitoring Agency:** Community Development Department

RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY OF PORTERVILLE CITY COUNCIL APPROVING  
CONDITIONAL USE PERMIT (PRC 2016-016-C-PM) TO AMEND THE CONCEPTUAL  
PLAN FOR THE VIEJO ROBLES PLANNED DEVELOPMENT, ADOPT A SPECIFIC PLAN  
FOR THE RIVERWALK MARKETPLACE PHASE II COMMERCIAL PROJECT, APPROVE  
THE OFF-SITE SALE OF ALCOHOL, AND APPROVE THE SIGN PROGRAM; FINDINGS  
AND CONDITIONS IN SUPPORT THEREOF

WHEREAS: the City of Porterville has received an application from CEI Engineering Associates, Inc. (the “applicant”) to permit construction of a 202,854 square foot retail commercial center on a 21.8± acre site divided among five building pads, anchored by a 161,602 square foot Walmart Store with the off-site sale of alcohol and four outlot tenants, a development to be known as the Riverwalk Marketplace Phase II project located at the northeast corner of Vandalia Avenue and Indiana Street (the “Project”); and

WHEREAS: Staff determined that the Project would require an amendment of the conceptual development plan for the Viejo Robles Planned Development to extend the commercial designation west to the Indiana Street right of way, and the adoption of a specific plan within the Viejo Robles Planned Development, for which Section 1710 A of the Porterville Zoning Ordinance requires approval of a conditional use permit; and

WHEREAS: The applicant has requested a conditional use permit to allow for the sale of beer, wine and distilled spirits by the Walmart Store under an off-sale license which has been reviewed in accordance with Section 2100 B of the Porterville Zoning Ordinance; and

WHEREAS: The Walmart Store alcohol display area would occupy an area of approximately 700 square feet out of an overall store square footage of 161,602 and would be located in the grocery sales area and away from store entrances and exits; and

WHEREAS: Census Tract 41.01, in which the subject site is located, has an over concentration of off-sale alcohol licenses as determined by a formula comparing the population of the census tract with the number of on-sale alcohol establishments. Over concentration is reached in this census tract when the number of off-sale licenses exceeds eight. There are currently 11 off-sale licenses in Census Tract 41.01. In such circumstances, the Alcoholic Beverage Control (“ABC”) may grant no additional licenses unless the City Council determines that there is a need of public convenience or necessity in the community for an additional alcoholic beverage license; and

WHEREAS: Project signage will comply with the Riverwalk Marketplace Sign Program which includes the Walmart sign program and the existing Riverwalk Marketplace Phase I sign program and is found in Exhibit B hereto; and

WHEREAS, the process leading to the City Council’s certification of the Final EIR and Associated Actions taken on February 7, 2012, included the following events:

- On September 29, 2008, the City of Porterville circulated the Initial Study/Notice of Preparation (IS/NOP) to responsible agencies, trustee agencies, and regional agencies, along



with organizations and interested persons for the 30-day circulation period required under CEQA Guidelines, Section 15082.

- Following circulation of the IS/NOP, updated project plans reflected an increase in total square footage from 225,580 square feet to 256,471 square feet. Rather than proceed with the Draft EIR's evaluation of a 256,471 square foot project, the City determined that it would instead update and reissue the NOP for an additional 30-day review period starting on November 25, 2008. The second NOP circulation period closed on December 24<sup>th</sup>. In all, the public received nearly 90 days to review and comment upon the scope and content of the Draft EIR for Riverwalk Marketplace Phase II project.
- The Draft EIR (SCH# 2008091149) was prepared and circulated for a 45-day public review period as required by state law from April 1, 2010, to May 17, 2010. The City Council conducted a public hearing to receive comments on the Draft EIR.
- After the Draft EIR had been released for public review and all comments had been received, the City learned that the Project's square footage had been reduced in size from 222,715 to 202,854 square feet. The City concluded that this square footage reduction would affect the project description and potentially require revised analysis and conclusions in each section of the Draft EIR's impact analysis. Instead of preparing a Final EIR that encompassed this level of potential change to the Draft EIR's analysis, the City decided to prepare and circulate a Revised DEIR ("RDEIR"). The RDEIR would evaluate the revised project with its reduced square footage, and would include an expanded noise analysis using a 2009 City Noise Ordinance that had not been in effect when the Draft EIR was prepared and had not been made publicly available since that time.

The City intended that the RDEIR would address the public comments received on the Draft EIR with a revised impact analysis or with additional information needed to clarify the Draft EIR's analysis of any specific issue, and in particular, the written DEIR comments submitted by Attorney Mark Wolfe on behalf a group opposed to the Walmart project operating under the name "Healthy Community Networks."

- On July 7, 2010, the Parcel Map Committee held a public meeting and discussed concerns and conditions relevant to the proposed project. Conditions developed as a result of this meeting and subsequent staff review were discussed with the applicant's agent and incorporated into the draft resolution of approval.
- On February 22, 2011, the City provided the State Clearinghouse with a Notice of Completion, and published the Notice of Availability in the Porterville Recorder. The RDEIR was circulated for public review and comment from February 22, 2011, to April 8, 2011.
- The Porterville City Council conducted a public hearing on March 15, 2011, for the purpose of allowing the public an opportunity to provide oral and written comments on the RDEIR. The City Council received 20 verbal comments at this hearing. At the close of the public review period on April 8, 2011, the City had received 28 public written comments on the RDEIR. Of these comments, three were from public agencies. One of these letters was a transmittal letter from the Governor's Office of Planning and Research State Clearinghouse

and Planning Unit acknowledging that the City had complied with the review requirements for state agencies and that no comments from state agencies had been received by the Clearinghouse. The other two were from the California Department of Transportation and the San Joaquin Valley Air Pollution Control District. The remaining 25 comments were received from private individuals. Of these remaining comments, 7 raised substantive comments on the Draft EIR that were addressed in the Final EIR, and 21 expressed unqualified support for the Project. All comments received were included in the Final EIR with a written response as required by CEQA.

- The Final EIR consists of the RDEIR together with a single volume dated January 2012 and titled *Riverwalk Marketplace Phase II Final Environmental Impact Report*. The Final EIR Section 2 is the “Response to Comments” section. It includes all written and oral public comments submitted on the RDEIR by interested public agencies, organizations, and members of the public and the City’s written responses to the environmental issues raised in those comments. Section 3 includes all “Additions and Corrections” made to the RDEIR which reflects the changes made in response to comments and other information. Section 3 includes a list of the RDEIR pages where refinements, clarifications and corrections were made, followed by those same pages, as corrected.

On January 27, 2012, the City posted the Final EIR and the Notice of Availability online at the City’s website <http://www.ci.porterville.ca.us/>. The Notice of Availability indicated that the EIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville’s website: <http://www.ci.porterville.ca.us/>

The three public agencies that submitted comments on the RDEIR each received a CD of the Final EIR via overnight carrier on January 27, 2012. Delivery confirmations are on file with the City of Porterville. The City sent each individual that commented on the Draft EIR a copy of the Notice of Availability of the Final EIR.

- On February 7, 2012, the City Council adopted Resolution 12-2012 certifying the Final Environmental Impact Report, adopting a statement of overriding considerations, and the following Associated Actions: Resolution 13-2012 approving Conditional Use Permit 2-2010, and Resolution 14-2012 approving Tentative Parcel Map 4-2010.

WHEREAS, California Healthy Communities Network (“CHCN”) filed a Petition for a Writ of Mandate in the Tulare County Superior Court on March 9, 2012, and a first-amended petition on September 21, 2012.

WHEREAS, the Tulare County Superior Court entered a judgment on April 11, 2013, denying CHCN’s Petition for Writ of Mandate and upholding the City’s certification of the Final EIR and the project approvals in all respects.

WHEREAS, CHCN filed an appeal to the State of California Fifth District Court of Appeal on July 3, 2013. In an Opinion dated September 3, 2014, the Court of Appeal found in favor of CHCN and reversed the Superior Court’s decision with respect to the adequacy of the Greenhouse Gas (“GHG”) emissions analysis. The Court of Appeal determined that the City “failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of

the reduced quantity of emissions claimed.” (Opinion at p.2). As such, the Court held that the Final EIR failed to provide substantial evidence to support the City’s determination that the Project’s impacts on global climate change from GHG emissions would be less than significant.

WHEREAS, on January 12, 2015, the Superior Court issued a peremptory writ of mandate commanding the City to set aside its February 7, 2012, actions certifying the Final EIR and approving Conditional Use Permit No. 2-2010 and Tentative Parcel Map No. 4-2010, and to take appropriate action to ensure compliance with CEQA as to the following matter only as identified in the Court of Appeal opinion: the City’s determination that the Project’s impacts on global climate change from GHG emissions will be less than significant was not supported by substantial evidence. It further determined that the GHG analysis was severable from the remainder of the EIR; severance would not prejudice complete and full compliance with CEQA, and the remainder of the EIR complied with CEQA.

WHEREAS, on April 21, 2015, the City Council of the City of Porterville adopted Resolution 46-2015 setting aside and rescinding without prejudice Council’s decisions on February 7, 2012, for the Riverwalk Marketplace Phase II Project.

WHEREAS, to comply with the January 12, 2015 Writ of Mandate, the City of Porterville prepared a Partial Recirculated Draft Environmental Impact Report (“PRDEIR”) analysis of the project’s potential GHG impacts (GHG”). Due to the holidays, the PRDEIR circulated for more than CEQA’s required 45-day period, from November 18, 2015, through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015, to obtain further input and comments on the PRDEIR.

WHEREAS, on November 18, 2015, a Notice of Availability of the PRDEIR and Notice of Public Hearing were published in the Porterville Recorder, a newspaper of general circulation, and the public hearing was announced by the Porterville Recorder in a news article prior to the meeting, and notice was mailed to property owners and residents within a five-hundred (500) foot radius, and was mailed to interested parties who had requested notice. The PRDEIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville’s website: <http://www.ci.porterville.ca.us/>; and

WHEREAS, on May 27, 2016, the City of Porterville published a notice of Public Hearing for the Final Partial Recirculated Environmental Impact Report (“FPREIR”), consisting of the PRDEIR, the written comments received on the PRDEIR, and the written responses of the City of Porterville to environmental issues raised in the written comments; and

WHEREAS, on June 7, 2016, after ten days published notice, a public hearing was held before the City Council to consider the FPREIR and the Associated Actions.

WHEREAS, based on its independent review and analysis, the staff analysis, oral and written testimony, and the Final EIR, as revised by and including the FPREIR, the City Council finds, after due study, deliberation and public hearing as follows:

1. The Final EIR, as revised by and including the FPREIR, for the Riverwalk Marketplace Phase II project has been prepared in full compliance with CEQA and the related CEQA Guidelines.
2. The Porterville City Council hereby further finds that the information contained in the Final EIR, as revised by and including the FPREIR, has been reviewed and considered by the Porterville City Council.
3. The Project is consistent with the goals, policies and land use designation of the Porterville 2030 General Plan, which designates the site as Retail Centers as supported by the current Planned Development zoning and with the C-2 (Central Commercial) zoning that was in effect when this application was deemed complete and under Resolution 119-2010, applies to the Project site.
4. The amendment of the Viejo Robles conceptual plan and adoption of a specific plan within the Viejo Robles Planned Development and the off-sale of alcohol is allowed subject to the approval of a Conditional Use Permit.
5. Conditional Use Permit 2-2010 includes a component for an off-sale alcohol use and an additional license. There are circumstances that support an additional off-sale license in Census Tract 41.01, which are as follows:
  - a. This regional shopping center serves a regional population beyond the boundaries and population size of Census Tract 41.01.
  - b. Requests for off-sale alcohol use permits have been anticipated in this regional shopping center.
  - c. The addition of an off-sale alcohol license at this location will enable the Walmart Store customers to have a one-stop shopping experience within this regional shopping center.
  - d. Issuance of an off-sale license represents a viable economic asset to the community which will contribute tax revenues to the local economy.
6. The Project will not be detrimental to the health, safety, comfort, convenience, and general welfare and will be compatible with surrounding land uses. The Project will be developed on a site that the City has planned for a regional serving shopping center for many years. The Project complies with the planned development designation of the City's Zoning Ordinance, with all applicable City codes, zoning provisions and regulations. The planned development designation allows for the City to address uniqueness of the particular development, which it has done with respect to the Project.
7. The location of the Project and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety, welfare, or materially injurious to properties or improvements in the vicinity.
8. There are adequate public services, including, but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.

9. Conditions of approval and mitigation measures are imposed to ensure that project-related environmental impacts are mitigated to the maximum extent feasible and adequate development standards are met.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville hereby approves Conditional Use Permit (PRC 2016-016-C-PM) and in doing so:

1. Amends the Conceptual Development Plan for the Viejo Robles Planned Development, extending the commercial land use designation west to the Indiana Street right of way; and
2. Adopts a Specific Plan for the Planned Development to be known as the Riverwalk Marketplace Phase II project, with all approved plans, exhibits; and
3. Approves a Master Sign Program; and
4. Approves off-sale alcohol sales within the Walmart Store and authorizes the Mayor to sign a letter of public convenience or necessity.

LET IT FURTHER BE RESOLVED: That the City Council approves the conditions of approval for Conditional Use Permit (PRC 2016-016-C-PM) that will govern the Riverwalk Marketplace Phase II project that is attached as Exhibit A hereto and incorporated by reference.

PASSED, APPROVED AND ADOPTED this 7th day of June, 2016.

\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By:\_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

June 8, 2016

California Alcoholic Beverage Control Board  
Fresno District Office  
3640 East Ashlan  
Fresno, CA 93726  
ATTN: Christine Weldon

RE: Letter of Public Convenience or Necessity  
Walmart Supercenter – Located within Riverwalk Marketplace  
Porterville, CA

Dear Ms. Weldon:

The City Council of the City of Porterville has approved submittal of this letter regarding the public convenience or necessity to be served through issuance of a Type 21 off-sale beer, wine and distilled spirits license for the Walmart Supercenter to be located in the Riverwalk Marketplace Phase II commercial center at the northeast corner of Vandalia Avenue and Indiana Street in Porterville, California.

Approval of this letter was based upon the following findings:

1. The subject site is located within Census Tract 41.01 which currently allows eight off-sale beer and wine licenses. At present there are 11 issued licenses. Per Section 23958.4 of the “Business and Professions Code” a Letter of Public Convenience or Necessity is required for an additional license to be granted in this Census Tract.
2. On June 7, 2016, the City Council adopted Resolution No. \_\_\_\_\_, approving Conditional Use Permit (PRC 2016-016-C-PM) to allow the off-sale of beer, wine and distilled spirits in conjunction with a Walmart Supercenter to be constructed at the site referenced above. At this hearing the City Council authorized the mayor to sign this Letter of Public Convenience or Necessity.
3. This regional shopping center serves a regional population beyond the boundaries and population size of Census Tract 41.01.
4. Requests for off-sale alcohol use permits have been anticipated in this regional shopping center.
5. The addition of an off-sale alcohol license at this location will enable the Walmart store customers to have a one-stop shopping experience within this regional shopping center.

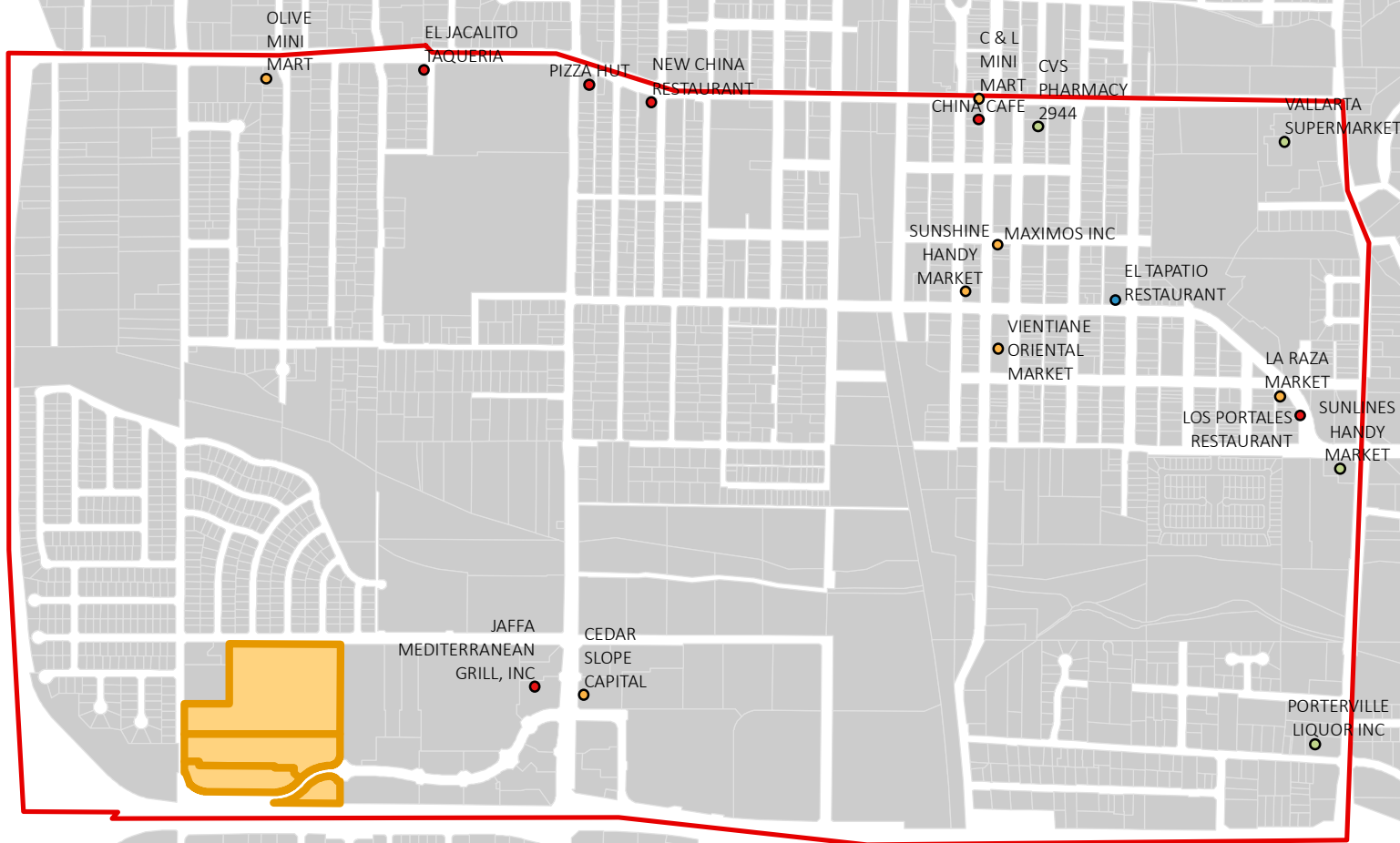
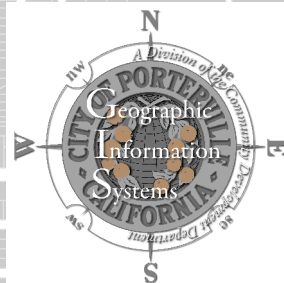
Walmart Supercenter (continued)  
June 8, 2016  
Page 2

6. Issuance of an off-sale license represents a viable economic asset to the community which will contribute tax revenues to the local economy.

In consideration of the above, the City Council determined that the public convenience or necessity would be served by the issuance of an off-sale beer, wine and distilled spirits license for this business. The City Council of the City of Porterville supports issuance of an off-sale beer, wine and distilled spirits license for the Walmart Supercenter to be constructed in Porterville.

Sincerely,

Milt Stowe, Mayor



## Riverwalk Project

 Project Area

## Alcohol Licenses

-  Off-Sale Beer and Wine (7)
-  Off-Sale General (4)
-  On-Sale Beer and Wine for Bona Fide Public Eating Place (6)
-  On-Sale General for Bona Fide Public Eating Place (1)

 Census Tract 41.01



## **EXHIBIT A**

### **CONDITIONAL USE PERMIT (PRC 2016-016-C-PM) CONDITIONS OF APPROVAL**

#### **Off-Sale Alcohol Permit:**

1. Building permit plans shall include a floor plan that shows the location of the alcoholic beverages sales area.
2. Alcohol display area shall be located toward the middle or rear of the grocery sales area and away from store entrances and exits.
3. A restaurant tenant in the shopping center or within the Walmart store would require a separate alcohol CUP and Alcoholic Beverage Control (“ABC”) license for the sale of alcohol, in accordance with the Municipal Code and state law.
4. No alcohol advertising shall be displayed on the outside of the proposed buildings.
5. Any future violations of Municipal Code provisions governing the sale or consumption of alcohol, and/or excessive service calls to the Police Department found to result from the sales of alcohol may result in the revocation or modification of Conditional Use Permit (PRC 2016-016-C-PM) as it relates to alcohol sales.

#### **Specific Plan Conditions:**

6. Development shall occur in substantial conformance with the following final specific plan exhibits as approved by the City Council, that collectively shall constitute “Exhibit B”:
  - i. Preliminary Site plan
  - ii. Preliminary Grading plan
  - iii. Preliminary Utility plan
  - iv. Construction Staging plan
  - v. Materials Board
  - vi. Architectural Elevations
  - vii. Landscape Plan
  - viii. Lighting Plan
  - ix. Sign Program
7. Plans for all buildings shall be consistent with the approved architectural style, colors and materials and compatible with the existing shopping center buildings, and shall be reviewed and approved by the Community Development Department prior to building permit issuance. Significant departures from the approved architectural style, colors and materials may require review and approval by the City Council, at the discretion of the Community Development Director.
8. As the Project includes five separate parcels, the applicant shall provide for a maintenance agreement by and between all respective parcels to ensure that all common areas and the right of way is maintained comprehensively and in a consistent manner. This agreement shall

be reviewed by the City Attorney and recorded prior to or concurrent with recordation of the Tentative Parcel Map.

9. Project signage will be governed by the Riverwalk Marketplace Sign Program included in Exhibit B(ix). All Project signage requires a ministerial sign permit, prior to sign installation. Minor revisions to the sign program, including those relating to specific building architecture, may be approved by the Community Development Director. Signs shall be posted within the parking areas prohibiting the display of vehicles for sale.
10. The developer/applicant shall install security lighting on the exterior of the building and/or in the parking lot consistent with the approved Lighting Plan, included in Exhibit B. Security lighting shall be installed on the exterior of the buildings developed on the outlot building pads that is sufficient to allow reasonable surveillance of the parking area.
11. Following 45 days from the issuance of a certificate of occupancy for each use, temporary storage containers shall not be permitted on the site without prior approval by the Community Development Director. At her discretion, and based upon the nature of the request in terms of number and size of temporary storage containers and the duration of their proposed use on site, the Director may refer the request to the City Council for review and approval.
12. Bike racks shall be installed in accordance with the minimum requirements of the California Green Building Code edition in existence at time of building plan submittal.
13. All roof mounted, ground mounted and wall mounted equipment shall be screened from public view in a manner that is architecturally consistent with the buildings. The plans that are submitted for a building permit shall identify whether mechanical equipment is to be located on the roof, and if so, the building plans shall indicate the height of the equipment above the roof, and the plans for screening the roof-top equipment (mechanical, electrical, etc.) such that the roof-top equipment does not project above the screen wall. If rooftop equipment would exceed the height of the screen wall, the applicant/developer shall demonstrate in a drawing that the unit is not visible from the ground level of State Route 190 at a viewing height of six feet.
14. Any graffiti on the property shall be promptly abated, pursuant to the City's adopted Graffiti abatement program. If the problem persists, as determined by the Community Development Department, a plan for preventing recurrence shall be submitted to the Community Development Department for review and approval, and shall be implemented as approved. Suggested anti-graffiti measures include the use of vertical landscaping or vines along affected wall surfaces, and/or the use of anti-graffiti paint.
15. Prior to issuance of a building permit for any parcel, a final landscaping and irrigation plan shall be prepared by a licensed landscape architect, subject to review and approval by the Community Development Department. The plan submittal shall include three blueprints of the plan. The landscape plan shall be implemented prior to occupancy of the premises for which the building permit is issued.
16. The landscape plan shall include the installation of city street trees along the Springville Avenue, Indiana Street, and Vandalia Avenue frontages of the property. These trees are to be

planted at spacing equivalent to a minimum of one tree per thirty-five (35) feet of roadway frontage. The trees are to be a minimum of 15 gallon size specimens incorporated into the designated landscape areas. Root barriers are required for all trees planted within ten feet of public sidewalks.

17. The landscaping plan for each parcel shall be consistent with City Standards and the city's Water Efficient Landscape Ordinance, and shall include the following:
  - a. The size, species and number of plants.
  - b. Layout of the sprinkler system for maintaining the landscaping.
  - c. A maintenance and watering schedule.
  - d. An automatic irrigation system incorporating time clocks and/or moisture sensors.
  - e. All landscaping areas on the property and in the public parkway shall be permanently maintained as follows:
    - i. With healthy, growing plant material, free from weeds, as shown on the approved landscape plan.
    - ii. Landscaping shall be watered in accordance with the approved maintenance and watering schedule that is incorporated into the landscape plan.
    - iii. At no time shall landscape areas be permitted to show lack of fresh green color or a loss of resilience due to lack of water.
  - f. All parkways, which are areas within the public right of way, shall be landscaped with grass, other live landscaping material, or shall be improved with materials approved by the Public Works Department.
18. Developer/applicant shall construct sidewalks along the full frontage of Indiana Street and Vandalia Avenue per City Standards (9.5 feet wide). A 4.5 wide sidewalk shall be constructed along the Springville Avenue as shown on the submitted cross section to allow for the landscaping berm and block retaining wall depicted in the plans comprising Exhibit A. Construct curb returns to conform with the State of California 50-foot radius STAA Truck Turning Template (Ord. No. 1306), where applicable.
19. The number of backflow prevention devices to service the development shall be minimized. All backflow prevention devices shall be shown on the site plan and the landscape plan that are submitted with a building permit application. All backflow prevention devices shall be partially or completely screened from view of the public street. The location of each backflow prevention device and the method and extent of screening shall be approved by the Community Development Department in consultation with the Public Works Department and the Fire Department. The location of fire suppression devices shall be subject to approval of the Fire Department. A public utility easement shall be provided for the water line lateral serving each backflow prevention device or fire suppression device.
20. A 12 foot high block wall shall be installed along the northern property line on top of a three foot high landscaped berm, consistent with the existing block wall along Springville Avenue in Phase I in colors, materials, and location. The design of the wall shall continue around the adjacent parcel at the southeast corner of Springville Avenue and Indiana Street with heights as shown on the approved site plan (Exhibit B).

21. The City will monitor actual water usage for one year and will bill the owner the impact fees based on the actual water usage. The developer/applicant's installation of a separate meter servicing the irrigation system would help monitor actual water usage and reduce the associated impact fees.
22. The applicant shall provide a barrier curb or other physical barrier acceptable to the City Engineer (i.e. a temporary asphalt concrete berm) between the developed portion of the site and the undeveloped portion. No parking or vehicular circulation is allowed on unpaved portions of the site, unless specifically permitted otherwise.
23. The developer/applicant shall move existing utility structures (for example, poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet of clear space in the sidewalk area and a minimum of two feet of clear space from the curb face to the structure, unless they are below grade (Title 24 OSA). Aboveground utilities along the west side of Jaye Street are to be relocated behind the back of walk or placed underground in accordance with the applicable utility companies' standards and specifications.
24. The developer/applicant shall provide street lights on Marbelite poles following Southern California Edison Company specifications, as approved by the City Engineer. Wood poles shall not be used without prior written approval from the City Engineer.
25. Prior to issuance of a building permit for each outlot building, a site plan shall be submitted identifying the location of all trash enclosures, for review and approval by the Public Works Department. Trash enclosures shall be constructed to City standards, for use of City Standard refuse and recycling bins, and shall be laid out for easy access by collection trucks. The building permit applicant shall install an enclosure that would accommodate a solid waste and recyclable container for collection.
26. The Walmart Store shall install the compacting, self-contained refuse container shown in the approved Preliminary Site Plan, included in Exhibit B. The City of Porterville, as franchisee of solid waste collection within city limits, is responsible for emptying all containers containing solid waste. Walmart may contract with a private entity for disposal of all other refuse and recyclable containers. Recyclables and organic wastes will be contained within the proposed Bale/Palette/Organics Storage Areas, with minimum screen wall height of six feet.
27. The developer/applicant for a building permit shall sign a waiver of liability for refuse truck damage to the parking lot if the refuse container location requires refuse trucks to travel on the parking lot.
28. The Conditional Use Permit shall become null and void if the applicant/developer fails to take steps to actively and continuously pursue the Project, following its approval, within either:
  - i. One year of the entry of dismissal or judgment in any lawsuit filed to challenge the City's approval of this Project and/or its certification of the Final EIR,
  - ii. One year following the date the 30-day statute of limitations to file a CEQA challenge to the City's approval of this Project and/or its certification of the Final EIR expires.

29. The Conditional Use Permit may be extended by the Community Development Director for good cause shown, in one year increments if a request is submitted by electronic mail (or otherwise in writing) by an agent of the applicant.
30. The project shall comply with all applicable State and Municipal Codes, including the California Building Code and the Uniform Fire Code and meet the requirements of the Public Works Department, City Engineer, Building Inspector, Planning Department and Fire Chief, including payment of applicable fees.
31. Failure to comply with any conditions of this Conditional Use Permit is subject to the adopted Citation Ordinance of the City of Porterville and can be grounds for the modification or revocation of this Conditional Use Permit for each use in noncompliance.
32. The applicant/developer shall comply with the conditions of approval as set forth herein, and all adopted mitigation measures.
33. The Trip Reduction Strategies table on page 2.0-80 of the FEIR is hereby adopted as Walmart's incentive based rideshare program for store employees. Prior to issuance of a building permit Walmart shall submit detailed information on program implementation. The details shall be reviewed and approved by the Zoning Administrator and shall be implemented by Walmart by opening day.





EXISTING

|                  |                          |                      |
|------------------|--------------------------|----------------------|
| ASPHALT CONCRETE | TRM                      | TOP BACK OF CURB     |
| ACD              | AC DIKE                  | TEMPORARY BENCH MARK |
| B                | BOTTOM OF BANK           | TRM                  |
| BLD              | BUILDING CORNER          | W                    |
| BSL              | BOLLARD                  | WBL                  |
| CURB             | CURB INLET BEHIND        | WBL                  |
| CURB             | CURB INLET GRATE         | WC                   |
| CNTL             | CENTERLINE               |                      |
| CNC              | CONCRETE                 |                      |
| CNTV             | CANTERWAY APPROACH       |                      |
| DMH              | DRAINAGE MANHOLE         |                      |
| E                | EXISTING                 |                      |
| EAST             | EAST OF ELECTRIC         |                      |
| EGS              | EXISTING GROUND          |                      |
| EDGE             | EDGE OF PAVEMENT         | -XGX-                |
| FCL              | FENCE CHAINLINK          |                      |
| FIN              | FINISHED FLOOR           |                      |
| FL               | FLOW LINE                | 0                    |
| FL               | FLOW LINE                | 0                    |
| GR               | GRADE BREAK              | -ONE-                |
| GUARD            | GUARDRAIL                | -ONE-                |
| GUT              | GUTTER                   | -ONE&T               |
| INT              | INVERT ELEVATION         | -OHT-                |
| NORTH            | NORTH                    | -OHTV                |
| OVERHEAD         | OVERHEAD                 | -PCS-                |
| PIPE             | PIPE                     |                      |
| ROP              | REINFORCED CONCRETE PIPE | UG&T                 |
| SOUTH            | SOUTH OF                 | UG&T&V               |
| SO-HC            | SIDEWALK-HANDICAP        | UG&T                 |
| SD               | STEEL STRIPE             | UG&T                 |
| SW               | SIDEWALK                 | UG&T                 |
| TELEPHONE        | TELEPHONE                | -UGT-                |
| TOP              | TOP OF BANK              | UGTV                 |
|                  |                          | MULTI                |

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PROPOS

 BOUNDARY R.O.W. LINE  
 SETBACK LINE  
 LIMITS OF HEAVY DUTY PAVING  
 TYPE "E" VERTICAL CURB  
 SEE DETAIL 10  
 CONCRETE CURB AND GUTTER  
 SEE DETAIL 70A  
 BUILDING CONTROL POINT  
 PROPOSED ASSOCIATE PARKING  
 4' WIDE PAINTED WHITE STRIPES  
 PROPOSED PARKING SPACES  
 LIMITS OF SIDEWALKS & CONCRETE APRONS  
 (PER ANGLE PLANS)  
 PATH OF TRAVEL  
 COMPACT CAR STALLS

ABBREVIATIONS:  
 B.S.B. = BUILDING SETBACK  
 L.S.B. = LANDSCAPE SETBACK

## GENERAL SITE NOTES

- A. ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- B. ALL CURB RETURN RADII SHALL BE 2' OR 10', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
- C. UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS:  
ALL CURBING SHALL BE PER DETAIL 1E AND 70A.  
ALL ACCESSIBLE AND VAN ACCESSIBLE SPACES SHALL BE PAINTED PER DETAIL 70D.
- D. ALL PARKING LOT SIGN BASE SUPPORTS (EXCEPT ACCESSIBLE PARKING SIGNAGE) SHALL BE INSTALLED PER DETAIL 12F.
- E. ALL ACCESSIBLE PARKING STALLS SHALL HAVE SIGNAGE INSTALLED PER DETAIL 9H.

☐ SITE DETAILS (REFER TO DETAIL SHEETS)

- |     |                                                                    |
|-----|--------------------------------------------------------------------|
| 1E  | TYPE "T" CURB                                                      |
| 1F  | TYPE "T" CURB (TEMPORARY)                                          |
| 30  | CONCRETE SIDEWALK                                                  |
| 34  | SPECIAL LANDSCAPE ISLAND (TYPE DESIGNATED BY<br>DETAIL SYMBOL)     |
| 5A  | GUARD RAIL (SINGLE)                                                |
| 6A  | STANDARD DUTY ASPHALT PAVING                                       |
| 6B  | HEAVY DUTY ASPHALT PAVING                                          |
| 6C  | HEAVY DUTY CONCRETE PAVING                                         |
| 6D  | CONCRETE JOINT DETAIL                                              |
| 9A  | ACCESSIBLE PARKING SYMBOL (SEE PAINT COLOR<br>INDICATED AT SYMBOL) |
| 10A | TRAFFIC FLOW ARROW (TYP.)                                          |
| 10B | STOP BAR (TYP.)                                                    |
| 10C | RIGHT LANE MARKING                                                 |
| 10D | LEFT/LEFT TURN ONLY PAVEMENT MARKER.                               |

| ACCESSIBLE PARKING |  |             |             |
|--------------------|--|-------------|-------------|
| VAN PARKING        |  | 3 REQUIRED  | 5 PROVIDED  |
| ACCESSIBLE PARKING |  | 18 REQUIRED | 18 PROVIDED |
| TOTAL              |  | 21 REQUIRED | 23 PROVIDED |

| PARKING RATIO          |                |                    |                    |
|------------------------|----------------|--------------------|--------------------|
| BUILDING SUIT.         | SQ. FT.        | NO. OF SPACES REQ. | RATIO/1000 SQ. FT. |
| WAL-WALK               | 161,602 S.F.   | 808 REQUIRED       | 5.14               |
| OUTLOT "A" - 6781 S.F. |                | 33 REQUIRED        | 10.18              |
| PAD 12 - 8,308 S.F.    |                | 47 REQUIRED        | 4.90               |
| PAD 13 - 10,995 S.F.   |                | 55 REQUIRED        | 4.00               |
| PAD 14 - 14,090 S.F.   |                | 71 REQUIRED        | 6.81               |
| TOTAL - 202,854 S.F.   | 1,015 REQUIRED | 1,085 PROVIDED     | 5.35               |

## ACREAGE DISTRIBUTION

| in ACRES                    |        |
|-----------------------------|--------|
| WAL-MART                    | 16.69± |
| OUTLOT "A"                  | 1.04±  |
| SPRINGVILLE AVE. DEDICATION | 0.02±  |
| INDIANA ST. DEDICATION      | 0.01±  |
| TOTAL WAL-MART              | 17.77± |
| PAD 12                      | 1.04±  |
| PAD 13                      | 1.14±  |
| PAD 14                      | 1.84±  |
| TOTAL SITE                  | 21.78± |

## SETBACKS

| PARKING     |      | BUILDING    |      |
|-------------|------|-------------|------|
| FRONT ST.   | 5'   | FRONT ST.   | 12'  |
| SIDE ST.    | NONE | SIDE ST.    | NONE |
| REAR / SIDE | 15'  | REAR / SIDE | 60'  |

 SITE NOTES

- 18 LANDSCAPE AREA, SEE LANDSCAPE PLAN
- 26 TRANSFORMER PAD (PER ELEC. CO. AND/OR ARCH. PLANS)
- 27 CONCRETE TRASH COMPACTOR AREA, COMPACTOR WILL BE PROVIDED AND INSTRUCTIONS FOR OTHERS (SEE ARCH. PLANS FOR KNOCKOUT LOCATION)
- 4C AT-GRADE DELIVERY DOORS (PER ARCH. PLANS)
- 5 TRUCK WELL, WITH (SEE ARCH. PLANS)
- 7 SIDEWALK (PER ARCH. PLANS)
- 12A 4" TRAFFIC YELLOW LANE STRIPE (SEE LENGTH INDICATED AT SYMBOL)
- 12B 4" WIDE PAINTED YELLOW LANE STRIPE, 2.0' @ 45° (SEE SIZE INDICATED AT SYMBOL)
- 12C 4" DOUBLE TRAFFIC YELLOW LANE STRIPE (SEE LENGTH INDICATED AT SYMBOL)
- 12X JB--CRANE AREA, 4" WIDE PAINTED YELLOW STRIPE, 2.0' @ 45° (SEE SIZES INDICATED AT SYMBOL)
- 13 LIMITS OF HEAVY DUTY CONCRETE PAVING
- 14 10'-0" TENANT MOUNT SIGN (PER ARCH. PLANS)
- 21A TAPER CURB TO MATCH EXISTING CURB
- 21B GREEN/OIL TRAP WITH CLEAN-OUT (PER ARCH. PLANS)
- 22X INSTALL 3'-6" WIDE TRUNCATED DOME DETECTABLE WARNING SURFACE (PER ARCH. PLANS)
- 23 LIGHT POLE AND BASE (PER LIGHTING PLAN)
- 29 LIMITS OF HEAVY DUTY ASPHALT PAVING
- 30 X 60' PALLET/LAKE STORAGE AREA (SEE ARCH. PLANS FOR SCREENING & SLAB)
- 37 SOUTH BAY FURNITURE, INC. PARK BENCH PO 200 SERIES "TIA" MODEL NO. PB
- 38 PEDESTRIAN CROSSWALK TO BE CONSTRUCTED AS PART OF PHASE 1 IMPROVEMENTS
- 39 "TWO WAY" SIGN BELOW "STOP" SIGN

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF  
PORCHES, RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE  
LOCATIONS, BUILDING MATERIALS AND PRECISE BUILDING DIMENSIONS.

## APPROVALS

REVIEWED BY: \_\_\_\_\_  
CITY ENGINEER DATE

APPROVED BY: \_\_\_\_\_  
PUBLIC WORKS DIRECTOR R.C.F. DATE

|                |         |     |    |     |     |
|----------------|---------|-----|----|-----|-----|
| INITIAL DESIGN | 10-9-08 | JDG | BL | EN  | EN  |
|                | DATE    | PRN | PM | DES | DRW |

Walmart\*

**Save money. Live better.**

**STORE #3706-00**

 Engineering Associates, Inc.

**ENGINEERS • PLANNERS • SURVEYORS**  
**LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS**  
**CONSOLIDATED LAND DEVELOPMENT SERVICES**

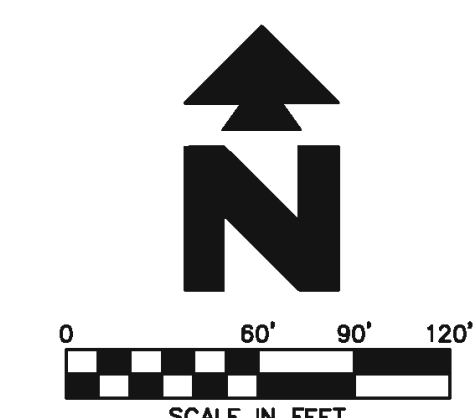
|                                               |  |                  |           |
|-----------------------------------------------|--|------------------|-----------|
| 1044 N. HERNDON AVE. SUITE 108 (559) 447-3119 |  | JOB NO.: 17107.0 |           |
| FRESNO, CA 93720 FAX (559) 447-3129           |  | DWG NAME:        |           |
| <b>PRELIMINARY SITE PLAN</b>                  |  | DATE             | SHEET NO. |

JAYE ST. & STATE ROUTE 190  
PORTERVILLE, CA

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15-10'



HWY. 190

**UNDER CONSTRUCTION**

## BENCHMARKS

POINT NUMBER 82 OF THE CITY OF  
PORTERVILLE BENCHMARK DATA MAP  
REVISED MAY 2, 2003.  
ELEVATION: 451.832' NAVD 1988.

## BASIS OF BEARINGS

THE SOUTH LINE OF THE SOUTHWEST  
QUARTER OF SECTION 35 AS SHOWN  
ON THE RECORD OF SURVEY RECORDED  
IN BOOK 21 OF LICENCED SURVEYS AT  
PAGE 68 TAKEN TO BEAR S 89°49'43" E

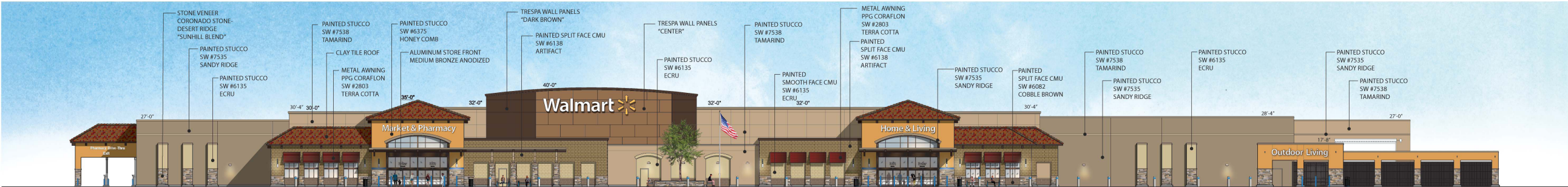
**Call USA at:**  
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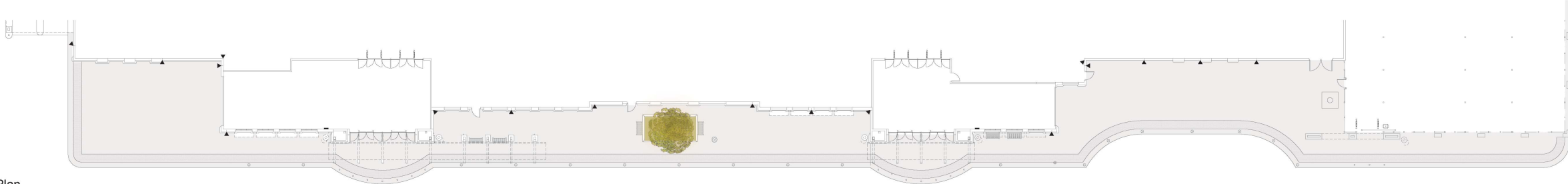
**AT LEAST 48 HOURS  
BEFORE YOU DIG!**

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF  
PORCHES, RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE  
LOCATIONS, BUILDING MATERIALS AND PRECISE BUILDING DIMENSIONS.

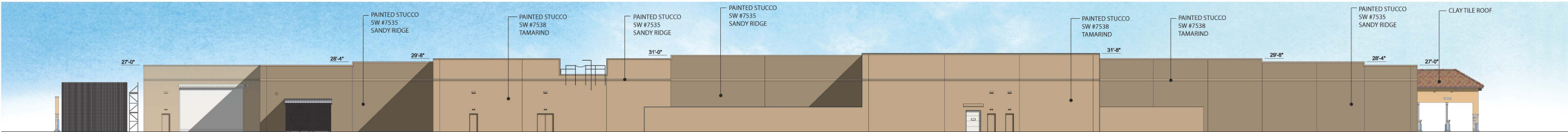




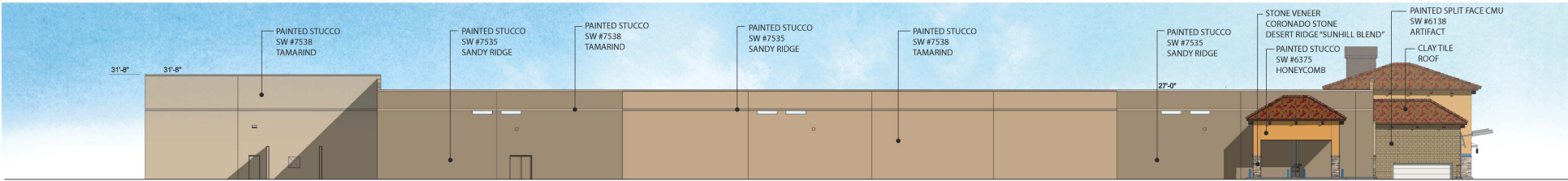
1. Front - South Elevation



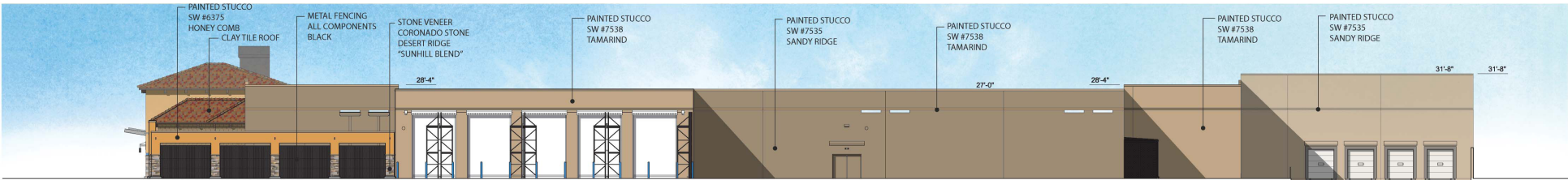
Partial Floor Plan



2. Rear - North Elevation



3. Left - West Elevation



4. Right - East Elevation



SOURCE: Perkowitz + Ruth, Architects – July 2010

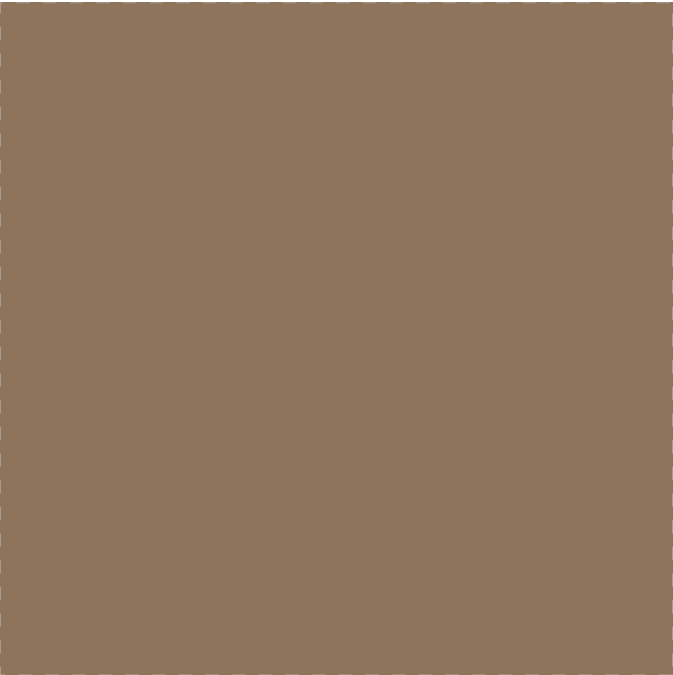
FIGURE 3.0-7

Project Elevations

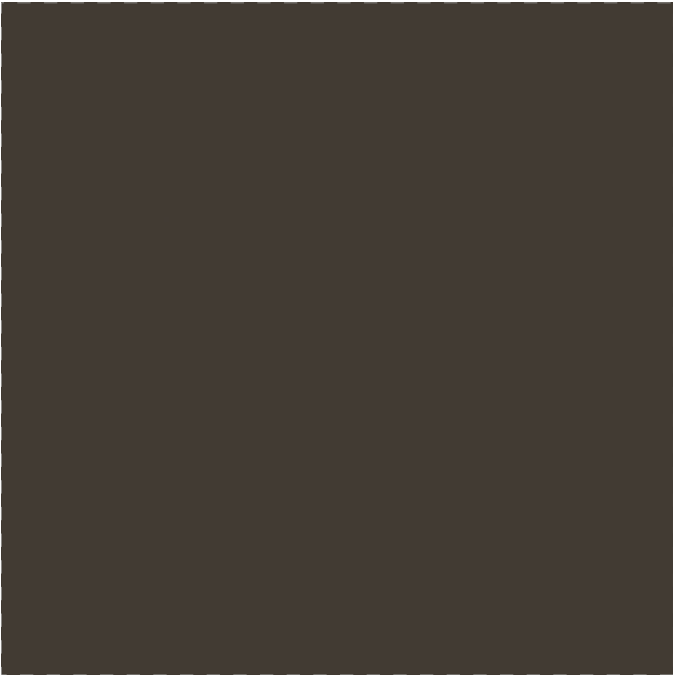




1. Front - South Elevation



TRESPA METEON  
"CENTER"



TRESPA METEON DARK NEUTRAL  
"DARK BROWN "



CLAY TILE ROOF  
BLENDED US TILE



ARCHITECTURAL STONE VENEER  
CORONADO STONE-DESERT RIDGE  
"SUNHILL BLEND"



SPECTRA-GLAZE  
"PACIFIC BLUE"



SHERWIN WILLIAMS  
"SW #6082 COBBLE BROWN"



SHERWIN WILLIAMS  
"SW #6135 ECRU"



SHERWIN WILLIAMS  
"SW #6138 ARTIFACT"



SHERWIN WILLIAMS  
"SW #7535 SANDY RIDGE"



SHERWIN WILLIAMS  
"SW #7538 TAMARIND"



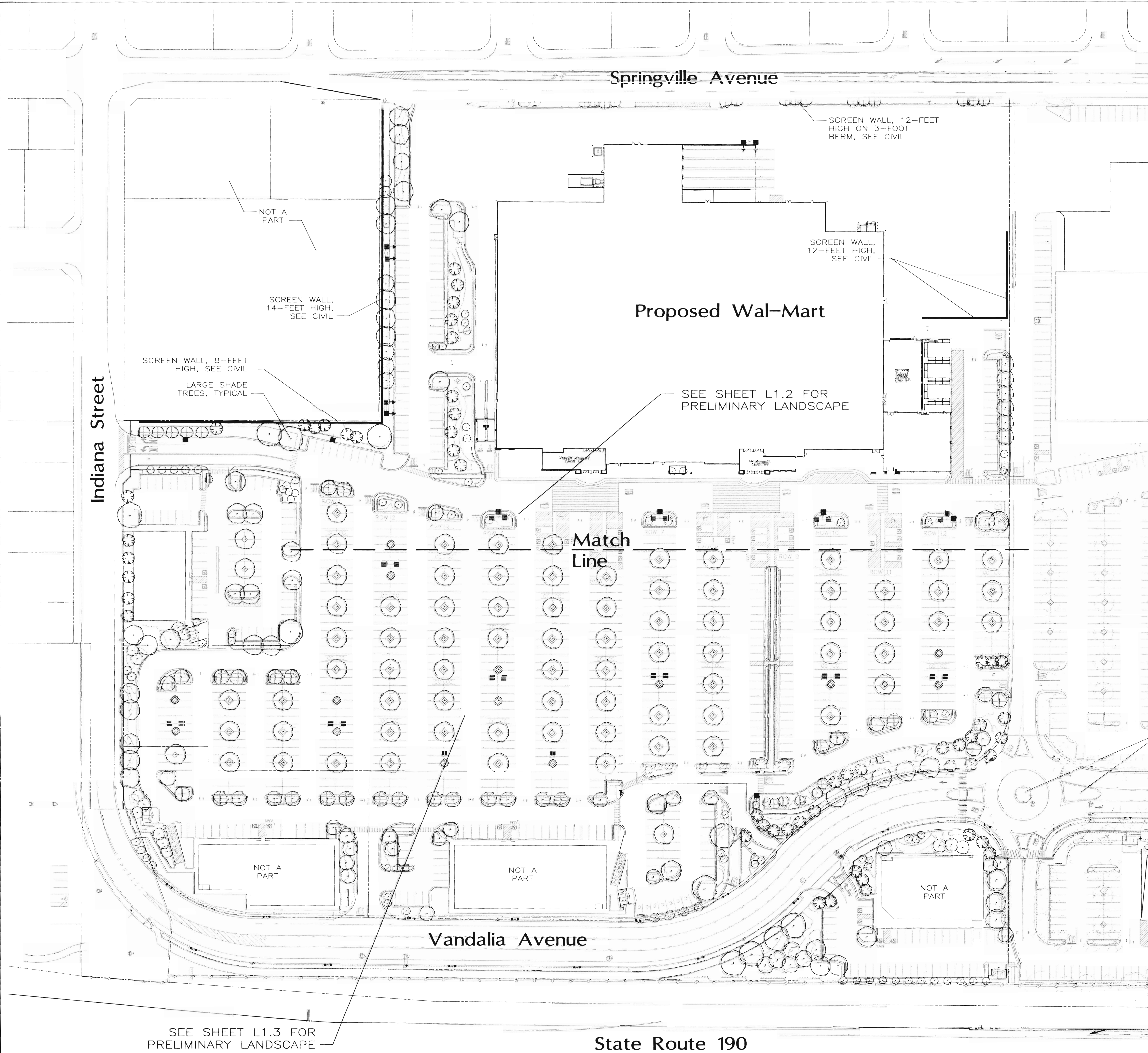
SHERWIN WILLIAMS  
"SW #2803 ROOCKWWOD  
TERRA COTTA"



SHERWIN WILLIAMS  
"SW #6375 HONEYCOMB"

NOTE: DUE TO INDIVIDUAL COMPUTER MONITOR LIMITATIONS,  
COLORS SEEN HERE MAY NOT ACCURATELY REFLECT TRUE COLORS.





### Preliminary Landscape Notes

- 2) ALL LANDSCAPE COMPONENTS AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF LOCAL GOVERNING AUTHORITIES, USING LOCALLY ESTABLISHED, HORTICULTURALLY SOUND TRADE METHODS.
- 3) ALL LANDSCAPE AREAS NOT OTHERWISE DESIGNATED SHALL BE PROVIDED WITH GROUND COVER MULCH AND WEED SUPPRESSION MATERIALS COMPATIBLE WITH THE SITE LOCATION.
- 4) TREES SHALL BE PROVIDED WITH ADEQUATE STABILIZATION FOR PROPER ROOT BALL ESTABLISHMENT IN CONSIDERATION OF THE PREVAILING WIND CONDITIONS OF THE SITE.
- 5) SOIL PREPARATION SHALL BE BASED ON THE CONDITION OF THE SOILS AT THE PROJECT SITE IN CONSIDERATION OF POST GRADING CONDITIONS. ALL AREAS COMPACTED BY CONSTRUCTION ACTIVITIES OR EQUIPMENT SHALL BE SCARIFIED AND RETURNED TO FRIABLE CONDITION.
- 6) THE FINAL LANDSCAPE DESIGN SHALL REFLECT PLANT SELECTION AND LOCATION IN COMPATIBLE WATER USE ZONES. GENERALLY, PLANT MATERIAL SHALL BE COMPATIBLE WITH LOW WATER USE. FINAL PLANT MATERIAL SELECTION SHALL UTILIZE NO MORE THAN 20% OF ONE OR CLOSELY RELATED SPECIES. PLANT MATERIAL QUALITY SHALL BE IN ACCORDANCE WITH REQUIREMENTS SPECIFIED IN THE AMERICAN STANDARD FOR NURSERY STOCK.
- 7) SEPARATE WATER SERVICE SHALL BE PROVIDED FOR DOMESTIC AND IRRIGATION WATER SERVICE. ADEQUATE IRRIGATION WATER SHALL BE PROVIDED FOR PROPER AND THRIVING GROWTH OF THE PLANT MATERIAL.
- 8) ALL LANDSCAPE PLANTINGS SHALL BE PROVIDED WITH AUTOMATIC IRRIGATION CONSISTING OF LOW VOLUME DEVICES TO CONTAINER PLANT MATERIAL, INCLUDING TREES IN LAWN AREAS. LAWN AREAS SHALL BE PROVIDED WITH LOW APPLICATION RATE POP UP SPRINKLERS. SYSTEM CONTROL SHALL BE BASED ON VARIOUS WATER USE ZONES OF PLANT MATERIAL, AND SHALL BE PROVIDED WITH WIND AND RAIN SHUTOFF DEVICES. IRRIGATION CONTROLLER SHALL BE EQUIPPED WITH MULTIPLE STATION CAPACITY. SYSTEM SHALL BE DESIGNED TO PROVIDE ADEQUATE MOISTURE FOR THRIVING PLANT GROWTH WITH MINIMAL OVER SPRAY.
- 9) A COMPLETE MAINTENANCE PLAN SHALL BE DEVELOPED FOR THE PROJECT BASED ON THE FINAL IRRIGATION DESIGN AND PLANT MATERIAL SELECTION, IN ACCORDANCE WITH THE REQUIREMENTS OF LOCAL GOVERNING AUTHORITIES.
- 10) LANDSCAPE AND IRRIGATION TREATMENTS IN PUBLIC RIGHTS OF WAY SHALL BE ACCOMPANIED WITH THE PROPER ENCROACHMENT PERMITS FROM APPLICABLE LOCAL GOVERNING AUTHORITIES.
- 11) SURFACE COVERAGE: SHRUB AND GROUND COVER PLANT MATERIAL SHALL BE PROVIDED IN SUFFICIENT QUANTITIES TO ENSURE COVERAGE OF LANDSCAPE PLANTINGS AREAS IN 5 YEARS. SHRUB AND GROUND COVER PLANT MATERIAL SHALL BE LOCATED WITH A MINIMUM OF 2'6" CLEARANCE FROM CURB AT MATURITY.
- 12) LAWN AREAS: LAWN SHALL BE INSTALLED IN AREAS TO ALLOW 10-FOOT WIDTH, MINIMUM. A MAXIMUM OF 25% OF THE LANDSCAPE AREA PROVIDED SHALL BE INSTALLED AS LAWN.
- 13) SITE LIGHTING: FINAL LANDSCAPE DESIGN SHALL COORDINATE TREE PLANTINGS WITH SITE LIGHTING IN PARKING AND OTHER SITE AREAS.
- 14) LANDSCAPE COORDINATION: THE FINAL DESIGN OF THE LANDSCAPE SHALL BE COORDINATED WITH VEHICULAR AND PEDESTRIAN CIRCULATION, INCLUDING BICYCLE PARKING. SIGHT VISIBILITY TRIANGLES AT INTERSECTIONS AND DRIVES SHALL BE MAINTAINED.
- 15) LANDSCAPE AREA:  
WAL-MART 3706-00 PARKING AREA, 389,258 SQUARE FEET  
5% REQUIRED LANDSCAPE AREA, 19,463 SQUARE FEET  
PARKING AREA LANDSCAPE PROVIDED, 29,720 SQUARE FEET.

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File: A:\3706\cfa\3706-00\3706-00-LANDSCAPE.dwg  
\*Revised: 10-21-10 10:00 AM

|          |         |         |         |         |         |         |
|----------|---------|---------|---------|---------|---------|---------|
| INITIALS | DATE    | 10-9-08 | DESIGN  | YHM     | JFM     | JFM     |
| DAW      | 10/9/08 | 10/9/08 | 10/9/08 | 10/9/08 | 10/9/08 | 10/9/08 |

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RENO, NV 89502 FAX (558) 447-3129 DWS NAME: DWS

PRELIMINARY LANDSCAPE PLAN DATE: 9-21-10 SHEET NO: L11 OF 3  
JAYE ST. & STATE ROUTE 190  
PORTERVILLE, CA

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Indiana Street

Springville Avenue

EVERGREEN TREE PLANTINGS AT  
SCREEN WALL, TYPICAL

SCREEN WALL, 12-FEET HIGH  
ON 3-FOOT BERM, SEE CIVIL

INERT GROUND COVER MULCH IN  
ALL LANDSCAPE AREAS, TYPICAL

**WAL-MART**

C-150-SGR-NO (NON-PROTO) FLIPPED DOCK  
161,602± SF (INCLUDING GARDEN CENTER)  
F.F.E. 449.50  
07-22-10

SCREEN WALL, 12-FEET  
HIGH, SEE CIVIL

SCREEN WALL,  
14-FEET HIGH,  
SEE CIVIL

EVERGREEN TREE  
PLANTINGS AT SCREEN  
WALL, TYPICAL

SHRUB & GROUND COVER  
PLANTING, TYPICAL

SCREEN WALL, 8-FEET  
HIGH, SEE CIVIL

LARGE SHADE  
TREES, TYPICAL

LAWN AS  
ACCENT AT  
ENTRY

LAWN AS  
ACCENT AT  
ENTRY

FLOWERING & ACCENT TREE PLANTINGS  
① END CAP PARKING AREA ISLANDS

RAISED PLANTER,  
SEE ARCHITECTURAL

COORDINATE TREE PLANTINGS WITH  
LIGHT POLE LOCATIONS, TYPICAL

BIKE RACKS, SEE  
ARCHITECTURAL

Match Line - See Sheet L1.3

SHADE TREES AND ORNAMENTAL  
GRASSES AT PARKING AREA  
DIAMOND PLANTERS, TYPICAL

COORDINATE PLANT MATERIAL AT FIRE HYDRANTS  
AND OTHER EMERGENCY EQUIPMENT TO ENSURE  
OPERATIONAL CLEARANCE AND VISIBILITY

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PLOT: X:\Projects\2010\20100724\20100724.dwg (9/2/10) E:\2 Land.dwg  
10/2/10 10:00 AM 24 5/2/2010 - 7:11pm

| INITIAL DESIGN | 10-9-08 | JDC | YFH | JPM | JPM |
|----------------|---------|-----|-----|-----|-----|
| DATE           | PRN     | PM  | DES | DRW |     |

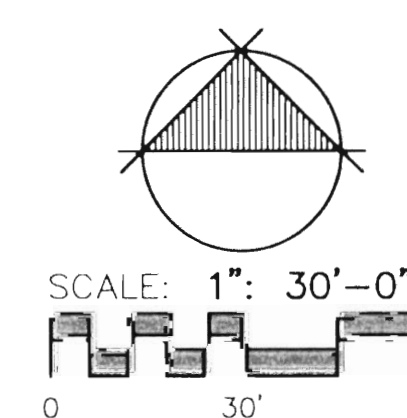
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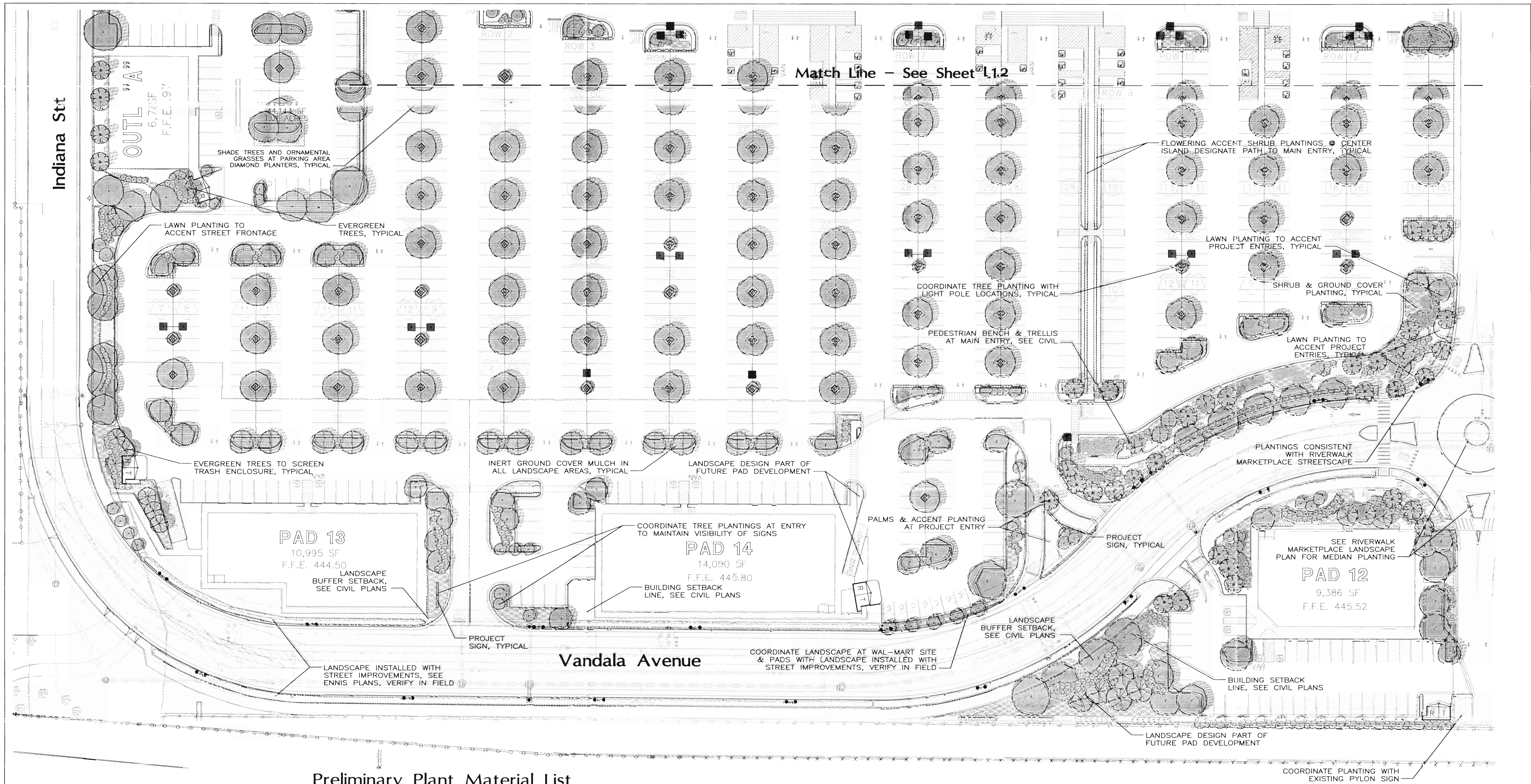
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FRESNO, CA 93720 FAX (559) 447-3129 DWG NAME: 080100  
**PRELIMINARY LANDSCAPE PLAN** DATE: 9-21-10 SHEET NO. L1.2 OF 3  
JAYE ST. & STATE ROUTE 190  
PORTERVILLE, CA

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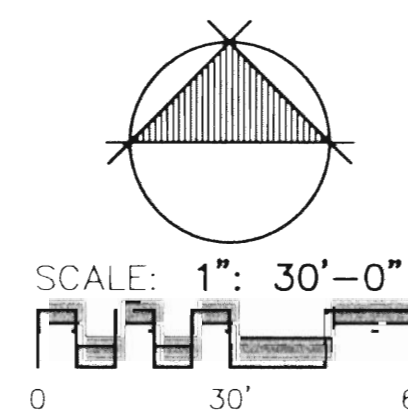






Preliminary Plant Material List

| SYMBOL  | COMMON                   | GENUS         | SPECIES      | VARIETY       | TYPE | SIZE         | SPACING | HEIGHT | WATER | SYMBOL  | COMMON                 | GENUS           | SPECIES              | VARIETY           | TYPE | SIZE      | SPACING  | HEIGHT | WATER |
|---------|--------------------------|---------------|--------------|---------------|------|--------------|---------|--------|-------|---------|------------------------|-----------------|----------------------|-------------------|------|-----------|----------|--------|-------|
| CALDEC  | Evergreen Trees          | Calceolarius  | decurrens    |               | CN   | 7.0 Ft. High | 40.0    | 50.0   | L     | CEAHP   | Ground Cover           | Ceanothus       | griseus horizontalis | Hurricane Point   | GC   | 1.0 Gal.  | 8.0      | 2.5    | L     |
| SEQ.SC  | Incense Cedar            | Sequoia       | sempervirens | Santa Cruz    | CN   | 7.0 Ft. High | 25.0    | 80.0   | M     | CIS.WAR | Warley Rockrose        | Cistus          | sp.                  | Warley Rock       | GC   | 5.0 Gal.  | 4.0      | 1.0    | L     |
| LAU.SAR | Sweet Bay                | Laurus        | nobilis      | Saratoga      | ET   | 6.0 Ft. High | 15.0    | 20.0   | L     | ROS.FCR | Hall's Honeysuckle     | Lonicera        | japonica             | Halliana          | GC   | 1.0 Gal.  | 6.0      | 8.0    | L     |
| POD.GRA | Palm Pine                | Podocarpus    | gracilior    |               | ET   | 7.0 Ft. High | 30.0    | 50.0   | H     | TUL.VIO | Flower Carpet Red Rose | Rosa            | sp.                  | Flower Carpet Red | GC   | 1.0 Gal.  | 4.0      | 4.0    | L     |
| QUE.WIS | Interior Live Oak        | Quercus       | wislizeni    |               | ET   | 2.0 In. Cal. | 60.0    | 60.0   | L     |         | Society Garlic         | Tulbaghia       | violacea             |                   | GC   | 1.0 Gal.  | 2.0      | 2.0    | L     |
|         | Deciduous Shade Trees    |               |              |               |      |              |         |        |       |         | Shrubs                 |                 |                      |                   |      |           |          |        |       |
| ALN.RHO | White Alder              | Alnus         | rhombifolia  |               | DT   | 1.5 In. Cal. | 35.0    | 60.0   | M     | EUR.VIR | Yellow Daisy Bush      | Euryops         | pectinatus           | Viridis           | DS   | 1.0 Gal.  | 3.0      | 3.0    | L     |
| ARB.UNE | Strawberry Tree          | Arbutus       | unedo        |               | DT   | 1.5 In. Cal. | 15.0    | 20.0   | L     | LAG.TUS | Tuscarora Grape Myrtle | Lagerstroemia   | indica               | Tuscarora         | DS   | 15.0 Gal. | 5.0      | 5.0    | L     |
| CEL.SIN | Chinese Hackberry        | Celtis        | sinensis     |               | DT   | 2.0 In. Cal. | 25.0    | 35.0   | M     | LAN.MON | Trailing Lantana       | Lantana         | montezumensis        |                   | DS   | 1.0 Gal.  | 4.0      | 3.0    | L     |
| FRA.AME | White Ash                | Fraxinus      | americana    |               | DT   | 2.0 In. Cal. | 40.0    | 45.0   | M     | HEL.SEM | Blue Dot Grass         | Helicostictis   | sempervirens         |                   | OG   | 1.0 Gal.  | 4.0      | 4.0    | L     |
| GIN.BEL | Ginkgo                   | Ginkgo        | biloba       |               | DT   | 1.5 In. Cal. | 25.0    | 40.0   | M     | MIS.SIN | Eulalia Grass          | Miscanthus      | sinensis             |                   | OG   | 2.0 Gal.  | 6.0      | 4.0    | H     |
| LAG.LOS | Tuscarora Grape Myrtle   | Lagerstroemia | indica       |               | DT   | 2.0 In. Cal. | 15.0    | 15.0   | L     | ABF.EG  | Glossy Abelia          | Abelia          | grandiflora          | Howard Gougher    | ES   | 2.0 Gal.  | 5.0      | 8.0    | M     |
| LAG.IND | Grape Myrtle             | Lagerstroemia | indica       | Tuscarora     | DT   | 2.0 In. Cal. | 15.0    | 15.0   | L     | UOU.VIS | Shiny Yucca            | Yucca           | glauca               |                   | ES   | 5.0 Gal.  | 5.0      | 10.0   | L     |
| OLE.EUR | Fruitless Olive          | Olea          | europea      | Swan Hill     | DT   | 1.5 In. Cal. | 25.0    | 30.0   | M     | LAV.AUG | English Lavender       | Lavandula       | angustifolia         |                   | ES   | 1.0 Gal.  | 3.5      | 3.5    | L     |
| PISKD   | Kieth Davey Pistache     | Platanus      | chinensis    |               | DT   | 2.0 In. Cal. | 35.0    | 35.0   | L     | LIG.TEX | Japanese Privet        | Ligustrum       | japonicum            |                   | ES   | 5.0 Gal.  | 7.0      | 9.0    | M     |
| PLA.COL | Columbia Plane Tree      | Platanus      | aerofolia    | Columbia      | DT   | 2.0 In. Cal. | 50.0    | 40.0   | L     | NER.PS  | Petite Salmon Oleander | Nerium          | oleander             | Petite Salmon     | ES   | 1.0 Gal.  | 5.0      | 5.0    | L     |
| QUE.LOB | Valley White Oak         | Quercus       | lobata       |               | DT   | 2.0 In. Cal. | 60.0    | 60.0   | L     | RHA.ENT | Indian Hawthorn        | Raphiolepis     | indica               | Enchanted         | ES   | 5.0 Gal.  | 5.0      | 5.0    | L     |
| TIL.GRE | Greenspire Linden        | Tilia         | cordata      | Greenspire    | DT   | 2.0 In. Cal. | 25.0    | 50.0   | M     | SAR.RUS | Sarcococca             | Sarcococca      | ruscifolia           |                   | ES   | 5.0 Gal.  | 5.0      | 5.0    | M     |
|         | Flowering & Accent Trees |               |              |               |      |              |         |        |       | XYL.CJS | Shiny Xylasma          | Xylasma         | canjestum            |                   | ES   | 5.0 Gal.  | 8.0      | 8.0    | L     |
| MAG.GRA | Russell Magnolia         | Magnolia      | grandiflora  | Rustic Rubran | FT   | 7.0 Ft. High | 30.0    | 40.0   | M     |         | Vines                  |                 |                      |                   |      |           |          |        |       |
| PRU.KWA | Kwanza Flowering Cherry  | Prunus        | serotina     | Kwanza        | FT   | 2.0 In. Cal. | 18.0    | 20.0   | M     | TRA.JAS | Star Jasmine           | Trachelospermum | jasminoides          |                   | VN   | 1.0 Gal.  | 10.0     | 15.0   | M     |
| PYR.KAW | Evergreen Pear           | Pyrus         | kawakamii    |               | FT   | 2.0 In. Cal. | 15.0    | 30.0   | M     | HED.HEL | English Ivy            | Hedera          | helix                |                   | VN   | 1.0 Gal.  | As shown | 5.0    | M     |
| CER.FP  | Forest Pansy Redbud      | Cercis        | occidentalis | Forest Pansy  | MT   | 15.0 Gal.    | 18.0    | 18.0   | M     | PAR.TRI | Boston Ivy             | Parthenocissus  | tricuspidata         |                   | VN   | 1.0 Gal.  | As shown | 5.0    | M     |
| PHO.DAC | Date Palm                | Phoenix       | dactylifera  | Delect Noor   | PM   | 15.0 Gal.    | 20.0    | 35.0   | L     |         |                        |                 |                      |                   |      |           |          |        |       |



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**PRELIMINARY LANDSCAPE PLAN**  
JAYE ST. & STATE ROUTE 150  
PORTERVILLE, CA

DATE: 9-21-10  
SHEET NO: L13  
OF 3

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Vicinity Map  
Not to Scale

## LEGEND

### EXISTING

ASPHALT CONCRETE  
AC DIRT  
BOTTOM OF BANK  
BUILDING CORNER  
BOLLARD  
CURB INLET BEHIND  
CURB INLET GRATE  
CONCRETE  
CONCRETE  
DEPRESSION CURB  
EAST OR ELECTRIC  
EXISTING GROUND  
EDGE OF PAVEMENT  
FENCE CHAINLINK  
FINISHED FLOOR  
FLOW LINE  
GAS  
GRADE BREAK  
GUARDRAIL  
GUTTER  
INVERT ELEVATION  
NORTH  
OVERHEAD  
POLY VINYL CHLORIDE PIPE  
REINFORCED CONCRETE PIPE  
SOUTH OR SEWER  
SIDEWALK  
SOLID STRIPE  
SIDEWALK  
UNDERGROUND TELEPHONE  
TOP OF BANK

TOP BACK OF CURB  
TEMPORARY BENCH MARK  
UNDERGROUND  
WEST OR WATER  
BLOCK WALL  
BRICK WALL  
CONCRETE WALL  
BOUNDARY LINE  
RIGHT OF WAY LINE  
EASEMENT LINE  
SETBACK LINE  
SECTION LINE  
CONTOUR LINE  
STORM DRAIN  
GAS  
FENCE CHAINLINK  
OVERHEAD ELECTRIC  
OVERHEAD ELECTRIC AND TELEPHONE  
OVERHEAD TELEPHONE  
OVERHEAD TV  
SEWER  
UNDERGROUND ELECTRIC  
UNDERGROUND ELECTRIC AND TELEVISION  
UNDERGROUND TELEPHONE AND GAS  
UNDERGROUND ELECTRIC AND TELEPHONE  
UNDERGROUND TELEPHONE  
UNDERGROUND TV  
WATER

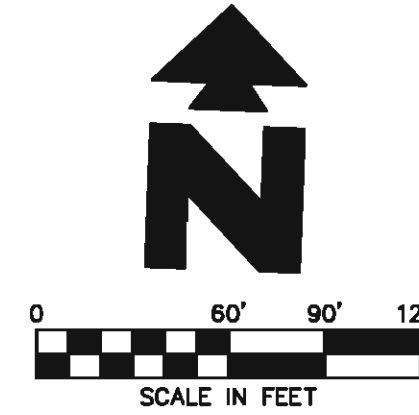
BACKFLOW PREVENTER  
BENCHMARK  
BOLLARD  
BRASS CAP  
CURB INLET  
CURB INLET BEHIND  
CLEAN OUT  
DECIDUOUS TREE  
DRAINAGE MANHOLE  
ELECTRICAL METER  
EVERGREEN TREE  
FIRE DEPARTMENT CONNECTION  
FIRE HYDRANT  
GRATE INLET - SQUARE  
GRATE INLET - CIRCULAR  
GAS METER  
GUARD POST  
GAS VALVE  
HANDICAPPED FACILITY  
IRRIGATION CONTROL VALVE  
FOUND IRON PIPE  
LIGHT POLE OVERHANGING

LIGHT POLE - 1 LAMP  
LIGHT POLE - 2 LAMPS  
LIGHT POLE - 3 LAMPS  
PALM TREE  
ROOF DRAIN  
RISER UNKNOWN  
RISER TRAFFIC SIGNAL  
RISER WATER  
ELECTRICAL RISER  
WATER RISER  
SIGN  
SEWER MANHOLE  
STANDPIPE  
TRAFFIC SIGNAL  
UTILITY POLE  
UNKNOWN VAULT  
CABLE TV VAULT  
ELECTRICAL VAULT  
GAS VAULT  
TELEPHONE VAULT  
TRAFFIC SIGNAL VAULT  
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WATER METER  
WHEEL STOP  
WATER VALVE

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AT LEAST 48 HOURS  
BEFORE YOU DIG!



## LEGEND

### EXISTING

EAST OR ELECTRIC  
NORTH  
OVERHEAD  
SOUTH OR SEWER  
STANDPIPE  
TELEPHONE  
UNDERGROUND  
WEST OR WATER  
BOUNDARY LINE  
RIGHT OF WAY LINE  
STORM DRAIN  
DIE  
OVERHEAD ELECTRIC  
OVERHEAD ELECTRIC AND TELEPHONE  
OHT  
OVERHEAD TELEPHONE  
OHTV  
OVERHEAD TV  
SEWER  
UG  
UNDERGROUND ELECTRIC  
UG&T  
UNDERGROUND ELECTRIC AND TELEPHONE  
UGT  
UNDERGROUND TELEPHONE  
UGTV  
UNDERGROUND TV  
WATER

5'-10'-11' 50.5  
TREE INFO  
5" = DIAMETER OF TRUNK IN FEET  
10" = HEIGHT OF TREE IN FEET  
11" = CANOPY DIAMETER IN FEET  
50.5" = ELEVATION AT BASE OF TREE  
BACKFLOW PREVENTER  
BENCHMARK  
CURB INLET  
CURB INLET WITH GRATE  
DRAINAGE MANHOLE  
FIRE DEPARTMENT CONNECTION  
FIRE HYDRANT  
GRATE INLET - SQUARE  
GAS METER  
IRON PIPE FOUND  
MANHOLE (UNKNOWN TYPE)  
SEWER MANHOLE  
SIGN  
SEWER MANHOLE  
SERVICE POLE  
WATER METER

### PROPOSED

BOUNDARY LINE  
RIGHT OF WAY LINE  
GRADE BREAK  
CONTOUR ELEVATIONS  
STORM DRAIN  
LIMITS OF PAVING  
SPOT ELEVATIONS:  
TC = TOP OF CURB  
FS = FINISHED SURFACE  
FL = FLOW LINE  
GB = GRADE BREAK  
INV = INVERT ELEVATION  
FFE = FINISHED FLOOR ELEVATION  
P = PONDING BREAK OVER

### GENERAL GRADING NOTES

- PRIOR TO INSTALLATION OF STORM OR SANITARY SEWER, THE CONTRACTOR SHALL EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND THE ENGINEER OF ANY CONFLICTS PRIOR TO CONSTRUCTION. THE ENGINEER WILL BE HELD HARMLESS IN THE EVENT THE ENGINEER IS NOT NOTIFIED OF DESIGN CONFLICTS.
- CONTRACTOR HAS THE OPTION TO BID THE FOLLOWING MATERIAL FOR THE STORM SEWER SYSTEM EXCEPT WHERE OTHERWISE NOTED: RCP, HDPE AS INDICATED ON THIS PLAN WHERE THE WORD PIPE IS USED. ALL PIPES SHALL HAVE A MAXIMUM ROUGHNESS COEFFICIENT ("N") OF 48 AND SHALL MEET OR EXCEED THE PIPE MANUFACTURERS REQUIREMENTS FOR MINIMUM AND MAXIMUM COVER. CONTRACTOR SHALL REFER TO THE SITEMARK SPECIFICATION SECTION FOR STORM SEWER SYSTEMS FOR ACCEPTABLE TYPE AND MATERIAL.
- ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND 4" OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL. APPROVED BY THE OWNER, AS NEEDED, THE AREA SHALL THEN BE SEED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS (SEE LANDSCAPE PLAN FOR SEED MIX AND PROPER APPLICATION RATE). ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS:  
ALL STORM DRAIN PIPE BEDDING SHALL BE INSTALLED PER DETAIL 28A.  
ALL STORM DRAIN PIPES ARE MEASURED FROM CENTER OF STRUCTURES AND ENDS OF FLARED END SECTIONS.

### GRADING DETAILS

- 5A GUARD POST (SINGLE)
- 5C GUARD POST (GROUP/FIRE HYDRANT PROTECTION)
- 14B CONCRETE VALLEY GUTTER
- 20A JUNCTION BOX
- 21A CURB INLET
- 23A GRATE INLET
- 23E COMBINATION INLET
- 27E STORM DRAIN CLEAN-OUT
- 73A 2" CURB CUT
- 73B PRECAST MANHOLE
- 73C NYLOPLAST DRAIN BASIN W/ H-25 SLOTTED GRATE W/ CONCRETE COLLAR AT GRADE (SIZE AS SHOWN AT CALLOUT)
- 73E NYLOPLAST 30" DRAIN BASIN W/ H-25 SOLID GRATE W/ 8" DIA. CONCRETE COLLAR AT GRADE
- 73D NYLOPLAST 30" CURB INLET STRUCTURE W/ 2' x 2' H-25 STANDARD GRATE

### GRADING NOTES

- CONNECT DOWN SPOUTS TO DRAIN PIPE (SEE ARCH. PLANS FOR EXACT NUMBER AND LOCATION OF DOWN SPOUTS).
- CONNECT TRUCKWELL DRAINS TO DRAIN PIPE (SEE ARCH. PLANS FOR EXACT NUMBER AND LOCATION OF TRUCKWELL DRAINS).
- (2) 2" DRAINS THROUGH SIDE WALK
- 73C MATCH EXISTING GRADE
- 73D CONNECT TO EXISTING 24" STORM DRAIN SUB
- 73E CONNECT TO EXISTING STORM DRAINAGE STRUCTURE
- 73F LANDSCAPE SWALE
- 73H DRAIN TO EXISTING INLET
- 73J START OF WALL
- 73K END OF WALL
- 73L (2) 2" DRAINS THROUGH SCREEN WALL

### APPROVALS

|              |                       |             |
|--------------|-----------------------|-------------|
| REVIEWED BY: | CITY ENGINEER         | DATE        |
| APPROVED BY: | PUBLIC WORKS DIRECTOR | R.C.E. DATE |

INITIAL DESIGN 10-9-08 JDO BL JPM EN  
DATE PRN PM DES DRW

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CONSOLIDATED LAND DEVELOPMENT SERVICES

1044 N. HERNDON AVE. SUITE 108 (559) 447-3119 JOB NO.: 17107.0  
FRESNO, CA 93720 FAX (559) 447-3129 DRC NAME

**PRELIMINARY GRADING PLAN**  
JAYE ST. & STATE ROUTE 190  
PORTERVILLE, CA

DATE 09-21-10  
2:31 PM  
SHEET NO. 2 OF 4

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HIGHWAY 190

UNDER CONSTRUCTION

VANDALIA AVENUE

NOT A PART

NOT A PART  
UNDER CONSTRUCTION

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS, BUILDING MATERIALS AND PRECISE BUILDING DIMENSIONS.





Vicinity Map  
Not to Scale

## LEGEND

### EXISTING

ASPHALT CONCRETE  
AC DIKE  
BOTTOM OF BANK  
BUILDING CORNER  
BOLLARD  
CURB INLET BEHIND  
CURB INLET GRATE  
CONCRETE  
CONCRETE  
DEPRESSION CURB  
EAST OR ELECTRIC  
EXISTING GROUND  
EDGE OF PAVEMENT  
FENCE CHAINLINK  
FINISHED FLOOR  
FLOW LINE  
GAS  
GRADE BREAK  
GUARDRAIL  
OUTTER  
INVERT ELEVATION  
NORTH  
OVERHEAD  
POLY VINYL CHLORIDE PIPE  
REINFORCED CONCRETE PIPE  
SOUTH OR SEWER  
SIDEWALK  
SOLID STRIPE  
SIDEWALK  
TELEPHONE  
TOP OF BANK

TOP BACK OF CURB  
TEMPORARY BENCH MARK  
UNDERGROUND  
WEST OF WATER  
BLOCK WALL  
CONCRETE WALL  
BOUNDARY LINE  
RIGHT OF WAY LINE  
EASEMENT LINE  
SETBACK LINE  
SECTION LINE  
CONTOUR LINE  
STORM DRAIN  
GAS  
FENCE CHAINLINK  
OVERHEAD ELECTRIC  
OVERHEAD ELECTRIC AND TELEPHONE  
OVERHEAD TELEPHONE  
OVERHEAD TV  
SEWER  
UNDERGROUND ELECTRIC  
UNDERGROUND ELECTRIC AND TELEVISION  
UNDERGROUND TELEPHONE AND GAS  
UNDERGROUND ELECTRIC AND TELEPHONE  
UNDERGROUND TELEPHONE  
UNDERGROUND TV  
WATER

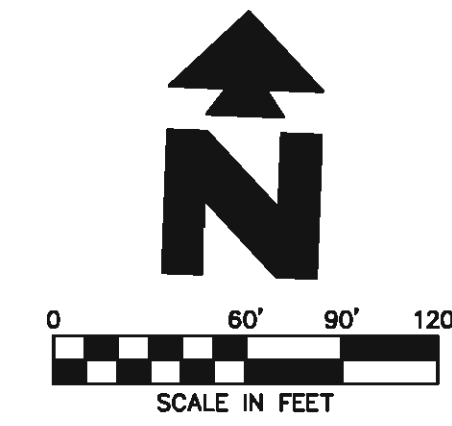
BACKFLOW PREVENTER  
BENCHMARK  
BOLLARD  
BRASS CAP  
CURB INLET  
CURB INLET BEHIND  
CLEAN OUT  
DECIDUOUS TREE  
DRAINAGE MANHOLE  
ELECTRICAL METER  
EVERGREEN TREE  
FIRE DEPARTMENT CONNECTION  
FIRE HYDRANT  
GRATE INLET - SQUARE  
GRATE INLET - CIRCULAR  
GAS METER  
GUARD POST  
GAS VALVE  
HANDICAPPED FACILITY  
IRRIGATION CONTROL VALVE  
IRIGATION VALVE  
FOUND IRON PIPE  
LIGHT POLE OVERHANGING

LIGHT POLE - 1 LAMP  
LIGHT POLE - 2 LAMPS  
LIGHT POLE - 3 LAMPS  
PALM TREE  
ROOF DRAIN  
ROOF UNKNOWN  
RISER TRAFFIC SIGNAL  
RISER WATER  
ELECTRICAL RISER  
WATER RISER  
SIGN  
SEWER MANHOLE  
STANDPIPE  
TRAFFIC SIGNAL  
UTILITY POLE  
UNKNOWN VAULT  
CABLE TV VAULT  
ELECTRICAL VAULT  
GAS VAULT  
TELEPHONE VAULT  
TRAFFIC SIGNAL VAULT  
WATER VAULT  
WATER METER  
WHEEL STOP  
WATER VALVE

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AT LEAST 48 HOURS  
BEFORE YOU DIG!



## LEGEND

### PROPOSED

BOUNDARY LINE  
RIGHT OF WAY LINE  
STORM DRAIN  
GAS SERVICE  
OHE  
OVERHEAD ELECTRIC AND TELEPHONE SERVICE  
OHT  
OVERHEAD TELEPHONE SERVICE  
X'S  
SANITARY SEWER SERVICE  
UGE  
UNDERGROUND ELECTRIC SERVICE  
UGE&T  
UNDERGROUND ELECTRIC AND TELEPHONE SERVICE  
UGT  
UNDERGROUND TELEPHONE SERVICE  
XW  
WATER SERVICE  
FDC  
FIRE DEPARTMENT CONNECTION

### GENERAL UTILITY NOTES

- ALL WATER LINES LESS THAN 4" SHALL BE PVC, ASTM D 2241, 100' SPR 21 RATING OR AN APPROVED EQUAL. ALL WATER LINES 4" AND LARGER SHALL BE PVC, AWWA C900, RATED DR 18 (CLASS 150) OR AN APPROVED EQUAL. ALL WATER LINES SHALL HAVE 36" MIN. COVER AND TRACED W/RE.
- ALL SANITARY SEWER LINES SHALL BE PVC (SDR-35) WITH 36" MIN. COVER. ALL SANITARY SEWER LINES SHALL HAVE 36" MIN. COVER AND TRACED W/RE.
- CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
- ALL ELECTRIC, TELEPHONE AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
- CONSTRUCTION SHALL NOT START ON ANY PUBLIC UTILITY SYSTEM UNTIL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE ENGINEER FROM THE APPROPRIATE GOVERNING AUTHORITY AND CONTRACTOR HAS BEEN NOTIFIED BY THE ENGINEER.
- PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM CEI ENGINEERING AND THE OWNER/DEVELOPER OF ANY CONFLICT OR REQUIRED DEVIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION. CEI ENGINEERING AND ITS CLIENTS SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN SPECIFICATIONS:  
ALL WATER LINE FITTINGS 4" AND LARGER IN DIAMETER SHALL BE INSTALLED WITH THRUST BLOCKING PER DETAIL 31C.  
ALL WATER LINE PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42A.  
ALL SANITARY SEWER PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42B.
- CONTRACTOR SHALL CONDUCT ALL UTILITY COMPANIES PRIOR TO START OF CONSTRUCTION TO COORDINATE CONSTRUCTION START DATES AND DATE UTILITIES WILL BE NEEDED.

### UTILITY DETAILS

- 3A GUARD POST (SINGLE)
- 36A FIRE HYDRANT ASSEMBLY - SEE DETAIL FOR BRAND AND TYPE
- 39C SANITARY SEWER INSIDE DROP MANHOLE
- 39S SANITARY SEWER CLEAN-OUT
- 47A REMOTE GARDEN CENTER UTILITY BOLLARD

### UTILITY NOTES

- 22C M.J. GATE VALVE WITH ADJUSTABLE VALVE BOX (SEE SIZES THIS SHEET)
- 22D M.J. TEE WITH THRUST BLOCKING (SEE SIZES THIS SHEET)
- 22H 45° M.J. BEND WITH THRUST BLOCKING (SEE SIZES THIS SHEET)
- 22G 90° M.J. BEND WITH THRUST BLOCKING (SEE SIZES THIS SHEET)
- 22K SPRINKLER ENTRY PER ARCH. PLANS (SEE SIZES THIS SHEET)
- 22L METEDED DOMESTIC WATER SERVICE ENTRY PER ARCH. PLANS (SEE SIZES THIS SHEET)
- 23D BUILDING SANITARY SEWER SERVICE CLEAN-OUT
- 23E SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS)
- 23H GREASE TRAP WITH CLEAN-OUT (PER ARCH. PLANS)
- 24A POINT OF CONNECTION FOR ELECTRICAL SERVICE (PER ELECTRICAL COMPANY REQUIREMENTS)
- 24D PROPOSED ELECTRIC TRANSFORMER
- 26D TELEPHONE SERVICE ENTRY
- 27C PROPOSED GAS METER
- 76A REDUCED PRESSURE BACKFLOW PREVENTER (TYPE FBEO 8251 FOR 2" & SMALLER, OR APPROVED EQUAL) THE INSTALLATION SHALL COMPLY WITH THE CITY OF PORTERVILLE STANDARD DETAIL W-10
- 76B FIRE DEPARTMENT CONNECTION WITH DOUBLE CLAPPERS (POTTER ROEMER 2-21/2" INLETS & 4" OUTLET, OR APPROVED EQUAL, FDC MUST BE FACING THE STREET OR FIRE LANE)
- 76C 6" AMES 3000SS DOUBLE CHECK DETECTOR ASSEMBLY WITH GATE VALVES OS&Y
- 76D POINT OF 2" IRRIGATION WATER ENTRY
- 76E INSTALL 1" IRRIGATION WATER SUPPLY FROM STORE TO UTILITY BOLLARD
- 76F CONTRACTOR SHALL VERIFY EXACT LOCATION PRIOR TO CONSTRUCTION AND SHALL NOTIFY CEI ENGINEERING ASSOCIATES, INC. IF A DESIGN CONFLICT EXISTS. CEI SHALL BE HELD HARMLESS IN THE EVENT IT IS NOT NOTIFIED OF DESIGN CONFLICTS
- 76G CONNECT TO EXISTING STORM DRAINAGE STRUCTURE/STUB PER LOCAL REQUIREMENTS
- 76H CONNECT TO EXISTING WATER PER LOCAL REQUIREMENTS
- 76J REFER TO ELECTRICAL/TELEPHONE/GAS PLANS FOR CONNECTION
- 76K CONNECT TO EXISTING SANITARY SEWER PER LOCAL REQUIREMENTS
- 76L SANITARY SEWER MANHOLE PER CITY OF PORTERVILLE STANDARD DETAIL XXXX
- 76M STORM DRAIN / SANITARY SEWER CROSSING
- 76N (1) 2" CONDUIT AND (2) 1" CONDUITS FOR UTILITY BOLLARD POWER
- 76P (3) 1-1/4" CONDUITS FOR IRRIGATION CONTROL ENTRY
- 76Q 2" IRRIGATION WATER ENTRY
- 76R 1" WATER TO YARD HYDRANT
- 76S 2" IRRIGATION WATER FROM STORE TO LAWN IRRIGATION
- 76T TAMPER SWITCH
- 76U SECURITY CAMERA CONDUITS

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS, BUILDING MATERIALS AND PRECISE BUILDING DIMENSIONS.

### APPROVALS

REVIEWED BY: CITY ENGINEER DATE: \_\_\_\_\_  
APPROVED BY: PUBLIC WORKS DIRECTOR R.C.E. DATE: \_\_\_\_\_

INITIAL DESIGN: 10-9-08 JDG BL JPM EN  
DATE: PRN PM DES DRW

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1044 N. HERNDON AVE. SUITE 108 (559) 447-3119 JOB NO: 17107.0  
FRESNO, CA 93720 FAX (559) 447-3129 DRC NAME: \_\_\_\_\_  
PRELIMINARY UTILITY PLAN DATE: 09-21-10 SHEET NO: 3 OF 4  
JAYE ST. & STATE ROUTE 190  
PORTERVILLE, CA

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Vicinity Map  
Not to Scale

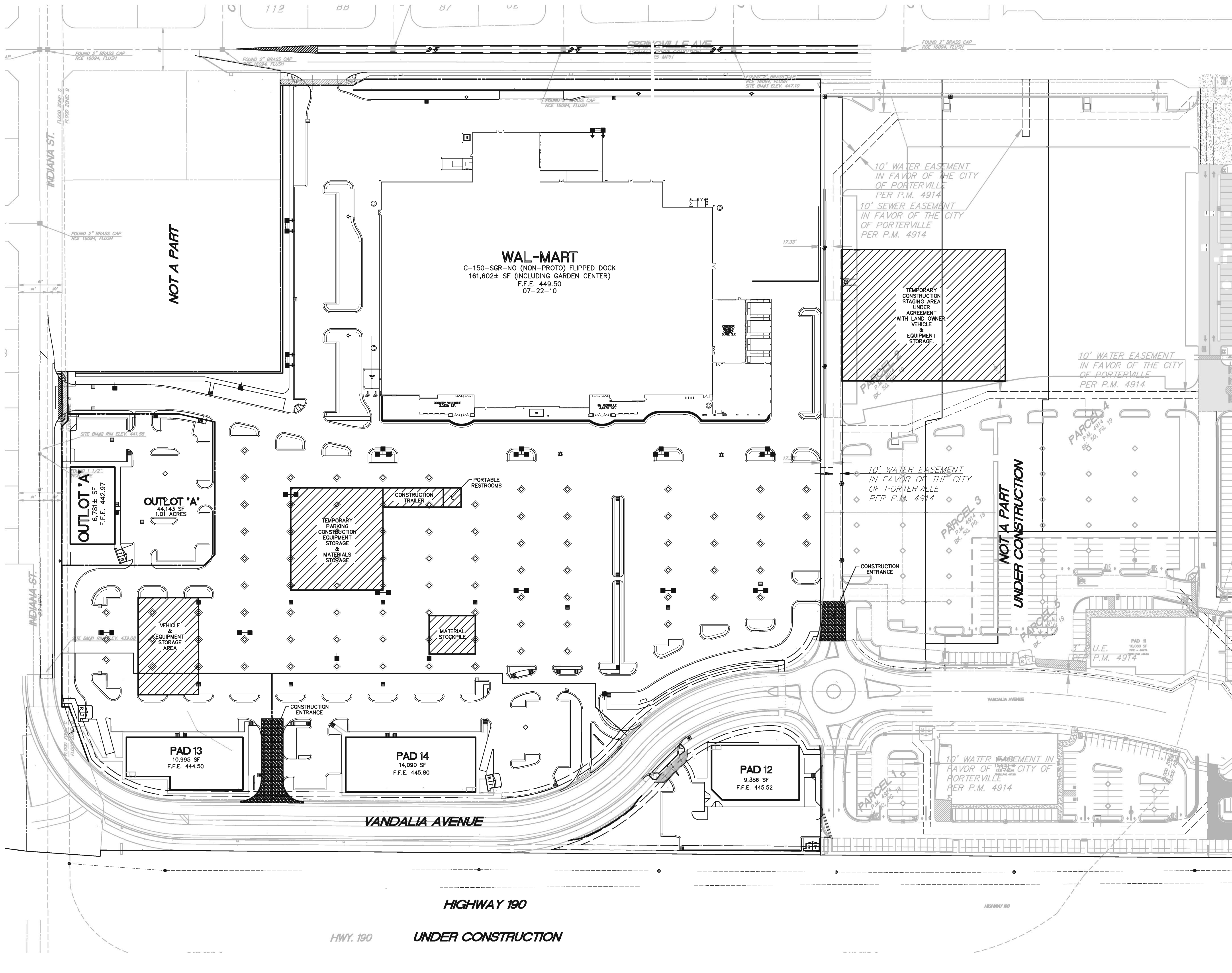
| LEGEND                           |                                |
|----------------------------------|--------------------------------|
| EXISTING                         |                                |
| AC ASPHALT CONCRETE              | TBC TOP BACK OF CURB           |
| ACD AC DIRT                      | TBM TEMPORARY BENCH MARK       |
| BD BOTTOM OF BANK                | UG UNDERGROUND                 |
| BLD BUILDING CORNER              | W WEST OR WATER                |
| BOL BOLLARD                      | WEL BLOCK WALL                 |
| CB CURB INLET BEHIND             | WEL BRICK WALL                 |
| CG CURB INLET GRATE              | WC CONCRETE WALL               |
| CL CENTERLINE                    | WEL CURB INLET BEHIND          |
| CNC CONCRETE                     | WEL CURB INLET BEHIND          |
| DA DRIVEWAY APPROACH             | WEL CLEAN OUT                  |
| DMH DRAINAGE MANHOLE             | WEL DECIDUOUS TREE             |
| DPC DEPRESSION CURB              | WEL DRAINAGE MANHOLE           |
| E EAST OR ELECTRIC               | WEL ELECTRICAL METER           |
| EP EXISTING PAVEMENT             | WEL EVERGREEN TREE             |
| ET EDGE OF PAVEMENT              | WEL FIRE DEPARTMENT CONNECTION |
| FC FENCE CHAINLINK               | WEL FIRE HYDRANT               |
| FF FINISHED FLOOR                | WEL GRATE INLET - SQUARE       |
| FL FLOW LINE                     | WEL GRATE INLET - CIRCULAR     |
| G GAS                            | WEL GAS METER                  |
| GB GRADE BREAK                   | WEL GUARD POST                 |
| GR GUARDRAIL                     | WEL GAS VALVE                  |
| GUT GUTTER                       | WEL HANDICAPPED FACILITY       |
| IE INVERT ELEVATION              | WEL IRRIGATION CONTROL VALVE   |
| N NORTH                          | WEL FOUND IRON PIPE            |
| OH OVERHEAD                      | WEL LIGHT POLE OVERHANGING     |
| OH POLY VINYL CHLORIDE PIPE      |                                |
| PCP REINFORCED CONCRETE PIPE     |                                |
| SC-SH CON-HANDICAP               |                                |
| ST SOLID STRIPE                  |                                |
| SW SIDEWALK                      |                                |
| T TELEPHONE                      |                                |
| TB TOP OF BANK                   |                                |
| WEL ASPHALT CONCRETE             |                                |
| WEL AC DIRT                      |                                |
| WEL BOTTOM OF BANK               |                                |
| WEL BUILDING CORNER              |                                |
| WEL BOLLARD                      |                                |
| WEL CURB INLET BEHIND            |                                |
| WEL CURB INLET GRATE             |                                |
| WEL CENTERLINE                   |                                |
| WEL CONCRETE                     |                                |
| WEL DRIVEWAY APPROACH            |                                |
| WEL DRAINAGE MANHOLE             |                                |
| WEL DEPRESSION CURB              |                                |
| WEL EAST OR ELECTRIC             |                                |
| WEL EXISTING PAVEMENT            |                                |
| WEL EDGE OF PAVEMENT             |                                |
| WEL FENCE CHAINLINK              |                                |
| WEL FINISHED FLOOR               |                                |
| WEL FLOW LINE                    |                                |
| WEL GAS                          |                                |
| WEL GRADE BREAK                  |                                |
| WEL GUARDRAIL                    |                                |
| WEL GUTTER                       |                                |
| WEL INVERT ELEVATION             |                                |
| WEL NORTH                        |                                |
| WEL OVERHEAD                     |                                |
| WEL OH POLY VINYL CHLORIDE PIPE  |                                |
| WEL PCP REINFORCED CONCRETE PIPE |                                |
| WEL SC-SH CON-HANDICAP           |                                |
| WEL ST SOLID STRIPE              |                                |
| WEL SW SIDEWALK                  |                                |
| WEL T TELEPHONE                  |                                |
| WEL TB TOP OF BANK               |                                |
| WEL ASPHALT CONCRETE             |                                |
| WEL AC DIRT                      |                                |
| WEL BOTTOM OF BANK               |                                |
| WEL BUILDING CORNER              |                                |
| WEL BOLLARD                      |                                |
| WEL CURB INLET BEHIND            |                                |
| WEL CURB INLET GRATE             |                                |
| WEL CENTERLINE                   |                                |
| WEL CONCRETE                     |                                |
| WEL DRIVEWAY APPROACH            |                                |
| WEL DRAINAGE MANHOLE             |                                |
| WEL DEPRESSION CURB              |                                |
| WEL EAST OR ELECTRIC             |                                |
| WEL EXISTING PAVEMENT            |                                |
| WEL EDGE OF PAVEMENT             |                                |
| WEL FENCE CHAINLINK              |                                |
| WEL FINISHED FLOOR               |                                |
| WEL FLOW LINE                    |                                |
| WEL GAS                          |                                |
| WEL GRADE BREAK                  |                                |
| WEL GUARDRAIL                    |                                |
| WEL GUTTER                       |                                |
| WEL INVERT ELEVATION             |                                |
| WEL NORTH                        |                                |
| WEL OVERHEAD                     |                                |
| WEL OH POLY VINYL CHLORIDE PIPE  |                                |
| WEL PCP REINFORCED CONCRETE PIPE |                                |
| WEL SC-SH CON-HANDICAP           |                                |
| WEL ST SOLID STRIPE              |                                |
| WEL SW SIDEWALK                  |                                |
| WEL T TELEPHONE                  |                                |
| WEL TB TOP OF BANK               |                                |

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AT LEAST 48 HOURS  
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0 60' 90' 120'  
SCALE IN FEET



CONSTRUCTION SCHEDULE

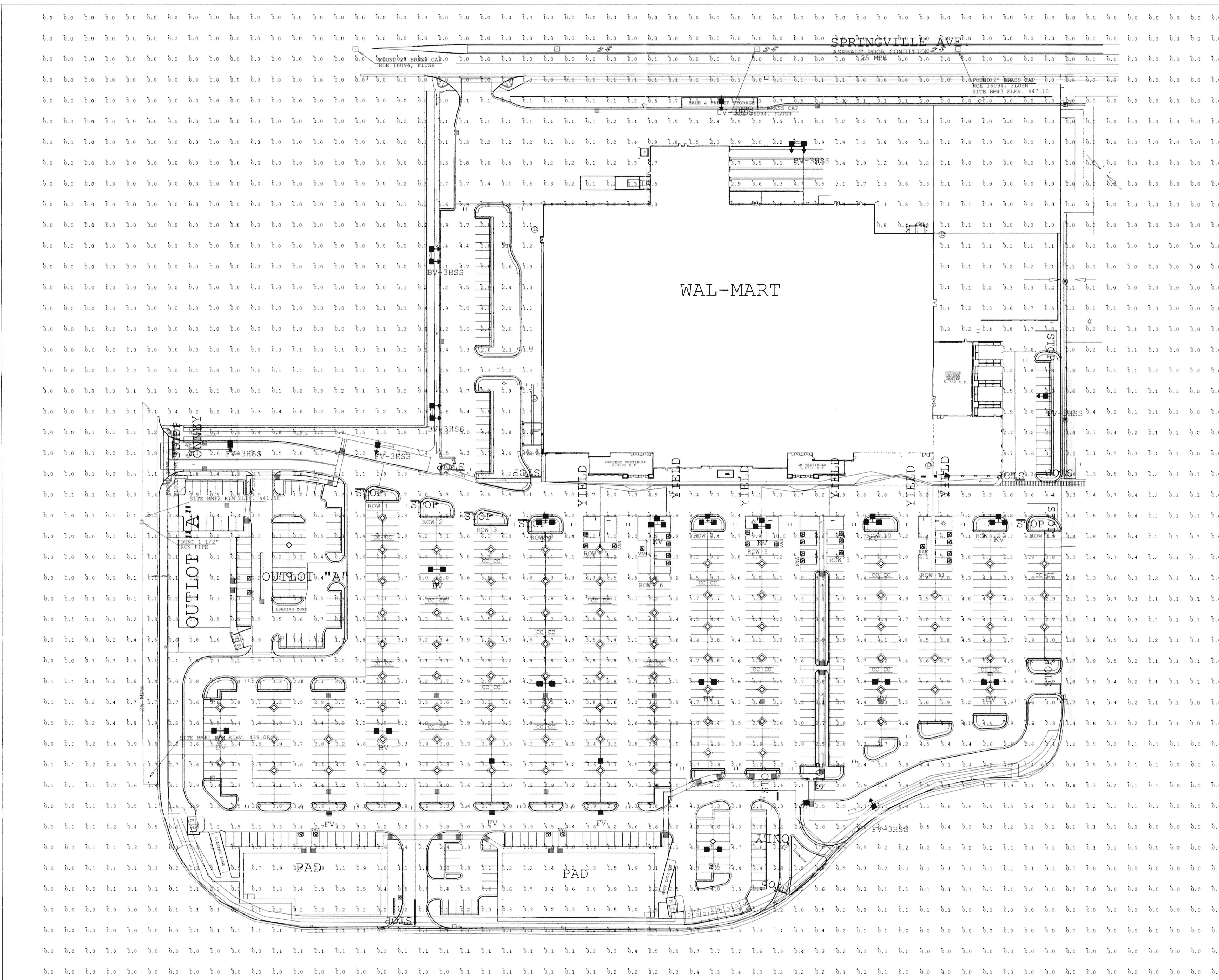
1. MOBILIZATION (1 WEEK)
2. INSTALL CONSTRUCTION ENTRANCE & EROSION CONTROL MEASURES (1 WEEK)
3. BEGIN ROUGH GRADING ON SITE & PADS (4-6 WEEKS)
4. INSTALL UNDERGROUND UTILITIES & CONNECTIONS (4-6 WEEKS)
5. PREPARE BUILDING PAD (2-3 WEEKS)
6. CONSTRUCTION BUILDING FOUNDATION & SLABS (6-8 WEEKS)
7. CONSTRUCT BUILDING (4-5 WEEKS)
8. FINAL GRADING OF PARKING LOT (2-3 WEEKS)
9. INSTALL IRRIGATION SYSTEM (3-4 WEEKS)
10. CONSTRUCT ASPHALT PARKING LOT (6-8 WEEKS)
11. INSTALL LANDSCAPING (3-4 WEEKS)
12. SIGN & STRIPE PARKING LOT (2-3 WEEKS)
13. PROJECT PUNCH LIST & COMPLETION (2-3 WEEKS)
14. GRAND OPENING

THIS SCHEDULE IS A GENERIC LIST OF ACTIVITIES & ESTIMATED TIMELINES WITH SOME ACTIVITIES BEING DONE CONCURRENTLY. TOTAL CONSTRUCTION TIMELINE ESTIMATED AT 9-10 MONTHS FOR COMPLETION.

|                                                                                                                                                                                                                                        |         |     |     |     |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-----|-----|-----|----|
| INITIAL DESIGN                                                                                                                                                                                                                         | 10-9-08 | JDG | BL  | EN  | EN |
| DATE                                                                                                                                                                                                                                   | PRN     | PM  | DES | DRW |    |
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| 1044 N. HERNDON AVE. SUITE 108 (559) 447-3119 JOB NO.: 17107.0<br>FRESNO, CA 93720 FAX (559) 447-3120 DWG NAME:<br>CONSTRUCTION STAGING PLAN DATE: 09-21-10 SHEET NO.:<br>JAYE ST. & STATE ROUTE 190 2:31 PM 4 OF 4<br>PORTERVILLE, CA |         |     |     |     |    |



GREENBRIAR  
FLAT LENS  
IESNA FULL CUTOFF



Maintained Footcandle levels at grade.

| Calculation Summary | CalcType    | Units | Avg  | Max  | Min | Avg/Min | Max/Min |
|---------------------|-------------|-------|------|------|-----|---------|---------|
| Label               | ILLUMINANCE | Fc    | 7.63 | 9.8  | 5.9 | 1.29    | 1.66    |
| FRONT DRIVE SUMMARY | ILLUMINANCE | Fc    | 4.40 | 10.0 | 1.8 | 2.44    | 5.56    |
| MAIN LOT SUMMARY    | ILLUMINANCE | Fc    | 4.40 | 10.0 | 1.8 | 2.44    | 5.56    |

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine applicability of the layout to existing or future field conditions.

This lighting pattern represents illumination levels calculated from laboratory data taken under controlled conditions utilizing current industry standard lamp ratings in accordance with Illuminating Engineering Society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted.

| Luminaire Schedule |     |         |                 |              |       |                                           |             |
|--------------------|-----|---------|-----------------|--------------|-------|-------------------------------------------|-------------|
| Symbol             | Qty | Label   | Arrangement     | Total Lumens | LLF   | Description                               | Total Watts |
| 8                  | 8   | BV      | D180            | 120000       | 0.750 | GFR-540-1000-PSMV-F 39' POLE 3' BASE      | 17280       |
| 3                  | 3   | BV-3HSS | ROTATED 2 IN 90 | 120000       | 0.750 | GFR-540-1000-PSMV-F-3HSS 39' POLE 3' BASE | 6480        |
| 1                  | 1   | CV-3HSS | SINGLE          | 120000       | 0.750 | GFR-540-1000-PSMV-F-3HSS 39' POLE 3' BASE | 1080        |
| 3                  | 3   | FV      | SINGLE          | 120000       | 0.750 | GFR-2-1000-PSMV-F 39' POLE 3' BASE        | 3240        |
| 4                  | 4   | FV-3HSS | SINGLE          | 120000       | 0.750 | GFR-2-1000-PSMV-F-3HSS 39' POLE 3' BASE   | 4320        |
| 5                  | 5   | KV      | 3 @ 90 DEGREES  | 120000       | 0.750 | GFR-540-1000-PSMV-F 39' POLE 3' BASE      | 16200       |

Total Project Watts  
Total Watts = 48600



**L&I INDUSTRIES**  
LIGHTING PROPOSAL FOR

WAL-MART STORE #3706  
SPRINGVILLE, PA

SCALE: 1"=40'  
DATE: 9/28/10  
BY: VLM

LO-97867-2  
SHEET 1 OF 1



# Riverwalk Marketplace



## Master Sign Program



## Table of Contents

|                                                |    |
|------------------------------------------------|----|
| Sign Program Overview .....                    | 3  |
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| 30' – 0' Monument Sign Specs .....             | 6  |
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| Lowe's Proposed Signage .....                  | 16 |
| Walmart's Proposed Signage .....               | 20 |

## Sign Program Overview

The proposed sign program for the Riverwalk Marketplace project consists of the following:

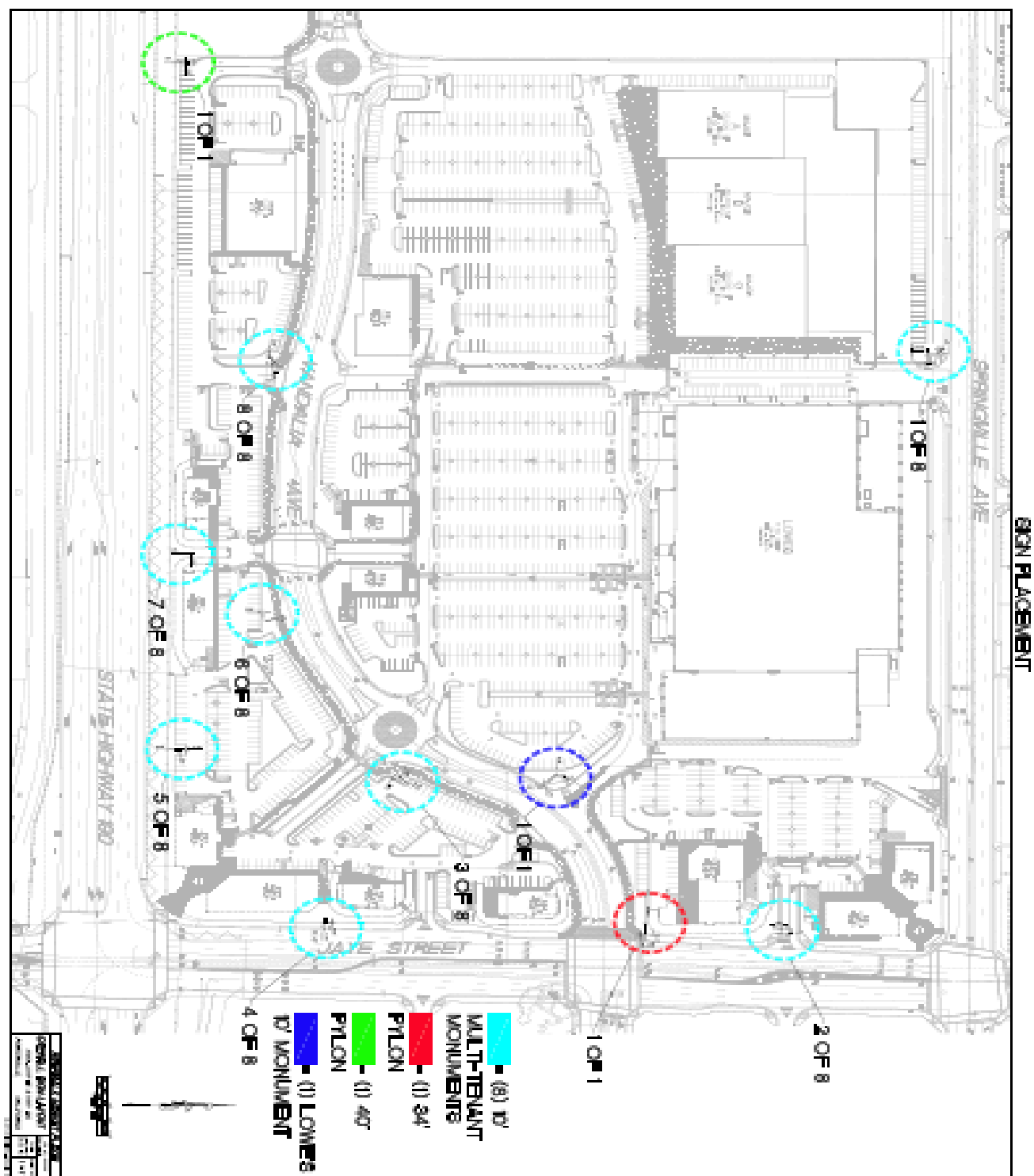
- Sign type and location through the Shopping Center (See Exhibit A & Exhibit G, Page 6)
  - Ten (10) 10' – 0" Multi Tenant Monument Signs Double Sided
  - One (1) 34' – 0" Multi Tenant Monument Sign Double Sided
  - One (1) 40' – 0" Multi Tenant Pylon Sign Double Sided
  - One 1(10) 10' – 0" Single Tenant Monument Sign Double Sided
- Eight (8) 10' – 0" Multi-Tenant Monument Sign Specs (See Exhibit B) Phase I
- Two (2) 10' – 0" Multi-Tenant Monument Sign Specs (See Exhibit G, Page 6) Phase II
- One (1) 34' – 0" Multi-Tenant Monument Sign Specs (See Exhibit C)
- One (1) 40'- 0" Multi-Tenant Pylon Sign Specs (See Exhibit D)
- Building Mounted Sign Criteria (See Exhibit E)
- Lowe's Prototypical Signage (See Exhibit F)
- Walmart's Approved Signage (See Exhibit G)

### Sign Placement

Position of sign panels on freestanding signs for any given tenant will be based on the amount of square footage that is leased by each tenant and at the discretion of the Landlord. Tenants with the largest square footage nearest their applicable sign (and with the approval of the Landlord) will have the higher placement of their panel on the sign.

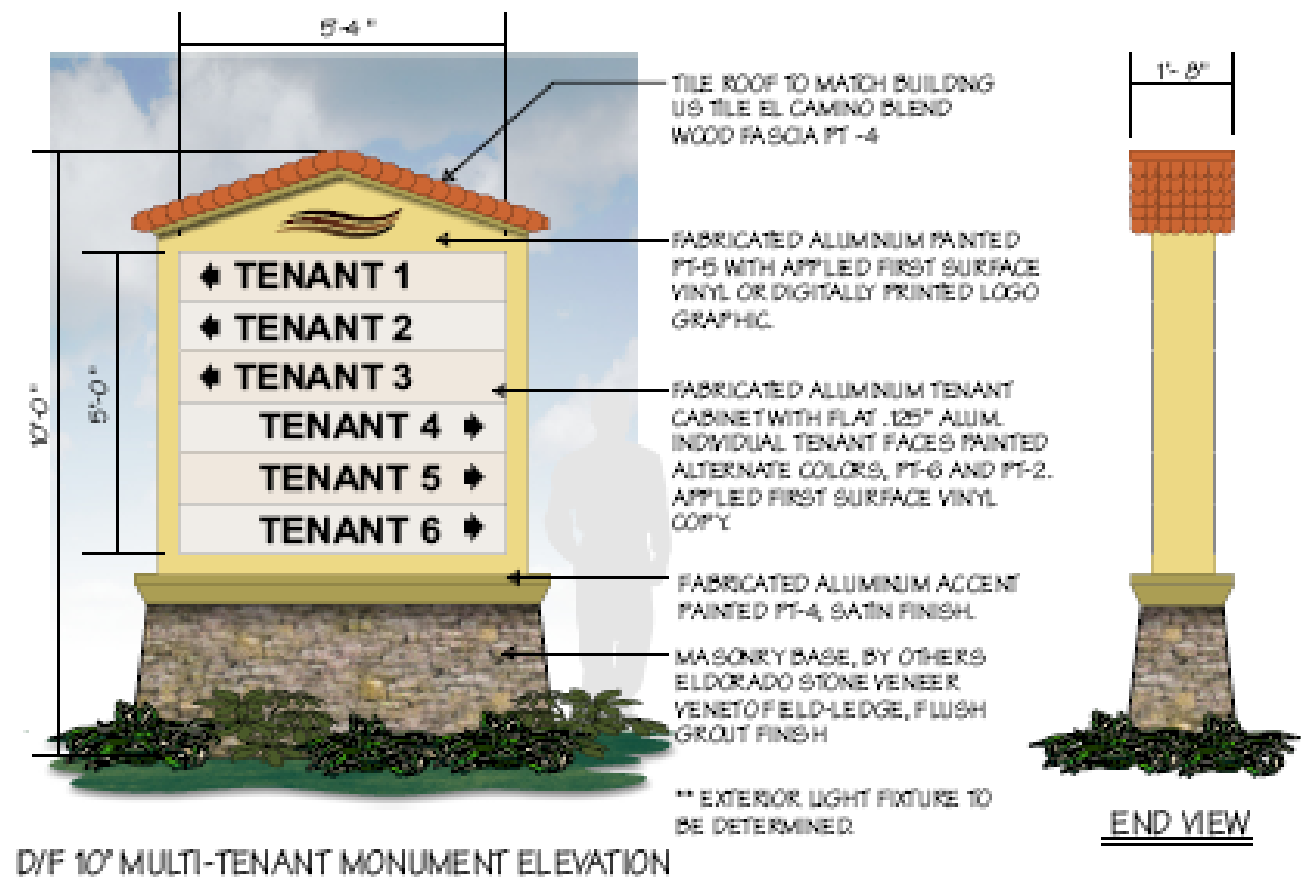
Other than the noted signs above, no other signs will be allowed on the projects unless approved by the City of Porterville and the Landlord.

## Site Plan – Freestanding Sign Placement



## **10' – 0" Monument Sign Specs**

**Exhibit B** – Ten (10) 10' – 0" Multi-Tenant Monument Signs will be located throughout the Shopping Center. Tenants with the largest square footage nearest their applicable sign (and with the approval of the Landlord) will have the higher placement of their panel on the sign.



#### PAINT COLOR SPECIFICATIONS

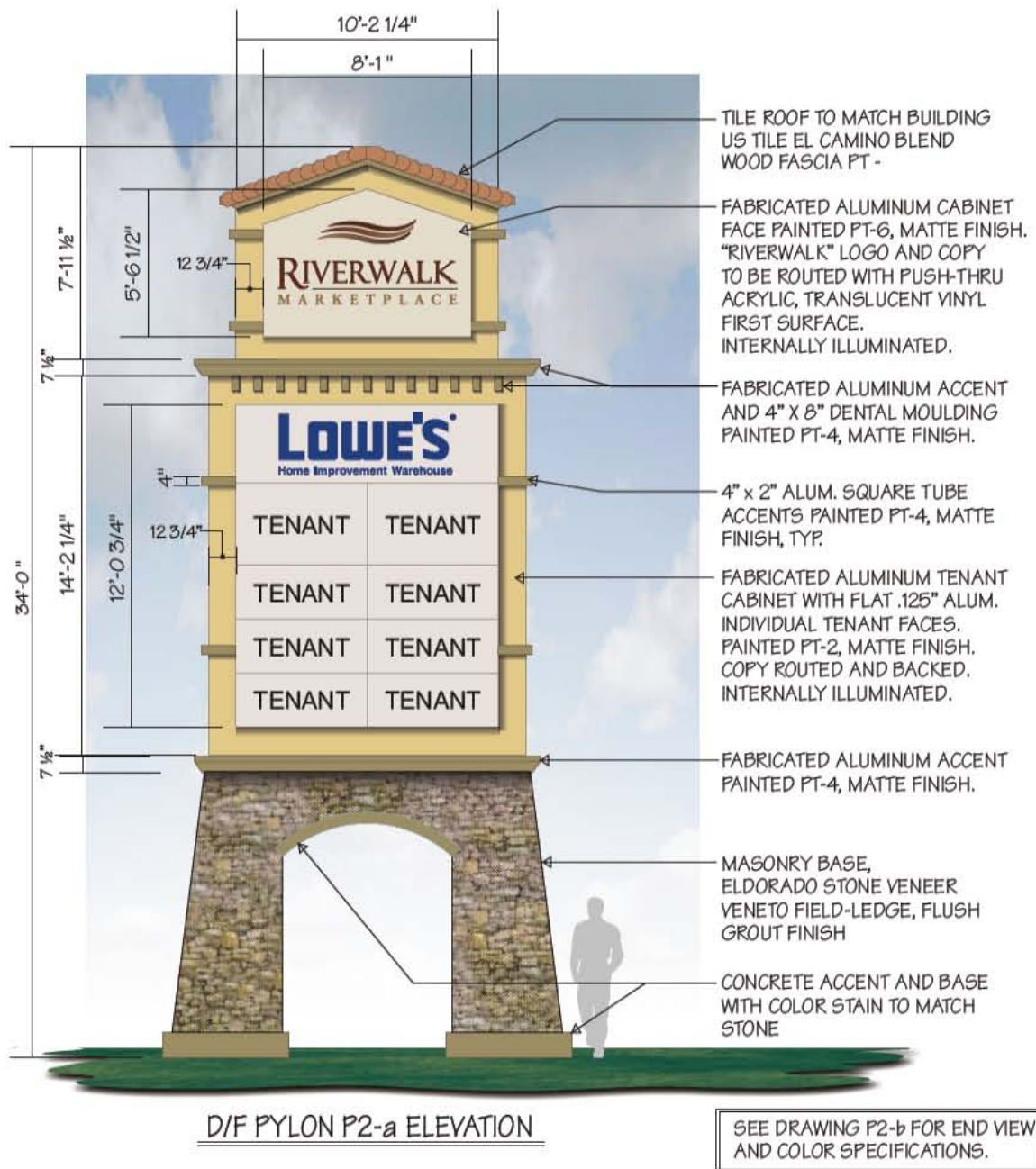
Mathews Acrylic Polyurethane to MatchICI colors listed:

|        |                                      |
|--------|--------------------------------------|
| PT - 1 | Mississippi Moon #10 YY 50/459 A0625 |
| PT - 2 | Eternal Beige #10 YY 75/094 A0660    |
| PT - 3 | Copper Tan #10 YY 65/163 A0663       |
| PT - 4 | Burley Gold #10 YY 23/261 A763       |
| PT - 5 | Light Topaz #10 YY 50/295 A0647      |
| PT - 6 | Milk & Honey #10 YY 69/130 A0653     |
| PT - 7 | Desert Valley #10 YY 52/207 A0767    |
| PT - 8 | Mayan Neutral #10 YY 63/162 A0654    |
| PT - 9 | Sable Sands #10 YY 39/225 A0740      |
| PT-10  | Naturally Calm #10yy 44/215 A0664    |

## 34' – 0" Pylon Sign Specs

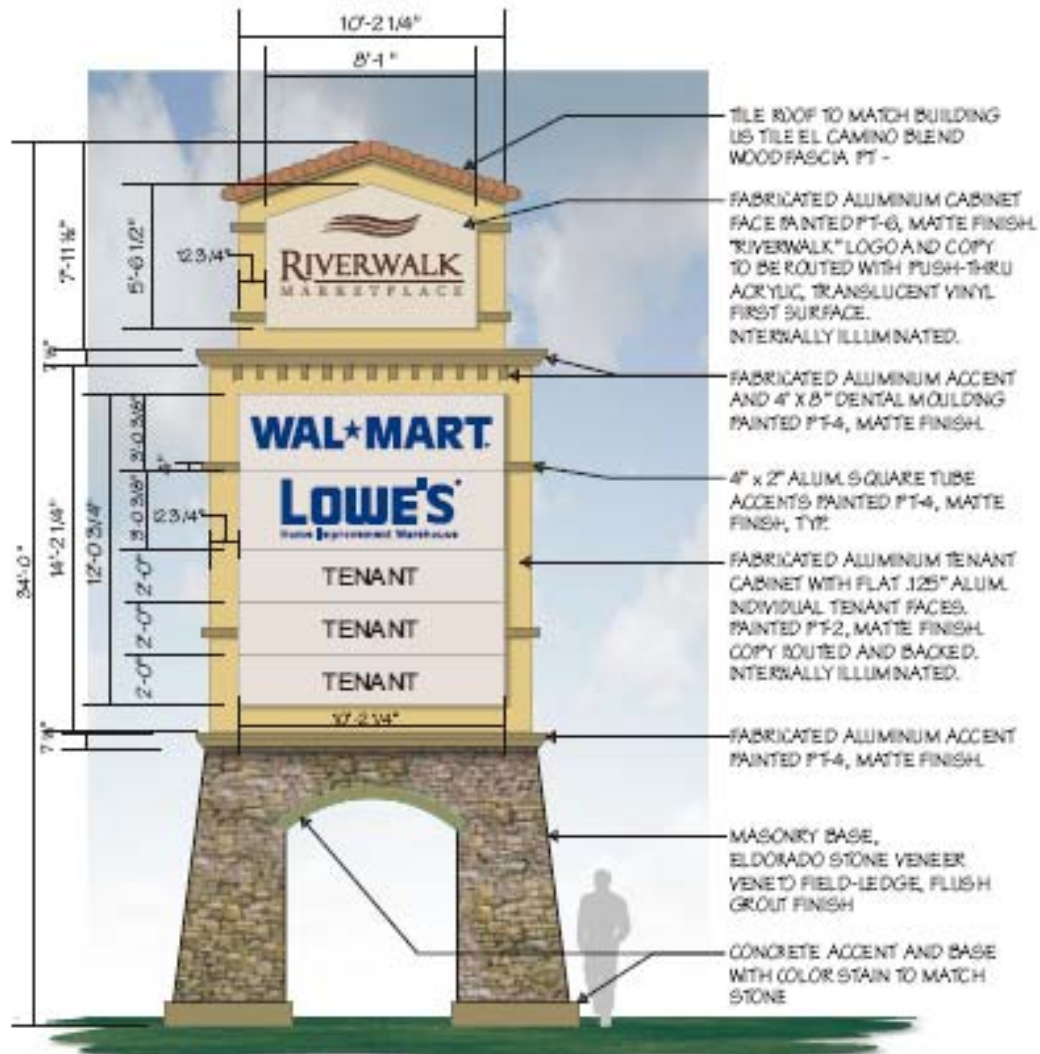
**Exhibit C – Interim Signage (Until Wal-Mart opens for business)** This version of the 34 Ft Pylon sign will be in place until Wal-Mart Opens for Business. The Pylon sign will be reserved primarily for the Anchor and Jr Anchor Tenants. However, until Wal-Mart opens for business, some none Anchor or Jr. Anchor tenants may be granted the approval at the sole discretion of the Landlord to be placed on the Pylon. Lowe's font size must be at least 25% larger than that of any other Tenant on the Pylon. At no point shall the number

of tenants on this Pylon exceed 9 tenants. The Landlord reserves the right at his sole discretion to reduce the number of tenants allowed on this Pylon to below 9.



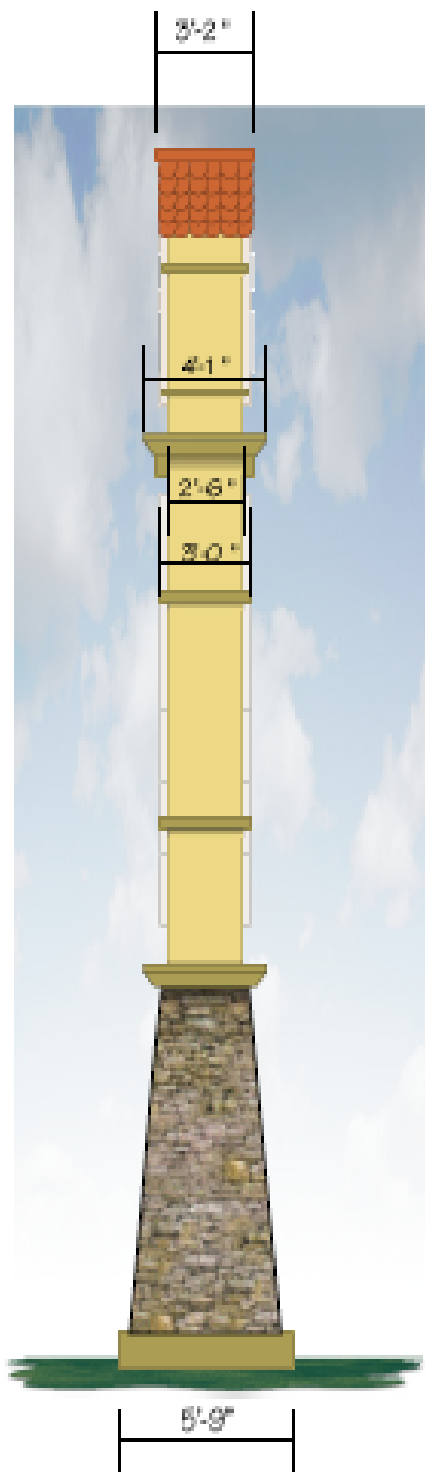
**Exhibit C – Final Signage (Once Wal-Mart opens for business)** – This version of the 34 Ft Pylon sign will be in place once Wal-Mart Opens for Business. The Pylon sign will be reserved for the Anchor and Jr Anchor Tenants only. Lowe's and Wal-Mart's font size must be at least 25% larger than that of any other Tenant on the Pylon. At no point shall the number of tenants on this Pylon exceed 8 tenants. The

Landlord reserves the right at his sole discretion to reduce the number of tenants allowed on this Pylon to below 8.



D/F PYLON P2-a ELEVATION

SEE DRAWING P2-b FOR END VIEW AND COLOR SPECIFICATIONS.



D/F PYLON P2-b END VIEW

#### PAINT COLOR SPECIFICATIONS

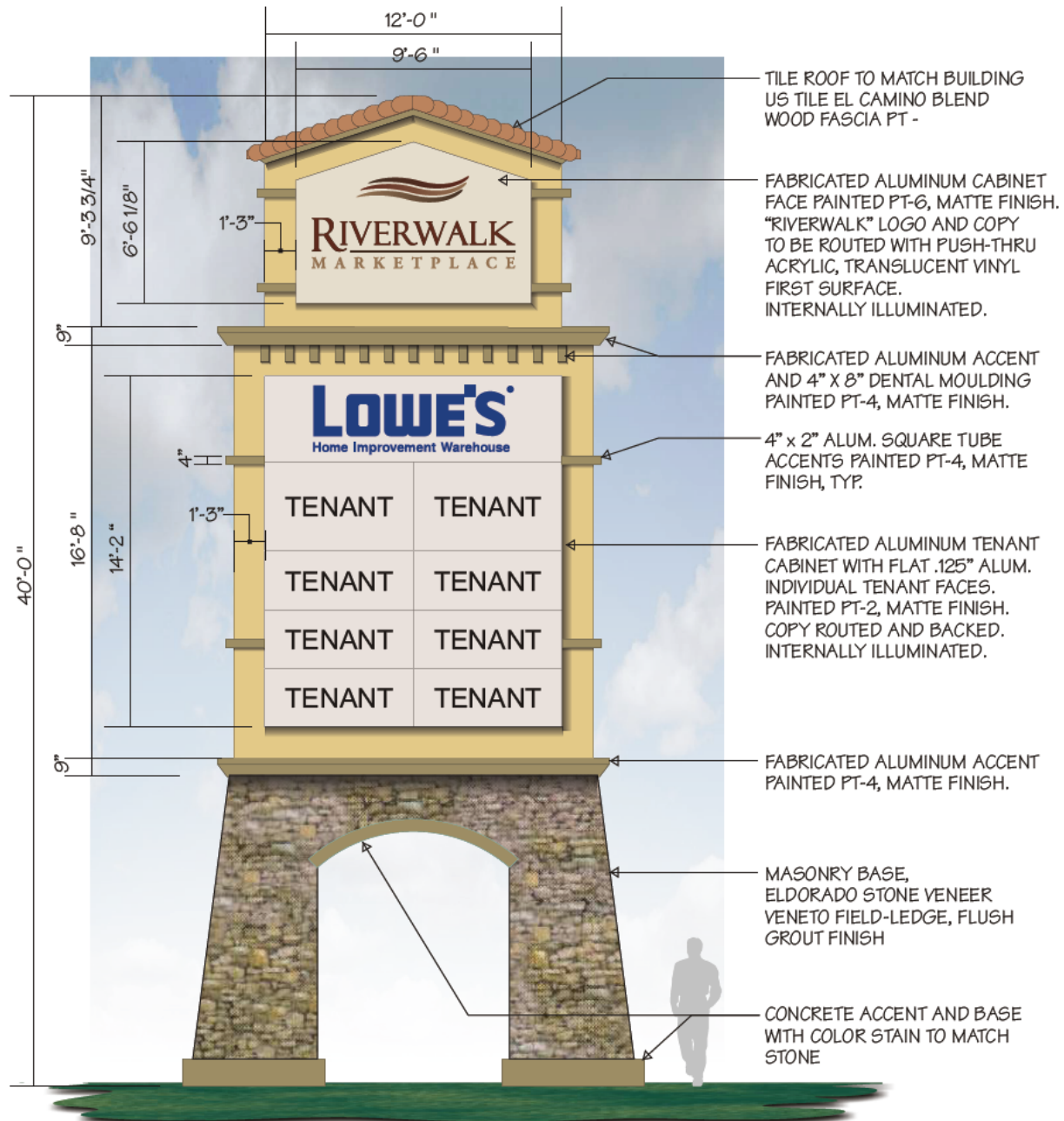
Matthews Acrylic Polyurethane to Match ICI colors listed

|        |                                                                                    |                                     |
|--------|------------------------------------------------------------------------------------|-------------------------------------|
| PT - 1 |   | Mississippi Moon #10YY 50/469 A0625 |
| PT - 2 |   | Eternal Beige #10YY 75/084 A0660    |
| PT - 3 |   | Dapper Tan #10YY 65/163 A0663       |
| PT - 4 |   | Burles Gold #10YY 23/261 A763       |
| PT - 5 |   | Light Topaz #10YY 58/295 A0647      |
| PT - 6 |   | Milk & Honey #10YY 69/130 A0653     |
| PT - 7 |   | Desert Valley #10YY 52/207 A0767    |
| PT - 8 |   | Mayan Neutral #10YY 63/162 A0654    |
| PT - 9 |   | Sable Sands #10YY 38/225 A0740      |
| PT-10  |  | Naturally Calm #10yy 44/215 A0664   |



## 40' – 0" Pylon Sign Specs

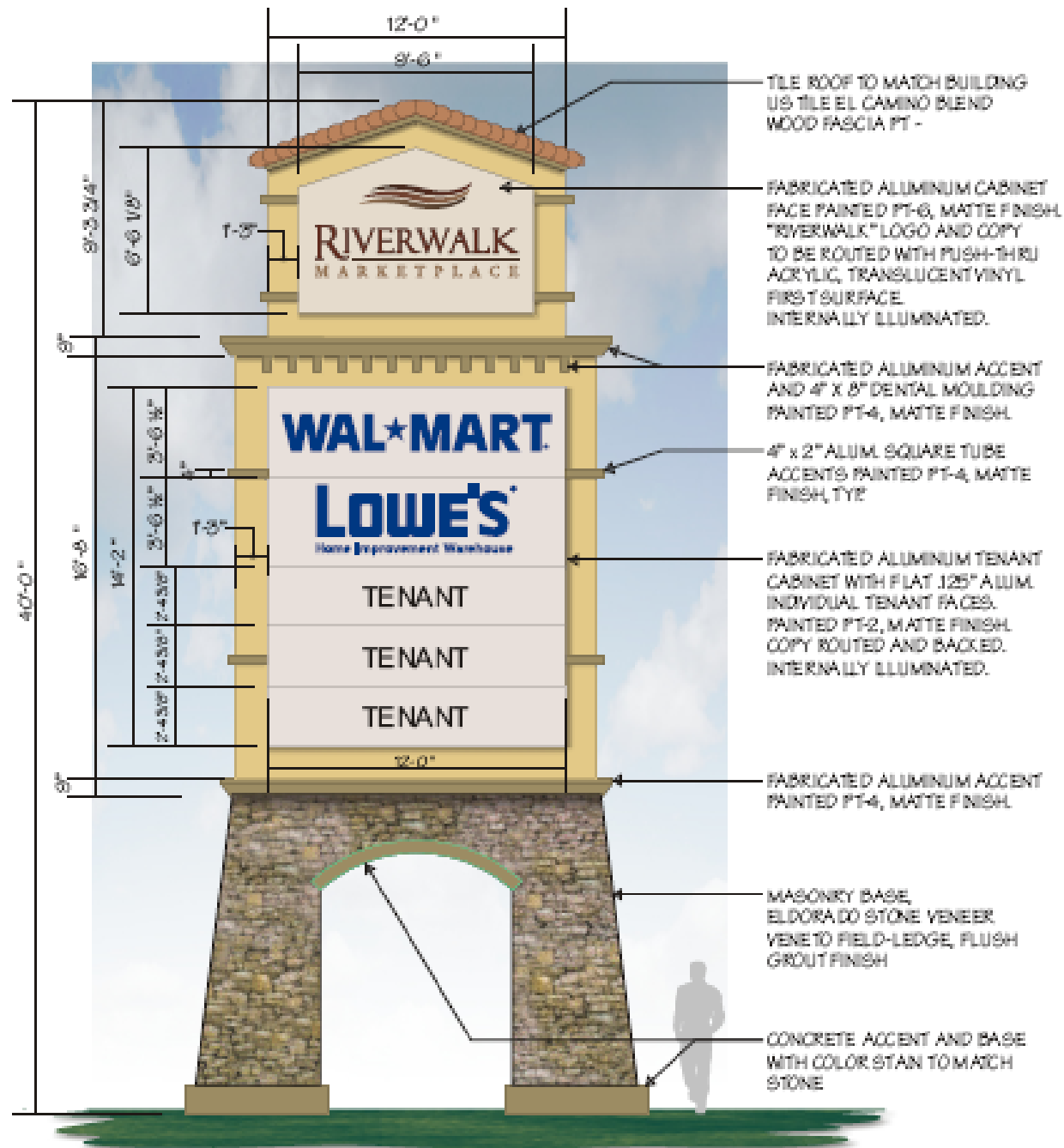
**Exhibit D Interim Signage (Until Wal-Mart opens for business)** – This version of the 40 Ft Pylon sign will be in place until Wal-Mart Opens for Business. The Pylon sign will be reserved primarily for the Anchor and Jr Anchor Tenants. However, until Wal-Mart opens for business, some none Anchor or Jr. Anchor tenants may be granted the approval at the sole discretion of the Landlord to be placed on the Pylon. Lowe's font size must be at least 25% larger than that of any other Tenant on the Pylon. At no point shall the number of tenants on this Pylon exceed 9 tenants. The Landlord reserves the right at his sole discretion to reduce the number of tenants allowed on this Pylon to below 9.



D/F PYLON P1-opt ELEVATION

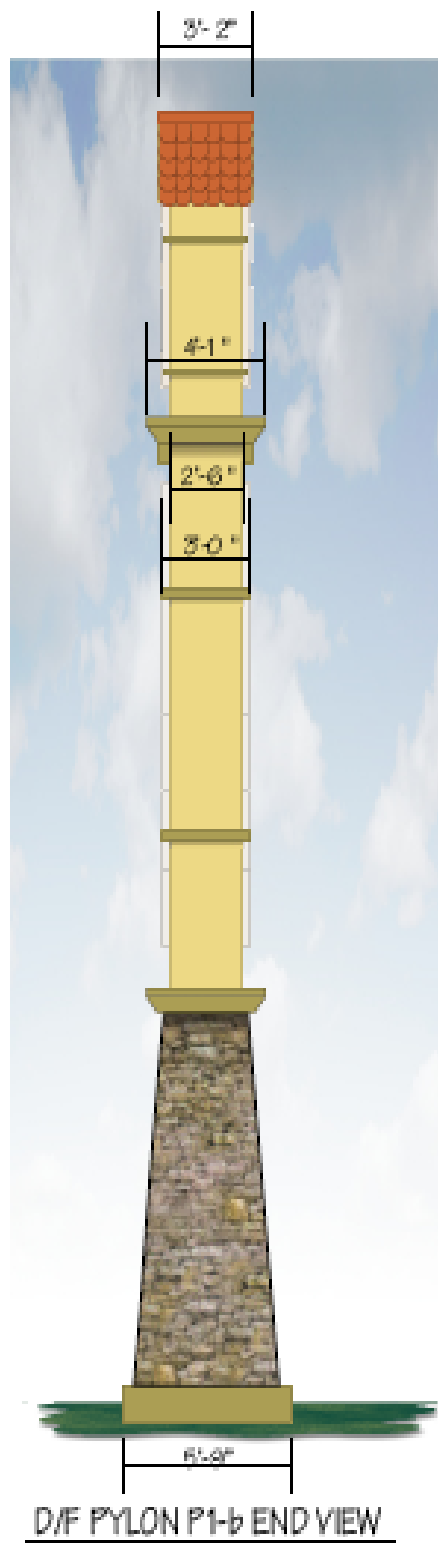
SEE DRAWING P1-b FOR END VIEW AND COLOR SPECIFICATIONS.

**Exhibit D Final Signage (Once Wal-Mart opens for business)** – This version of the 40 Ft Pylon sign will be in place once Wal-Mart Opens for Business. The Pylon sign will be reserved for the Anchor and Jr Anchor Tenants only. Lowe's and Wal-Mart's font size must be at least 25% larger than that of any other Tenant on the Pylon. At no point shall the number of tenants on this Pylon exceed 8 tenants. The Landlord reserves the right at his sole discretion to reduce the number of tenants allowed on this Pylon to below 8.



D/F PYLON PT-a ELEVATION

SEE DRAWING PT-b FOR END VIEW AND COLOR SPECIFICATIONS.



#### PAINT COLOR SPECIFICATIONS

Matthews Acrylic Polyurethane to Match ICI colors listed

|        |                                                                                     |                                     |
|--------|-------------------------------------------------------------------------------------|-------------------------------------|
| PT - 1 |    | Mississippi Moon #10YY 50/469 A0625 |
| PT - 2 |    | Eternal Beige #10YY 75/084 A0660    |
| PT - 3 |    | Dapper Tan #10YY 65/163 A0663       |
| PT - 4 |    | Burley Gold #10YY 23/261 A763       |
| PT - 5 |    | Light Topaz #10YY 58/295 A0647      |
| PT - 6 |    | Milk & Honey #10YY 69/130 A0653     |
| PT - 7 |    | Desert Valley #10YY 52/207 A0767    |
| PT - 8 |    | Mayan Neutral #10YY 63/162 A0654    |
| PT - 9 |   | Sable Sands #10YY 38/225 A0740      |
| PT-10  |  | Naturally Calm #10yy 44/215 A0664   |

# Building Mounted and Other Sign Criteria

## Exhibit E

### APPROVALS

1. Sign layouts must be approved by the Landlord and the City of Porterville, prior to fabrication. Both the tenant's and landlord's signature will need to be present on all sign permit applications.
2. Permits must be obtained from City of Porterville by the sign manufacturer/installer prior to installation. Fabrication prior to City approval is a risk.
3. The Landlord reserves the right to remove a tenant sign at the tenant's expense if these specifications are not followed.

### SIZE

1. Signs shall not exceed the maximum lengths allowed by jurisdictional codes. Or as defined by landlord, whichever is more restrictive.
2. The height of individual letters shall be no smaller than 12 inches.
3. The depth of individual letters shall be no less than 5 inches and no greater than 12".
4. No sign shall exceed 80% of tenant's storefront lease area.
- 5a. **Retail buildings housing multiple tenants** – Each tenant may have a total aggregate sign area based on the formula of two (2) square feet per lineal foot of leased storefront which houses the Main Entrance into tenant space. This allowance may be divided into signs on multiple walls occupied by the tenant. Those backing up to Springville Avenue may have no signage on the north elevation facing residentially zoned area except for non-illuminated door-mounted store identification plaque of 6"x18" or smaller.
- 5b. **Freestanding Single tenant buildings** – Each tenant may have a total aggregate sign area based on the formula of three (3) square feet per lineal foot of leased storefront which houses the Main Entrance into tenant space. This allowance may be divided into signs on multiple walls occupied by the tenant. Those backing or fronting Springville Avenue and Indiana Avenue may have no signage on the elevation facing residentially zoned areas except for non-illuminated door-mounted store identification plaque of 6"x18" or smaller.

### TYPE

1. Sign cabinets or raceways are not permitted (cabinets for registered logos excepted).
2. Signs must be individual, surface mounted channel letters on front fascia of the facade, with remote transformers mounted behind facade.
3. Channel letters shall have painted black returns with black trim cap, white faces, and white neon.
4. All letters and symbols must be illuminated, and have a minimum of two rows of neon.
5. Only one line of copy will be permitted unless otherwise approved by Landlord.
6. Letters to be powered by 30ma transformers. PK housings used through wall with all wiring concealed in Liquidtight Greenfield.
7. All hardware must be "rust proof".
8. Signs must be properly permitted with the City of Porterville.
9. All signs and components must be UL approved and labeled.
10. Tenant may choose their own typestyle. Final approval will be at Landlord's discretion.

### PLACEMENT

1. All signs must be centered in lease space relative to architectural features.
2. All signs must be placed upon vertical facade and may not protrude above the facade.
3. No signage permitted above lower edge of the roofline.

## **INSTALLATION**

1. All openings made in the fascia must be caulked and sealed by the installer.
2. All seams in the exposed portion of the sign must be caulked and sealed.
3. All tenant signs will be serviced from the individual tenant electric panels. All signs will be illuminated at times controlled by the tenant's photocell.

## **OTHER TENANT CRITERIA**

1. All Tenants are required to purchase and install their own signs and pay all costs for installation and any electrical service connections (to the Tenant's individually metered service) as required. The storefront and/or blade signage must be installed on or before Tenant opens for business in Tenant space.
2. After first acquiring Owner/Landlord approvals, all Tenants shall be responsible for applying for and acquiring all permits prior to installation.
3. All Tenants shall be responsible for removal of its signs upon termination of lease. Damaged or otherwise altered building elements shall be returned to the original condition and all penetrations appurtenant to the Tenant's sign installation shall be repaired by the Tenant to the satisfaction of the Landlord/Owner within 30 days. If a sign is damaged by a natural event, such as wind, an engineer certified letter is required. This requirement applies to both ground and fascia signs.
4. No tenant shall erect, install, paint or affix any signs, posters, cards/banners or other advertising medium to upon or above the exterior of the premises of the building, nor on the interior or exterior of the premises of the building, nor on the interior or exterior of the glass surface of the windows and doors, except as stated herein. Tenant shall be held liable and shall bear all costs for removal and/or correction of sign installation and damage to building by signs that do not conform to the Comprehensive Sign Plan or those signs required to be removed by termination of lease. The Landlord/Owner reserves the right to have all non-conforming, non-permitted, non-approved signs by Landlord/Owner removed regardless of state of erection, by Landlords/Owner's means at sole expense of the tenant.
5. Sign fabrication and installation shall comply with any applicable Building Codes, and the National Electrical Code, and all internal and external wiring, lighting, and other electrical devices shall bear the U.L. symbol. It is the Tenant's responsibility to verify that its sign and installation are in accordance with these requirements and have the Jurisdiction's approval.
6. Tenant is responsible for maintaining its sign in a good state of repair including prompt replacement of burned out lighting or damaged components. Tenant has 24 hours to initiate repairs and 48 hours to make repairs after being notified in writing by Landlord/Owner
7. All sign fabrication work shall be of excellent quality. All logo images and type styles shall be accurately reproduced. Lettering that approximates type styles shall not be accepted. The Tenant reserves the right to reject any fabrication work deemed to be below standard.
8. Signs must be made of durable rust-inhibited materials that are appropriate and complementary to the building.

9. All formed metal, such as letter forms, shall be fabricated using full-weld construction.
10. All ferrous and non-ferrous metals shall be separated with non-conductive gaskets to prevent electrolysis. In addition to gaskets, stainless steel fasteners shall be used to secure ferrous to non-ferrous metals.
11. Threaded rod or anchor bolts shall be used to mount sign letters which are spaced out from background panel. Angle clips attached to letter sides will not be permitted.
12. Paint colors and finishes must be reviewed and approved by the Tenant. Color coating shall exactly match the color(s) specified on the approved plans.
13. Finished surfaces of metal shall be free from oil-canning and warping. All sign finishes shall be free of dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.
14. Reverse channel letters shall be pinned 2" off building fascia. Signs shall have a clear polycarbonate backing and p.k. housings shall be mounted flush to surface of building.
15. All hardware and neon tube supports inside open channel letters shall be painted to match interior letter color. Neon tubing shall be sufficient to make letters read "solid" and shall be installed so that top surface of neon is flush with front edges of open channel. Exposed tubing is prohibited.
16. All lighting must match the exact specifications of the approved working drawings. Surface brightness of all illuminated materials shall be consistent in all letters and components of the sign. Light leaks will not be permitted.
17. All conduit, raceways, crossovers, wiring, ballast boxes, transformers and other equipment necessary for sign connection shall be concealed.
18. All penetrations into building wall, where required, shall be sealed and waterproofed. Color and finish must match existing wall.
19. Signs painted directly on a wall will not be permitted.
20. There shall be no signs that are rotating, revolving, flashing, flickering, moving or audible.
21. No sign shall project above or below the allowable sign area
22. No signs will be allowed that constitute a Traffic Hazard: Any building sign which simulates or imitates in size, color, lettering, design of any traffic sign or signal, or which makes use of the words "STOP", "LOOK", "DANGER" or any words or phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.
23. Signs in close proximity to Utility Lines are prohibited, as prescribed by the laws of the jurisdiction.
24. Advertising or promotional signs on parked vehicles are prohibited. This includes signs on or affixed to trucks, automobiles, trailers or other vehicles which advertise, which are not related to the vehicle's lawful

activity. This provision does not apply to service and delivery vehicles of Tenants when engaged in regular business activities (i.e. trucks making deliveries to businesses with the Center).

25. Billboard or Off-Premise business signs are prohibited. No sign shall be permitted which directs attention to any business, profession, service entertainment, product or activity located on any premises other than the premises where the sign is located. Billboards are defined as follows:  
A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere than the premises where the sign is located.
26. Tenants with outdoor seating or dining will be allowed to have umbrellas with the tenant logo affixed to them, subject to Landlord/Owner approval of size, color, quantity and placement.
27. The use of a permanent promotional signs is prohibited, including, but not limited to, sales, specials, discounts, etc. signs.
28. The temporary use of sale signs is limited to a thirty (30) day period and is restricted to signs affixed to the interior of windows which do not occupy more than twenty percent (20%) of the window area. These signs are also permitted a total of not more than ninety (90) days per calendar year. This sign will not require approval by the Planning Department.
29. Temporary signs, not greater than thirty-two (32) square feet, may be permitted (i.e. for announcing openings and re-openings after remodels) subject to Landlord/Owner approval. These signs are limited to thirty (30) days per calendar year.
30. The Landlord/Owner reserves the right to hire an independent electrical engineer at the Tenant's sole expense to inspect the installation of all Tenants' signage and to require Tenant to have any discrepancies and/or code violations corrected at the Tenant's expense.
31. No illuminated exposed tubing is permitted on the exterior of the building, including signs, or in the interior of the storefront to highlight the glazing system.
32. General Notice signs, at the City of Porterville's request, may be placed throughout the Shopping Center prohibiting activities inappropriate for the Shopping Center. As an example, display of vehicles for sale will be prohibited and vehicles will be towed at owner's expense.

## Lowe's Proposed Signage for Porterville Exhibit F

**SIGN PACKAGE SUBMITTAL**

# Porterville, CA

ORIGINALLY SUBMITTED: APRIL 9TH, 2007  
REVISED: NOVEMBER 6TH, 2007

---

**SUBMITTED BY:**

**HARLAN Laws CORPORATION**

**IDENTIFICATION SIGNS**

|                |             |
|----------------|-------------|
| DURHAM, NC     | PHOENIX, AZ |
| (919) 596-2124 |             |

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**Page Index:**

- PG.1 Cover Page (Site Plan, Sign Types)
- PG.2 Building Elevations
- PG.3 LOWE'S Letters A (Specifications)
- PG.3 LOWE'S Letters B (Specifications)
- PG.3 Indoor Lumber Yard Letters C (Specifications)
- PG.4 Garden Center Sign D (Specifications)

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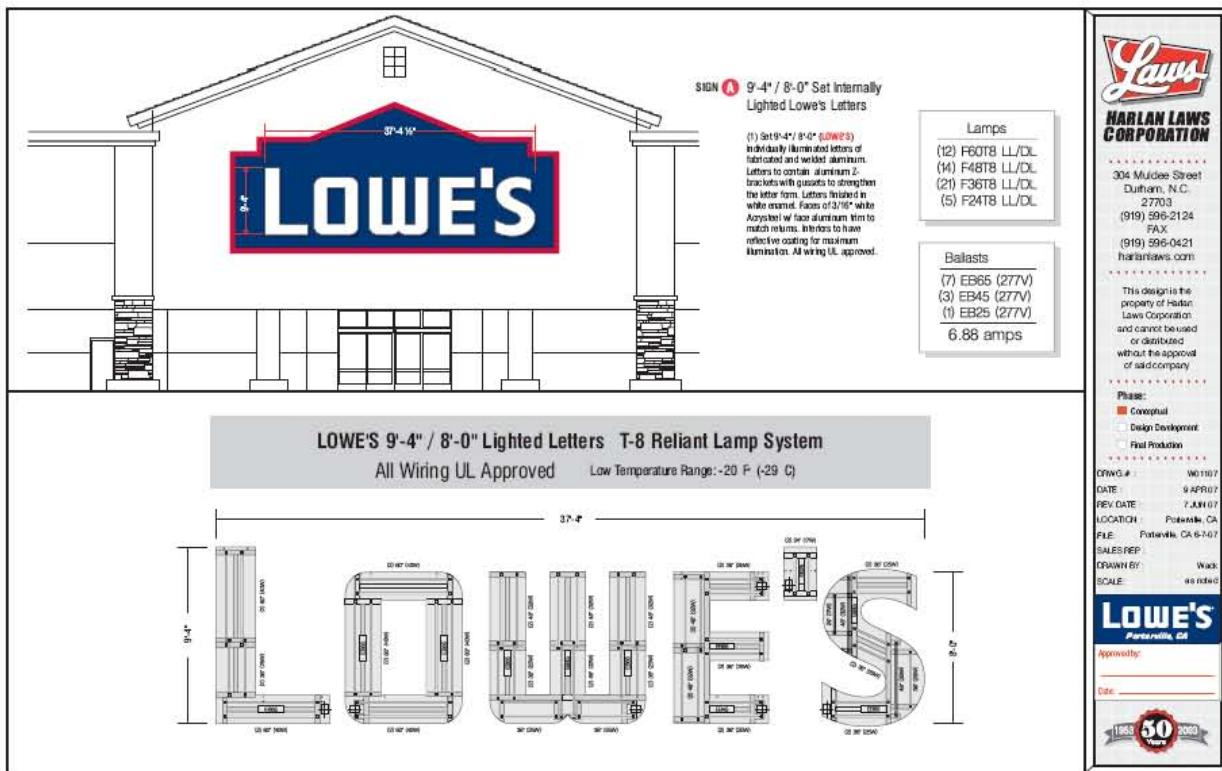
**SIGN C**     **INDOOR LUMBER YARD**  
80 Square Feet

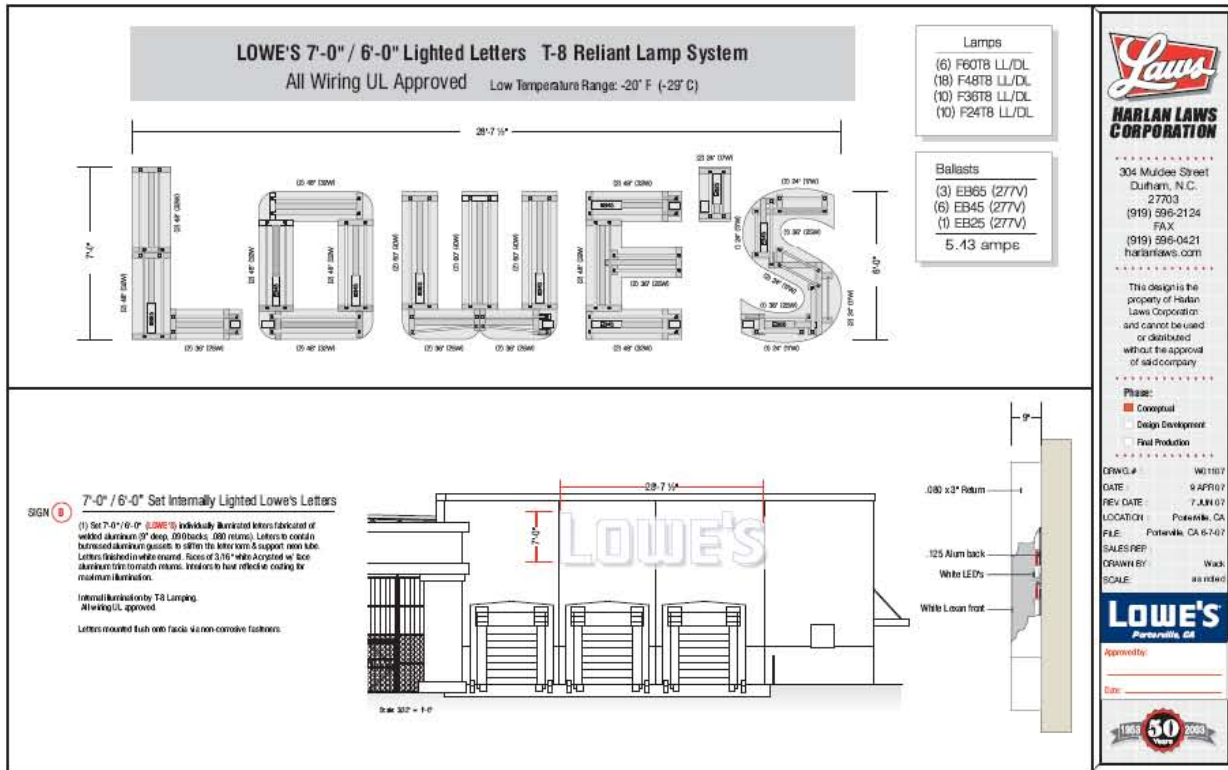
**SIGN D**     **GARDEN CENTER**  
62 Square Feet

---

**"Harlan Laws Corporation has!"**  
Ask about the energy efficient sign products depicted in this drawing package.







304 Muldee Street  
Durham, N.C. 27703  
(919) 996-2124  
FAX (919) 996-0421  
harlanlaws.com

This design is the property of Harlan Laws Corporation and cannot be used or distributed without the approval of said company.

**Phase:**

☒ Conceptual  
☐ Design Development  
☐ Final Production

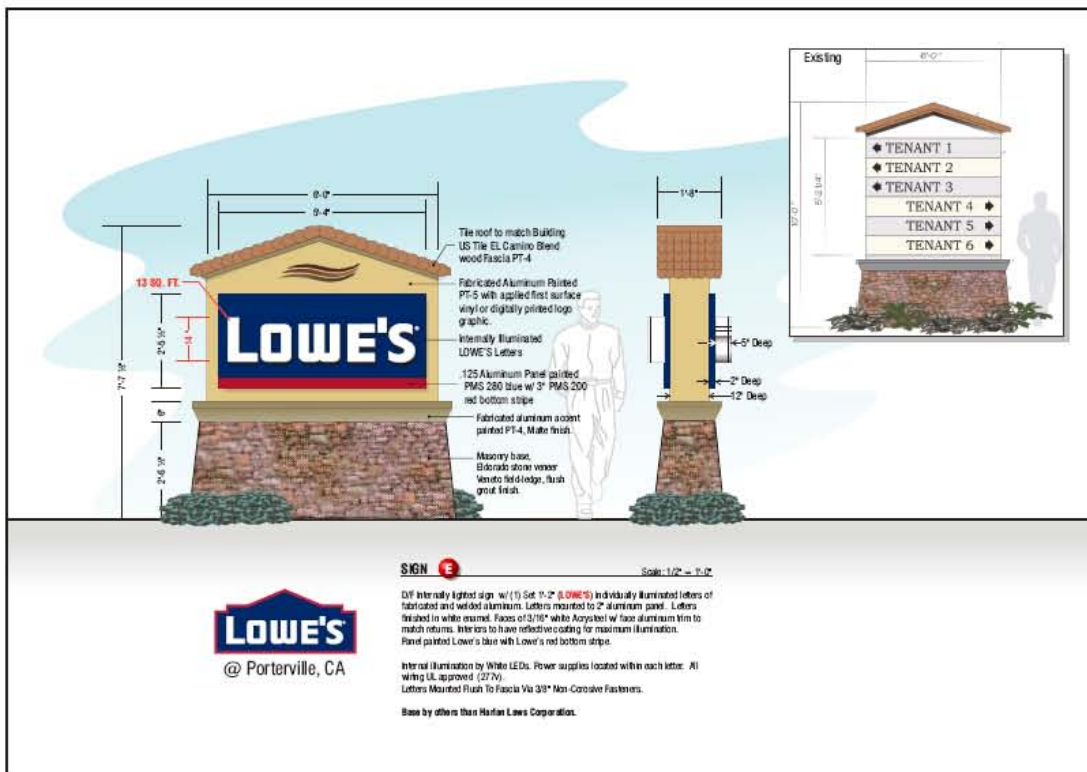
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REV DATE 7 JUN 07  
LOCATION Porterville, CA  
FILE Porterville, CA 6-7-07  
SALES REP Wack  
DRAWN BY Wack  
SCALE as noted

**LOWE'S**  
Porterville, CA

Approved by:

Date:

1963 50 2008



304 Muldee Street  
Durham, N.C. 27703  
(919) 996-2124  
FAX (919) 996-0421  
harlanlaws.com

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DRWG.# W01107  
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REV DATE 8 NOV 07  
LOCATION Porterville, CA  
FILE Porterville, CA 11-6-07  
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DRAWN BY Wack  
SCALE as noted  
PAGE #

**LOWE'S**

Approved by:

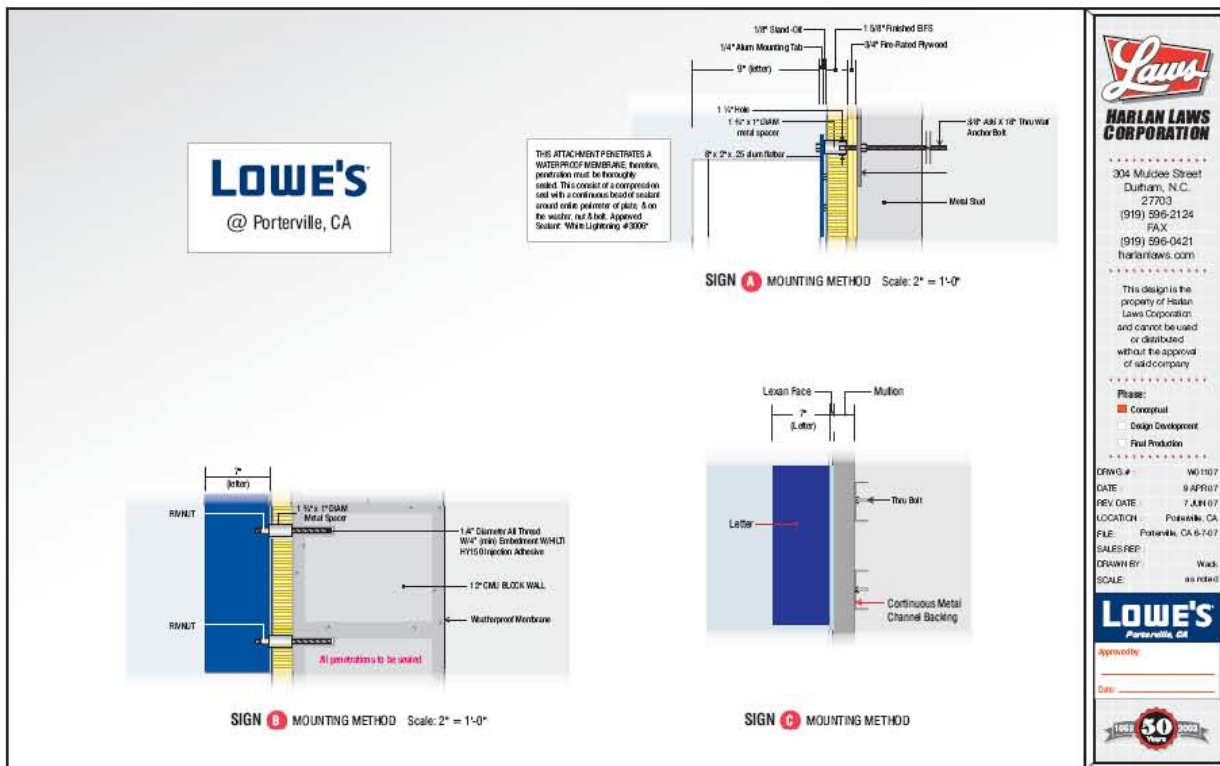
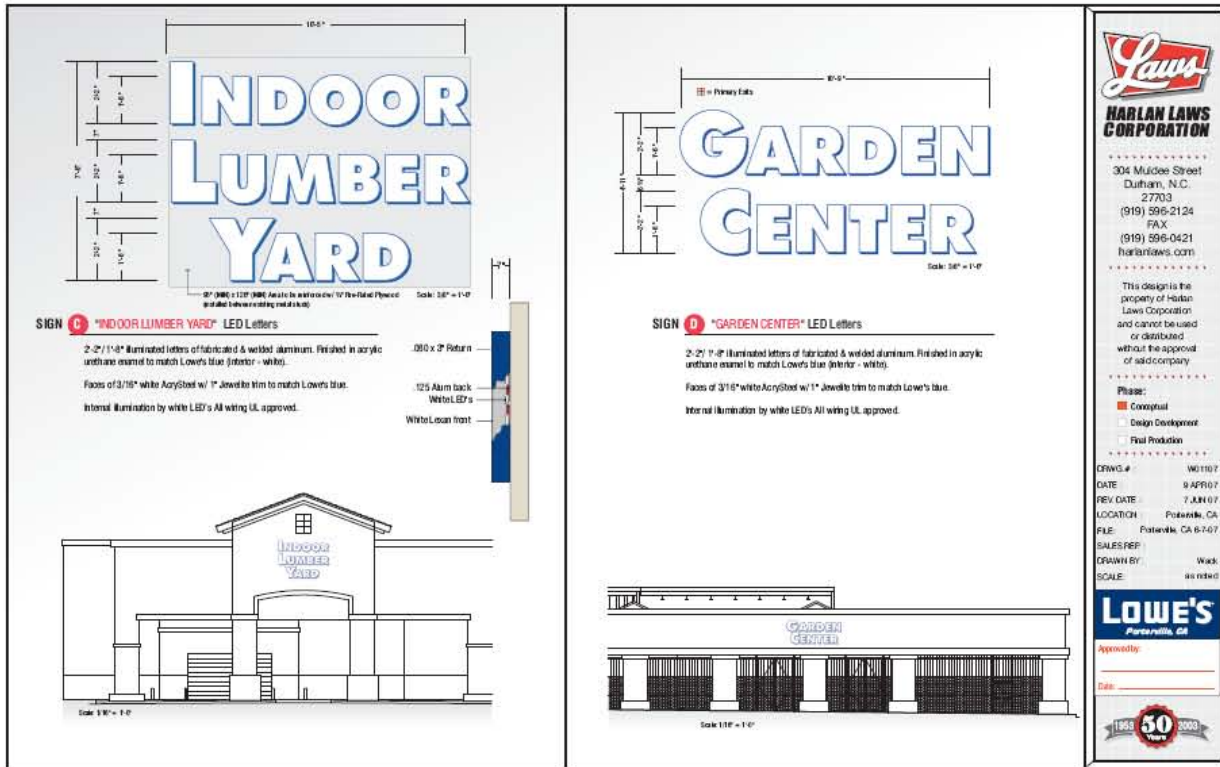
Date:

1963 50 2008

**GONE GREEN?**

Harlan Laws Corporation has!

Ask about the energy efficient sign products depicted on this drawing.



RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVAL OF  
TENTATIVE PARCEL MAP (PRC 2016-016-C-PM) TO DIVIDE THE 21.8± ACRE  
RIVERWALK MARKETPLACE PHASE II PROJECT INTO FIVE (5) PARCELS

WHEREAS: The project proponent is requesting approval for Tentative Parcel Map (PRC 2016-016-C-PM) to divide a 21.8± acre vacant site into five (5) parcels for that site located at the northeast corner of Vandalia Avenue and Indiana Street as follows:

PARCEL 1 – 16.6872 ACRES  
PARCEL 2 – 1.0438 ACRES  
PARCEL 3 – 1.1406 ACRES  
PARCEL 4 – 1.8420 ACRES  
PARCEL 5 – 1.0360 ACRES

WHEREAS, the process leading to the City Council's certification of the Final EIR and Associated Actions taken on February 7, 2012, included the following events:

- On September 29, 2008, the City of Porterville circulated the Initial Study/Notice of Preparation (IS/NOP) to responsible agencies, trustee agencies, and regional agencies, along with organizations and interested persons for the 30-day circulation period required under CEQA Guidelines, Section 15082.
- Following circulation of the IS/NOP, updated project plans reflected an increase in total square footage from 225,580 square feet to 256,471 square feet. Rather than proceed with the Draft EIR's evaluation of a 256,471 square foot project, the City determined that it would instead update and reissue the NOP for an additional 30-day review period starting on November 25, 2008. The second NOP circulation period closed on December 24<sup>th</sup>. In all, the public received nearly 90 days to review and comment upon the scope and content of the Draft EIR for Riverwalk Marketplace Phase II project.
- The Draft EIR (SCH# 2008091149) was prepared and circulated for a 45-day public review period as required by state law from April 1, 2010, to May 17, 2010. The City Council conducted a public hearing to receive comments on the Draft EIR.
- After the Draft EIR had been released for public review and all comments had been received, the City learned that the Project's square footage had been reduced in size from 222,715 to 202,854 square feet. The City concluded that this square footage reduction would affect the project description and potentially require revised analysis and conclusions in each section of the Draft EIR's impact analysis. Instead of preparing a Final EIR that encompassed this level of potential change to the Draft EIR's analysis, the City decided to prepare and circulate a Revised DEIR ("RDEIR"). The RDEIR would evaluate the revised Project with its reduced square footage, and would include an expanded noise

analysis using a 2009 City Noise Ordinance that had not been in effect when the Draft EIR was prepared and had not been made publicly available since that time.

The City intended that the RDEIR would address the public comments received on the Draft EIR with a revised impact analysis or with additional information needed to clarify the Draft EIR's analysis of any specific issue, and in particular, the written DEIR comments submitted by Attorney Mark Wolfe on behalf a group opposed to the Walmart project operating under the name "Healthy Community Networks."

- On July 7, 2010, the Parcel Map Committee held a public meeting and discussed concerns and conditions relevant to the proposed Project. Conditions developed as a result of this meeting and subsequent staff review were discussed with the applicant's agent and incorporated into the draft resolution of approval.
- On February 22, 2011, the City provided the State Clearinghouse with a Notice of Completion, and published the Notice of Availability in the Porterville Recorder. The RDEIR was circulated for public review and comment from February 22, 2011 to April 8, 2011.
- The Porterville City Council conducted a public hearing on March 15, 2011, for the purpose of allowing the public an opportunity to provide oral and written comments on the RDEIR. The City Council received 20 verbal comments at this hearing. At the close of the public review period on April 8, 2011, the City had received 28 public written comments on the RDEIR. Of these comments, three were from public agencies. One of these letters was a transmittal letter from the Governor's Office of Planning and Research State Clearinghouse and Planning Unit acknowledging that the City had complied with the review requirements for state agencies and that no comments from state agencies had been received by the Clearinghouse. The other two were from the California Department of Transportation and the San Joaquin Valley Air Pollution Control District. The remaining 25 comments were received from private individuals. Of these remaining comments, 7 raised substantive comments on the Draft EIR that were addressed in the Final EIR, and 21 expressed unqualified support for the Project. All comments received were included in the Final EIR with a written response as required by CEQA.
- The Final EIR consists of the RDEIR together with a single volume dated January 2012 and titled *Riverwalk Marketplace Phase II Final Environmental Impact Report*. The Final EIR Section 2 is the "Response to Comments" section. It includes all written and oral public comments submitted on the RDEIR by interested public agencies, organizations, and members of the public and the City's written responses to the environmental issues raised in those comments. Section 3 includes all "Additions and Corrections" made to the RDEIR which reflects the changes made in response to comments and other information. Section 3 includes a list of the RDEIR pages where refinements, clarifications and corrections were made, followed by those same pages, as corrected.

On January 27, 2012, the City posted the Final EIR and the Notice of Availability online at the City's website <http://www.ci.porterville.ca.us/>. The Notice of Availability indicated



that the EIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville's website: <http://www.ci.porterville.ca.us/>.

The three public agencies that submitted comments on the RDEIR each received a CD of the Final EIR via overnight carrier on January 27, 2012. Delivery confirmations are on file with the City of Porterville. The City sent each individual that commented on the Draft EIR a copy of the Notice of Availability of the Final EIR.

- On February 7, 2012, the City Council adopted Resolution 12-2012 certifying the Final Environmental Impact Report, adopting a statement of overriding considerations, and the following Associated Actions - Resolution 13-2012 approving Conditional Use Permit 2-2010, and Resolution 14-2012 approving Tentative Parcel Map 4-2010.

WHEREAS, California Healthy Communities Network ("CHCN") filed a Petition for a Writ of Mandate in the Tulare County Superior Court on March 9, 2012, and a first-amended petition on September 21, 2012.

WHEREAS, the Tulare County Superior Court entered a judgment on April 11, 2013, denying CHCN's Petition for Writ of Mandate and upholding the City's certification of the Final EIR and the project approvals in all respects.

WHEREAS, CHCN filed an appeal to the State of California Fifth District Court of Appeal on July 3, 2013. In an Opinion dated September 3, 2014, the Court of Appeal found in favor of CHCN and reversed the Superior Court's decision with respect to the adequacy of the Greenhouse Gas ("GHG") emissions analysis. The Court of Appeal determined that the City "failed to present evidence in the EIR or elsewhere in the administrative record that would support a major portion of the reduced quantity of emissions claimed." (Opinion at p.2). As such, the Court held that the Final EIR failed to provide substantial evidence to support the City's determination that the Project's impacts on global climate change from GHG emissions would be less than significant.

WHEREAS, on January 12, 2015, the Superior Court issued a peremptory writ of mandate commanding the City to set aside its February 7, 2012, actions certifying the Final EIR and approving Conditional Use Permit No. 2-2010 and Tentative Parcel Map No. 4-2010, and to take appropriate action to ensure compliance with CEQA as to the following matter only as identified in the Court of Appeal opinion: the City's determination that the Project's impacts on global climate change from GHG emissions will be less than significant was not supported by substantial evidence. It further determined that the GHG analysis was severable from the remainder of the EIR, severance would not prejudice complete and full compliance with CEQA, and the remainder of the EIR complied with CEQA.

WHEREAS, on April 21, 2015, the City Council of the City of Porterville adopted Resolution 46-2015 setting aside and rescinding without prejudice Council's decisions on February 7, 2012, for the Riverwalk Marketplace Phase II Project.

WHEREAS, to comply with the January 12, 2015 Writ of Mandate, the City of Porterville prepared a Partial Recirculated Draft Environmental Impact Report (“PRDEIR”) analysis of the project’s potential GHG impacts. Due to the holidays, the PRDEIR circulated for more than CEQA’s required 45-day period, from November 18, 2015 through January 8, 2016. During this public review process, the City Council also held a public meeting on December 1, 2015 to obtain further input and comments on the PRDEIR.

WHEREAS, on November 18, 2015, a Notice of Availability of the PRDEIR and Notice of Public Hearing were published in the Porterville Recorder, a newspaper of general circulation, and the public hearing was announced by the Porterville Recorder in a news article prior to the meeting, and notice was mailed to property owners and residents within a five-hundred (500) foot radius, and was mailed to interested parties who had requested notice. The PRDEIR was available for public review in print form at the following address: City of Porterville, 291 North Main Street, Porterville, California 93257 and was available to review online at the City of Porterville’s website: <http://www.ci.porterville.ca.us/>; and.

WHEREAS, on May 27, 2016, the City of Porterville published a notice of Public Hearing for the Final Partial Recirculated Environmental Impact Report (“FPREIR”), consisting of the PRDEIR, the written comments received on the PRDEIR, and the written responses of the City of Porterville to environmental issues raised in the written comments; and

WHEREAS: On June 1, 2016, the Parcel Map Committee held a public meeting and discussed concerns and conditions relevant to the proposed Project as previously discussed and incorporated into the Project; and

WHEREAS, On June 7, 2016, the City Council adopted Resolution \_\_\_\_\_ which certifies the Final EIR as revised by and including the FPREIR; and

WHEREAS: On June 7, 2016, the City Council adopted Resolution \_\_\_\_\_ which approved Conditional Use Permit (PRC 2016-016-C-PM) adopting a specific plan for the commercial center within the Viejo Robles Planned Development for the Riverwalk Marketplace Phase II Project; and

WHEREAS: The City Council, at its regular scheduled meeting of June 7, 2016, conducted a public hearing to consider the proposed Tentative Parcel Map (PRC 2016-016-C-PM), draft resolution and findings; and

WHEREAS: The City Council received testimony from all interested parties relative to the proposed tentative parcel map; and

WHEREAS: The City Council made the following findings:

1. That the proposed Project is consistent with the goal, policies and land use designation of the Porterville 2030 General Plan. The General Plan designates the site as Retail Centers as supported by the current PD (Planned Development) zoning.

2. That the site is physically suitable for the type and density of the proposed development.
3. That the certified Final EIR, as revised by and including the FPREIR, (by Resolution \_\_\_\_\_) prepared for this project is in compliance with the California Environmental Quality Act.
4. That Resolution \_\_\_\_\_ adopts Findings of Fact for the project, a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations for the Final EIR for the Riverwalk Marketplace Phase II Project.
5. That the standards of design, population density, site area dimensions, site coverage, yard spaces, distance between structures, off-street parking facilities and landscaping areas will produce an environment of stable and desirable character consistent with the objectives of the Porterville Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Tentative Parcel Map (PRC 2016-016-C-PM), subject to the following conditions:

1. The developer/applicant has dedicated, by separate instruments, the necessary street right of way that matches or exceeds the ultimate widths designated by the adopted Land Use and Circulation Element and/or that established by the City Council. Notations to that effect, with recording information, shall be clearly identified on the Parcel Map (Porterville Development Code Chapter 404).
2. The developer/applicant shall dedicate all applicable utility easements in favor of the City of Porterville that are necessary for the orderly development of the commercial project.
3. Prior to recording the final map, the developer/applicant shall provide improvements by the simultaneous recording of a separate legal instrument or placement of a statement on the Final Map, if appropriate, that reads as follows:  
  
"In accordance with Section 66411.1 of the Government Code, grading plans for minor pad and parking lot adjustments/reconstruction has been deferred until such time as a permit or other grant of approval for development of the parcel is issued."
4. Prior to recording the final map, the developer/applicant shall provide CCR's, easements, agreements or other documentation supporting the requirements of Condition No. 3 of this resolution (common area maintenance, parking, parking lot maintenance, ingress, egress, onsite and offsite landscape maintenance etc.) for the City's review and approval. The agreement shall be recorded prior to or concurrently with the Parcel Map and recorded copies returned to the City. Any subsequent changes to the agreements shall be submitted to the City for review and approval prior to implementation and/or recordation.



5. Prior to recording the final map, the developer/applicant shall enter into an improvement agreement that provides for completion of the non-deferred improvements within 12 months of the recordation of the Parcel Map.
6. The Tentative Parcel Map (Exhibit A) shall comply with the conditions of approval for Conditional Use Permit (PRC 2016-016-C-PM) for the Riverwalk Marketplace Phase II Project approved by Resolution \_\_\_\_\_.
7. The Tentative Parcel Map (Exhibit A) shall adhere to the certified Final EIR approved by City Council of for the Riverwalk Marketplace Phase II Project Resolution \_\_\_\_\_.

PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of June, 2016.

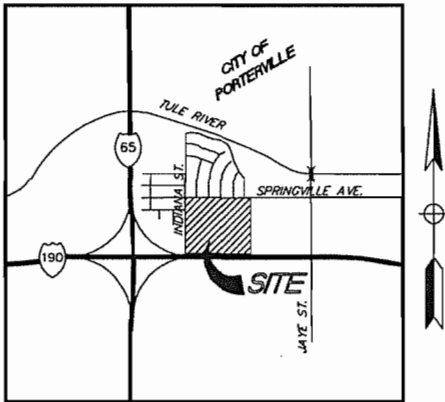
\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:  
John D. Lollis, City Clerk

By:\_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

# TENTATIVE PARCEL MAP

A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35,  
TOWNSHIP 21 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN.  
BEING A RE SUBDIVISION OF PARCEL 1 AND PARCEL 3 OF LOT LINE ADJUSTMENT 15-2006, RECORDED  
AS DOCUMENT NO. 2006-0099848 IN THE OFFICIAL RECORDS OF TULARE COUNTY, CALIFORNIA, CITY  
OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA.



Vicinity Map

Not to Scale

**OWNER / DEVELOPER:**

CITIZENS BANK  
701 N. HAVEN AVE.  
ONTARIO, CA 91764

WAL-MART STORES INC.  
2001 SE 10TH STREET  
BENTONVILLE, AR 72712  
(479) 204-0035

**LICENSED LAND SURVEYOR**

1044 E. HERNDON AVE. SUITE 108  
FRESNO, CA 93720

**LAND USE:**

CURRENT USE: VACANT LAND

PROPOSED USE: COMMERCIAL

**ZONING:**

P-D: PLANNED DEVELOPMENT  
(CR - RETAIL CENTERS)

**UTILITIES:**

ELECTRICITY:  
SOUTHERN CALIFORNIA EDISON  
2525 S. BLACKSTONE AVE.  
TULARE, CA  
(559) 685-3262  
ATTN: ERIC THOMAS

GAS SERVICE:  
SOUTHERN CALIFORNIA GAS COMPANY  
404 N. TIPTON ST.  
VISALIA, CA 93292  
(559) 739-2328  
ATTN: GREG FISCHER

TELEPHONE:  
SBC  
217 W. ACEQUIA AVE.  
VISALIA, CA 93291  
(559) 739-6646

STORM WATER AND SEWER:  
CITY OF PORTERVILLE - ENGINEERING DEPARTMENT  
291 N. MAIN ST.  
PORTERVILLE, CA 93257  
PHONE: (559) 782-7514

**DEDICATIONS STATEMENT**

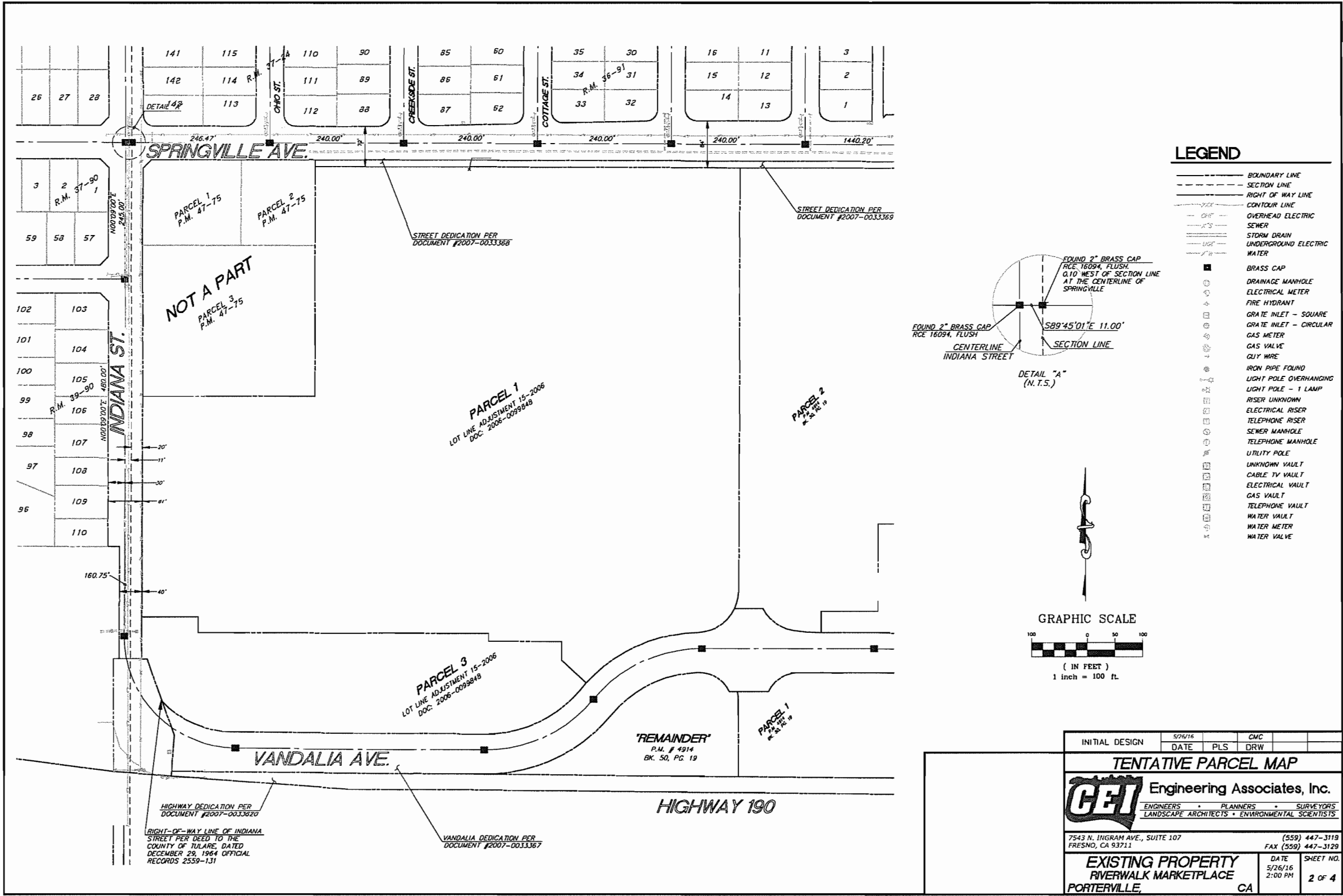
PURSUANT TO THE AUTHORITY CONFERRED BY THE CITY OF PORTERVILLE, ORDINANCE NO. 1590,  
ADOPTED FEBRUARY 20, 2001, THE UNDERSIGNED, ON BEHALF OF THE PUBLIC AND CITY COUNCIL OF  
THE CITY OF PORTERVILLE CONSENTS TO THE ACCEPTANCE AND RECORDATION OF THE  
DEDICATION(S) AS SHOWN ON THIS MAP, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016. BY MICHAEL K.  
REED, ACTING PUBLIC WORKS DIRECTOR, PLS 7514.

|                                                                                      |         |      |     |                            |                     |
|--------------------------------------------------------------------------------------|---------|------|-----|----------------------------|---------------------|
| INITIAL DESIGN                                                                       | 5/26/16 | DATE | PLS | CMC                        | DRW                 |
| <b>TENTATIVE PARCEL MAP</b>                                                          |         |      |     |                            |                     |
| <b>CEI Engineering Associates, Inc.</b>                                              |         |      |     |                            |                     |
| ENGINEERS • PLANNERS • SURVEYORS<br>LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS  |         |      |     |                            |                     |
| 7543 N. INGRAM AVE., SUITE 107 (559) 447-3119<br>FRESNO, CA 93711 FAX (559) 447-3129 |         |      |     |                            |                     |
| <b>COVER PAGE</b><br>RIVERWALK MARKETPLACE<br>PORTERVILLE, CA                        |         |      |     | DATE<br>5/26/16<br>2:00 PM | SHEET NO.<br>1 OF 4 |

© 2016 CEI ENGINEERING ASSOCIATES, INC.

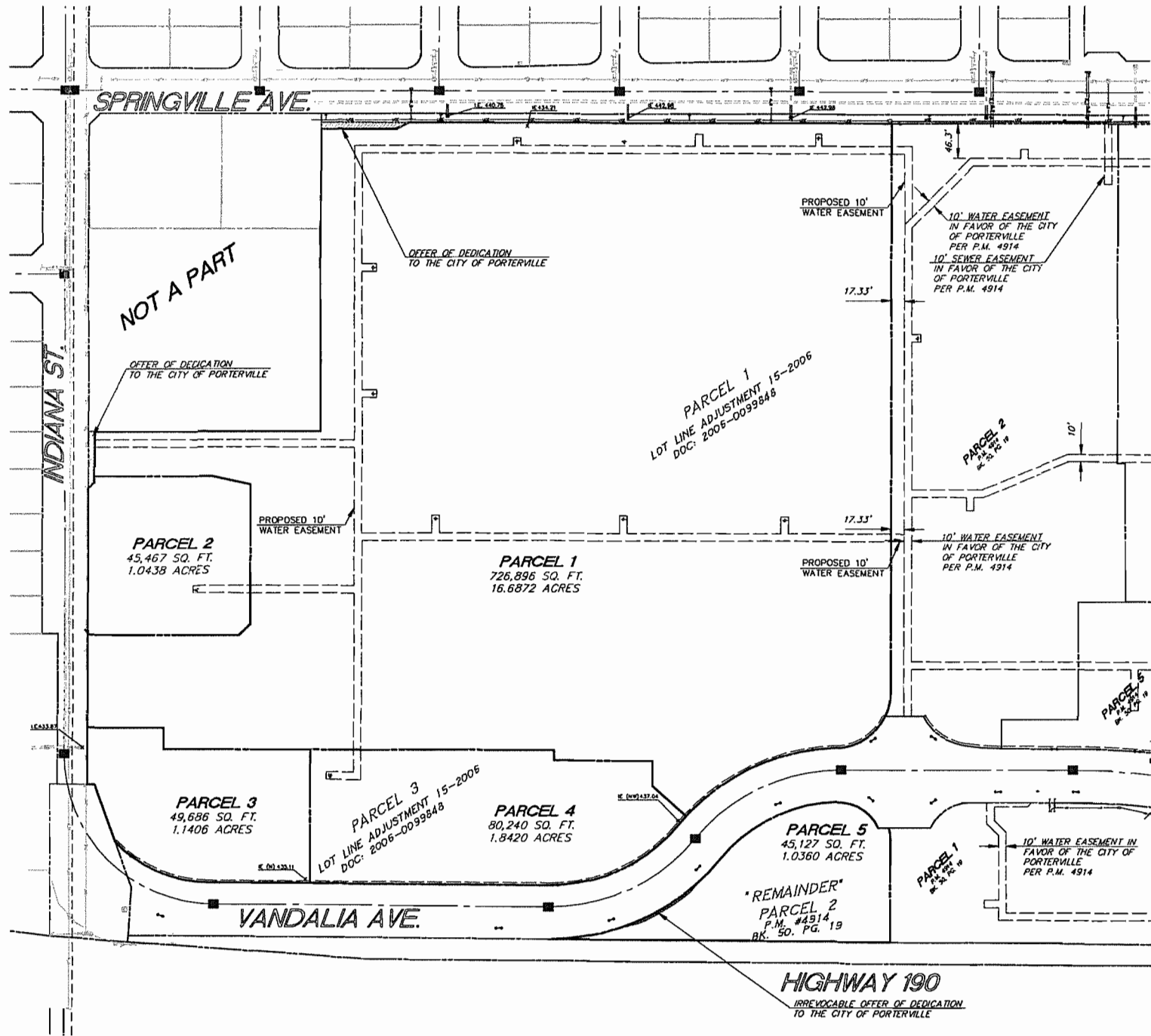
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JOB # 17107 DRAWING: 17107-TPM.dwg LAST SAVED BY: SBYRANT



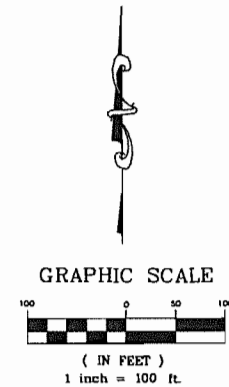


JOB # 17107 DRAWING: 17107-TPM.dwg LAST SAVED BY: SBRYANT



## LEGEND

- BOUNDARY LINE
- EASEMENT LINE
- SECTION LINE
- RIGHT OF WAY LINE
- AREA OF DEDICATION TO THE CITY OF PORTERVILLE
- OHE OVERHEAD ELECTRIC
- X'S SEWER
- SD STORM DRAIN
- UGE UNDERGROUND ELECTRIC
- X'W WATER
- BRASS CAP
- DM DRAINAGE MANHOLE
- EM ELECTRICAL METER
- FH FIRE HYDRANT
- GI GRATE INLET - SQUARE
- GC GRATE INLET - CIRCULAR
- SM SEWER MANHOLE
- WM WATER METER
- WV WATER VALVE



## NOTE:

NO EASEMENTS ARE PROPOSED BY THIS TENTATIVE PARCEL MAP NOR WILL ANY EASEMENTS BE OFFERED FOR DEDICATION BY THIS PARCEL MAP.

|                                                                                     |         |                                      |                     |
|-------------------------------------------------------------------------------------|---------|--------------------------------------|---------------------|
| INITIAL DESIGN                                                                      | 5/26/16 | CMC                                  |                     |
| DATE                                                                                | PLS     | DRW                                  |                     |
| <b>TENTATIVE PARCEL MAP</b>                                                         |         |                                      |                     |
| <b>CEI Engineering Associates, Inc.</b>                                             |         |                                      |                     |
| ENGINEERS • PLANNERS • SURVEYORS<br>LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS |         |                                      |                     |
| 7543 N. INGRAM AVE., SUITE 107<br>FRESNO, CA 93711                                  |         | (559) 447-3119<br>FAX (559) 447-3129 |                     |
| <b>UTILITIES/EASEMENTS</b><br>RIVERWALK MARKETPLACE<br>PORTERVILLE, CA              |         | DATE<br>5/26/16<br>2:00 PM           | SHEET NO.<br>4 OF 4 |

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## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Annual Adjustment of Fees by Application of the ENR Cost Index

**SOURCE:** Public Works

**COMMENT:** At the April 19, 2016, City Council meeting, Council scheduled a Public Hearing for May 3, 2016, to consider implementing the Engineering News Record Construction Cost Index automatic impact fee increase. That meeting was continued to the June 7, 2016, City Council meeting to honor a previous agreement the City made with Home Builders Associations to provide a minimum 60-day notice prior to the effective date of the annual adjusted fees.

In accordance with prior City Council authorization, staff calculates and adjusts all of the attached fees annually. The policy, as of 2003, is to provide the Council notice of all the proposed adjustments, whether they are subject to the Mitigation Fee Act or not, 60 days before the new fees become effective. The fees are adjusted annually by application of the ENR Cost Index. Most of the fees in Exhibit "H" Connection Fees and Exhibit "A" Park Impact Fees were in effect before January 1, 1989, (the effective date of the Mitigation Fee Act) and have only been increased by the ENR 20-City Construction Cost Index. The fees subject to the Act that were adopted or increased after its effective date were adopted or increased in accordance with those regulations. City staff has given 60 days notice for the fees covered by the Mitigation Fee Act, along with notice to local developers and engineering firms of the proposed impact fee increase.

**RECOMMENDATION:** That the City Council:

1. Hold the Public Hearing and consider all public testimony; and
2. Activate the ENR Cost Index automatic increase for FY 2016/2017 (2.7% increase).

**ATTACHMENTS:**

1. Exhibit "A" Park Impact Fees
2. Exhibit "H" Connection Fees

Appropriated/Funded: MB

Review By:

Department Director:  
Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

EXHIBIT 'A'

PARK IMPACT FEES ◇

|                                  | Effective Date<br><u>07/01/15</u> | Effective Date<br><u>07/01/16</u> |
|----------------------------------|-----------------------------------|-----------------------------------|
| 1. Single Family (RS-1 & RS-2) Δ | \$754                             | \$774                             |
| 2. Multiple Family Per Unit Δ    | \$585                             | \$601                             |
| 3. Mobile Homes Δ                | \$423                             | \$434                             |

To be increased annually by the Engineering News Record Construction Cost Index.

MO #16-

MO #13-060215 Approved increase of all suspended years (17% total as compounded)

FY 2014/2015 No report sent to City Council

MO #16-040213 Fee increase suspended for one year

MO #09-041712 Fee increase suspended for one year

MO #13-041911 Approved suspending impact fees for 2011/2012

MO #20-040610 Fee increase suspended for one year

Δ Resolution #2-99 (Establishing ENR Annual Adjustment)

◇ Fees Covered by the Mitigation Fee Act

Revised – 2015-10-06



EXHIBIT 'H'  
CONNECTION FEES

|    |                                                          | EFFECTIVE DATE |          |
|----|----------------------------------------------------------|----------------|----------|
|    | <u>TRUNK LINE SEWER FEES</u>                             | 7/01/15        | 7/1/16*  |
| 1. | Hillside Development - per acre (Δ 142-02) ◇ _           | \$1,122        | \$1,152  |
| 2. | Single Family (RS-1 & RS-2) - per acre (Δ 94-90)         | \$2,104        | \$2,161  |
| 3. | Duplex (two-units) - per acre (Δ 94-90)                  | \$4,888        | \$5,020  |
| 4. | Multiple Family (RM-1, RM-2 & RM-3) - per acre (Δ 94-90) | \$11,403       | \$11,711 |
| 5. | Institutional - per acre**(Δ 94-90)                      | \$793          | \$814    |
| 6. | Commercial & Professional Office - per acre**(Δ 94-90)   | \$2,972        | \$3,052  |
| 7. | Industrial - per acre**(Δ 94-90)                         | \$12,686       | \$13,029 |

|    |                                                               | EFFECTIVE DATE                    |                                   |
|----|---------------------------------------------------------------|-----------------------------------|-----------------------------------|
|    | <u>TREATMENT PLANT FEES</u>                                   | 7/01/15                           | 7/01/16*                          |
| 1. | Single Family and Multiple Family - per unit (Δ 67-03)        | \$3,449                           | \$3,542                           |
| 2. | Commercial and Industrial - per sewer connection<br>(Δ 67-03) | \$12.33<br>(per gpd)<br>(\$3,449) | \$12.66<br>(per gpd)<br>(\$3,542) |

|    |                                 | EFFECTIVE DATE |          |
|----|---------------------------------|----------------|----------|
|    | <u>SEWER CONNECTION CHARGES</u> | 7/01/15        | 7/01/16* |
| 1. | Six Inch or Smaller - per foot  | \$11.36        | \$11.67  |
| 2. | Eight Inch - per foot           | \$14.92        | \$15.32  |

|    |                                                          | EFFECTIVE DATE |          |
|----|----------------------------------------------------------|----------------|----------|
|    | <u>WATER TRUNK FEES</u>                                  | 7/01/15        | 7/01/16* |
| 1. | Hillside Development - per acre (Δ 142-02) ◇ _           | \$1,651        | \$1,696  |
| 2. | Single Family (RS-1 & RS-2) - per acre (Δ 93-90)         | \$3,444        | \$3,537  |
| 3. | Duplex (two-units) - per acre (Δ 93-90)                  | \$8,621        | \$8,854  |
| 4. | Multiple Family (RM-1, RM-2 & RM-3) - per acre (Δ 93-90) | \$20,127       | \$20,670 |
| 5. | Institutional**(Δ 93-90)                                 | \$2,247        | \$2,308  |
| 6. | Commercial and Professional Office - per acre**(Δ 93-90) | \$2,588        | \$2,658  |
| 7. | Commercial Crop Cultivation – per acre**(Ord. 1813) D    | \$646.91       | \$664.38 |
| 7. | Industrial - per acre**(Δ 93-90)                         | \$19,878       | \$20,415 |

|    |                               | EFFECTIVE DATE |          |
|----|-------------------------------|----------------|----------|
|    | <u>WATER CONNECTION FEE</u>   | 7/01/15        | 7/01/16* |
| 1. | Connection Charges - per foot | \$9.72         | \$9.98   |

|    |                                  | EFFECTIVE DATE |          |
|----|----------------------------------|----------------|----------|
|    | <u>STREET LIGHT FEES</u>         | 7/01/15        | 7/01/16* |
| 1. | Multiple Family - per foot       | \$2.95         | \$3.03   |
| 2. | Commercial/Industrial - per foot | \$3.72         | \$3.82   |

| <u>STORM DRAINAGE FEES</u> |                                                                       | EFFECTIVE DATE |          |
|----------------------------|-----------------------------------------------------------------------|----------------|----------|
|                            |                                                                       | 7/01/15        | 7/01/16* |
| 1.                         | Single Family (RS-1 & RS-2) - per acre (inc. Hillside Dev.) (Δ 95-90) | \$5,673        | \$5,826  |
| 2.                         | Duplex (two units) - per acre (Δ 95-90)                               | \$7,567        | \$7,771  |
| 3.                         | Multiple Family (RM-1, RM-2 & RM-3) - per acre (Δ 95-90)              | \$11,352       | \$11,659 |
| 4.                         | Commercial, Industrial & Institutional - per acre (Δ 95-90)           | \$15,130       | \$15,539 |

| <u>FIRE HYDRANT FEES</u> |                                  | EFFECTIVE DATE |          |
|--------------------------|----------------------------------|----------------|----------|
|                          |                                  | 7/01/15        | 7/01/16* |
| 1.                       | Multiple Family - per foot       | \$3.86         | \$3.96   |
| 2.                       | Commercial/Industrial - per foot | \$5.71         | \$5.86   |

| <u>TRANSPORTATION IMPACT FEES</u> ◇ _ |                                                                          | EFFECTIVE DATE |          |
|---------------------------------------|--------------------------------------------------------------------------|----------------|----------|
|                                       |                                                                          | 7/01/15        | 7/01/16* |
| 1.                                    | Single Family (RS-1 & RS-2) per unit (Δ 50-98)                           | \$1,213        | \$1,246  |
| 2.                                    | Multiple Family (per unit) (Δ 50-98)                                     | \$821          | \$843    |
| 3.                                    | General Office/ Institutional (per 1,000 sq ft of gross floor) (Δ 50-98) | \$3,213        | \$3,207  |
| 4.                                    | Commercial (per 1,000 square feet of gross floor area) (Δ 50-98)         | \$5,941        | \$6,101  |
| 5.                                    | Light Industrial (per 1,000 square feet of gross floor area) (Δ 50-98)   | \$885          | \$909    |

| <u>FRONTAGE IMPROVEMENT VALUATION THRESHOLD</u> |                                                                                                                                 | EFFECTIVE DATE |          |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
|                                                 |                                                                                                                                 | 7/01/15        | 7/01/16* |
| 1.                                              | Frontage Improvements are required when the Building Permit valuation is over ◆<br>(Beginning 2/19/04 - over a two-year period) | \$21,569       | \$22,151 |

\*MO #xx-xxxxxx

MO #13-060215 Approved increase of all suspended years (17% total as compounded)  
FY 2014/2015 No report sent to City Council

MO #16-040213 Fee increase suspended for one year

MO #09-041712 Fee increase suspended for one year

MO #13-041911 Fee increase suspended for one year

MO #20-040610 Fee increase suspended for one year

Δ Resolution Establishing ENR Annual Adjustment

◆ Ordinance No. 1644 dated 2-19-04 (includes Annual Adjustment by ENR)

◇ Fees Covered by the Mitigation Fee Act

\*\*Institutional, Commercial and Industrial water and sewer trunk line fees will be collected based upon the amount stated above, but shall be adjusted after monitoring of actual usage to the following fees:

Water - \$175.11 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

Sewer - \$148.84 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Municipal Code Amendments Related to Various Land Use Regulations to Correct Inconsistencies and Ambiguities

**SOURCE:** Community Development

**COMMENT:** Throughout 2015, the City Council considered and adopted various amendments to the Municipal Code, in response to changes in State law and local development interests. Implementation of these new regulations has resulted in the need for further adjustments to clarify Council's intent. The list below summarizes the recommended changes; which would primarily focus on Chapter 21, the Development Code, but would also include changes to other chapters of the Municipal Code.

### Chapter 21 - Development Code

- 100 –
- §103.04 (d) Measurements Involving Land Uses was added. This clarification is requested to codify the long-standing precedent that distance between certain uses is measured from property line to property line.
- 200 –
- Placed requirement for enclosed storage for multi-family development in §201.04, having removed such language from §304.10, Parking.
- Updated valuation in 202.04(g) when public improvements are required as they stand in 2016.
- Corrected error in Figure 202.04(G)(5), noting a 10-foot minimum (as opposed to maximum) clearance to bottom of canopy.
- Corrected footnote reference for parking in PO District.
- Clarification that strip malls are prohibited, consistent with the General Plan, Land Use Policy LU-I-21. A definition of strip malls is also added in 700.
- Established Land Use Classification: Bed and Breakfasts, which would be allowed with certain restrictions in the following zone districts: PO, RM-2, RM-3, D-PO, D-RM3, and D-MX.
- Reduce Minimum Density in RM-3 zone to 10 units per acre.
- 300 –
- 300.03 – Fences. Changed fence height from 6 feet to 7 feet to be consistent with the 2013 California Building Code.
- 301.16 – Second Units: Added “except density” in section (a) Location.

This assures that the State-mandated accommodation for a second unit is maintained, even for properties which may have a larger than typical primary unit or for some other reason would result in exceeding the maximum density in a single family residential zone district.

- 301.20 – Telecommunications Facilities. Clarified as permitted by right *in allowed districts*. Also elaborated on placement of facilities in public rights of way, in response to a new trend in the industry that involves co-location on power poles, light posts, and telephone poles.
- 301.23 – Medical Cannabis. Section changed as per direction from Council at the meeting of December 15, 2015.
- Number of allowed plants reduced from 20 to 12.
- Exemption provided in special circumstances where two single-family residences exist on a single parcel, but have separate utilities, a fence separating them, and the parcel could be subdivided per Code. In such instances, the Zoning Administrator has the authority to approve with conditions.
- Applications must be submitted between January 1 and July 15.
- Require documentation that the subject site be the patient's primary residence, through matching the site address to the patient's ID or Driver's license and Recommendation card.
- Clarify language within the Code that any area used for the growing and/or processing of the cannabis be inaccessible to children.
- Expressly prohibit deliveries from another jurisdiction into the city limits.
- Suspends a permit in the event a permit holder becomes subject to criminal proceedings related to cannabis, until such time as the criminal case is resolved.
- 303.05(a)(4) changed to three inches of mulch, to be consistent with Municipal Code §25-32A.8(a)(3)(D).
- 304.10 – Parking. Removed requirement for enclosed outdoor storage area (moved to §201.04).
- 400 – Comprehensive changes resulting from coordination with development community. Staff worked with Winton & Associates, who worked on behalf of the Developer Committee to complete edits.
- 700 –
- 700: List of Terms
- Defined habitable space
- Defined "New Subdivision" as a sign related term
- Defined Strip Mall
- Defined Queuing Area
- Removed definitions for Animal Related Terms
- 701: Land Uses
- Bed and Breakfasts

### Chapter 3 – Advertising and Signs

- Modifications to parallel the recent changes to Chapter 21, Section 305,

Signs, to confirm content neutrality.

#### Chapter 5 – Animal Control

- 5-2.17: Change mandatory hold period to 72-hours, per California Penal Code.
- 5-3.1(c): Established exemption for agricultural animals in association with a school agricultural studies program.
- 5-3.2(b): Added a clarification that agricultural animals shall be kept within an enclosure of adequate construction to maintain the animal on the property associated with the residence.

#### Chapter 17 – Motor Vehicles and Traffic

- 17-11.7: Parking of Commercial Vehicles in Residential Districts.  
Updated zone district classifications to reference new zones.

In addition to the changes proposed, staff would like to take this opportunity to request direction from the Council on two other topics: itinerant vendors and water use for new development.

In recent months, staff has received numerous complaints about vendors setting up a temporary business in various locations around the city; such vendors have been contacted and told that such businesses are not permitted without a solicitors license, as addressed in Chapter 8 of the Municipal Code. However, as the businesses attempt to comply with the identified process, staff requests Council clarify the intent of that code section, and, if appropriate, provide direction to staff regarding its implementation. In years past, the Council has consistently supported local businesses through the Home Occupation Permit options, while limiting short-term, out of town (itinerant) businesses that do not establish a store front and hinder opportunities for local businesses. In light of the resurgence of this type of business model, staff requests input as to whether or not the topic should be revisited, including possibly amending the existing code sections, which are included in this report as Attachment 3.

Secondly, as the drought continues, and new regulations continue to be developed at the State level requiring conservation of water resources, staff thought it may be of interest to the Council to consider supplemental development regulations that would reduce water usage for new developments and substantial remodels. Considerations include greywater systems, separate water meters for landscaping, limitations on swamp coolers, swimming pool drain/refill permits, etc. If Council desires, staff would recommend a committee representing the local development community be called together to identify possible standards that would further reduce water usage, without resulting in an undue financial burden on the development community or land owners.

RECOMMENDATION: That the City Council:

1. Approve the draft Ordinance, waive further reading, and order to print;
2. Provide direction as to the issue of itinerant vendors, solicitors, and similar, non-traditional business models; and

3. Provide direction as to development standards that would reduce water use for new development.

ATTACHMENTS:

1. Draft Ordinance
2. Exhibit A of Draft Ordinance
3. Municipal Code Excerpts Related to Itinerant Vendors

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
AMENDING VARIOUS SECTIONS OF THE PORTERVILLE MUNICIPAL CODE TO  
CORRECT INCONSISTENCIES AND AMBIGUITIES

WHEREAS: The local development community, represented by key individuals, assisted city staff in preparation of a comprehensive update to Chapter 21 of the Municipal Code, also known as the Development Code. As a part of that process, substantive changes to Series 400 of the Development Code were discussed which will clarify the implementation of Series 400 for future development; and

WHEREAS: Throughout 2015, the City Council considered and adopted various amendments to the Municipal Code, in response to changes in State law and local development interests; and

WHEREAS: Implementation of these new regulations has resulted in a need for further adjustments to clarify Council's intent; and

WHEREAS: On June 7, 2016, the City Council held a public hearing to receive comments on proposed amendments; and

WHEREAS: Under the general rule that CEQA does not apply to activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, no environmental review is required for the proposed ordinance amendment.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does hereby amend Chapter 21, hereafter referred to as the Development Ordinance, as attached hereto as Exhibit A, and fully incorporated herein by reference.

BE IT FURTHER ORDAINED that the City Council of the City of Porterville does hereby adopt an ordinance amending the Porterville Municipal Code to correct inconsistencies and ambiguities, as follows:

SECTION 1:

Section 3-23 C of Chapter 3, Advertising and Signs, is amended to read as follows:

3-23 C. Exceptions: Signs identified as Exempt Signs in Chapter 21, Section 305, Signs, shall not require a sign permit.

SECTION 2:

The sections of Chapter 5, Animal Control, identified below are amended to read as follows:

5-2.15 B.: The owner of any animal impounded pursuant to this chapter may redeem the animal pursuant to subsection A of this section only after 72 hours from impoundment if he or she has not received notice that the animal has been declared a dangerous animal and

of the right to a hearing pursuant to this chapter or if, after a hearing, an order is made to return the animal to the owner.

5-2.17 A: Unless an animal has been claimed within seventy-two hours after being impounded, or within ten (10) days for a licensed animal, not including the date of impoundment, or unless it is being held for evidence in a hearing pursuant to sections 5-3.11 through 5-3.13 of this chapter, it may be made available for adoption or rescue by the police department to a person other than the owner. No animal which has been declared a dangerous animal pursuant to sections 5-3.11 through 5-3.13 of this chapter shall be made available for adoption or rescue pursuant to this section nor shall any animal which has been impounded pursuant to section 5-2.13 of this article and subsequently found not dangerous but improperly trained, handled, or maintained be made available for adoption or rescue.

5-2.17 B: An animal may be humanely destroyed in accordance with state laws by the police department if within seventy-two hours of impoundment, or within ten (10) days for a licensed animal, not including the date of impoundment, the owner has failed to make an application to claim the animal.

5-3.1 C: Agricultural Animals: The keeping of horses, cows, goats, sheep or other equine, bovine, ovine or ruminant animals is permitted in the AC and RR zone districts on lots one-half (0.5) acre or greater and on lots two (2) acres or larger developed as a single-family residential use, subject to zoning administrator approval, as long as the number of animals does not exceed one per fifteen thousand (15,000) square feet of lot area. The keeping of chickens, ducks, geese, turkeys, game birds or fowl is permitted with the total number not to exceed twelve (12) birds per gross acre. The raising of pigs is permitted in conjunction with an FFA or 4-H project for any recognized fair, the limit being one animal per student residing on the property. All animals other than household pets shall be housed or penned at a minimum distance of thirty five feet (35') from property lines and fifty feet (50') from any residence. All areas and structures used in conjunction with the keeping of animals other than household pets shall be maintained and cleaned so as not to present a public hazard or nuisance. The keeping of horses, cows, goats, sheep or other equine, bovine, ovine or ruminant animals is permitted when domiciled at a school in association with an agricultural education program, in a manner so as not to present a public hazard or nuisance.

5-3.2 B:

B. Enclosure, Structure, Shading Requirements:

1. All animals must have adequate enclosures, structures, or alternate forms of shading to allow an animal maintained outdoors to:

- a. Protect itself from the direct rays of the sun when the sunlight is likely to cause overheating or discomfort; and
- b. Remain dry during the rain or other wet conditions.

2. The enclosure, structure, or shading must be accessible to the animal at all times.



3. The enclosure or structure must be situated to prevent exposing the animal to:
  - a. Unreasonably loud noise; and/or
  - b. Teasing, harassment, abuse, or injury by another animal or person.
4. If the animal is confined in an enclosure or structure, the enclosure or structure must be:
  - a. Of adequate size inside and outside the enclosure or structure to allow the animal to stand, sit, turn around freely, or lie down in a normal position, relieve itself away from its confinement, and safely interact with any other animal;
  - b. Adequately lighted to provide regular lighting cycles of natural or artificial light uniformly diffused throughout the shelter, and sufficient illumination for routine inspections and maintenance of the animal;
  - c. Supplied with clean and dry bedding material or other means of protection from the weather elements to maintain the shelter at a temperature that is not harmful to the health of the animal; and
  - d. Of adequate construction to maintain the animal on the property associated with the residence.

SECTION 3:

Section 17-11.7 A of Chapter 17, Motor Vehicles and Traffic, is amended to read as follows:

17-11.7 A. Prohibited; Violation: Except as noted below, no person shall park any commercial vehicle having a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more, in whole or in part, on any roadway adjacent to any property zoned RS-1, RS-2, RM-1, RM-2, RM-3, PK, or P-O in the city of Porterville. Such violation shall be an infraction.

This ordinance shall be in full force and effect thirty days from and after its publication and passage.

PASSED, APPROVED, AND ADOPTED this 7<sup>th</sup> day of June, 2016.

By: \_\_\_\_\_

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: \_\_\_\_\_

Patrice Hildreth, Chief Deputy City Clerk

# **Series 100: Introductory Provisions**

## **Chapter 100 Title, Components, and Purposes**

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### Sections:

|        |                                                                 |
|--------|-----------------------------------------------------------------|
| 100.01 | Title and Authority                                             |
| 100.02 | Purpose                                                         |
| 100.03 | Structure of Zoning Regulations                                 |
| 100.04 | General Rules for Applicability of Zoning Regulations           |
| 100.05 | Consistency with the General Plan                               |
| 100.06 | Effect on Previously Approved Projects and Projects in Progress |
| 100.07 | Severability                                                    |
| 100.08 | Fees                                                            |

### **100.01 Title and Authority**

Chapter 21 of the Porterville City Code shall be known and cited as the "Porterville Development Ordinance," "Development Ordinance of the City of Porterville," "Development Ordinance," or "Chapter."

The Porterville Development Ordinance is adopted pursuant to the authority contained in Section 65850 of the California Government Code. In addition, the provisions of this chapter relating to the regulation and control of subdivisions are adopted pursuant to the authority contained in Title 7, Division 2 of the California Government Code, commencing with Section 66410, hereinafter referred to as the "Subdivision Map Act," as may be amended from time to time.

### **100.02 Purpose**

The purpose of this chapter is to implement the City's General Plan and to protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, this chapter is adopted to achieve the following objectives:

- (a) To provide a precise guide for the physical development of the City in a manner as to progressively achieve the arrangement of land uses depicted in the Porterville General Plan, consistent with the goals and policies of the General Plan.
- (b) To foster a harmonious, convenient and workable relationship among land uses and ensure compatible infill development, consistent with the General Plan.
- (c) To support economic development and job creation.
- (d) To provide for the housing needs of all economic segments of the community.

- (e) To promote high quality architecture and design, consistent with the General Plan.
- (f) To promote the stability of existing land uses that conform with the General Plan, protecting them from incompatible development.
- (g) To promote a safe and efficient traffic circulation system, foster the provision of adequate off-street parking and off-street loading facilities, bicycle facilities and pedestrian amenities, and support a multi-modal transportation system.
- (h) To facilitate the appropriate location of community facilities, institutions, parks, and other recreational areas.
- (i) To protect and enhance real property values.
- (j) To safeguard and enhance the appearance of the City.
- (k) To define duties and powers of administrative bodies and officers responsible for implementation of this chapter.

### **100.03 Structure of Zoning Regulations**

- (a) **Organization of Regulations.** This chapter consists of seven Series:

**100 Series: Introductory Provisions**

**200 Series: Base Districts**

**300 Series: Additional Use and Development Regulations**

**400 Series: Land Divisions**

**500 Series: Overlay Districts**

**600 Series: Administration and Permits**

**700 Series: General Terms**

- (b) **Types of Regulations.** Four types of zoning regulations control the use and development of property:

- (1) **Land Use Regulations.** These regulations specify land uses permitted, conditionally permitted or specifically prohibited in each zoning district, and include special requirements, if any, applicable to specific uses. Land use regulations for base zoning districts are in the 200 Series of this chapter and in the 500 Series of this chapter for overlay district regulations. Certain regulations, applicable in some or all of the districts, and performance standards which govern special uses, are in the 300 Series of this chapter.
- (2) **Development Regulations.** These regulations control the height, bulk, location and appearance of structures on development sites. Development regulations for base zoning districts are in the 200 Series of this chapter. The regulations for overlay districts are in the 500 Series of this chapter. Certain development regulations, applicable to some or all districts, are in the 300 Series of this chapter. These include regulations for specific uses,

development and site regulations, performance standards, parking, signs, antennas and wireless communications, and nonconforming uses.

- (3) **Subdivision Regulations.** These regulations control the division of land and specify the design, improvement, and survey data of subdivisions as well as the procedures to be followed to secure final approval for subdivision maps. Subdivision regulations are in the 400 Series of this chapter.
- (4) **Administrative Regulations.** These regulations contain detailed procedures for the administration of this chapter, and include common procedures, processes and standards for discretionary entitlement applications and other permits. Administrative regulations are in the 600 Series of this chapter.
- (5) **General Terms and Use Classifications.** The 700 Series of this chapter provides a list of use classifications and a list of terms and definitions used in this chapter.

#### **100.04 General Rules for Applicability of Zoning Regulations**

- (a) **Applicability to Property.** The Porterville Development Ordinance shall apply, to the extent permitted by law, to all property within the corporate limits of the City of Porterville and to property for which applications for annexation and/or subdivisions have been submitted to the City of Porterville, including all uses, structures and land owned by any private person, firm, corporation or organization, or the City of Porterville or other local, State or federal agencies. Any governmental agency shall be exempt from the provisions of this chapter only to the extent that such property may not be lawfully regulated by the City of Porterville.
- (b) **Compliance with Regulations.** No land shall be used, and no structure shall be constructed, occupied, enlarged, altered, demolished or moved in any zoning district, except in accordance with the provisions of this chapter.
- (c) **Relation to Other Regulations**
  - (1) **General.** The regulations of this chapter and requirements or conditions imposed pursuant to this chapter shall not supersede any other regulations or requirements adopted or imposed by the Porterville City Council, the State of California, or any federal agency that has jurisdiction by law over uses and development authorized by this chapter. All uses and development authorized by this chapter shall comply with all other such regulations and requirements. Where conflict occurs between the provisions of the chapter and any other city Ordinance, chapter, resolution, guideline or regulation, the more restrictive provisions shall control, unless otherwise specified. Where conflicts occur between the articles of this chapter, the specific shall supersede the general provision. In the case of any remaining uncertainty, the Zoning Administrator shall make a determination to resolve the conflict.
  - (2) **Permit Streamlining Act.** It is the intent of this chapter that all actions taken by the decision-making body pursuant to this chapter that are solely adjudicatory in nature be within a time frame consistent with the provisions of Government Code Section 65920 et. seq. (the Permit Streamlining Act).

Nothing in this chapter shall be interpreted as imposing time limits on actions taken by the decision-making body pursuant to this chapter that are legislative in nature or that require both adjudicatory and legislative judgments.

- (d) **Relation to Private Agreements.** This chapter shall not interfere with or annul any recorded easement, covenant, or other agreement now in effect, provided that where this chapter imposes greater restriction than imposed by an easement, covenant, or agreement, this chapter shall control.
- (e) **Relation to Prior Ordinance.** The provisions of this chapter supersede all prior Ordinances and any amendments of the City of Porterville. No provision of this chapter shall validate any land use or structure established, constructed or maintained in violation of the prior Ordinance, unless such validation is specifically authorized by this chapter and is in conformance with all other regulations.
- (f) **Application During Local Emergency.** The City Council may authorize a deviation from a provision of this chapter during a local emergency declared and ratified under the Porterville Municipal Code. The City Council may authorize a deviation by resolution without notice or public hearing.

#### **100.05 Consistency with the General Plan**

Any permit, license or approval issued pursuant to this chapter must be consistent with the Porterville General Plan and all applicable specific plans. In any case where there is a conflict between this chapter and the General Plan, the General Plan shall prevail.

#### **100.06 Effect on Previously Approved Projects and Projects in Progress**

The City Council shall adopt, by resolution, policies that detail the transitional implementation of the Porterville Development Ordinance for previously approved projects and projects in progress. All other projects must comply with this chapter.

#### **100.07 Severability**

If any section, subsection, paragraph, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The Porterville City Council hereby declares that it would have passed the Porterville Development Ordinance, and each section, subsection, sentence, clause and phrase thereof, regardless of the fact that any or one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

#### **100.08 Fees**

The City Council shall establish by resolution, and may amend and revise from time to time, fees for processing the discretionary entitlement applications and other permits authorized or required by this chapter. All fees shall be paid at the time an application is filed, and no processing shall commence until the fees are paid in full.

## Chapter 101     Zoning Districts, Zoning Map, and Boundaries

Sections:

- 101.01        Districts Established  
 101.02        Official Zoning Map and District Boundaries

### 101.01        Districts Established

The City shall be classified into districts or zones, the designation and regulation of which are set forth in this chapter and as follows.

- (a)     **Base Zoning Districts.** Base zoning districts into which the City is divided are established as follows:

| <i>Short Name/ Map Symbol</i>                   | <i>Full Name</i>                        |
|-------------------------------------------------|-----------------------------------------|
| <b>Agriculture/Rural/Conservation Districts</b> |                                         |
| AC                                              | Agricultural/Conservation               |
| RR                                              | Rural Residential                       |
| <b>Residential Districts</b>                    |                                         |
| RS-1                                            | Very Low Density Residential            |
| RS-2                                            | Low Density Residential                 |
| RM-1                                            | Low-Medium Density Residential          |
| RM-2                                            | Medium Density Residential              |
| RM-3                                            | High Density Residential                |
| <b>Downtown Districts</b>                       |                                         |
| DR-N                                            | Downtown Retail – North of Olive Avenue |
| DR-S                                            | Downtown Retail – South of Olive Avenue |
| DR-D                                            | Downtown Retail – D Street Corridor     |
| D-MX                                            | Downtown Mixed-Use                      |
| D-CG                                            | Downtown General Commercial             |
| D-PO                                            | Downtown Professional Office            |
| D-PS                                            | Downtown Public and Semi-Public         |
| DRM-2                                           | Downtown Medium Density Residential     |
| DRM-3                                           | Downtown High Density Residential       |
| <b>Commercial Districts</b>                     |                                         |
| CN                                              | Neighborhood Commercial                 |
| CR                                              | Retail Centers                          |
| CG                                              | General and Service Commercial          |
| CMX                                             | Commercial Mixed-Use                    |

| Short Name/ Map Symbol                 | Full Name                              |
|----------------------------------------|----------------------------------------|
| <b>Employment Districts</b>            |                                        |
| PO                                     | Professional Office                    |
| IP                                     | Industrial Park                        |
| IG                                     | General Industrial                     |
| IA                                     | Airport Industrial                     |
| <b>Public and Open Space Districts</b> |                                        |
| PS                                     | Public and Semi-Public                 |
| PK                                     | Parks and Public Recreation Facilities |
| REC                                    | Commercial Recreation                  |
| <b>Other Base Districts</b>            |                                        |
| RN                                     | Residential Neighborhood               |
| PD                                     | Planned Development                    |

- (b) **Overlay Zoning Districts.** Overlay zoning districts, one or more of which may be combined with a base district, are established as follows:

| Short Name/ Map Symbol | Full Name                 |
|------------------------|---------------------------|
| AE                     | Airport Environs          |
| HZ                     | Hillside Development Zone |
| S                      | Single Story              |

- (c) **References to Classes of Base Districts.** Throughout this chapter, the following references apply:

- (1) “R district” or “residential district” means one or more of the following districts: RS-1 Very Low Density Residential, RS-2 Low Density Residential, Low-Medium Density Residential RM-1, Medium Density Residential RM-2, and High Density RM-3.
- (2) “D district” or “downtown district” means one or more of the following districts: DR-N Downtown Retail – North of Olive Avenue, DR-S Downtown Retail – South of Olive Avenue, DR-D Downtown Retail – D Street Corridor, D-MX Downtown Mixed-Use, D-PO Downtown Professional Office, D-CG Downtown General and Service Commercial, D-PS Downtown Public and Semi Public, DRM-2 Downtown Medium Density Residential, and DRM-3 Downtown High Density Residential.
- (3) “C district” or “commercial district” means one or more of the following districts: CN Neighborhood Commercial, CR Retail Centers, CG General and Service Commercial, and CMX Commercial Mixed-Use.
- (4) “E district” or “employment district” means one or more of the following: PO Professional Office, IP Industrial Park, IG General Industrial, and IA Airport Industrial.



## 101.02 Official Zoning Map and District Boundaries

The boundaries of the zoning districts established by this chapter are not included in this chapter but are shown on the Official Zoning Map maintained by the Community Development Department. The Official Zoning Map, together with all legends, symbols, notations, references, zoning district boundaries, map symbols, and other information on the maps, have been adopted by the Council and are hereby incorporated into the Porterville Development Ordinance by reference, together with any amendments previously or hereafter adopted, as though they were fully included here.

- (a) **Application of Pre-Annexation Zoning.** The City may apply pre-annexation zoning to unincorporated property located within the Planning Area Boundary consistent with the Porterville General Plan. The pre-annexation zoning process shall comply with the provisions of Chapter 608, Amendments to Zoning Map and Text. The zoning provisions and requirements so established shall become applicable at the same time that the annexation of such territory becomes effective.
- (b) **Uncertainty of Boundaries.** If uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:
  - (1) Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams or railroads shall be construed to follow such centerlines.
  - (2) Boundaries indicated as approximately following lot lines, city limits, or extraterritorial boundary lines shall be construed as following such lines, limits or boundaries.
  - (3) In the case of un-subdivided property or where a district boundary divides a lot and no dimensions are indicated, the following shall apply.
    - a. **Lots Greater than One Acre.** The location of such boundary shall be determined by the use of the scale appearing on the Official Zoning Map.
    - b. **Lots Less than One Acre.** The lot shall be deemed to be included within the zone which is the more restrictive.
  - (4) In the case of any remaining uncertainty, the Zoning Administrator shall determine the location of boundaries.
  - (5) Where any public street or alley is officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.
  - (6) Where any private right-of-way or easement of any railroad, railway, transportation or public utility company is vacated or abandoned and said property is unclassified, said property shall be automatically classified as being in the Public and Semi-Public (PS) District.

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## **Chapter 102     Rules for Construction of Language**

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### Sections:

|        |                                    |
|--------|------------------------------------|
| 102.01 | Purpose                            |
| 102.02 | Rules for Construction of Language |
| 102.03 | Rules of Interpretation            |

### **102.01         Purpose**

The purpose of this chapter is to provide precision in the interpretation of the zoning regulations. The meaning and construction of words and phrases defined in this chapter apply throughout the chapter, except where the context indicates a different meaning.

### **102.02         Rules for Construction of Language**

In interpreting the various provisions of the chapter, the following rules of construction shall apply:

- (a)     The particular controls the general.
- (b)     Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
  - (1)     “And” indicates that all connected words or provisions shall apply.
  - (2)     “And/or” indicates that the connected words or provisions may apply singly or in any combination.
  - (3)     “Or” indicates that the connected words or provisions may apply singly or in any combination.
  - (4)     “Either . . . or” indicates that the connected words or provisions shall apply singly but not in combination.
- (c)     In case of conflict between the text and a diagram or graphic, the text controls.
- (d)     All references to departments, committees, commissions, boards, or other public agencies are to those of the City of Porterville, unless otherwise indicated.
- (e)     All references to public officials are to those of the City of Porterville, and include designated deputies of such officials, unless otherwise indicated.
- (f)     All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the City offices are closed, it shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period.
- (g)     The words “shall,” “will,” “must” and “is to” are always mandatory and not discretionary. The words “should” or “may” are permissive.
- (h)     The present tense includes the past and future tenses, and the future tense includes the past.

- (i) The singular number includes the plural, and the plural, the singular.
- (j) Words used in the masculine gender include the feminine and the feminine the masculine.
- (k) Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

### **102.03 Rules of Interpretation**

The Zoning Administrator shall make the interpretation for any definition not expressly identified in this section or provide clarification and determination of these rules.

## Chapter 103 Rules of Measurement

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### Sections:

|        |                               |
|--------|-------------------------------|
| 103.01 | Purpose                       |
| 103.02 | General Provisions            |
| 103.03 | Fractions                     |
| 103.04 | Measuring Distances           |
| 103.05 | Measuring Height              |
| 103.06 | Measuring Lot Width and Depth |
| 103.07 | Determining Average Slope     |
| 103.08 | Determining Floor Area        |
| 103.09 | Determining Floor Area Ratio  |
| 103.10 | Determining Lot Coverage      |
| 103.11 | Determining Lot Frontage      |
| 103.12 | Determining Setbacks (Yards)  |
| 103.13 | Measuring Signs               |

### 103.01 Purpose

The purpose of this chapter is to explain how various measurements referred to in this chapter are to be calculated.

### 103.02 General Provisions

For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection by the Zoning Administrator.

### 103.03 Fractions

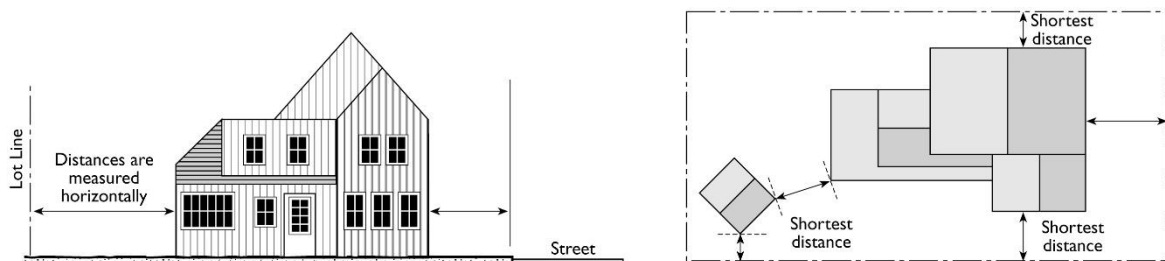
Whenever this chapter requires consideration of distances, parking spaces, dwelling units or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:

- (a) **General Rounding.** Fractions of one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions of less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
- (b) **Exception for State Affordable Housing Density Bonus.** For projects eligible for bonus density pursuant to Government Code Section 65915 or any successor statute, and Chapter 302, Affordable Housing Density Bonus and Other Incentives, any fractional number of permitted bonus density units shall be rounded up to the next whole number.

### 103.04 Measuring Distances

- (a) **Measurements are Shortest Distance.** When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.
- (b) **Distances are Measured Horizontally.** When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.
- (c) **Measurements Involving a Structure.** Measurements involving a structure are made to the outside edge of the foundation for the closest support wall of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.
- (d) **Measurements Involving Land Uses.** Unless otherwise dictated by a state agency regulating such land use, measurements involving distances between land uses are made from property line to property line at the nearest distance between the two parcels. Property lines for this purpose shall be as identified on the Tulare County Assessor's with an individual parcel number.
- (e) **Measurement of Vehicle Stacking or Travel Areas.** Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, are measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the center arc of the driveway or traffic lane.
- (f) **Measuring Radius.** When a specified land use is required to be located a minimum distance from another land use, the minimum distance is measured in a straight line from all points along the lot line of the subject project.

FIGURE 103.04: MEASURING DISTANCES

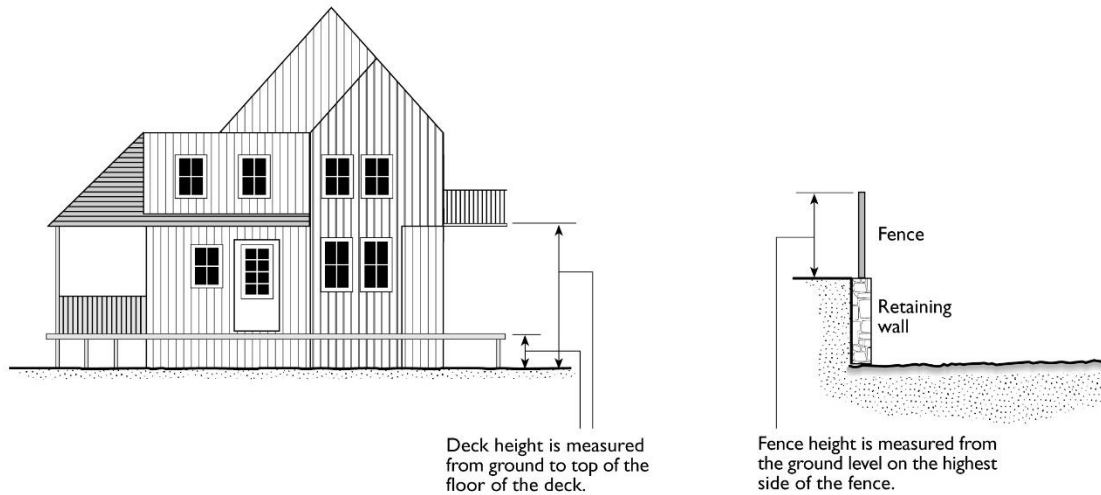


### 103.05 Measuring Height

- (a) **Measuring Building Height.** Building height is measured from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof ridge, or parapet wall.

- (b) **Measuring Height of Other Structures.** The height of other structures, such as fences, is the vertical distance from the ground level immediately under the structure to the top of the structure. Special measurement provisions are also provided below.
- (1) **Measuring the Height of Fences on Retaining Walls.** The height of a fence that is on top of a retaining wall is measured from the ground level on the highest side of the fence and wall.
  - (2) **Measuring the Height of Decks.** Deck height is determined by measuring from the ground to the top of the floor of the deck.

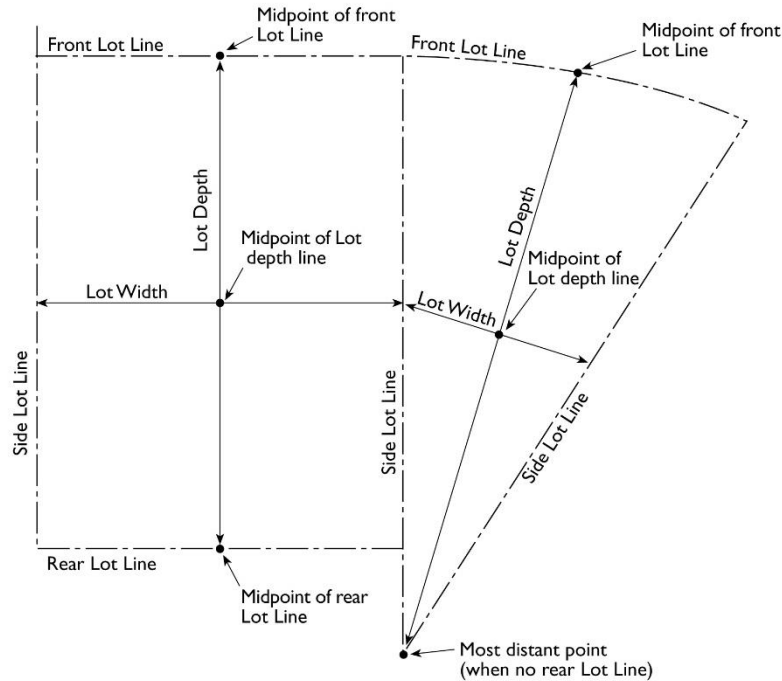
**FIGURE 103.05: MEASURING HEIGHT**



### 103.06 Measuring Lot Width and Depth

- (a) **Lot Width.** Lot width is the horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
- (b) **Lot Depth.** Lot depth is measured along an imaginary straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.

**FIGURE 103.06: MEASURING LOT WIDTH AND DEPTH**



### 103.07 Determining Average Slope

The average slope of a parcel is calculated using the following formula:  $S = 100(I)(L)/A$ , where:

- (a)  $S$  = Average slope (in percent)
- (b)  $I$  = Contour interval (in feet)
- (c)  $L$  = Total length of all contour lines on the parcel (in feet)
- (d)  $A$  = Area of subject parcel (in square feet)

### 103.08 Determining Floor Area

Floor area is the horizontal area (usually expressed in square feet) of all floors included within a building or buildings, according to the following rules:

- (a) **Included in Floor Area.** Floor area is deemed to include:
  - (1) The floor of atrium and lobby areas;
  - (2) Storage and equipment spaces that are roofed and enclosed on all sides;
  - (3) Enclosed and roofed halls, stairways, and elevator shafts;
  - (4) Enclosed and roofed porches and balconies;

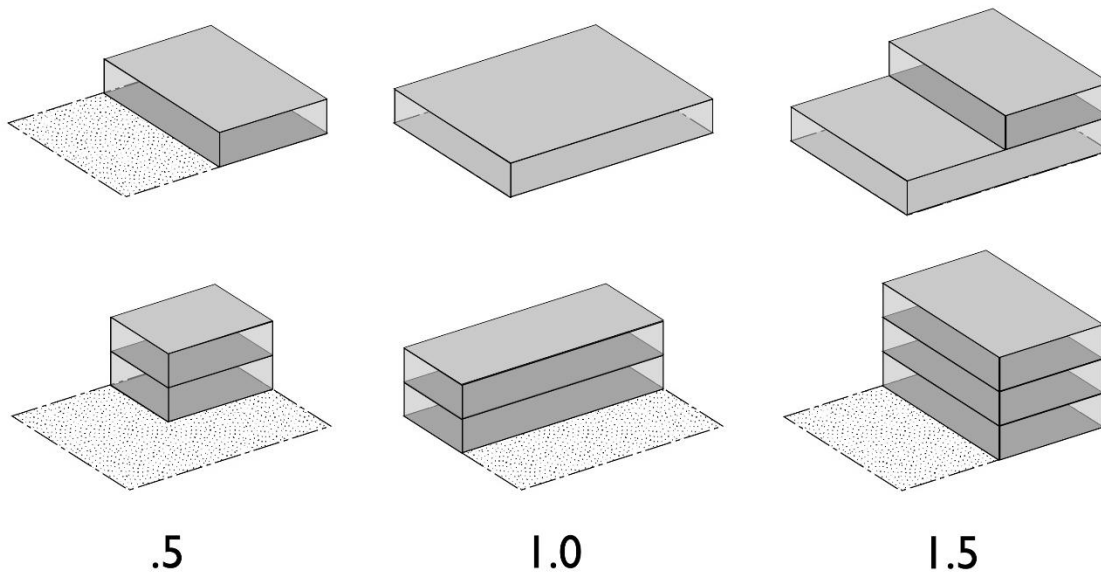


- (5) Portions of basements and attics that meet Building Code height requirements for habitable space; and
  - (6) The actual floor space of mezzanines, interior balconies, lofts, closets and all habitable rooms.
- (b) **Excluded from Floor Area.** Floor area does not include:
- (1) Garages, carports or other areas used for parking and loading, or vehicular access to parking and loading spaces;
  - (2) Unenclosed exterior balconies, decks, porches and stairs; and
  - (3) Substandard height portions of attics and basements not used as habitable space (per Building Code).

### 103.09 Determining Floor Area Ratio

Floor Area Ratio (FAR) is the ratio of the floor area of all principal and accessory buildings on a lot to the lot area. To calculate FAR, floor area is divided by lot area, and typically expressed as a decimal. For example, if the floor area of all buildings on a lot totals twenty thousand (20,000) square feet, and the lot area is ten thousand (10,000) square feet, the FAR is expressed as 2.0.

**FIGURE 103.09: DETERMINING FLOOR AREA RATIO**

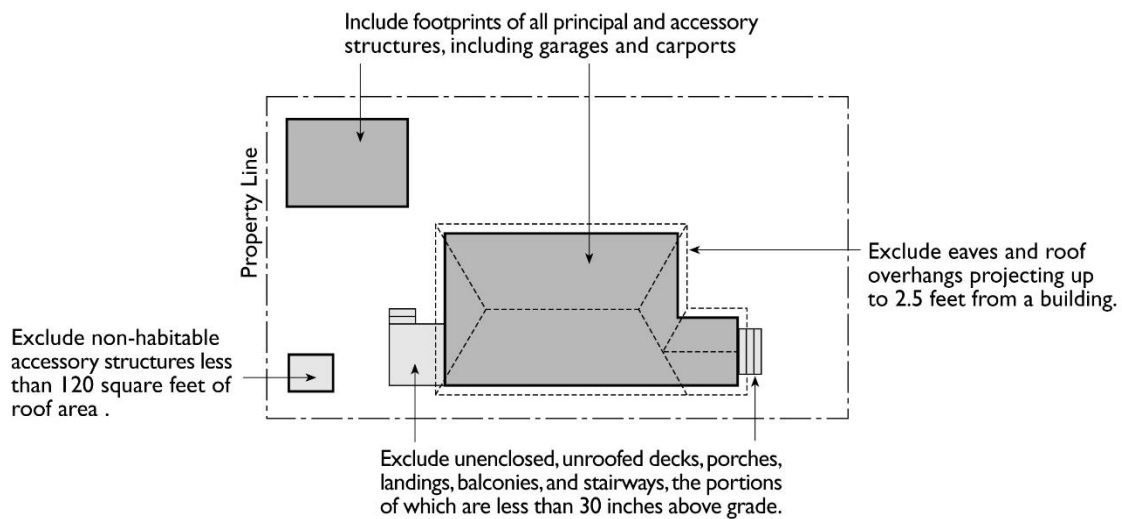


### 103.10 Determining Lot Coverage

Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. The footprints of all principal and accessory structures, including garages, carports, covered patios, and roofed porches, shall be summed in order to calculate lot coverage. The following structures shall be excluded from the calculation:

- (a) Unenclosed and unroofed decks, uncovered patio slab, porches, landings, balconies and stairways less than six (6) feet in height;
- (b) Eaves and roof overhangs projecting up to two-and-a-half feet from a wall;
- (c) Trellises and similar structures that do not have solid roofs;
- (d) Swimming pools and hot tubs that are not enclosed in roofed structures or decks; and
- (e) One small, non-habitable accessory structure under one hundred twenty (120) square feet. Structures above quantity of one shall be included in lot coverage.

**FIGURE 103.10: DETERMINING LOT COVERAGE**



### 103.11 Determining Lot Frontage

- (a) **Corner Lot.** The front of a lot is the narrowest dimension of the lot with street frontage.
- (b) **Through Lot (Double Frontage Lot).** The front yard borders the street primarily used as frontage by neighboring lots.

### 103.12 Determining Setbacks (Yards)

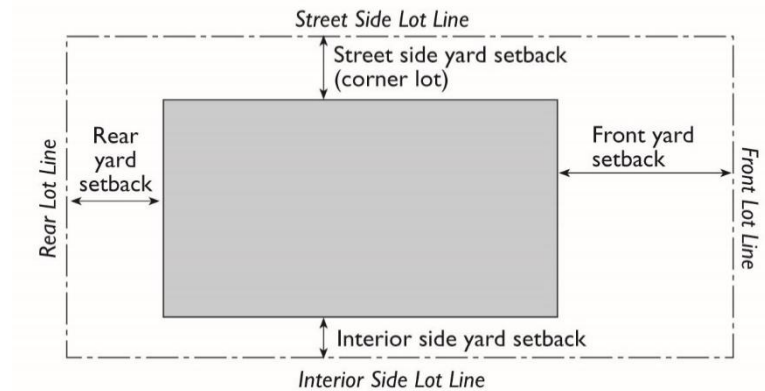
A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. The following special regulations for determining yards apply when a lot abuts a proposed street or alley.

- (a) **Yards Abutting Planned Street Expansions.** If a property abuts an existing or proposed street for which the existing right-of-way is narrower than the right-of-way ultimately required for the street, the required setback shall be established from the future right-of-way rather than the property line.

**(b) Yards on Alleys**

- (1) If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.
- (2) In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard.

**FIGURE 103.12: DETERMINING SETBACKS**



**103.13 Measuring Signs**

The height of signs is measured in the same method as the height of other structures (See Subsection 103.05(b), Measuring Height of Other Structures). Calculation of sign area is described in Chapter 305, Signs.

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## Series 200: Base Districts

### Chapter 200 Agriculture/Rural/Conservation Districts

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Sections:

|        |                         |
|--------|-------------------------|
| 200.01 | Purpose                 |
| 200.02 | Land Use Regulations    |
| 200.03 | Development Regulations |

#### 200.01 Purpose

The specific purpose of the “Agricultural/Rural/Conservation” Districts is to preserve agricultural and resource conservation areas while providing opportunities for rural living.

Additional purposes of each “Agriculture/Rural/Conservation” District:

**AC Agricultural/Conservation.** To preserve agricultural and resource conservation areas. Incidental residential uses with septic systems are allowed. Industrial gravel and aggregate mining are allowed in areas classified by the State as Mineral Resource Zones. Clustered development is encouraged.

**RR Rural Residential.** To provide opportunities for rural living on 2.5 acre or larger lots. This district serves as a transition between agriculture/open space and more intensive urban uses and helps define the limits of urban development. Clustered development is encouraged, and smaller lots may be allowed, provided that the overall density does not exceed 0.2 units per acre, with lower limits applying in the Hillside Development Zone.

#### 200.02 Land Use Regulations

Table 200.02 below prescribes the land use regulations for “Agricultural/Rural/Conservation” Districts. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

Use classifications are defined in Chapter 701, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.

| <b>TABLE 200.02: LAND USE REGULATIONS—AGRICULTURE/RURAL/CONSERVATION DISTRICTS</b> |                               |           |                                             |
|------------------------------------------------------------------------------------|-------------------------------|-----------|---------------------------------------------|
| <i>Use Classification</i>                                                          | <i>AC</i>                     | <i>RR</i> | <i>Additional Regulations</i>               |
| <b>Residential Uses</b>                                                            |                               |           |                                             |
| Single Family Dwelling                                                             | See sub-classifications below |           |                                             |
| <i>Detached</i>                                                                    | P                             | P         |                                             |
| Family Day Care Home                                                               | See sub-classifications below |           |                                             |
| <i>Small</i>                                                                       | P                             | P         |                                             |
| <i>Large</i>                                                                       | P                             | P         | Section 301.07 Family Day Care Home, Large  |
| Group Residential                                                                  | -                             | P(1)      |                                             |
| Residential Care Facilities, Limited                                               | P                             | P         |                                             |
| <b>Public and Semi-Public Uses</b>                                                 |                               |           |                                             |
| Religious Facilities                                                               | -                             | C         |                                             |
| <b>Commercial Uses</b>                                                             |                               |           |                                             |
| Animal Care, Sales and Services                                                    | See sub-classifications below |           |                                             |
| Kennels                                                                            | M                             | M         |                                             |
| Veterinary Services, Large                                                         | C                             | C         |                                             |
| <b>Transportation, Communication, and Utilities Uses</b>                           |                               |           |                                             |
| Communication Facilities                                                           | See sub-classifications below |           |                                             |
| <i>Antenna and Transmission Towers, camouflage facilities</i>                      | P                             | P         | Section 301.20 Telecommunication Facilities |
| <i>Antenna and Transmission Towers, non-camouflage facilities</i>                  | M                             | M         | Section 301.20 Telecommunication Facilities |
| Utilities, Minor                                                                   | P                             | P         |                                             |
| <b>Agricultural and Extractive Uses</b>                                            |                               |           |                                             |
| Animal Raising                                                                     | P                             | P(2)      |                                             |
| Crop Cultivation, Commercial                                                       | P                             | P         | Section 301.06 Crop Cultivation             |

| TABLE 200.02: LAND USE REGULATIONS—AGRICULTURE/RURAL/CONSERVATION DISTRICTS                                                                                                                                                                                                                                                                                                                           |                                                      |    |                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|----|----------------------------------------------|
| Use Classification                                                                                                                                                                                                                                                                                                                                                                                    | AC                                                   | RR | Additional Regulations                       |
| Crop Cultivation, Non-commercial                                                                                                                                                                                                                                                                                                                                                                      | P                                                    | P  |                                              |
| Mining and Quarrying                                                                                                                                                                                                                                                                                                                                                                                  | C(3)                                                 | -  |                                              |
| Other Applicable Types                                                                                                                                                                                                                                                                                                                                                                                |                                                      |    |                                              |
| Accessory Uses and Structures                                                                                                                                                                                                                                                                                                                                                                         | P                                                    | P  | Section 301.01 Accessory Uses and Structures |
| Animal Keeping                                                                                                                                                                                                                                                                                                                                                                                        | P                                                    | P  | Section 301.03 Animal Keeping                |
| Caretaker Unit                                                                                                                                                                                                                                                                                                                                                                                        | P(4)                                                 | -  |                                              |
| Home Occupations                                                                                                                                                                                                                                                                                                                                                                                      | P                                                    | P  | Section 301.09 Home Occupations              |
| Second Dwelling Unit                                                                                                                                                                                                                                                                                                                                                                                  | P                                                    | P  | Section 301.16 Second Dwelling Units         |
| Nonconforming Use                                                                                                                                                                                                                                                                                                                                                                                     | Chapter 307 Nonconforming Uses, Structures, and Lots |    |                                              |
| Temporary Use                                                                                                                                                                                                                                                                                                                                                                                         | Section 301.21 Temporary Uses                        |    |                                              |
| Specific Limitations:                                                                                                                                                                                                                                                                                                                                                                                 |                                                      |    |                                              |
| 1. Limited to no more than two rooms in a dwelling rented to not more than a total of four persons and meals are not provided to more than four boarders.                                                                                                                                                                                                                                             |                                                      |    |                                              |
| 2. Limited to 4-H and FFA projects, recognized youth organizations, school projects, and other similar projects when conducted in compliance with the public health and animal laws of the City and to the keeping of bovine animals, horses and other equine animals, sheep and goats on lots 20,000 sq ft or more. The shelter for such animals shall not be closer than 50 feet to any residences. |                                                      |    |                                              |
| 3. In areas designated as Mineral Resource Zones in the General Plan.                                                                                                                                                                                                                                                                                                                                 |                                                      |    |                                              |
| 4. For agricultural employees, when located on farms or ranches containing more than 10 acres.                                                                                                                                                                                                                                                                                                        |                                                      |    |                                              |

### 200.03 Development Regulations

Table 200.03 prescribes the development standards for “Agricultural/Rural/Conservation” Districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

| <b>TABLE 200.03: DEVELOPMENT STANDARDS—AGRICULTURAL/RURAL/CONSERVATION DISTRICTS</b> |           |           |                               |
|--------------------------------------------------------------------------------------|-----------|-----------|-------------------------------|
| <i>Standard</i>                                                                      | <i>AC</i> | <i>RR</i> | <i>Additional Regulations</i> |
| <b>Lot and Density Standards</b>                                                     |           |           |                               |
| Minimum Lot Area (acres)                                                             | 40        | 2.5       | Section 200.03(a)             |
| Minimum Lot Width (ft)                                                               | 120       | 120       | Section 200.03(a)             |
| Minimum Lot Depth (ft)                                                               | 120       | 120       | Section 200.03(a)             |

| <b>TABLE 200.03: DEVELOPMENT STANDARDS—AGRICULTURAL/RURAL/CONSERVATION DISTRICTS</b> |           |           |                                                                       |
|--------------------------------------------------------------------------------------|-----------|-----------|-----------------------------------------------------------------------|
| <i>Standard</i>                                                                      | <i>AC</i> | <i>RR</i> | <i>Additional Regulations</i>                                         |
| Maximum Density (dwelling units/net acre)                                            | .02       | .25       |                                                                       |
| <b>Building Form and Location</b>                                                    |           |           |                                                                       |
| Maximum Height (ft)                                                                  | 35        | 35        | Section 300.06 Heights and Height Exceptions                          |
| Minimum Yards (ft)                                                                   |           |           |                                                                       |
| <i>Front</i>                                                                         | 30        | 30        | Section 300.01 Building Projections into Yards                        |
| <i>Interior Side</i>                                                                 | 30        | 30        | Section 200.03(b); and Section 300.01 Building Projections into Yards |
| <i>Street Side</i>                                                                   | 30        | 30        | Section 200.03(b); and Section 300.01 Building Projections into Yards |
| <i>Rear</i>                                                                          | 30        | 30        | Section 300.01 Building Projections into Yards                        |
| Maximum Building Coverage (% of lot)                                                 | 5         | 10        | Section 200.03(c)                                                     |

#### **Additional Development Regulations:**

- (a) **Reduced Lot Area, Width, and Depth.** Reduced lot area, width, and depth are allowed with cluster development provided the overall maximum density does not exceed the standard. Deed restrictions shall be filed on each property to ensure the overall maximum density is not exceeded through future subdivision or development.
- (b) **Narrow Lots.** For lots less than one hundred (100) feet in width, each side yard shall be a minimum of ten (10) percent of the lot width, or five (5) feet, whichever is greater.
- (c) **Coverage Exception.** Greater coverage on individual lots may be allowed with clustered development provided the overall site coverage of the entire development does not exceed the standard.



## Chapter 201 Residential Districts

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Sections:

|        |                          |
|--------|--------------------------|
| 201.01 | Purpose                  |
| 201.02 | Land Use Regulations     |
| 201.03 | Development Regulations  |
| 201.04 | Supplemental Regulations |

### 201.01 Purpose

The specific purposes of the “Residential” Districts are to:

- (a) Maintain and enhance the city’s neighborhoods.
- (b) Ensure the provision of services and facilities needed to accommodate planned population densities.
- (c) Provide a basis for the evaluation of development proposals for appropriate densities within the given ranges.
- (d) Implement and provide appropriate regulations for General Plan classifications of “Very Low Density Residential”, “Low Density Residential”, “Low-Medium Density Residential”, “Medium Density Residential”, and “High Density Residential”.

Additional purposes of each “Residential” District:

**RS-1 Very Low Density Residential.** To provide areas for large lot or executive home single-family subdivisions with a maximum residential density is 3.1 units per net acre. This district also allows for limited uses such as day care homes and religious facilities that are appropriate in a very low density residential environment.

**RS-2 Low Density Residential.** To provide areas for attached or detached single family homes with a maximum residential density of 7.5 units per net acre. This district also allows for limited uses such as day care homes, parks, and religious facilities that are appropriate in a low density residential environment.

**RM-1 Low-Medium Density Residential.** To accommodate low-medium densities and more varied forms of residential development, including small-lot single-family homes, detached zero lot line developments, duplexes, townhouses, and garden apartments with a maximum residential density of 11.3 units per net acre. This district also allows for limited uses such as day care homes, parks, schools and religious facilities that are appropriate in a low-medium density residential environment. This district provides for a transition from lower-density residential neighborhoods to medium-density multi-family areas.

**RM-2 Medium Density Residential.** To accommodate a variety of housing types, such as small-lot single-family homes, detached zero lot line developments, duplexes, townhouses, and garden apartments with a maximum residential density of 15.0 units per net acre. This

district is intended to be located closer to community and retail services, mixed use areas, parks, and areas where greater access can be provided. In addition to residential uses, this district allows for a variety of public and semi-public uses such as cultural institutions and religious facilities that are appropriate in a medium-density residential environment. This district provides for a transition from lower-density residential neighborhoods to higher-density multi-family development and commercial areas.

***RM-3 High Density Residential.*** This classification is intended to accommodate attached homes, two- to four-plexes, and apartment buildings with a maximum residential density 30.0 units per net acre. This district allows for a variety of public and semi-public uses such as clubs and lodges, cultural institutions, and religious facilities that are appropriate in a high-density residential environment.

## **201.02 Land Use Regulations**

Table 201.02 below prescribes the land use regulations for “Residential” Districts. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

Use classifications are defined in Chapter 701, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.

| <b>TABLE 201.02: LAND USE REGULATIONS—RESIDENTIAL DISTRICTS</b> |                               |             |             |             |             |                                                                        |
|-----------------------------------------------------------------|-------------------------------|-------------|-------------|-------------|-------------|------------------------------------------------------------------------|
| <i>Use Classification</i>                                       | <i>RS-1</i>                   | <i>RS-2</i> | <i>RM-1</i> | <i>RM-2</i> | <i>RM-3</i> | <i>Additional Regulations</i>                                          |
| <b>Residential Uses</b>                                         |                               |             |             |             |             |                                                                        |
| Single Family Dwelling                                          | See sub-classifications below |             |             |             |             |                                                                        |
| <i>Attached</i>                                                 | -                             | P           | P           | P           | P           |                                                                        |
| <i>Detached</i>                                                 | P                             | P           | P           | P           | P           |                                                                        |
| Multi-Family Residential                                        | -                             | -           | P           | P           | P           |                                                                        |
| Family Day Care Home                                            | See sub-classifications below |             |             |             |             |                                                                        |
| <i>Small</i>                                                    | P                             | P           | P           | P           | P           |                                                                        |
| <i>Large</i>                                                    | P                             | P           | P           | P           | P           | Section 301.07 Family Day Care Home, Large                             |
| Group Residential                                               | P(1)                          | P(1)        | P(1)        | P           | P           |                                                                        |
| Mobile Home Parks                                               | -                             | -           | C(2)        | C(2)        | C(2)        | Section 301.10 Manufactured Homes;<br>Section 301.11 Mobile Home Parks |
| Residential Care Facilities, Limited                            | P                             | P           | P           | P           | P           |                                                                        |
| <b>Public and Semi-Public Uses</b>                              |                               |             |             |             |             |                                                                        |
| Clubs and Lodges                                                | -                             | -           | -           | C           | C           | Section 301.02 Alcoholic Beverage Sales                                |
| Community Centers                                               | -                             | -           | C           | C           | C           |                                                                        |
| Cultural Institutions                                           | -                             | -           | -           | C           | C           |                                                                        |
| Elderly and Long-term Care                                      | -                             | -           | -           | C           | P           |                                                                        |
| Park and Recreation Facilities, Public                          | P                             | P           | P           | P           | P           |                                                                        |
| Religious Facilities                                            | C                             | C           | C           | C           | C           |                                                                        |
| Residential Care Facilities, General                            | -                             | -           | C           | C           | C           | Section 301.15 Residential Care Facilities, General                    |
| Schools, Public or Private                                      | P                             | P           | P           | P           | P           |                                                                        |
| Social Service Facilities                                       | -                             | -           | -           | -           | C           | Section 301.19 Social Service Facilities                               |
| <b>Commercial Uses</b>                                          |                               |             |             |             |             |                                                                        |
| Eating, Drinking, and Smoking Establishments                    | See sub-classifications below |             |             |             |             |                                                                        |

| TABLE 201.02: LAND USE REGULATIONS—RESIDENTIAL DISTRICTS                                                                                                                                                                     |                                                      |      |      |      |      |                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------|------|------|------|-------------------------------------------------------------------------|
| Use Classification                                                                                                                                                                                                           | RS-1                                                 | RS-2 | RM-1 | RM-2 | RM-3 | Additional Regulations                                                  |
| Coffee Shops/Cafes                                                                                                                                                                                                           | -                                                    | -    | -    | -    | M(3) | Section 300.08 Outdoor Seating                                          |
| Restaurants                                                                                                                                                                                                                  | -                                                    | -    | -    | -    | C(3) | Section 300.08 Outdoor Seating; Section 301.02 Alcoholic Beverage Sales |
| Bed and Breakfasts                                                                                                                                                                                                           | -                                                    | -    | -    | C    | C    |                                                                         |
| Transportation, Communication, and Utilities Uses                                                                                                                                                                            |                                                      |      |      |      |      |                                                                         |
| Utilities, Minor                                                                                                                                                                                                             | P                                                    | P    | P    | P    | P    |                                                                         |
| Agricultural and Extractive Uses                                                                                                                                                                                             |                                                      |      |      |      |      |                                                                         |
| Crop Cultivation, Commercial                                                                                                                                                                                                 | M                                                    | M    | M    | M    | M    | Section 301.06 Crop Cultivation                                         |
| Crop Cultivation, Non-Commercial                                                                                                                                                                                             | P                                                    | P    | P    | P    | P    |                                                                         |
| Other Applicable Types                                                                                                                                                                                                       |                                                      |      |      |      |      |                                                                         |
| Accessory Uses and Structures                                                                                                                                                                                                | P                                                    | P    | P    | P    | P    | Section 301.01 Accessory Uses and Structures                            |
| Animal Keeping                                                                                                                                                                                                               | P                                                    | P    | P    | P    | P    | Section 301.04 Animal Keeping                                           |
| Home Occupations                                                                                                                                                                                                             | P                                                    | P    | P    | P    | P    | Section 301.09 Home Occupations                                         |
| Second Dwelling Unit                                                                                                                                                                                                         | P                                                    | P    | P    | P    | P    | Section 301.16 Second Dwelling Units                                    |
| Nonconforming Use                                                                                                                                                                                                            | Chapter 307 Nonconforming Uses, Structures, and Lots |      |      |      |      |                                                                         |
| Temporary Use                                                                                                                                                                                                                | Section 301.21 Temporary Uses                        |      |      |      |      |                                                                         |
| Specific Limitations:                                                                                                                                                                                                        |                                                      |      |      |      |      |                                                                         |
| 1. Limited to no more than two rooms in a dwelling rented to not more than a total of four persons and meals are not provided to more than four boarders.                                                                    |                                                      |      |      |      |      |                                                                         |
| 2. Limited to sites with a minimum gross site area of 10 acres.                                                                                                                                                              |                                                      |      |      |      |      |                                                                         |
| 3. Limited to a restaurant or café/coffee shop accessory to a mobile home court or a private club or lodge when such use has no direct access off a public street and accommodates only residents, members, or their guests. |                                                      |      |      |      |      |                                                                         |

## 201.03 Development Regulations

Table 201.03 prescribes the development standards for Residential Districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to

other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

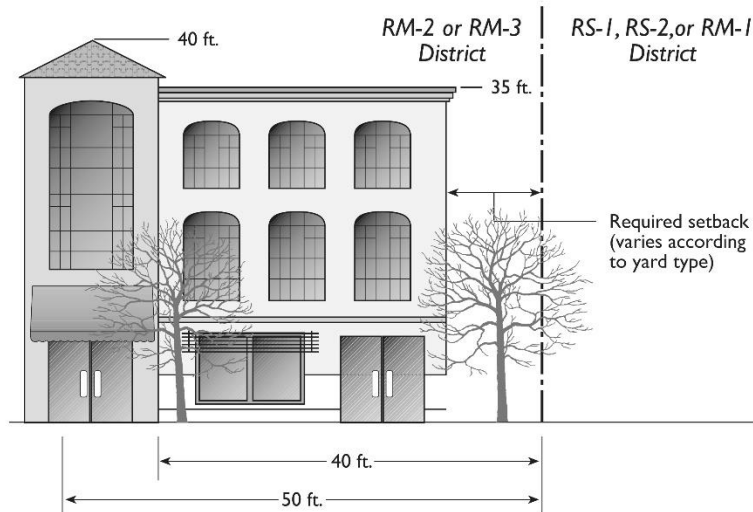
| <b>TABLE 201.03: DEVELOPMENT STANDARDS—RESIDENTIAL DISTRICTS</b> |             |             |             |             |             |                                                                                    |
|------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|------------------------------------------------------------------------------------|
| <i>Standard</i>                                                  | <i>RS-1</i> | <i>RS-2</i> | <i>RM-1</i> | <i>RM-2</i> | <i>RM-3</i> | <i>Additional Regulations</i>                                                      |
| <b>Lot and Density Standards</b>                                 |             |             |             |             |             |                                                                                    |
| Minimum Lot Area (sq ft)                                         | 12,500      | 6,000       | 6,000       | 6,000       | 6,000       | Section 201.04(c)<br>Reduced Minimum Lot Size, Width, and Depth                    |
| Minimum Lot Width (ft)                                           | 90          | 60          | 60          | 60          | 60          | Section 201.04(c)<br>Reduced Minimum Lot Size, Width, and Depth                    |
| Minimum Lot Depth (ft)                                           | 100         | 75          | 75          | 75          | 75          | Section 201.04(c)<br>Reduced Minimum Lot Size, Width, and Depth                    |
| Maximum Density (units/net acre)                                 | 3.1         | 7.5         | 11.3        | 15.0        | 30.0        |                                                                                    |
| Minimum Density (units/net acre)                                 | n/a         | n/a         | n/a         | n/a         | 10.0        |                                                                                    |
| Minimum Area per Dwelling Unit (sq ft)                           | n/a         | n/a         | 3,000       | 1,500       | 1,000       |                                                                                    |
| <b>Building Form and Location</b>                                |             |             |             |             |             |                                                                                    |
| Maximum Height (ft)                                              | 35          | 35          | 35          | 50          | 50          | Section 201.03(a);<br>Section 300.06<br>Heights and Height Exceptions              |
| Minimum Yards (ft)                                               |             |             |             |             |             |                                                                                    |
| <i>Residence (front)</i>                                         | 15          | 15          | 15          | 15          | 15          | Section 201.03(b);<br>Section 300.01<br>Building Projections into Yards            |
| <i>Porch (front)</i>                                             | 10          | 10          | 10          | 10          | 10          |                                                                                    |
| <i>Garage (front)</i>                                            | 20          | 20          | 20          | 20          | 20          |                                                                                    |
| <i>Interior Side</i>                                             | 5           | 5           | 5           | 5           | 5           | Section 201.03(c),<br>(d), and (f); Section 300.01 Building Projections into Yards |

| <b>TABLE 201.03: DEVELOPMENT STANDARDS—RESIDENTIAL DISTRICTS</b> |             |             |             |             |             |                                                                            |
|------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|----------------------------------------------------------------------------|
| <i>Standard</i>                                                  | <i>RS-1</i> | <i>RS-2</i> | <i>RM-1</i> | <i>RM-2</i> | <i>RM-3</i> | <i>Additional Regulations</i>                                              |
| <i>Street Side</i>                                               | 10          | 10          | 10          | 10          | 10          | Section 201.03(e);<br>Section 300.01<br>Building Projections<br>into Yards |
| <i>Rear</i>                                                      | 10          | 5           | 5           | 10          | 10          | Section 201.03(f);<br>Section 300.01<br>Building Projections<br>into Yards |
| Maximum Building Coverage (% of lot)                             | 30          | 45          | 45          | 50          | 60          |                                                                            |
| Minimum Courtyard Dimension                                      | n/a         | n/a         | n/a         | 20          | 20          | Section 201.03(g)                                                          |
| <b>Additional Standards</b>                                      |             |             |             |             |             |                                                                            |
| Private Open Space (sq ft per unit)                              | n/a         | n/a         | 200         | 75          | 50          | Section 201.04(b)<br>Residential Multi-Family Development                  |
| Common Open Space (sq ft per unit)                               | n/a         | n/a         | n/a         | 100         | 100         | Section 201.04(b)<br>Residential Multi-Family Development                  |

**Additional Development Regulations:**

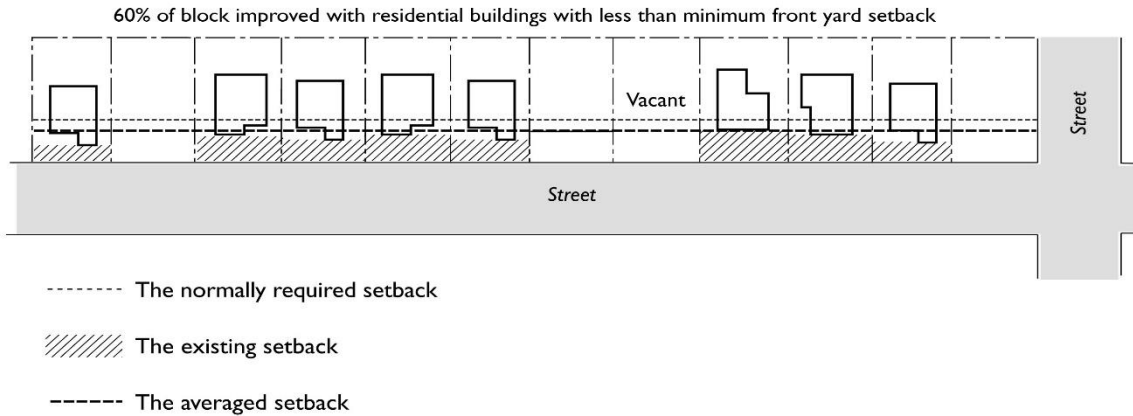
- (a) **Transitional Standards.** Where a site is adjacent to an RS-1, RS-2, or RM-1 district, the following standards apply:
- (1) The maximum height within forty (40) feet of an RS-1, RS-2, or RM-1 district boundary is thirty-five (35) feet. The maximum height within fifty (50) feet of an RS-1, RS-2, or RM-1 district boundary is forty (40) feet.

**FIGURE 201.03(A)(1): RESIDENTIAL DISTRICT TRANSITIONAL STANDARDS**



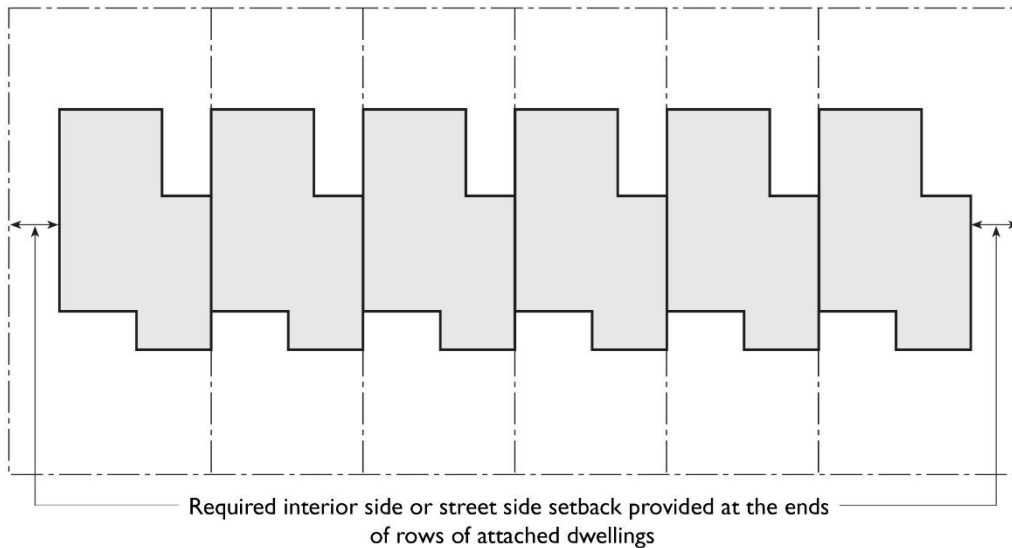
- (2) Buildings exceeding thirty (30) feet in height must be set back or stepped back one (1) foot from the required interior side and rear setback lines for every foot of height above thirty (30) feet.
- (b) **Front Yards.** Where more than sixty (60) percent of such portion of the lineal frontage of lots improved with residential buildings within any block is comprised of lots with less than the minimum front yard requirement, then the minimum front yard requirement for other residential buildings in such block may be reduced to the average of the actual front yards of all of the lots in such block with existing residential buildings, counting those which have front yards of greater depth than the minimum requirement.

**FIGURE 201.03(B): FRONT YARDS**



- (c) **Existing Structures.** When the existing side yard setback is less than required in this Chapter, additions to such structures may conform to the existing setback, provided that the addition does not encroach closer to the property line than the existing structure.
- (d) **Attached Single-Family Dwellings.** Required setbacks apply to the ends of rows of attached single-family dwellings.

**FIGURE 201.03(C): SETBACKS FOR ATTACHED SINGLE-FAMILY DWELLINGS**



- (e) **Street Side Yard - Reversed Corner Lots.** Reversed corner lots shall have a minimum street side yard width of twelve (12) feet. No accessory structure shall



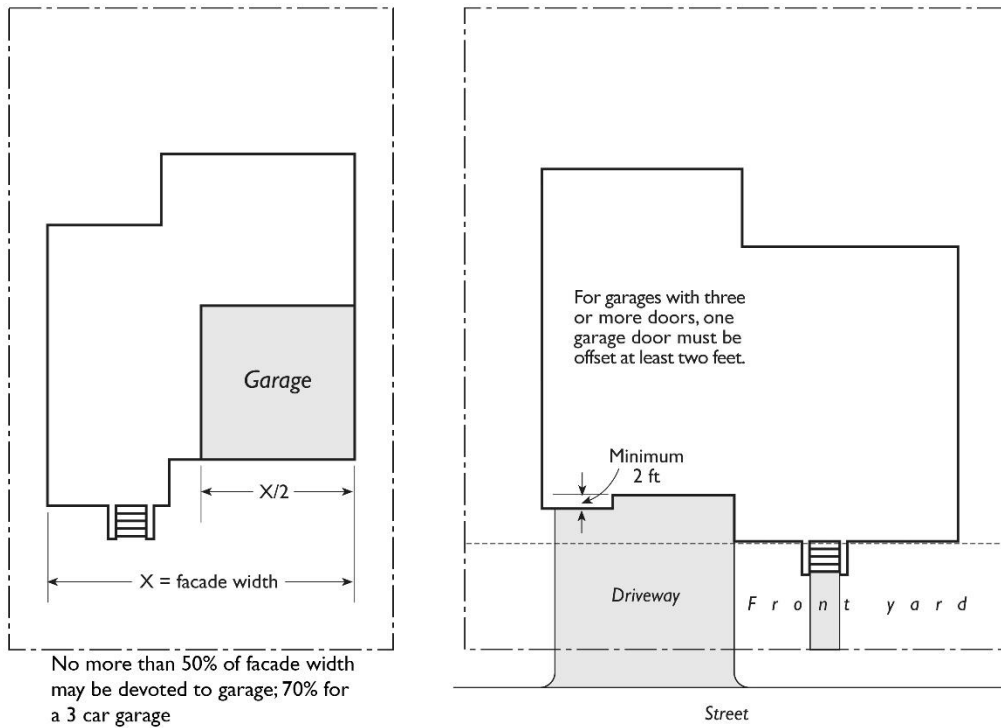
project beyond the extension of the required front yard line of the lot in the rear (key lot).

- (f) **Increased Yard for Certain Institutional Uses.** Any building erected or used for a school, government, or other institutional use mentioned elsewhere in this Chapter, shall be located at least fifteen (15) feet from an RS district, notwithstanding any lesser requirement in the district where located, provided such building shall not be required to be located more than five (5) feet from any lot line adjacent to any alley. The City Council may waive this requirement for accessory buildings to provide reasonable accommodation.
- (g) **Minimum Courtyard Dimensions.** Courtyards surrounded by building walls on three (3) sides shall have a minimum dimension of twenty (20) feet.

#### **201.04 Supplemental Regulations**

- (a) **Residential Single-Family Development.** Residential single-family structures shall be developed in accordance with the following standards.
  - (1) ***Garage Frontage and Location***
    - a. Where garage doors face a street, garage width shall not exceed fifty (50) percent of the width of the front facade of the building for a two car garage home, or seventy (70) percent for a three car garage. Maximum of three (3) garage doors may face a street.
    - b. Where garage doors face the interior of the lot (i.e. a side loading garage) the face of the door shall be setback at least twenty-five (25) feet from the side lot line. The front setback for such a garage is no less than fifteen (15) feet.
    - c. Garages with three (3) or more doors, at least one (1) garage front must be separated from the remaining garage fronts by at least two (2) feet.

**FIGURE 201.04(A)(1): GARAGE FRONTAGE AND LOCATION**

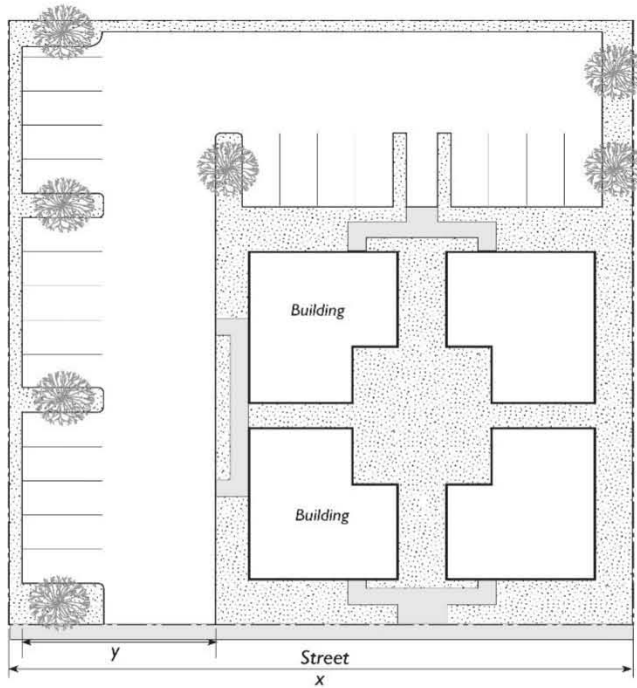


- (2) **Architectural Articulation.** On all facades that face a street, at least two architectural articulations are required, such as window trim, window recesses, shutters, window boxes, bay windows, cornices, changes in material (i.e. stone veneer), larger than normal porch, decorative garage windows, or two other projections or recesses in a pattern that creates architectural interest across the length of the face as determined by the Zoning Administrator.
  - (3) **Width.** All residential structures shall have a minimum width of twenty (20) feet.
  - (4) **Two-story Dwellings.** Two-story dwellings shall include windows on the facade facing the street. No second-story street-facing wall shall run in a continuous plane of more than twenty (20) feet without a window or a projection, offset, or recess of the building wall at least one (1) foot in depth.
- (b) **Residential Multi-Family Development.** Each multiple family residential project with two (2) or more dwelling units on a single lot shall be developed in accordance with the following standards.
- (1) **Parking and Garage Frontage Limitation.** The total frontage of parking areas visible from the street (excluding alleys), including open parking, carports, and garages, but excluding underground parking and parking located behind buildings, shall not exceed thirty (30) percent of the lot frontage. The Zoning Administrator may approve a modification to this standard where existing development patterns or topographic features make it infeasible to limit

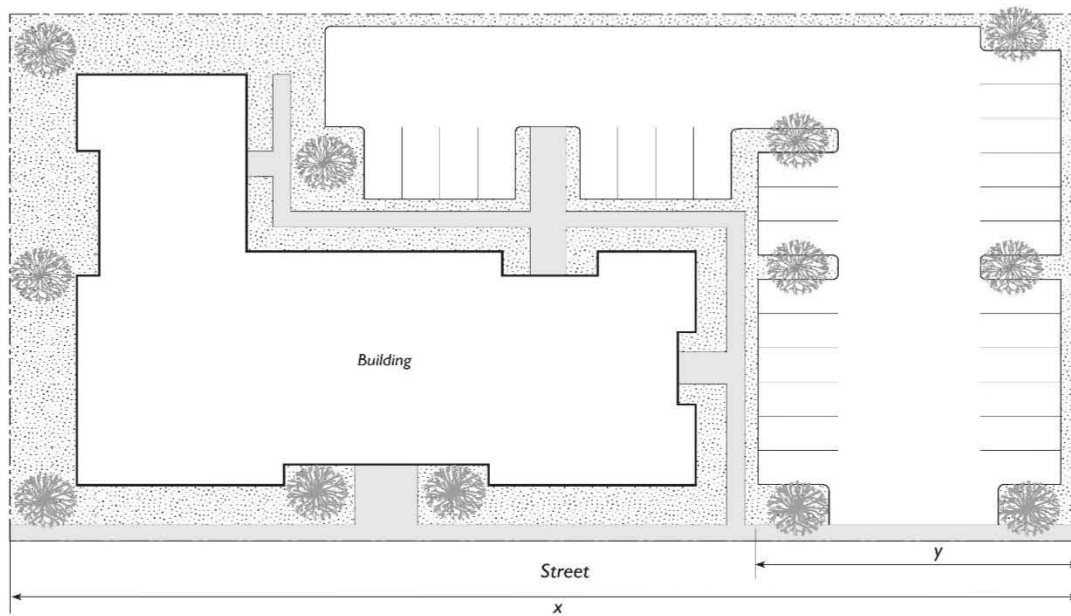
parking and garage frontage to thirty (30) percent of lot frontage. Parking areas not visible from the street are not subject to this limitation.

**FIGURE 201.04(B)(1): PARKING AND GARAGE FRONTAGE LIMITATIONS**

FIGURE 201.04 (C)(1): PARKING AND GARAGE FRONTAGE LIMITATIONS



*Parking frontage can not exceed 30% of lot frontage ( $y \leq 30\% x$ )*



*Parking frontage can not exceed 30% of lot frontage ( $y \leq 30\% x$ )*

(2) ***Building Entrances***

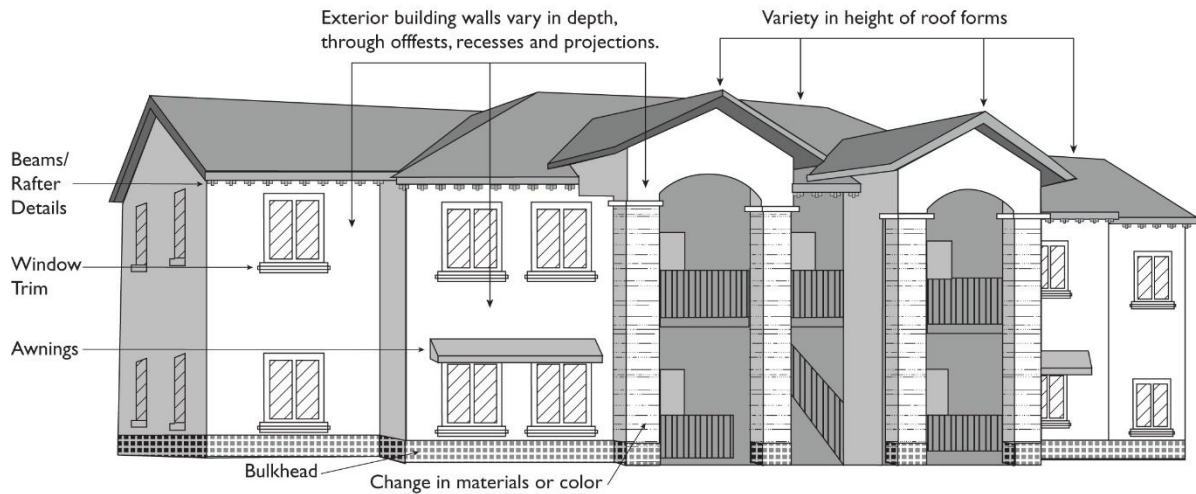
- a. *Orientation.* Developments shall relate directly to the adjacent street, and present a pedestrian scaled entry with a residential character.
- b. *Projection or Recess.* Building entrances must have a roofed projection (such as a porch) or recess with a minimum depth of at least five (5) feet and minimum area of fifty (50) square feet. Alternative designs that create an enhanced entry feature facing the street, such as a trellis or landscaped courtyard entry, may be approved.

(3) ***Architectural Articulation.*** All multiple-family residential buildings shall include adequate design features to create visual variety and avoid a large-scale and bulky appearance. Building facades shall be articulated to give the appearance of a collection of smaller structures. This requirement shall be met by using two (2) or more of the following methods.

- a. *Facade Articulation.* All street-facing facades have at least one (1) horizontal or vertical projection or recess at least four (4) feet in depth, or two (2) projections or recesses at least two and one-half (2.5) feet in depth, for every twenty-five (25) horizontal feet of wall. If located on a building with two (2) or more stories, the articulated elements must be greater than one (1) story in height, and may be grouped rather than evenly spaced in twenty-five (25) foot modules. Building entrances and front porches and projections into required yards such as stoops, bays, overhangs, fireplaces, and trellises may count towards meeting this requirement.
- b. *Variable Roof Form.* Variable roof forms incorporated into the building design, and no more than two (2) side-by-side units may be covered by one (1) unarticulated roof. Articulations may be accomplished by changing roof height, offsets, and direction of slope, and by introducing elements such as dormers, towers, or parapets.
- c. *Facade Detailing and Materials.* All visible building facades incorporate details, such as window trim, window recesses, cornices, changes in materials or other design elements, in an integrated composition. Each side of a building that is visible from a public right-of-way shall be designed with a complementary level of detailing and quality of materials.
- d. *Scale.* The scale of a multi-family development shall be considered within the context of its surroundings.
- e. *Use of Balconies, Bay Windows, and Other Such Projections or Recesses.* The building incorporates balconies, bay windows, entry porches or other projections and recesses in a pattern that creates architectural interest across the length of the facade.

**FIGURE 201.04(C)(3): ARCHITECTURAL ARTICULATION**

The following are examples of building design features that create architectural articulation.



- (4) **Open Space.** Private and common areas shall be provided in accordance with this section. Private areas typically consist of balconies, decks, patios, and fenced yards. Common areas typically consist of landscaped areas, patios, swimming pools, barbeque areas, playgrounds, trees, bushes, groundcover, and turf. All areas not improved with buildings, parking, vehicular accessways, trash enclosures, and similar items shall be developed as common areas with the types of attributes described above.

- a. **Minimum Dimensions.** Open space shall have the following minimum dimensions in order to count towards open space requirements:
  1. Open space located on the ground level (e.g., yards, decks, patios): ten (10) feet.
  2. Open space located above ground level (e.g., balconies): five (5) feet.
- b. **Usability.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface shall be a combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Slope shall not exceed ten (10) percent.
- c. **Accessibility.**
  1. **Private Open Space.** The space shall be accessible to only one (1) residential unit by a doorway to a habitable room or hallway.
  2. **Common Open Space.** The space shall be accessible to all the residential units on the lot. It shall be served by any stairway

or other accessway qualifying as an egress facility from a habitable room.

- (5) **Walkways.** Walkways shall link the residential units to the public right-of-way and with recreational and other internal facilities as well as with other residential units.
  - (6) **Storage Areas.** Each unit shall have a minimum of eighty (80) cubic feet of individual, locked storage space, accessible from outside the unit. Such area may be accessible from the private open space area for the unit, near required parking, or adjacent to or within other common areas of the development.
- (c) **Reduced Minimum Lot Size, Width, and Depth.** Smaller lots with a minimum area of three thousand (3,000) square feet, a minimum lot width of thirty-five (35) feet, and a minimum lot depth of sixty (60) feet may be approved with a Conditional Use Permit when the City Council finds that the lot size and configuration are consistent with the General Plan and will not adversely affect adjoining uses. All such projects are subject to the following standards:
- (1) **Development Design Elements.** The following required elements and the specified number of optional elements shall be provided in addition to the open space requirements listed below.
    - a. **Required Elements.** All of the following elements shall be provided.
      1. **Street Trees.** Fifteen gallon shade trees shall be planted at least thirty (30) feet on center along all sidewalks. Tree guards shall be provided.
      2. **Variety of Lot Widths.** A variety of lot widths shall be provided to accommodate a variety of home styles, setbacks, and garage placements. At least thirty (30) percent of the lots shall vary from the "typical" (mode) lot width in the development by at least twenty (20) percent.
    - b. **Optional Elements.** At least two (2) of the following elements shall be provided.
      1. **Traffic Calming.** The development shall include streetscape improvements, such as roundabouts, neck downs, curb bulbs, or similar traffic-calming techniques. Provisions shall be included for the private maintenance of such facilities by a homeowners association or other body or a local assessment district established by the developer.
      2. **Parkland and Open Space.** The development shall include privately maintained park or common open space at least thirty (30) percent greater in area than the minimum required. (See subsection three (3) below for required open space area.)
      3. **Variable Front Yards.** No more than fifty (50) percent of homes shall be set back the same distance from the front lot line unless at least half of them have front porches, and at least twenty-

five (25) percent of the homes shall be set back at least five (5) feet farther than the minimum. This component may be implemented by recording "build-to" lines on the final subdivision map.

4. Alley-Accessed Parking. Parking for at least seventy-five (75) percent of lots in the development shall be provided in the rear half of the lot and accessed from a rear alley.
5. Shared or Clustered Driveways. Driveways shall be paired so that there is a single curb-cut providing access to two (2) houses, and the total width for the paired driveway is not more than eighteen (18) feet. Alternatively, driveways may be clustered (but need not share the same curb cut) so that there is at least thirty-six (36) feet of uninterrupted curb between each pair of clustered driveways.

(2) ***Building Design Elements.*** At least two (2) of the following elements shall be provided.

- a. *Variable Garage Entries.* The development plan shall include provisions for variable location of garage entries. At least thirty-five (35) percent of the lots shall have garages that are side-loaded, set at least five (5) feet behind the primary facade of the building or set entirely in the rear half of the lot in a detached garage.
- b. *Porches.* All single-family dwellings, attached or detached, shall have a covered front porch with a minimum dimension of four (4) feet and a minimum size of thirty-two (32) square feet.
- c. *Architectural Diversity.* Projects with up to twenty (20) lots shall have a minimum of three (3) unique elevations. Projects of between twenty-one (21) and one hundred (100) lots shall have a minimum of four (4) unique elevations. Projects of one hundred (100) or more lots shall have a minimum of five (5) unique elevations.

(3) ***Open Space.*** A minimum total open space area (including, but not limited to private yards, porches, balconies, and patios) of three hundred (300) square feet shall be provided on each lot. Also required are common open-space areas of two hundred (200) square feet per lot that provide usable and accessible open space for the recreation and outdoor enjoyment of the development's residents and their guests. To qualify as common open space, the area(s) shall be centrally located, have a minimum usable width of twenty-five (25) feet, and be at least fifty (50) percent open to the sky and the common open space is not located on the lot served, but serves multiples lots. The requirement for common open space may be waived subject to the following conditions:

- a. The design accommodates five hundred (500) square feet of private open space on each individual lot,
- b. the minimum dimension of the private open space is ten (10) feet, and



- c. the subdivision is located within 1/4 mile of a park, school, or other available open space.

(4) ***Required Findings.***

- a. The lot size and project density are consistent with the General Plan;
- b. The lots and associated development would not adversely affect adjoining uses;
- c. Additional site and building design elements are in evidence; and
- d. The lot size is acceptable considering site topography, public-street access, availability of utilities, existing neighborhood characteristics, including the average density of surrounding development.

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## Chapter 202 Downtown Districts

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Sections:

|        |                          |
|--------|--------------------------|
| 202.01 | Purpose                  |
| 202.02 | Land Use Regulations     |
| 202.03 | Development Standards    |
| 202.04 | Supplemental Regulations |

### 202.01 Purpose

The specific purposes of the Downtown Districts are to:

- (a) Maintain a thriving, vibrant Downtown compatible with surrounding land uses.
- (b) Foster the location of cultural and civic uses and public open space to maintain Downtown as the civic core of the City.
- (c) Provide for a range of commercial and retail services that add to a diversified economic base.
- (d) Allow mixed uses to create a more vibrant community and offer additional opportunities for housing for residents requiring convenient access to community services and less dependency on auto transportation.
- (e) Ensure that development is visually attractive and pedestrian friendly.
- (f) Preserve and enhance the pedestrian-oriented environment of the Downtown area.
- (g) Ensure that potential development and redevelopment is integrated into the Downtown and supports the vitality of the area.

Additional purposes of each district within the Downtown Districts:

***DR-N Downtown Retail – North of Olive Avenue.*** Maintain the pedestrian- and transit-oriented environment of retail, restaurants, services, and government offices in the heart of Porterville’s Downtown, focused on Main Street. Maintain the traditional Downtown character, with buildings built immediately adjacent to the sidewalk, active commercial uses on the ground floor, ample on-street parking, and a visually attractive streetscape with trees, historic street lights, benches, and other pedestrian amenities.

***DR-S Downtown Retail – South of Olive Avenue.*** Create an attractive commercial corridor that provides a welcoming gateway at the southern entrance to Downtown. Buildings should line the street, with street trees along the entire length of the street, and small landscaped front yards between the buildings and the sidewalk.

***DR-D Downtown Retail – D Street Corridor.*** Provide for a mix of medium-scale retail and service uses in a manner compatible with the Downtown pedestrian environment. Buildings should line the street, with deep landscaped front yards and rows of trees.

***D-MX Downtown Mixed-Use.*** Create a mixed-use area that attracts businesses and residents to locate Downtown, and provides a transition area between commercial areas and residential neighborhoods. Allow a mix of commercial, service, office, and residential uses that do not adversely impact one another in a significant way. Create an attractive streetscape of buildings that line the street, with landscaping and trees tailored to the width and the existing design character of the street.

***D-PO Downtown Professional Office.*** Encourage the adaptive re-use of existing buildings with office and professional uses, and infill of new office buildings, in order to provide convenient services to local residents and businesses, complement nearby retail development, and maintain the historic residential character of the area. Maintain the pattern of small lots, historic residential building forms, landscaped front yards, and street trees in planter strips.

***D-PS Downtown Public and Semi-Public.*** Provide areas for larger-scale public facilities that serve the community, with a focus on integrating development into the Downtown. Encourage land uses and design features that enhance the vitality, character and quality of life of the Downtown and surrounding residential areas. Ensure that the traditional block pattern of Downtown is maintained. Incorporate public streets and pedestrian walkways that connect these larger scale projects to Downtown streets and walkways. Design streets with attractive landscaped front yards and street trees, consistent with the character of existing and adjoining streets.

***DRM-2 Downtown Medium Density Residential.*** Encourage a variety of housing types, such as small-lot single-family homes, detached zero lot line developments, duplexes, townhouses, and garden apartments with a maximum residential density of 16.5 units per acre in the Downtown area. Encourage housing in Downtown to provide opportunities for residents to live in close proximity to community services and retail establishments, and to help support the vitality of Downtown businesses. Maintain the existing character of buildings that front the street, landscaped front yards, and street trees.

***DRM-3 Downtown High Density Residential.*** Facilitate the development of attached homes, two- to four-plexes, and apartment or condominium buildings with a maximum residential density of 33.0 units per acre in Downtown, to create a more vibrant community and offer additional opportunities for housing for residents requiring convenient access to community services and less dependency on auto transportation. Maintain the existing character of buildings that front the street, landscaped front yards, and street trees.

***D-GC Downtown General Commercial.*** Provide areas for retail, service, and heavier commercial uses that meet local and community needs in a manner complimentary to the adjacent Downtown pedestrian-oriented environment.

## **202.02 Land Use Regulations**

Table 202.02 below prescribes the land use regulations for “Downtown” Districts. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

Use classifications are defined in Chapter 700, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.



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| TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS |                               |      |      |      |       |       |      |      |      |                                             |
|---------------------------------------------------------|-------------------------------|------|------|------|-------|-------|------|------|------|---------------------------------------------|
| Use Classification                                      | DR-N                          | DR-S | DR-D | D-MX | DRM-2 | DRM-3 | D-PO | D-GC | D-PS | Additional Regulations                      |
| <b>Residential Use Classifications</b>                  |                               |      |      |      |       |       |      |      |      |                                             |
| Single Family Dwelling                                  | See sub-classifications below |      |      |      |       |       |      |      |      |                                             |
| Attached                                                | P(1)                          | -    | -    | -    | P     | P     | -    | -    | -    |                                             |
| Multi-family Residential                                | P(1)                          | P(2) | -    | P    | P     | P     | P(1) | -    | -    |                                             |
| Family Day Care Home                                    | See sub-classifications below |      |      |      |       |       |      |      |      |                                             |
| Small                                                   | P                             | P    | -    | P    | P     | P     | P    | -    | -    |                                             |
| Large                                                   | -                             | -    | -    | P    | P     | P     | -    | -    | -    | Section 301.07 Family Day Care Home, Large  |
| Group Residential                                       | -                             | -    | -    | P(3) | P     | P     | -    | -    | -    |                                             |
| Mixed Use Development                                   |                               |      |      | C    |       |       |      |      |      | Section 203.04 Supplemental Regulations     |
| Residential Care Facilities, Limited                    | P                             | P    | -    | P    | P     | P     | P    | -    | -    |                                             |
| Single Room Occupancy Hotels                            | -                             | -    | -    | C(1) | -     | -     | -    | -    | -    | Section 301.18 Single Room Occupancy Hotels |
| <b>Public and Semi-Public Use Classifications</b>       |                               |      |      |      |       |       |      |      |      |                                             |
| Clubs and Lodges                                        | C(4)                          | P    | P    | P    | -     | -     | P(5) | P    | -    | Section 301.02 Alcoholic Beverage Sales     |
| Colleges and Trade Schools, Public or Private           | C(5)                          | C    | C    | C    | -     | -     | C    | C    | P    |                                             |
| Community Center                                        | -                             | -    | -    | C    | -     | -     | -    | -    | P    |                                             |
| Cultural Institutions                                   | C(5)                          | C    | C    | C    | -     | -     | P    | C    | P    |                                             |
| Day Care Centers                                        | C                             | C    | C    | C    | C     | C     | P    | -    | C    |                                             |
| Elderly and Long Term Care                              | -                             | -    | -    | -    | P     | P     | P    | -    | -    |                                             |
| Government Offices                                      | P                             | P    | P    | -    | -     | -     | P    | -    | P    |                                             |
| Instructional Services                                  | P(5)                          | P    | P    | P    | -     | -     | P    | P    | P    |                                             |



| <b>TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS</b> |                               |             |             |             |              |              |             |             |             |                                                                       |
|----------------------------------------------------------------|-------------------------------|-------------|-------------|-------------|--------------|--------------|-------------|-------------|-------------|-----------------------------------------------------------------------|
| <i>Use Classification</i>                                      | <i>DR-N</i>                   | <i>DR-S</i> | <i>DR-D</i> | <i>D-MX</i> | <i>DRM-2</i> | <i>DRM-3</i> | <i>D-PO</i> | <i>D-GC</i> | <i>D-PS</i> | <i>Additional Regulations</i>                                         |
| Park and Recreation Facilities, Public                         | P                             | P           | P           | P           | P            | P            | P           | P           | P           |                                                                       |
| Religious Facilities                                           | -                             | -           | -           | C           | C            | C            | -           | -           | -           |                                                                       |
| Residential Care Facilities, General                           | -                             | -           | -           | -           | C            | C            | -           | -           | -           | Section 301.15 Residential Care Facilities, General                   |
| Schools, Public or Private                                     | P(4)                          | P           | P           | P           | -            | -            | -           | -           | P           |                                                                       |
| Social Service Facilities                                      | -                             | -           | -           | C           | C            | C            | -           | -           | -           | Section 301.19 Social Service Facilities                              |
| <b>Commercial Use Classifications</b>                          |                               |             |             |             |              |              |             |             |             |                                                                       |
| Animal Care, Sales, and Services                               | See sub-classifications below |             |             |             |              |              |             |             |             |                                                                       |
| <i>Kennels</i>                                                 | -                             | -           | C           | -           | -            | -            | -           | C           | -           |                                                                       |
| <i>Pet Stores</i>                                              | M(6)                          | P(6)        | P(6)        | M(6)        | -            | -            | -           | P(6)        | -           |                                                                       |
| <i>Veterinary Services, Small</i>                              | -                             | -           | C           | -           | -            | -            | -           | P           | -           |                                                                       |
| Artists' Studios                                               | P                             | P           | P           | P           | -            | -            | -           | P           | -           |                                                                       |
| Automobile/Vehicle Sales and Services                          | See sub-classifications below |             |             |             |              |              |             |             |             |                                                                       |
| <i>Automobile/Vehicle Rentals.</i>                             | -                             | -           | -           | -           | -            | -            | -           | P           | -           |                                                                       |
| <i>Automobile/Vehicle Sales and Leasing.</i>                   | -                             | C           | C(7)        | -           | -            | -            | -           | P           | -           |                                                                       |
| <i>Automobile/Vehicle Service and Repair, Major.</i>           | -                             | -           | C           | -           | -            | -            | -           | C           | -           | Section 301.04 Automobile/Vehicle Service and Repair, Major and Minor |
| <i>Automobile/Vehicle Service and Repair, Minor.</i>           | -                             | C(7)        | C(7)        | -           | -            | -            | -           | P           | -           | Section 301.04 Automobile/Vehicle Service and Repair, Major and Minor |

| <b>TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS</b> |                               |             |             |             |              |              |             |             |             |                                                                            |
|----------------------------------------------------------------|-------------------------------|-------------|-------------|-------------|--------------|--------------|-------------|-------------|-------------|----------------------------------------------------------------------------|
| <i>Use Classification</i>                                      | <i>DR-N</i>                   | <i>DR-S</i> | <i>DR-D</i> | <i>D-MX</i> | <i>DRM-2</i> | <i>DRM-3</i> | <i>D-PO</i> | <i>D-GC</i> | <i>D-PS</i> | <i>Additional Regulations</i>                                              |
| <i>Automobile/Vehicle Service and Repair, Washing.</i>         | -                             | -           | -           | -           | -            | -            | -           | C           | -           | Section 301.05 Auto Service Stations and Car Washing                       |
| <i>Service Station</i>                                         | -                             | -           | -           | -           | -            | -            | -           | C           | -           | Section 301.05 Auto Service Stations and Car Washing                       |
| Banks and Financial Institutions                               | See sub-classifications below |             |             |             |              |              |             |             |             |                                                                            |
| <i>Banks and Credit Unions</i>                                 | P(8)                          | P(8)        | P           | P(8)        | -            | -            | P(8)        | P           | -           |                                                                            |
| Building Materials and Services                                | -                             | -           | -           | -           | -            | -            | -           | P(9)        | -           |                                                                            |
| Business Services                                              | P(10)                         | P(10)       | P(10)       | P(10)       | -            | -            | P           | P           | -           |                                                                            |
| Commercial Entertainment and Recreation                        | See sub-classifications below |             |             |             |              |              |             |             |             |                                                                            |
| <i>Cinema/Theaters</i>                                         | C                             | C           | C           | C           | -            | -            | -           | C           | -           | Section 301.02 Alcoholic Beverage Sales                                    |
| <i>Downtown Entertainment</i>                                  | -                             | -           | C           | C           | -            | -            | -           | C           | C           | Section 301.02 Alcoholic Beverage Sales                                    |
| <i>Small-scale</i>                                             | C                             | C           | C           | C           | -            | -            | -           | C           | -           | Section 301.02 Alcoholic Beverage Sales                                    |
| Eating, Drinking, and Smoking Establishments                   | See sub-classifications below |             |             |             |              |              |             |             |             |                                                                            |
| <i>Bars/Night Clubs/Lounges</i>                                | C                             | C           | C           | C           | -            | -            | -           | C           | -           | Section 300.08 Outdoor Seating;<br>Section 301.02 Alcoholic Beverage Sales |
| <i>Coffee Shops/Cafes</i>                                      | P(8)                          | P(8)        | P(8)        | P(8)        | -            | -            | P(8)        | P(8)        | P(8, 13)    | Section 300.08 Outdoor Seating                                             |
| <i>Restaurants</i>                                             | P(8)                          | P(8)        | P(8)        | P(8)        | -            | -            | P(8)        | P(8)        | P(8, 13)    | Section 300.08 Outdoor Seating;<br>Section 301.02 Alcoholic Beverage Sales |

| <b>TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS</b>        |                               |             |             |             |              |              |             |             |             |                                         |
|-----------------------------------------------------------------------|-------------------------------|-------------|-------------|-------------|--------------|--------------|-------------|-------------|-------------|-----------------------------------------|
| <i>Use Classification</i>                                             | <i>DR-N</i>                   | <i>DR-S</i> | <i>DR-D</i> | <i>D-MX</i> | <i>DRM-2</i> | <i>DRM-3</i> | <i>D-PO</i> | <i>D-GC</i> | <i>D-PS</i> | <i>Additional Regulations</i>           |
| <i>Tobacco Bars</i>                                                   | C                             | C           | C           | C           | -            | -            | -           | C           | -           |                                         |
| Food and Beverage Retail Sales, less than 5,000 square feet           | P                             | P           | P           | P           | -            | -            | P(11)       | P           | P(11)       | Section 301.02 Alcoholic Beverage Sales |
| Food and Beverage Retail Sales, more than 5,000 to 50,000 square feet | P                             | P           | P           | P           | -            | -            | -           | -           | -           | Section 301.02 Alcoholic Beverage Sales |
| Hotels and Motels                                                     | C                             | C           | C           | C           | -            | -            | -           | C           | -           |                                         |
| Bed and Breakfasts                                                    | -                             | -           | -           | P(3)        | -            | P(3)         | P(3)        | -           | -           |                                         |
| Maintenance and Repair Services less than 1,500 square feet           | -                             | -           | -           | -           | -            | -            | -           | P(12)       | -           |                                         |
| Medical Facilities                                                    | See sub-classifications below |             |             |             |              |              |             |             |             |                                         |
| <i>Medical Clinic</i>                                                 | -                             | P           | P           | P           | -            | -            | P           | P           | P           |                                         |
| <i>Professional/Medical</i>                                           | P(13)                         | P           | P           | P           | -            | -            | P           | P           | P           |                                         |
| Mixed Use Development                                                 |                               |             |             | C           |              |              |             |             |             | Section 203.04 Supplemental Regulations |
| Nurseries and Garden Centers                                          | -                             | C           | C           | C           | -            | -            | -           | P           | -           |                                         |
| Offices                                                               | See sub-classifications below |             |             |             |              |              |             |             |             |                                         |
| <i>General Offices</i>                                                | P(13)                         | P           | P           | P           | -            | -            | P           | P           | P           |                                         |
| <i>Walk-In Clientele</i>                                              | P                             | P           | P           | P           | -            | -            | P           | P           | P           |                                         |
| Parking, Public or Private                                            | P                             | P           | P           | P           | P            | P            | P           | P           | P           |                                         |
| Personal Services                                                     | P                             | P           | P           | P           | -            | -            | P           | P           | -           |                                         |
| Retail Sales, less than 50,000 square feet                            | P                             | P           | P           | P           | -            | -            | P(11)       | P           | -           |                                         |

| <b>TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS</b>          |                               |             |             |             |              |              |             |             |             |                                             |
|-------------------------------------------------------------------------|-------------------------------|-------------|-------------|-------------|--------------|--------------|-------------|-------------|-------------|---------------------------------------------|
| <i>Use Classification</i>                                               | <i>DR-N</i>                   | <i>DR-S</i> | <i>DR-D</i> | <i>D-MX</i> | <i>DRM-2</i> | <i>DRM-3</i> | <i>D-PO</i> | <i>D-GC</i> | <i>D-PS</i> | <i>Additional Regulations</i>               |
| Retail Sales, more than 50,000 square feet                              | C                             | C           | C           | C           | -            | -            | -           | C           | -           |                                             |
| <b>Industrial Use Classifications</b>                                   |                               |             |             |             |              |              |             |             |             |                                             |
| Handicraft/Custom Manufacturing                                         | -                             | -           | -           | -           | -            | -            | -           | P           | -           |                                             |
| Industry, Limited                                                       | -                             | -           | -           | -           | -            | -            | -           | C           | -           |                                             |
| Recycling Facilities                                                    | See sub-classifications below |             |             |             |              |              |             |             |             |                                             |
| <i>Reverse Vending Machine</i>                                          | -                             | P           | P           | P           | -            | -            | -           | P           | P           | Section 301.14 Recycling Facilities         |
| <i>Recycling Collection Facility</i>                                    | -                             | C           | -           | -           | -            | -            | -           | C           | C           | Section 301.14 Recycling Facilities         |
| <b>Transportation, Communication, and Utilities Use Classifications</b> |                               |             |             |             |              |              |             |             |             |                                             |
| Communication Facilities                                                | See sub-classifications below |             |             |             |              |              |             |             |             |                                             |
| <i>Antenna and Transmission Towers, camouflage facilities</i>           | P                             | P           | P           | P           | -            | -            | P           | P           | P           | Section 301.20 Telecommunication Facilities |
| <i>Antenna and Transmission Towers, non-camouflage facilities</i>       | C(14)                         | C(14)       | C(14)       | C(14)       | -            | -            | C(14)       | C(14)       | C(14)       | Section 301.20 Telecommunication Facilities |
| <i>Broadcasting Facility</i>                                            | -                             | M           | M           | M           | -            | -            | -           | M           | -           | Section 301.20 Telecommunication Facilities |
| <i>Call Center</i>                                                      | -                             | -           | -           | -           | -            | -            | P(5)        | P(5)        | P           |                                             |
| <i>Recording Studio</i>                                                 | -                             | -           | P(6)        | P(6)        | -            | -            | -           | P(6)        | -           |                                             |
| Transportation Passenger Terminals                                      | P(15)                         | P(15)       | P(15)       | -           | -            | -            | -           | -           | -           |                                             |
| Utilities, Minor                                                        | P                             | P           | P           | P           | P            | P            | P           | P           | P           |                                             |

| TABLE 202.02: LAND USE REGULATIONS – DOWNTOWN DISTRICTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                      |      |      |      |       |       |      |      |      |                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------|------|------|-------|-------|------|------|------|----------------------------------------------|
| Use Classification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | DR-N                                                 | DR-S | DR-D | D-MX | DRM-2 | DRM-3 | D-PO | D-GC | D-PS | Additional Regulations                       |
| Other Applicable Types                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                      |      |      |      |       |       |      |      |      |                                              |
| Accessory Uses and Structures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | P                                                    | P    | P    | P    | P     | P     | P    | P    | P    | Section 301.01 Accessory Uses and Structures |
| Home Occupations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P                                                    | P    | P    | P    | P     | P     | -    | -    | -    | Section 301.09 Home Occupations              |
| Second Dwelling Unit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | -                                                    | -    | -    | -    | P     | P     | -    | -    | -    | Section 301.16 Second Dwelling Unit          |
| Nonconforming Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Chapter 307 Nonconforming Uses, Structures, and Lots |      |      |      |       |       |      |      |      |                                              |
| Temporary Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Section 301.21 Temporary Uses                        |      |      |      |       |       |      |      |      |                                              |
| Specific Limitations:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |      |      |      |       |       |      |      |      |                                              |
| <div><div></div><div>1. Residential units allowed only on upper floors unless approved with a Conditional Use Permit. Common ancillary areas are allowed on the ground floor except on Main Street.</div><div>2. On Main Street, residential units are allowed only on upper floors unless approved with a Conditional Use Permit.</div><div>3. Limited to no more than two rooms in a dwelling rented to not more than a total of four persons and meals are not provided to more than four boarders.</div><div>4. Allowed only on upper floors and limited to 5,000 square feet in size.</div><div>5. Limited to 5,000 square feet in size.</div><div>6. Provided that such use shall be completely enclosed in a building of soundproof construction.</div><div>7. Limited to uses conducted wholly within a building enclosed on all sides including the display, storage, repair, and reconditioning of vehicles.</div><div>8. Drive-through facilities are prohibited.</div><div>9. Bulk storage of sand, gravel, or cement is not allowed.</div><div>10. Wholesale services are not allowed.</div><div>11. Permitted only as accessory to a primary use.</div><div>12. No outdoor operations or outdoor storage are allowed.</div><div>13. Limited to 25 percent of ground floor area unless additional floor area is approved with a Conditional Use Permit. No square footage limitation on upper floors.</div><div>14. Shall not be located within 300 feet of any R district.</div><div>15. Not allowed on Main Street. No repair or storage of vehicles is allowed.</div></div> |                                                      |      |      |      |       |       |      |      |      |                                              |

## **202.03            Development Standards**

Table 202.03 prescribes the development standards for Downtown Districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

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| TABLE 202.03: DEVELOPMENT STANDARDS – DOWNTOWN DISTRICTS                  |                                                                                                    |                                                                                                    |                         |                                              |       |                                |                    |                                                                     |       |                                                                                                                                     |
|---------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------|-------|--------------------------------|--------------------|---------------------------------------------------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------|
| Standard                                                                  | DR-N                                                                                               | DR-S                                                                                               | DR-D                    | D-MX                                         | DRM-2 | DRM-3                          | D-PO               | D-GC                                                                | D-PS  | Additional Standards                                                                                                                |
| Lot, Density, and Block Standards                                         |                                                                                                    |                                                                                                    |                         |                                              |       |                                |                    |                                                                     |       |                                                                                                                                     |
| Minimum Lot Area (sq ft)                                                  | -                                                                                                  | -                                                                                                  | -                       | -                                            | 6,000 | 6,000                          | 6,000              | 6,000                                                               | 6,000 |                                                                                                                                     |
| Minimum Lot Width (ft)                                                    | -                                                                                                  | -                                                                                                  | -                       | -                                            | 60    | 60                             | 60                 | 60                                                                  | 60    |                                                                                                                                     |
| Minimum Lot Depth (ft)                                                    | -                                                                                                  | -                                                                                                  | -                       | -                                            | 75    | 75                             | 75                 | 75                                                                  | 75    |                                                                                                                                     |
| Minimum Density (dwelling units/acre)                                     | -                                                                                                  | -                                                                                                  | -                       | 15                                           | -     | -                              | -                  | -                                                                   | -     |                                                                                                                                     |
| Maximum Density (dwelling units/net acre)                                 | No max, FAR applies to combined Residential and Non-residential                                    |                                                                                                    | -                       | 41.0                                         | 16.5  | 33.0                           | -                  | -                                                                   | -     |                                                                                                                                     |
| Maximum Block Dimension (ft)                                              | Dimension: 500; 600 with mid-block pedestrian way                                                  |                                                                                                    |                         |                                              |       |                                |                    |                                                                     |       | Section 202.04(b)<br>Maximum Block Length                                                                                           |
| Building Form, Location, and Street Design                                |                                                                                                    |                                                                                                    |                         |                                              |       |                                |                    |                                                                     |       |                                                                                                                                     |
| Maximum Height (ft)                                                       | 50 on corner lots and lots over 2 acres;<br>40 on all other lots                                   |                                                                                                    |                         | 40, 50<br>with CUP                           | 35    | 40, 50<br>on<br>corner<br>lots | 30; 40<br>with CUP | • 50 on corner lots and lots over 2 acres;<br>• 40 on interior lots |       | Section 300.06 Heights and Height Exceptions                                                                                        |
| Minimum Height (ft)                                                       | Main St: 28                                                                                        | -                                                                                                  | -                       | -                                            | -     | -                              | -                  | -                                                                   | -     |                                                                                                                                     |
| Minimum Yards (ft)                                                        | See sub-classifications below                                                                      |                                                                                                    |                         |                                              |       |                                |                    |                                                                     |       |                                                                                                                                     |
| Front<br>(Main Street frontage is always considered the front of the lot) | 0 min; 10 max Shall be paved on Main St with tile, stone, brick, concrete, or comparable material. | Commercial: 15 for buildings, 10 for parking. Main St and Olive St: 10 min, 20 max Residential: 15 | 10 min; 20 max D St: 15 | 0; 10 on Main St or ground floor residential | 20    | 15                             | 15 min; 25 max     | 10                                                                  | 20    | • Section 202.04(i) Building Projections;<br>• Unless otherwise stated, shall be landscaped in accord with Chapter 303 Landscaping. |



| TABLE 202.03: DEVELOPMENT STANDARDS – DOWNTOWN DISTRICTS |                                                                                                                                                                                                                                         |                                                               |        |                                                      |                                         |       |                 |                                                               |        |                                                                                                                                                                                            |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|--------|------------------------------------------------------|-----------------------------------------|-------|-----------------|---------------------------------------------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Standard                                                 | DR-N                                                                                                                                                                                                                                    | DR-S                                                          | DR-D   | D-MX                                                 | DRM-2                                   | DRM-3 | D-PO            | D-GC                                                          | D-PS   | Additional Standards                                                                                                                                                                       |
| <i>Interior Side</i>                                     | <ul style="list-style-type: none"> <li>Commercial: 0</li> <li>Residential: Where residential is allowed, every unit shall have at least one window with a minimum of 15 ft of clear separation from another building or wall</li> </ul> |                                                               |        |                                                      | 1-2 stories: 5<br>3 or more stories: 10 |       | 5               | 0                                                             | 20     | Section 202.04(i)<br>Building Projections                                                                                                                                                  |
| <i>Street Side or Rear on a Street Frontage</i>          | East of 2nd St: 10;<br>Otherwise: 0 min; 10 max                                                                                                                                                                                         | 10                                                            | 10     | 0; 10 if on Main St and for ground floor residential | 10                                      | 10    | 15              | 10                                                            | 20     | <ul style="list-style-type: none"> <li>Section 202.04(i) Building Projections; and</li> <li>Unless otherwise stated, shall be landscaped in accord with Chapter 303 Landscaping</li> </ul> |
| <i>Transitional – Street side</i>                        | 5                                                                                                                                                                                                                                       | 15                                                            | 15     |                                                      |                                         |       | 15              | 15                                                            | 15     | Section 202.03(c)<br>Transitional Standards                                                                                                                                                |
| <i>Rear, not on a Street Frontage</i>                    | <ul style="list-style-type: none"> <li>Commercial: 0</li> <li>Residential: Where residential is allowed, every unit shall have at least one window with a minimum of 15 ft of clear separation from another building or wall</li> </ul> |                                                               |        |                                                      | 10                                      | 10    | 0, 5 from alley | 0                                                             | 20     | Section 202.04(i)<br>Building Projections                                                                                                                                                  |
| Maximum Floor Area Ratio, all uses                       | 3.0                                                                                                                                                                                                                                     | 3.0                                                           | 3.0    | 3.0                                                  | -                                       | -     | .50             | 1.0                                                           | .25(a) |                                                                                                                                                                                            |
| Maximum Building Coverage (% of lot)                     | -                                                                                                                                                                                                                                       | -                                                             | -      | -                                                    | 50                                      | 60    | -               | -                                                             | 50     |                                                                                                                                                                                            |
| Minimum Percent of Building at Setback Line              | -                                                                                                                                                                                                                                       | 50 (b)                                                        | 50 (b) | 50 (b)                                               | -                                       | -     | -               | -                                                             | -      |                                                                                                                                                                                            |
| Parking                                                  |                                                                                                                                                                                                                                         |                                                               |        |                                                      |                                         |       |                 |                                                               |        |                                                                                                                                                                                            |
| Maximum Curb Cut per Lot or Street Frontage              | One, none on Main Street                                                                                                                                                                                                                | One, unless more are required by the City for public services |        |                                                      |                                         |       | One             | One, unless more are required by the City for public services |        | Section 202.04(d)<br>Parking                                                                                                                                                               |

| TABLE 202.03: DEVELOPMENT STANDARDS – DOWNTOWN DISTRICTS |      |                                      |               |                  |                                                                                                                |       |                                                                                                       |      |      |                                         |
|----------------------------------------------------------|------|--------------------------------------|---------------|------------------|----------------------------------------------------------------------------------------------------------------|-------|-------------------------------------------------------------------------------------------------------|------|------|-----------------------------------------|
| Standard                                                 | DR-N | DR-S                                 | DR-D          | D-MX             | DRM-2                                                                                                          | DRM-3 | D-PO                                                                                                  | D-GC | D-PS | Additional Standards                    |
| Maximum Curb Cut Width (ft)                              | 20   | 20                                   | 20            | 20               | 20                                                                                                             | 20    | 10                                                                                                    | 20   | 20   |                                         |
| Landscaped Setback between Parking and Street (ft)       | 5    | 5; 10 on Main, Orange, and C Streets | 5, 10 on D St | 5, 10 on Main St | 10                                                                                                             | 10    | 10                                                                                                    | 5    | 10   | Chapter 303 Landscaping                 |
| Setback of Parking from Buildings                        | 5    | 5                                    | 5             | 5                | 10, 5 may be occupied by a pedestrian walkway paved with tile, stone, brick, concrete, or comparable material. |       | 5, may be occupied by a pedestrian walkway with tile, stone, brick, concrete, or comparable material. | 5    | 10   |                                         |
| Parking Lot Location Standards Apply                     | Yes  | Yes                                  | Yes           | Yes              | Yes                                                                                                            | Yes   | Yes                                                                                                   | Yes  | Yes  | Section 202.04(d) Parking               |
| Open Space and Landscaping                               |      |                                      |               |                  |                                                                                                                |       |                                                                                                       |      |      |                                         |
| Usable Open Space (sq ft per residential unit)           | 75   | 75                                   | -             | 100              | 150, 50 of which shall be private                                                                              |       | -                                                                                                     | -    | -    | Section 202.04(e) Open Space            |
| Additional Standards                                     |      |                                      |               |                  |                                                                                                                |       |                                                                                                       |      |      |                                         |
| Supplemental Regulations Apply                           | Yes  | Yes                                  | Yes           | Yes              | Yes                                                                                                            | Yes   | Yes                                                                                                   | Yes  | Yes  | Section 202.04 Supplemental Regulations |

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**Additional Development Regulations:**

- (a) **Determining FAR.** When determining FAR in the D-PS district, meeting rooms, cafeteria facilities, and conference facilities are excluded from floor area.
- (b) **Retail Stores or Shopping Centers.** The percent of building at setback line requirement may be waived with Conditional Use Permit approval for retail stores or shopping centers with a gross floor area of fifty thousand (50,000) square feet or greater when the City Council finds that alternative features have been incorporated into the project to achieve pedestrian orientation and to accommodate pedestrians and bicycle access.
- (c) **Transitional Standards.** When a site is adjacent to an R district, the following standards apply:
  - (1) Buildings exceeding twenty (20) feet in height must be set back five (5) feet from the interior side and rear property line; for buildings exceeding twenty-five (25) feet in height shall be stepped back one (1) additional foot for every foot of height above twenty-five (25) feet.
  - (2) The maximum height within forty (40) feet of an R district boundary is thirty-five (35) feet. The maximum height within fifty (50) feet of an R district boundary is forty (40) feet.

**202.04 Supplemental Regulations**

- (a) **Design Guidelines.** All development shall comply with the Downtown Design Guidelines adopted by resolution.
- (b) **Maximum Block Length.** Block length in the downtown districts are limited to five hundred (500) feet, measured from curb edge to curb edge. A block length of up to six hundred (600) feet shall only be allowed when a mid-block pedestrian connection is provided.
- (c) **Street Preservation.** Existing streets in Downtown shall be preserved. Public right-of-way shall not be eliminated or abandoned unless substantial public benefits are provided such as a new park.
- (d) **Parking.** Parking shall be provided and maintained according to the general standards of Chapter 304, On-site Parking and Loading, as well as the standards of this subsection.
  - (1) **Parking Location**
    - a. Parking shall be located at the rear of the site or at the side of the building.
    - b. Parking shall not be located between a public street and a building except for double frontage lots. Parking shall only be located between a public street and a building in the rear of a double frontage lot where no other alternative exists.

- c. The parking location requirements may be waived with Conditional Use Permit approval for retail stores or shopping centers with a gross floor area of fifty thousand (50,000) square feet or greater when the City Council finds that alternative features have been incorporated into the project to achieve pedestrian orientation and to accommodate pedestrians and bicycle access.

(2) ***Parking Lot Access***

- a. Access shall be provided from a side street or alley when they are available.
- b. Commercial parking lot access shall not be provided from a residential street where alternate access is available.
- c. Wherever possible, parking entrances shall share curb cuts in order to minimize the overall number of curb cuts.

(3) ***Residential Parking***

- a. Garages or other enclosed or covered parking facilities for use by residents shall not be a significant visible feature from the public street or from adjacent bikeways, sidewalks or other pedestrian amenities.
- b. Residential parking shall be clearly signed and reserved for the residents.

(e) **Open Space**

- (1) ***Open Space - Residential Uses.*** Private and common open space areas shall be provided in multi-family developments in accordance with this section. Private areas typically consist of balconies, decks, patios, and fenced yards. Common areas typically consist of landscaped areas, patios, swimming pools, barbeque areas, playgrounds, trees, bushes, groundcover, and turf.

- a. ***Minimum Dimensions.*** Open space shall have the following minimum dimensions in order to count towards open space requirements:
  - 1. Open space located on the ground level (e.g., common areas, decks, patios): ten (10) feet.
  - 2. Open space located above ground level (e.g., balconies): five (5) feet.
- b. ***Usability.*** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface shall be a combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Slope shall not exceed ten (10) percent.
- c. ***Accessibility.***
  - 1. **Private Open Space.** The space shall be accessible to only one (1) residential unit by a doorway to a habitable room or hallway.

2. Common Open Space. The space shall be accessible to all the residential units on the lot.
- d. *Existing Buildings*. If the project involves the renovation of an existing building and it is not feasible to provide outdoor open space, open space shall be provided in interior common areas such as a community or fitness room.
- (2) **Open Space - Commercial Uses**. Commercial developments on lots greater than fifteen thousand (15,000) square feet shall provide a plaza or outdoor dining area which provides public seating and is accessible from the public sidewalk.
  - a. *Minimum Size*: three hundred (300) square feet for lots between fifteen thousand (15,000) and thirty thousand (30,000) square feet in size; six hundred (600) square feet for lots thirty thousand (30,000) square feet in size or larger.
  - b. *Minimum Dimensions*: Twelve (12) feet.
  - c. *Parking Lot Buffering*. The required public area shall be separated from any parking area with a minimum five (5) foot wide landscaped buffer area and screened with a decorative wall or berm (two and one-half to three and one-half (2.5 to 3.5) feet high.
- (f) **On-Site Pedestrian Walkways**. In the D-PO District, all front yards shall contain a continuous front walk connecting the public sidewalk to the front entrance steps of the building. In all other districts, on-site pedestrian circulation and access shall be provided according to the following standards.
  - (1) **Internal Connections**. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
  - (2) **To Street Network**. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk.
  - (3) **To Neighbors**. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining neighborhood residential and commercial streets. These connections shall remain accessible at all times, and not be gated.
  - (4) **Pedestrian Walkway Design**
    - a. Walkways shall be a minimum of five (5) feet wide and shall be paved with concrete, stone, tile, brick, or comparable material.
    - b. Fifteen (15) gallon shade trees shall be planted along walkways at least thirty (30) feet on center.
    - c. Walkways shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
    - d. Primary pedestrian routes and access points shall be clearly differentiated from driveways, parking aisles, and parking and loading

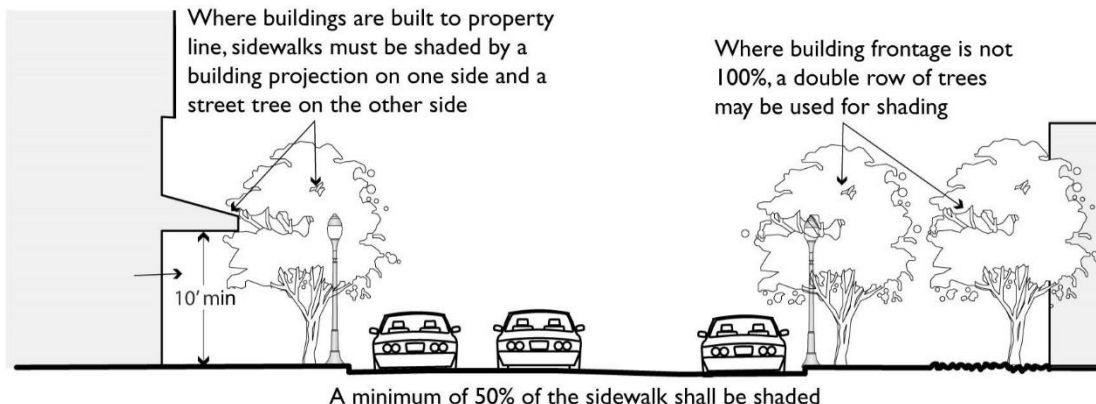
spaces through the use of elevation changes, a different paving material, or similar method.

- e. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.

(g) **Public Improvements.** Any new commercial or multi-family buildings or structural alterations and additions to commercial or multi-family buildings with a combined building permit valuation of \$21,569, adjusted annually based on Engineering News Records analysis, over a two (2) year period, shall provide public improvements between the building and the curb in accordance with the following:

- (1) **Sidewalks.** Sidewalks shall be provided if none already exist or if the existing sidewalks are in poor condition.
- (2) **Street Furniture.** Trash receptacles, benches, bike racks, and other street furniture from a list maintained by the City Planning Division shall be provided.
- (3) **Street Lights.** Pedestrian scaled street lights (twelve (12) to eighteen (18) feet tall), including attachments from which banners may be hung, from a list maintained by the City Planning Division shall be provided.
- (4) **Street Trees.** Shade trees shall be planted at least thirty (30) feet on center. Tree guards shall be provided. Trees shall be a minimum of fifteen (15) gallons in size. A minimum of ten (10) percent of the required trees shall be twenty-four (24) inch box size or larger.
- (5) **Sidewalk Shade.** A minimum of fifty (50) percent of the sidewalk shall be shaded by a double row of trees, or a building projection (awning, overhang, or pedestrian shade structure) on one side and a street tree on the other side. In areas where one hundred (100) percent of the building is to be at the property line, this requirement can only be met by a building projection on one side and a street tree on the other side. If trees are used, the required amount of shading must be achieved within fifteen (15) years.

**FIGURE 202.04(G)(5): SIDEWALK SHADE**



(h) **Fences and Freestanding Walls**

(1) **Maximum Height**

- a. *Within or Along Required Yards.* No solid fence or freestanding wall within or along the exterior boundary of a required yard shall exceed a height of three and one-half (3.5) feet. Open or lattice type fences, or hedges, shall not exceed a height of four (4) feet.
- b. *Outside Required Yards.* Solid fences or freestanding wall located outside of required yards shall be no higher than six (6) feet in height.

(2) **Design and Materials.** Fencing visible from a street shall be treated as an integral part of the architecture, with materials, colors, and detailing drawn from the building they surround or adjoin. Colors shall match City color specifications.

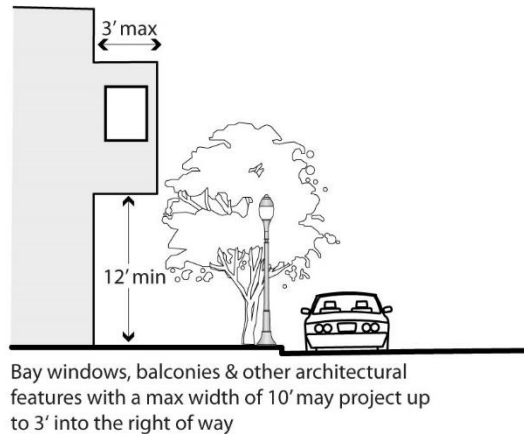
- a. *Prohibition on Hazardous Fencing Materials.* The use of barbed wire, razor wire, ultra barrier, electrified, and other hazardous fencing is not permitted.
- b. *Prohibition on Chain Link Fencing.* Use of chain-link fencing or like material is not permitted in front or street-facing yards, and is permitted only in rear and interior side yards that do not abut public and semi-public land uses.
- c. *Limitation on Concrete Block.* Plain, concrete block or slump stone is not permitted as a fencing material. Smooth-faced or “precision” concrete block shall be finished with stucco and capped with a decorative cap. Decorative block is an acceptable fencing material.

(3) **Visibility at Intersections.** Notwithstanding any other provisions of this section, fences and walls shall comply with the visibility standards contained in Section 300.16, Visibility at Driveways and Intersections (Sight Distance).



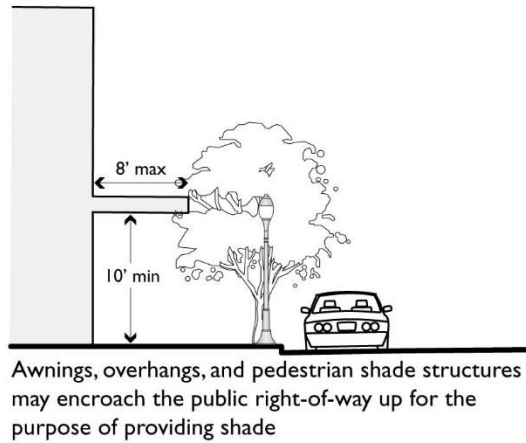
(i) **Building Projections**

- (1) **Front Porches and Building Entrances.** Front porches and building entrance structures may encroach up to ten (10) feet into front and side yards facing the street for up to forty (40) percent of the lot frontage.
- (2) **Architectural Projections.** Bay windows, balconies, and other architectural features such as chimneys may project into required yards up to three (3) feet.
- (3) **Building Projections into the Public Right-of-Way.** Building projections may encroach into the public right-of-way up to three (3) feet for the purpose of providing shade over the sidewalk, provided they are no closer than twelve (12) feet from sidewalk grade. The maximum width of any projection is ten (10) feet.

**FIGURE 202.04(I)(3): PROJECTIONS INTO RIGHT-OF-WAY**

- (4) **Awnings and Overhangs.** Awnings, overhangs, and pedestrian shade structures, may encroach into the public right-of-way up to eight (8) feet for the purpose of providing shade over the sidewalk, provided they are at least ten (10) feet above sidewalk grade. Awnings and canopies shall comply with the Downtown Design Guidelines adopted by Resolution 48-2010.

**FIGURE 202.04(I)(4): AWNINGS AND OVERHANGS**

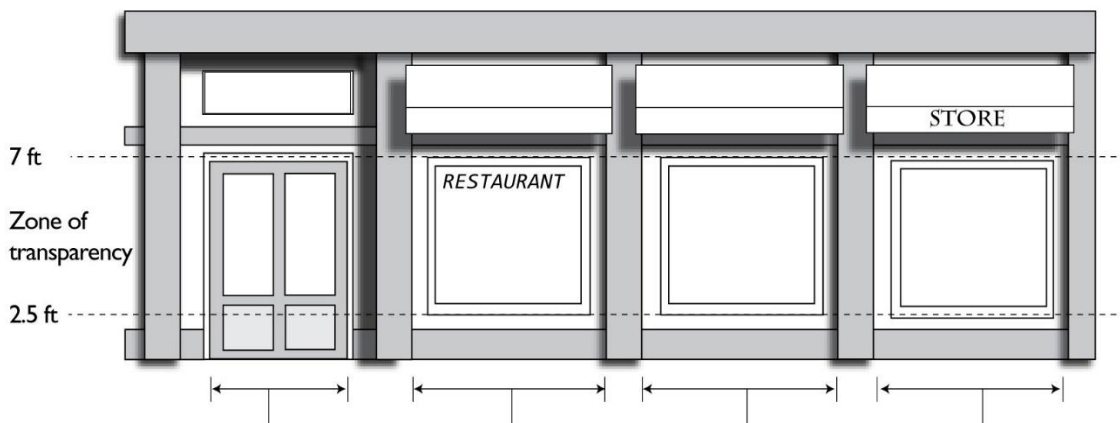


**(j) Building Design.**

**(1) Commercial Building Design.**

- a. *Ground Floor Windows.* Facades facing streets, plazas, and courtyards shall be lined with windows. Where blank walls are necessary, they shall be on side or interior facades not facing streets. Exterior walls facing an adjacent public street, or facing onto a park, plaza, or other public outdoor space shall include windows, doors, or other openings for at least fifty (50) percent of the building wall area located between two and one-half (2.5) and seven (7) feet above the elevation of the sidewalk.

**FIGURE 202.04(J)(1)A: GROUND FLOOR WINDOWS**

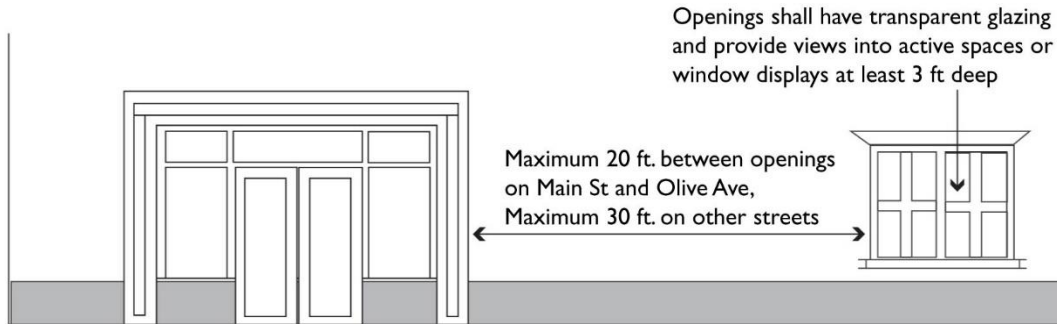


Exterior walls facing a public street, park, plaza, or other outdoor space shall include windows, doors, or other openings for at least 50% of the building wall area between 2.5 and 7 feet from sidewalk.

- b. *Limits on Blank Walls.* No wall shall run in a continuous plane for more than twenty (20) feet without an opening on Main Street and Olive Avenue, and for more than thirty (30) feet on other streets.

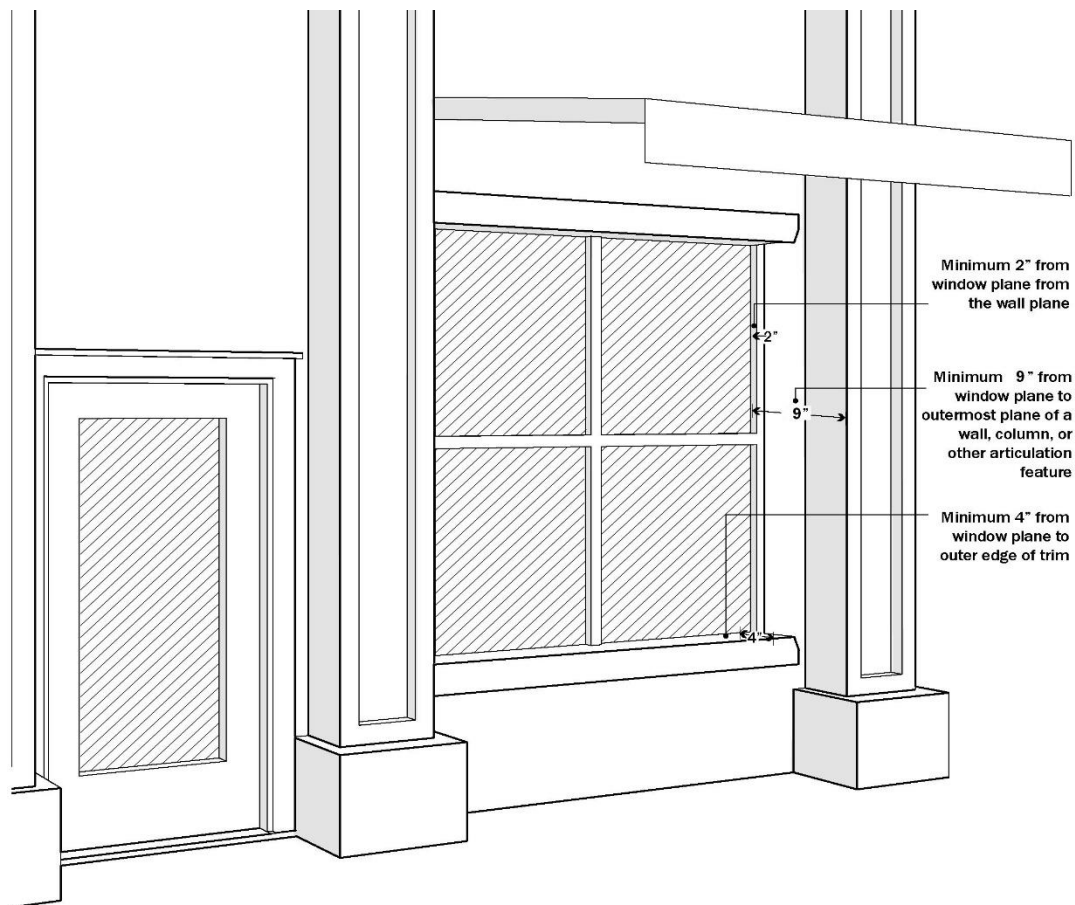
Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three (3) feet deep.

**FIGURE 202.04(J)(1)B: LIMITS ON BLANK WALLS**



- c. *Wall Plane Articulation.* Windows, doors, columns, and other features shall be recessed or project forward from the wall plane, such that there is a minimum two (2)-inch recess of the window plane from the wall plane, a minimum four (4)-inch projection from the window plane and outer edge of trim, and a total of at least nine (9) inches from the window plane to the outermost plane of a wall, column, or other articulation feature.

**FIGURE 202.04(J)(1)C: WALL PLANE ARTICULATION**



- d. *Building Articulation.* Commercial building facades shall include building projections or recesses, doorway and window trim, and other details that provide architectural articulation and design interest.
- e. *Exterior Building Materials and Colors*
  1. A unified palette of materials and colors shall be used on all sides of buildings regardless of orientation.
  2. Exterior building materials shall be brick, stucco, concrete block, painted wood clapboard, painted metal clapboard or other quality, durable materials approved by the Zoning Administrator.
  3. The building base (bulkhead) shall be tile, stone, brick, concrete, or other comparable durable material; stucco is prohibited.

4. The exterior use of slump block, board and batten, dark reflective glass, galvanized metal, and wood or composition shingles is prohibited. Colors shall reflect the historic character of Downtown. Fluorescent paints, blues, purple, bright red or orange, pink, and bright green are prohibited on Main Street.

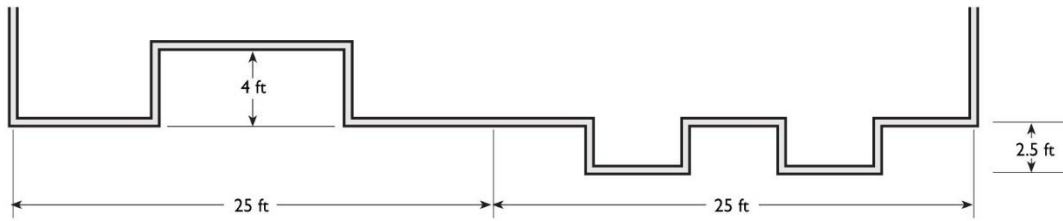
f. *Building Entrances*

1. Buildings shall be oriented to face public streets.
2. Building frontages shall be generally parallel to streets, and the primary building entrances shall be located on a public street.
3. Building entrances shall be emphasized with special architectural and landscape treatments.
4. Rear entry doors, door frames, door hardware, signs and lighting fixtures shall match types utilized on the front facade and/or that are appropriate to the parent building's historic period.
5. In mixed-use developments, entrances to residential units shall be physically separated from the entrance to the permitted commercial use and clearly marked with a physical feature such as a recess or projection incorporated into the building or appropriately scaled element applied to the facade.

(2) ***Residential Building Design***

- a. *Residential Architectural Articulation.* All multiple-family residential buildings and mixed-use buildings that include residential uses shall include adequate design features to create visual variety and avoid a large-scale and bulky appearance. Long facades shall be broken up into smaller modules. This requirement can be met by using two (2) or more of the following methods.
  1. Facade Articulation. All street-facing facades have at least one (1) horizontal or vertical projection or recess at least four (4) feet in depth, or two (2) projections or recesses at least two and one-half (2.5) feet in depth, for every twenty-five (25) horizontal feet of wall. If located on a building with two (2) or more stories, the articulated elements shall be greater than one (1) story in height, and may be grouped rather than evenly spaced in twenty-five (25) foot modules. Building entrances and front porches and projections into required yards such as stoops, bays, overhangs, fireplaces, and trellises may count towards meeting this requirement.

**FIGURE 202.04(J)(2)(A)I: FACADE ARTICULATION**



Street-facing facades shall have at least one projection or recess at least 4 feet in depth, or two projections or recesses at least 2.5 feet in depth, for every 25 linear feet of wall.

2. Variable Roof Form. Variable roof forms incorporated into the building design, and no more than two (2) side-by-side units are covered by one (1) unarticulated roof. Articulations may be accomplished by changing roof height, offsets, and direction of slope, and by introducing elements such as dormers, towers, or parapets.
  3. Facade Detailing and Materials. All visible building facades incorporate details, such as window trim, window recesses, cornices, changes in materials or other design elements, in an integrated composition. Each side of a building that is visible from a public right-of-way shall be designed with a complementary level of detailing and quality of materials.
  4. Use of Balconies, Bay Windows, and Other Such Projections or Recesses. The building incorporates balconies, bay windows, entry porches or other projections and recesses in a pattern that creates architectural interest across the length of the facade.
- b. *Residential Building Facade and Entrances*. The following standards apply to residential buildings and mixed-use projects that include residential uses.
1. Orientation. All units located along public rights-of-way shall have the primary entrance facing this right-of-way. Exceptions to this requirement shall only be approved for projects where multiple-family housing is located on four (4) lane streets carrying high traffic volumes and/or streets that do not allow on-street parking. In such cases, the project shall be oriented around courtyards.
  2. Street-facing Facades. Street-facing facades of residential buildings shall be designed as front facades and shall include stoops, porches, recessed windows, and bay windows or balconies.
  3. Projection or Recess. Building entrances shall have a roofed projection (such as a porch) or recess with a minimum depth of at least five (5) feet and minimum area of fifty (50) square feet.

Alternative designs that create a welcoming entry feature facing the street, such as a trellis or landscaped courtyard entry, may be approved.

4. Entrances. Provide at least one (1) building entrance for every one hundred (100) feet of street frontage.
- (k) **Mechanical Equipment**. Mechanical equipment, including rooftop mechanical equipment, shall be screened from view from eye level at public streets, and the screening shall be designed as an integral component of the architectural design.
  - (l) **Utilities Screening**. Utility meters and related equipment shall be located only on the side or rear facade of buildings and shall be integrated into the building architecture through painting or other means.
  - (m) **Building Security**. Components of building security shall be integrated into the building's design and be effective but not obtrusive in accordance with the following standards:
    - (1) Security doors shall not encroach into the public right-of-way, in either an opened or closed position.
    - (2) Lighting shall be provided at all entryways to the building and in any alcoves or other features of the building which impede the ability for visual surveillance of the building and its public areas.
    - (3) Where security grills are required or otherwise provided, they shall be painted to match the trim colors of the building. Unobtrusive roll-down grilles with thin vertical and horizontal elements are preferred; heavy steel and accordion fold grates are discouraged.
    - (4) Grilles, security doors, and other security devices designed for nighttime security shall not be readily visible to the public during business hours or when they are in an open position.

## Chapter 203 Commercial Districts

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### Sections:

|        |                          |
|--------|--------------------------|
| 203.01 | Purpose                  |
| 203.02 | Land Use Regulations     |
| 203.03 | Development Regulations  |
| 203.04 | Supplemental Regulations |

### 203.01 Purpose

The specific purposes of the “Commercial” Districts are to:

- (a) Provide for a full range of commercial uses.
- (b) Strengthen the city’s economic base and provide employment opportunities for residents of the city.
- (c) Ensure the provision of services and facilities needed to accommodate planned population densities.
- (d) Identify appropriate standards for new development.

Additional purposes of each “Commercial” District:

**CN Neighborhood Commercial.** To encourage convenience and neighborhood shopping areas providing day-to-day retail goods and services and to prohibit auto-oriented uses in order to maintain a pedestrian environment. This district also provides office space for local neighborhoods. The maximum FAR is 0.30.

**CR Retail Centers.** To maintain areas for regional shopping centers located at major circulation intersections. Large format or “big box” retail and auto sales as well as travel related services, such as hotels and gas stations are allowed. The maximum FAR is 0.35.

**CG General and Service Commercial.** To provide areas for retail and services uses that meet local and regional demand. Examples of allowable uses include: equipment rental and repair, commercial print shops, auto sales, storage facilities, and wholesale businesses, and specialized retail not normally found in shopping centers. Accessory office uses related to the primary commercial use are also allowed. The maximum FAR is 0.40.

**CMX Commercial Mixed-Use.** To provide areas for either horizontal or vertical mixed-use development consisting of commercial, service, office, and residential uses. Buildings more than one story are strongly encouraged. The maximum FAR is 2.0 and the maximum residential density is 30.0 units per acre.

### 203.02 Land Use Regulations

Table 203.02 below prescribes the land use regulations for “Commercial” Districts. The regulations for each district are established by letter designations as follows:



“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

Use classifications are defined in Chapter 701, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.

| <b>TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b> |                               |           |           |            |                                            |
|----------------------------------------------------------------|-------------------------------|-----------|-----------|------------|--------------------------------------------|
| <i>Use Classifications</i>                                     | <i>CN</i>                     | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Regulations</i>              |
| <b>Residential Uses</b>                                        |                               |           |           |            |                                            |
| Multi-Family Residential                                       | -                             | -         | -         | P(1)       |                                            |
| Family Day Care Home                                           | See sub-classifications below |           |           |            |                                            |
| <i>Small</i>                                                   | -                             | -         | -         | P          |                                            |
| <i>Large</i>                                                   | -                             | -         | -         | P          | Section 301.07 Family Day Care Home, Large |
| Group Residential                                              | -                             | -         | -         | P(2)       |                                            |
| Residential Care Facilities, Limited                           | -                             | -         | -         | P          |                                            |
| <b>Public and Semi-Public Uses</b>                             |                               |           |           |            |                                            |
| Clubs and Lodges                                               | C                             | -         | P         | P          | Section 301.02 Alcoholic Beverage Sales    |
| Colleges and Trade Schools, Public or Private                  | -                             | C         | C         | C          |                                            |
| Community Centers                                              | P                             | -         | -         | C          |                                            |
| Cultural Institutions                                          | C                             | -         | C         | C          |                                            |
| Day Care Centers                                               | C                             | -         | -         | C          |                                            |
| Instructional Services                                         | P                             | -         | P         | P          |                                            |
| Park and Recreation Facilities, Public                         | P                             | -         | P         | P          |                                            |
| Religious Facilities                                           | C                             | C         | C         | C          |                                            |

| <b>TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b> |                               |           |           |            |                                                      |
|----------------------------------------------------------------|-------------------------------|-----------|-----------|------------|------------------------------------------------------|
| <i>Use Classifications</i>                                     | <i>CN</i>                     | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Regulations</i>                        |
| Residential Care Facilities, General                           | -                             | -         | -         | C          | Section 301.15 Residential Care Facilities, General  |
| Social Service Facilities                                      | -                             | P         | P         | C          | Section 301.19 Social Service Facilities             |
| <b>Commercial Uses</b>                                         |                               |           |           |            |                                                      |
| Animal Care, Sales and Services                                | See sub-classifications below |           |           |            |                                                      |
| <i>Kennels</i>                                                 | M(4)                          | -         | M(4)      | -          |                                                      |
| <i>Pet Stores</i>                                              | M(4)                          | M(4)      | P(4)      | -          |                                                      |
| <i>Veterinary Services, Small</i>                              | -                             | -         | P(4)      | -          |                                                      |
| Artists' Studios                                               | P                             | -         | P         | P          |                                                      |
| Automobile/Vehicle Sales and Services                          | See sub-classifications below |           |           |            |                                                      |
| <i>Automobile/Vehicle Rentals.</i>                             | -                             | P         | P         | -          |                                                      |
| <i>Automobile/Vehicle Sales and Leasing.</i>                   | -                             | C         | P         | -          |                                                      |
| <i>Automobile/Vehicle Repair, Major.</i>                       | -                             | -         | P         | -          | Section 301.04 Automobile/Vehicle Service and Repair |
| <i>Automobile/Vehicle Service and Repair, Minor.</i>           | -                             | P         | P         | -          | Section 301.04 Automobile/Vehicle Service and Repair |
| <i>Automobile/Vehicle Washing.</i>                             | -                             | C         | P         | -          | Section 301.05 Auto Service Stations and Car Washing |
| <i>Large Vehicle and Equipment Sales, Service and Rental.</i>  | -                             | -         | C         | -          | Section 301.04 Automobile/Vehicle Service and Repair |
| <i>Service Station.</i>                                        | C(3)                          | C         | C         | C          | Section 301.05 Auto Service Stations and Car Washing |
| Banks and Financial Institutions                               | See sub-classifications below |           |           |            |                                                      |
| <i>Banks and Credit Unions</i>                                 | P(5)                          | P         | P         | P          |                                                      |
| <i>Check Cashing Businesses</i>                                | -                             | P         | P         | P          |                                                      |
| Building Materials and Services                                | -                             | P(6)      | P(6)      | -          |                                                      |
| Business Services                                              | P(3,7)                        | P         | P         | P          |                                                      |

| <b>TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b> |                               |           |           |            |                                                                         |
|----------------------------------------------------------------|-------------------------------|-----------|-----------|------------|-------------------------------------------------------------------------|
| <i>Use Classifications</i>                                     | <i>CN</i>                     | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Regulations</i>                                           |
| Commercial Entertainment and Recreation                        | See sub-classifications below |           |           |            |                                                                         |
| <i>Cinema/Theaters</i>                                         | -                             | P         | P         | C          | Section 301.02 Alcoholic Beverage Sales                                 |
| <i>Large-scale</i>                                             | -                             | -         | C(8)      | -          | Section 301.02 Alcoholic Beverage Sales                                 |
| <i>Small-scale</i>                                             | -                             | P(19)     | P(19)     | C          | Section 301.02 Alcoholic Beverage Sales                                 |
| Eating, Drinking, and Smoking Establishments                   | See sub-classifications below |           |           |            |                                                                         |
| <i>Bars/Night Clubs/Lounges</i>                                | -                             | C         | C         | C          | Section 300.08 Outdoor Seating; Section 301.02 Alcoholic Beverage Sales |
| <i>Coffee Shops/Cafes</i>                                      | P(5)                          | P         | P         | P          | Section 300.08 Outdoor Seating                                          |
| <i>Restaurants, less than 3,000 square feet</i>                | P(5)                          | P         | P         | P          | Section 300.08 Outdoor Seating; Section 301.02 Alcoholic Beverage Sales |
| <i>Restaurants, greater than 3,000 square feet</i>             | C(5)                          | P         | P         | P          | Section 300.08 Outdoor Seating; Section 301.02 Alcoholic Beverage Sales |
| <i>Tobacco Bars</i>                                            | -                             | M         | M         | M          |                                                                         |
| Food and Beverage Retail Sales                                 | P(9)                          | P         | P         | P(9)       | Section 301.02 Alcoholic Beverage Sales                                 |
| Funeral Parlors and Mortuaries                                 | -                             | C         | P         | -          |                                                                         |
| Hotels and Motels                                              | -                             | C         | C         | C          |                                                                         |
| Light Fleet Based Services                                     | -                             | -         | P         | -          |                                                                         |
| Maintenance and Repair Services                                | P(10)                         | P(10)     | P         | P(10)      |                                                                         |
| Medical Facilities                                             | See sub-classifications below |           |           |            |                                                                         |
| <i>Medical Clinic</i>                                          | -                             | P(12)     | P         | P(12)      |                                                                         |
| <i>Professional/Medical</i>                                    | -                             | P(12)     | P         | P(12)      |                                                                         |
| Mixed Use Development                                          |                               |           |           | C          | Section 203.04 Supplemental Regulations                                 |
| Nurseries and Garden Centers                                   | -                             | P         | P         | P          |                                                                         |
| Offices                                                        | See sub-classifications below |           |           |            |                                                                         |
| <i>General Offices</i>                                         | P(11)                         | P(12)     | P         | P          |                                                                         |

| <b>TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>    |                               |           |           |            |                                             |
|-------------------------------------------------------------------|-------------------------------|-----------|-----------|------------|---------------------------------------------|
| <i>Use Classifications</i>                                        | <i>CN</i>                     | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Regulations</i>               |
| <i>Walk-In Clientele</i>                                          | P(13)                         | P(12)     | P         | P(13)      |                                             |
| Parking, Public or Private                                        | P(14)                         | P         | P         | P(14)      |                                             |
| Personal Services                                                 | P                             | P         | P         | P          |                                             |
| Retail Sales                                                      | See sub-classifications below |           |           |            |                                             |
| <i>Less than 50,000 square feet</i>                               | P                             | P         | P         | P          |                                             |
| <i>50,000 square feet or more</i>                                 | -                             | C         | C         | -          |                                             |
| <i>Swap Meet</i>                                                  | -                             | C         | C         | -          |                                             |
| Wholesaling and Distribution                                      | -                             | -         | P         | -          |                                             |
| <b>Industrial Uses</b>                                            |                               |           |           |            |                                             |
| Construction and Material Yards                                   | -                             | -         | C         | -          | Section 300.09 Outdoor Storage              |
| Handicraft/Custom Manufacturing                                   | -                             | P(15)     | P         | -          |                                             |
| Industry, Limited                                                 | -                             | -         | P         | -          |                                             |
| Recycling Facilities                                              | See sub-classifications below |           |           |            |                                             |
| <i>Reverse Vending Machine</i>                                    | P                             | P         | P         | P          | Section 301.14 Recycling Facilities         |
| <i>Recycling Collection Facility</i>                              | -                             | C         | P         | -          | Section 301.14 Recycling Facilities         |
| <i>Recycling Processing Facility</i>                              | -                             | -         | C         | -          | Section 301.14 Recycling Facilities         |
| Warehousing and Storage                                           | See sub-classifications below |           |           |            |                                             |
| <i>Chemical, Mineral, and Explosives Storage</i>                  | -                             |           | C         | -          |                                             |
| <i>Indoor Warehousing and Storage</i>                             | -                             | -         | P         | -          |                                             |
| <i>Personal Storage</i>                                           | -                             | C         | P         | C          | Section 301.13 Personal Storage Facilities  |
| <b>Transportation, Communication, and Utilities Uses</b>          |                               |           |           |            |                                             |
| Communication Facilities                                          | See sub-classifications below |           |           |            |                                             |
| <i>Antenna and Transmission Towers, camouflage facilities</i>     | P                             | P         | P         | P          | Section 301.20 Telecommunication Facilities |
| <i>Antenna and Transmission Towers, non-camouflage facilities</i> | M(16)                         | M(16)     | M(16)     | M(16)      | Section 301.20 Telecommunication Facilities |

| TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS                                                                                                   |                                                      |       |       |       |                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|-------|-------|-------|----------------------------------------------|
| Use Classifications                                                                                                                                       | CN                                                   | CR    | CG    | CMX   | Additional Regulations                       |
| Broadcasting Facility                                                                                                                                     | -                                                    | M     | M     |       | Section 301.20 Telecommunication Facilities  |
| Call Center                                                                                                                                               | -                                                    | P(3)  | P     | -     |                                              |
| Recording Studio                                                                                                                                          | -                                                    | P(4)  | P(4)  | -     |                                              |
| Freight/Truck Terminals and Warehouses                                                                                                                    | -                                                    | -     | C     | -     |                                              |
| Transportation Passenger Terminals                                                                                                                        | -                                                    | P     | P     | -     |                                              |
| Utilities, Minor                                                                                                                                          | P                                                    | P     | P     | P     |                                              |
| Agricultural and Extractive Uses                                                                                                                          |                                                      |       |       |       |                                              |
| Crop Cultivation, Commercial                                                                                                                              | M                                                    | M     | M     | M     | Section 301.06 Crop Cultivation              |
| Other Applicable Types                                                                                                                                    |                                                      |       |       |       |                                              |
| Accessory Uses and Structures                                                                                                                             | P                                                    | P     | P     | P     | Section 301.01 Accessory Uses and Structures |
| Animal Keeping                                                                                                                                            | -                                                    | -     | -     | P     | Section 301.03 Animal Keeping                |
| Caretaker Unit                                                                                                                                            | -                                                    | P(18) | P(18) | P(18) |                                              |
| Home Occupations                                                                                                                                          | -                                                    | -     | -     | P     | Section 301.09 Home Occupations              |
| Nonconforming Use                                                                                                                                         | Chapter 307 Nonconforming Uses, Structures, and Lots |       |       |       |                                              |
| Temporary Use                                                                                                                                             | Section 301.21 Temporary Uses                        |       |       |       |                                              |
| Specific Limitations:                                                                                                                                     |                                                      |       |       |       |                                              |
| 1. Multi-family Residential are permitted in conjunction with allowable non-residential uses.                                                             |                                                      |       |       |       |                                              |
| 2. Limited to no more than two rooms in a dwelling rented to not more than a total of four persons and meals are not provided to more than four boarders. |                                                      |       |       |       |                                              |
| 3. Limited to establishments with a gross floor area of 5,000 square feet or less.                                                                        |                                                      |       |       |       |                                              |
| 4. Provided that such use shall be completely enclosed in a building of soundproof construction.                                                          |                                                      |       |       |       |                                              |
| 5. Drive-through facilities are prohibited.                                                                                                               |                                                      |       |       |       |                                              |
| 6. Bulk storage of sand, gravel or cement is not allowed.                                                                                                 |                                                      |       |       |       |                                              |
| 7. Wholesale services are not allowed.                                                                                                                    |                                                      |       |       |       |                                              |
| 8. Campgrounds are prohibited.                                                                                                                            |                                                      |       |       |       |                                              |
| 9. Limited to establishments with a gross floor area less than 50,000 square feet.                                                                        |                                                      |       |       |       |                                              |
| 10. Outdoor work and outdoor storage is prohibited.                                                                                                       |                                                      |       |       |       |                                              |
| 11. General offices shall not be located on the ground floor.                                                                                             |                                                      |       |       |       |                                              |

| <b>TABLE 203.02: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |           |           |           |            |                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|------------|-------------------------------|
| <i>Use Classifications</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <i>CN</i> | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Regulations</i> |
| 12. Minor Conditional Use Permit approval is required for office, business, or professional uses greater than 5,000 square feet in size per lot or integrated commercial development.<br>13. Limited to establishments with a gross floor area less than 1,500 square feet.<br>14. Limited to parking areas for exclusive use of occupants, employees and patrons of the uses, buildings, stores, and businesses located in that zone.<br>15. Limited to establishments with a gross floor area less than 2,000 square feet.<br>16. Prohibited within 300 feet of any R district.<br>17. Limited to radio or television studios.<br>18. Limited to one dwelling for a caretaker or watchman and his immediate family, necessary and incidental to a use located in such zone.<br>19. Minor Conditional Use Permit approval is required for indoor shooting ranges. |           |           |           |            |                               |

### 203.03 Development Regulations

Table 203.03 prescribes the development standards for the Commercial Districts; supplemental standards are addressed below Table 203.03. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

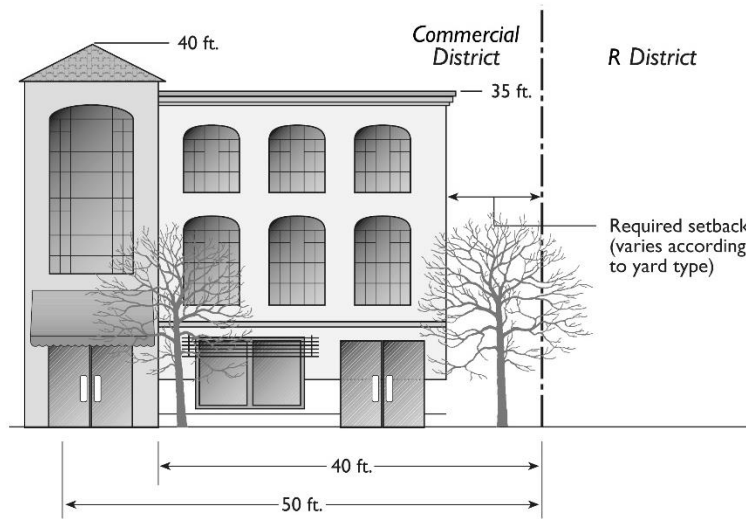
| <b>TABLE 203.03: DEVELOPMENT STANDARDS—COMMERCIAL DISTRICTS</b> |                  |           |           |            |                                                                   |
|-----------------------------------------------------------------|------------------|-----------|-----------|------------|-------------------------------------------------------------------|
| <i>Standard</i>                                                 | <i>CN</i>        | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Standards</i>                                       |
| <b>Lot and Density Standards</b>                                |                  |           |           |            |                                                                   |
| Minimum Lot Area (sq ft)                                        | 6,000            | 5,000     | 5,000     | 5,000      |                                                                   |
| Minimum Lot Width (ft)                                          | 60               | 60        | 60        | 60         |                                                                   |
| Minimum Lot Depth (ft)                                          | 75               | 75        | 75        | 75         |                                                                   |
| Maximum Density (units/net acre)                                | n/a              | n/a       | n/a       | 30.0       | Section 203.04(b) Mixed Use Standards                             |
| Minimum Area per Unit (sq ft)                                   | n/a              | n/a       | n/a       | 800        |                                                                   |
| <b>Building Form and Location</b>                               |                  |           |           |            |                                                                   |
| Maximum Height (ft)                                             | 35               | 50        | 50        | 50         | Section 300.06 Heights and Height Exceptions                      |
| Minimum Yards (ft)                                              |                  |           |           |            | Section 300.16 Visibility at Driveways and Intersections          |
| <i>Front</i>                                                    | 5 min,<br>10 max | 5         | 5         | 5          | Section 300.01 Building Projections into Yards                    |
| <i>Interior Side</i>                                            | 0                | 0         | 0         | 0          | Section 203.03(b); Section 300.01 Building Projections into Yards |

| <b>TABLE 203.03: DEVELOPMENT STANDARDS—COMMERCIAL DISTRICTS</b> |                     |           |           |            |                                                                   |
|-----------------------------------------------------------------|---------------------|-----------|-----------|------------|-------------------------------------------------------------------|
| <i>Standard</i>                                                 | <i>CN</i>           | <i>CR</i> | <i>CG</i> | <i>CMX</i> | <i>Additional Standards</i>                                       |
| <i>Street Side</i>                                              | 5 min,<br>10<br>max | 5         | 5         | 5          | Section 300.01 Building Projections into Yards                    |
| <i>Rear</i>                                                     | 0                   | 0         | 0         | 0          | Section 203.03(b); Section 300.01 Building Projections into Yards |
| <i>Transitional – Street side</i>                               | 5 min,<br>15<br>max | 15        | 15        | 15         | Section 203.03 (b) Transitional Standards                         |
| Maximum Floor Area Ratio                                        | .30                 | .35       | .40       | 2.0        |                                                                   |
| Percent of Building at Setback or Property Line                 | 70                  | n/a       | n/a       | n/a        |                                                                   |
| <b>Additional Standards</b>                                     |                     |           |           |            |                                                                   |
| Usable Open Space (sq ft per unit)                              | n/a                 | n/a       | n/a       | 150        | Section 203.04(b) Mixed Use Standards                             |

### Additional Development Standards:

- (a) **Articulated Facades.** Buildings shall provide adequate architectural articulation and detail to avoid a bulky and “box-like” appearance. The building facade shall be articulated with measures such as, indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame, and projecting elements, such as awnings or marquees, to provide shade and shelter. Strip malls are prohibited.
- (b) **Transitional Standards.** Where a site is adjacent to an R district, the following standards apply:
  - (1) Buildings exceeding twenty (20) feet in height must be set back five (5) feet from the interior side and rear property line; for buildings exceeding twenty-five (25) feet in height shall be stepped back one (1) additional foot for every foot of height above twenty-five (25) feet.
  - (2) The maximum height within forty (40) feet of an R district boundary is thirty-five (35) feet. The maximum height within fifty (50) feet of an R district boundary is forty (40) feet.

**FIGURE 203.03(B)(2): COMMERCIAL DISTRICT TRANSITIONAL STANDARDS**



- (c) **Exceptions to Minimum Lot Size, Width, and Depth.** An exception to the minimum lot size, width and depth may be allowed with a Conditional Use Permit if a master plan for the site is submitted concurrently with the subdivision application. The plan shall indicate proposed land uses, building footprints, driveways, fire lanes, parking areas, landscaped areas, buffer yards, and other site features. The City Council must find that the proposed subdivision will create lots that are adequately sized, shaped, and oriented to meet or exceed all requirements for yards, buffer yards, parking, landscaping, fire lanes, and other requirements of this Chapter.
- (d) **Increased Yard for Certain Institutional Uses.** Any building erected or used for a school, government, or other institutional use mentioned elsewhere in this Chapter, shall be located at least fifteen (15) feet from an R district, notwithstanding any lesser requirement in the district where located, provided such building shall not be required to be located more than five (5) feet from any lot line adjacent to any alley. The City Council may waive this requirement for accessory buildings to provide reasonable accommodation.

(e)

## 203.04 Supplemental Regulations

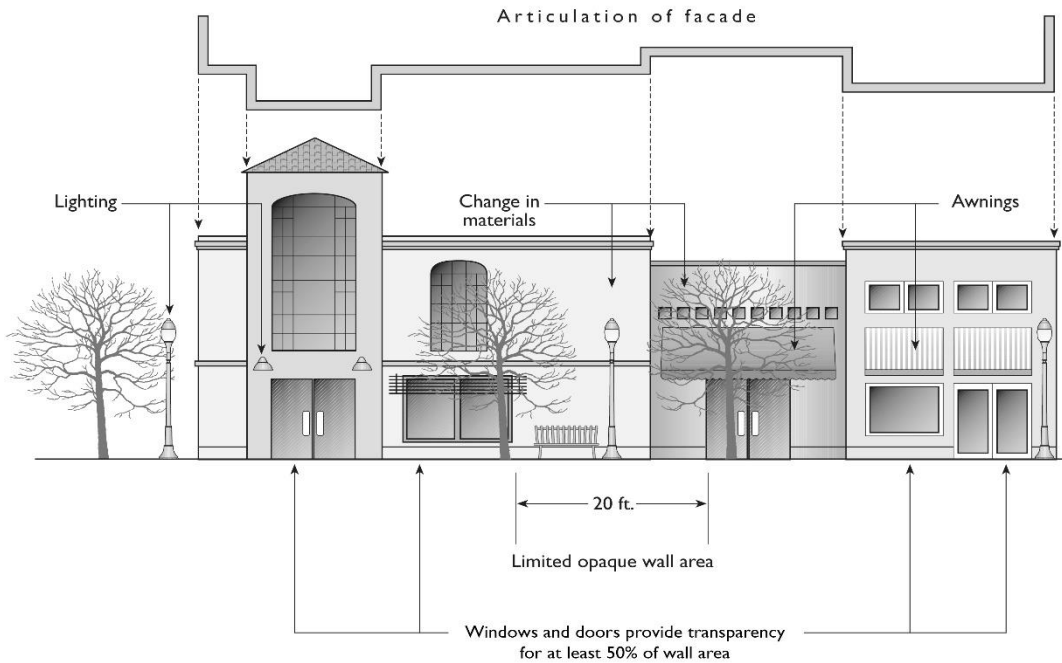
- (a) **Pedestrian Orientation.** Pedestrian oriented design shall be provided in the CN and CMX districts according to the following standards:
  - (1) **Pedestrian-Oriented Design.** The following design elements at ground floor street frontage level shall be incorporated into the design of the structure in order to provide pedestrian orientation.
    - a. **Ground-Floor Windows.** Exterior walls facing an adjacent public street, or facing onto a park, plaza, or other public outdoor space shall include windows, doors, or other openings for at least fifty (50) percent of the building wall area located between two and one-half (2.5) and



seven (7) feet above the elevation of the sidewalk. No wall may run in a continuous plane for more than twenty (20) feet without an opening. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three (3) feet deep.

- b. *Entrances.* All ground floor tenant spaces with at least twenty-five (25) feet of frontage facing a public or private street shall have at least one building entrance oriented to the adjacent street. Such an entrance shall open directly to the outside and shall not require a pedestrian to first pass through a garage, parking lot or loading area to gain access.
- c. *Signage.* Signage shall be integrated with the design of the building and oriented and scaled to the pedestrian.
- d. *Other Pedestrian-Oriented Design Elements.* Other pedestrian-oriented design elements such as street furniture or other seating surfaces on private property and other design amenities scaled to the pedestrian such as awnings, drinking fountains, arcades, colonnades, plazas, non-commercial community bulletin boards, public or private art, and alternative paving materials shall be provided in areas of pedestrian access. Compliance may also be demonstrated by pedestrian-oriented design elements that are provided off-site.

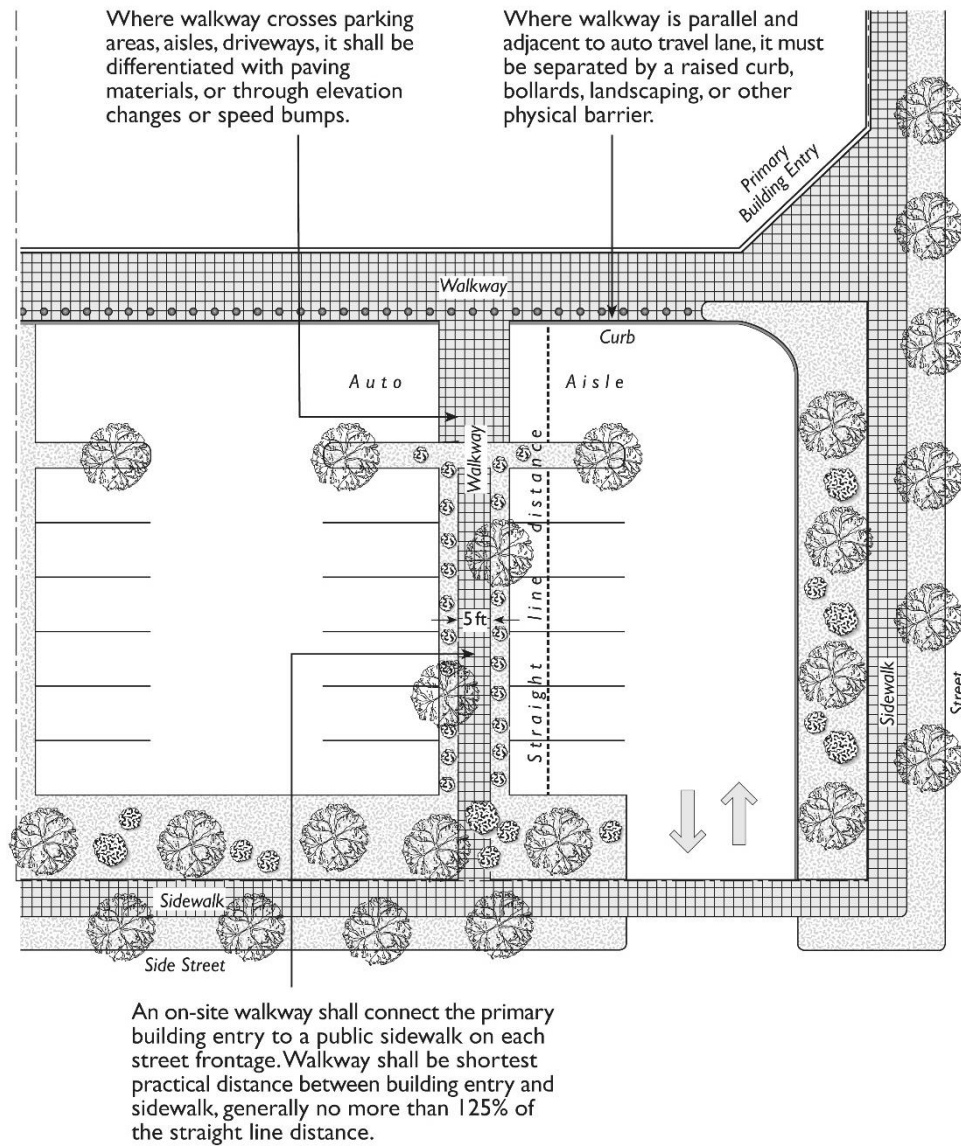
**FIGURE 203.04(A)(1): PEDESTRIAN-ORIENTED DESIGN**



- (2) ***Pedestrian Access.*** On-site pedestrian circulation and access shall be provided according to the following standards.
- a. ***Internal Connections.*** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
  - b. ***To Street Network.*** An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk.
  - c. ***To Neighbors.*** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining neighborhood residential and commercial streets. These connections shall remain accessible at all times, and not be gated.
  - d. ***Pedestrian Walkway Design***
    1. Walkways shall be a minimum of five (5) feet wide and shall be paved with concrete, stone, tile, brick, or comparable material.
    2. Fifteen (15) gallon shade trees shall be planted along walkways at least thirty (30) feet on center.

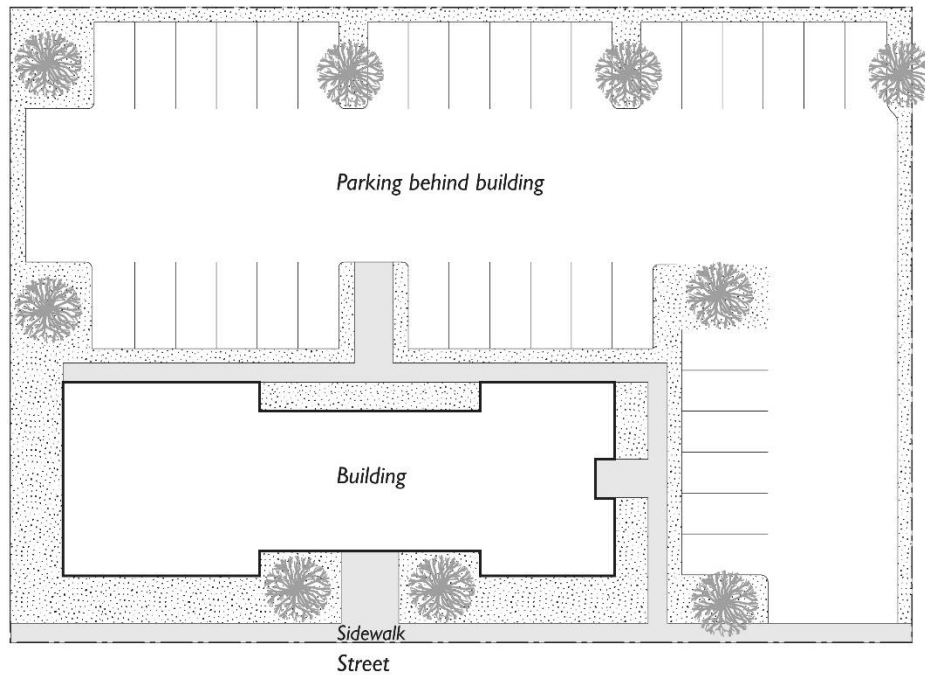
3. Walkways shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
4. Primary pedestrian routes and access points shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method.
5. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.

**FIGURE 203.04(A)(2) PEDESTRIAN ACCESS**



**(3) Driveway Restrictions; Location of Parking**

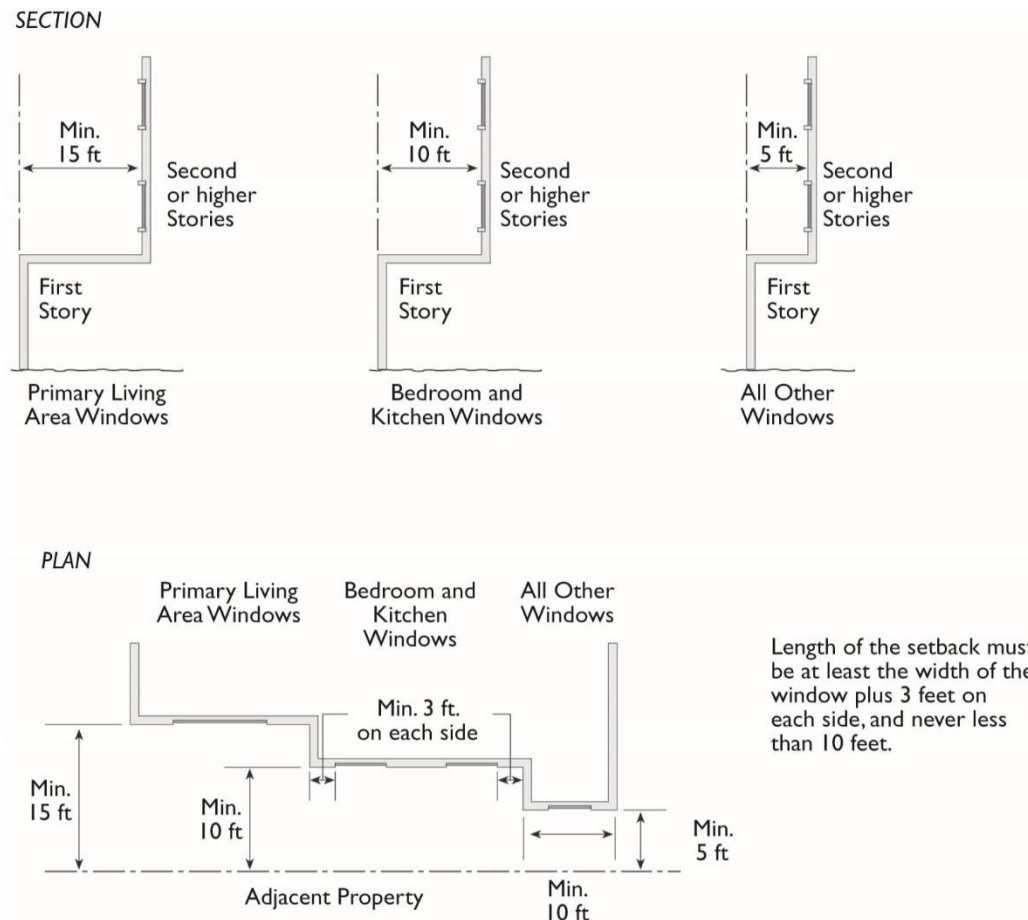
- a. **Access.** Access shall be provided from a side street or alley wherever possible. Access shall not be provided from a residential street where alternate access is available.
- b. **Location of Parking.** Parking areas shall be located at the rear of the site or at the side of the building, except for drop-off areas which may be located at the primary entry.

**FIGURE 203.04(A)(3)B: LOCATION OF PARKING**

- (b) **Mixed Use Standards.** In the CMX district, residential uses may be permitted if all of the following conditions are met:
- (1) **Location of Residential Units.** Residential units are permitted at the side, rear and/or above the commercial uses.
  - (2) **Residential Building Entry and Orientation Requirements**
    - a. Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.
    - b. Garages or other enclosed or covered parking facilities for use by residents shall not be a significantly visible feature from the public street or from adjacent bikeways, sidewalks or other pedestrian amenities. Residential parking shall be clearly signed and reserved for the residents.
  - (3) **Usable Open Space.** A minimum of one hundred fifty (150) square feet of usable open space is required per residential unit and may be provided as common or private open space on balconies or patios.
  - (4) **Side and Rear Yard Setback Requirements for Residential Units.** In order to provide light and air for residential units in mixed-use buildings, the following minimum setbacks apply for any interior side or rear yard. In any case in which an interior yard is also adjacent to an R district boundary, the greater of the following setbacks shall apply.

- a. Five (5) feet for any wall with windows.
- b. Ten (10) feet for any wall with bedroom or kitchen windows.
- c. Fifteen (15) feet for any wall with living room or other primary windows.

**FIGURE 203.04(B)(4): SIDE AND REAR YARD SETBACK REQUIREMENTS FOR RESIDENTIAL USES IN CMX DISTRICT**



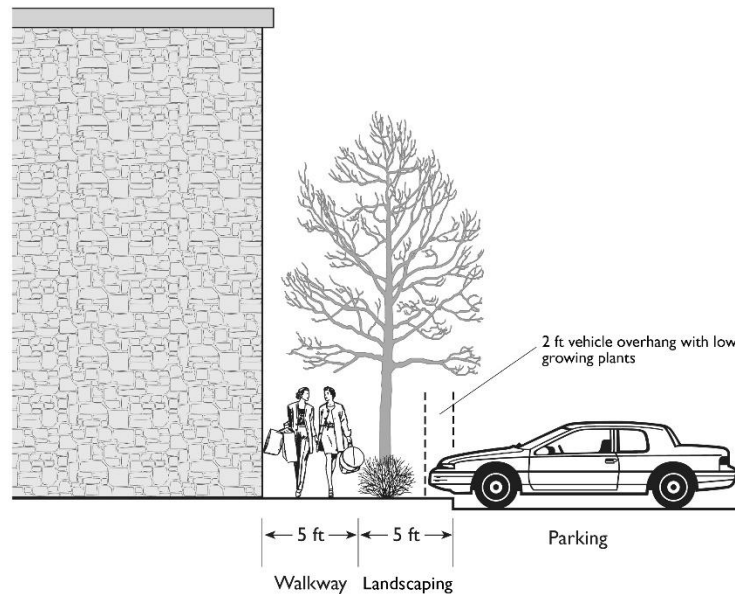
- (c) **Commercial Centers.** Commercial centers containing four (4) or more establishments in the Commercial Use classification are subject to the following standards and criteria for approval.

(1) **Standards**

- a. **Entry Plazas/Passenger Loading Areas.** A plaza shall be provided at the entry to each anchor tenant that provides for pedestrian circulation and loading and unloading.

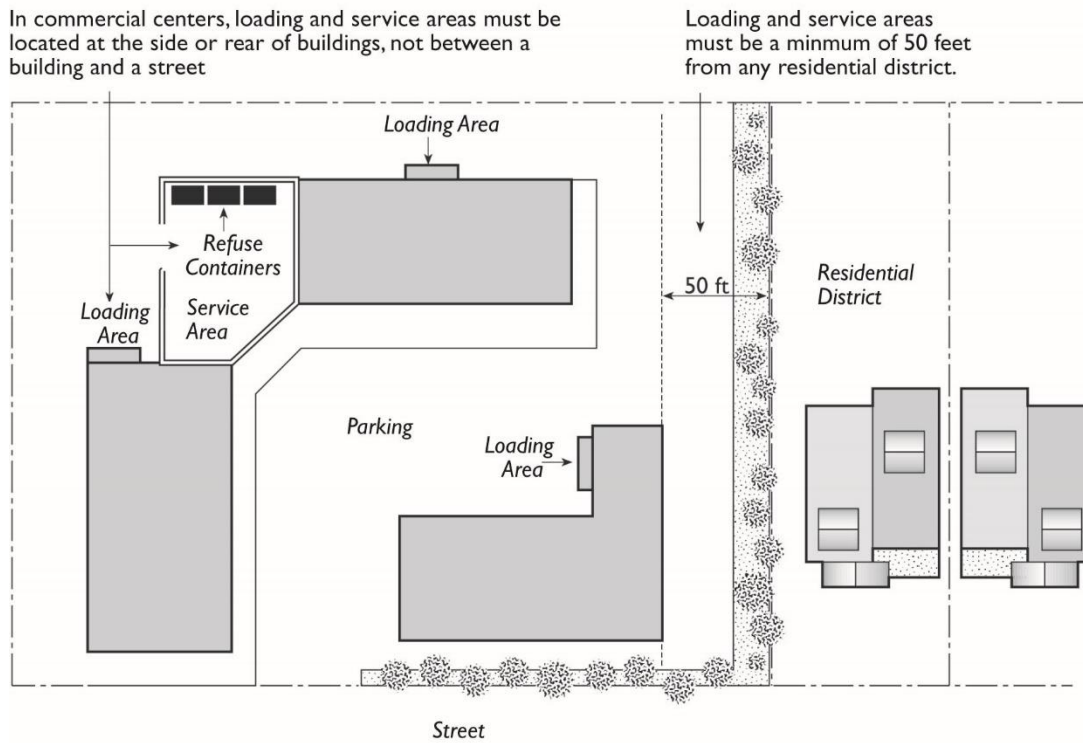
- b. *Pedestrian Walkways.* A system of pedestrian walkways at least five (5) feet wide and paved with concrete, stone, tile, brick, or comparable material shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, to any on-site open space areas and to transit stops. Sidewalk “bulb-outs” or bus “pullouts” may be required at potential bus stops serving large-scale commercial development to provide adequate waiting areas for transit users and safety for passing motorists.
- c. *Parking Setback from Buildings.* Parking areas must be separated from the front and side exterior walls of on-site buildings by walkways at least five (5) feet in width, as well as a planter areas at least five (5) feet in width, two (2) feet of which shall be low growing plants to allow for vehicle overhang.

**FIGURE 203.04(C)(1)C: PARKING SETBACK FROM BUILDINGS**



- d. *Location of Loading and Service Areas.* Loading docks may only be located to the side and rear of buildings and shall be screened from view from adjacent public streets. Loading and service areas shall be located a minimum distance of fifty (50) feet from any residential district.

**FIGURE 203.04(C)(1)D: LOCATION OF LOADING AND SERVICE AREAS**



- e. **Open Space.** Outdoor space for the use of customers and visitors shall be provided on any commercial center site with fifty thousand (50,000) square feet or more of floor area.

1. **Minimum Area.** Public space shall be provided at a rate of five (5) square feet per one thousand (1,000) square feet of floor area, up to fifteen thousand (15,000) square feet.
2. **Location.** Such public space shall be visible from a public street, or from on-site areas normally frequented by customers, and shall be accessible during business hours. Areas within required setbacks may count toward the public space requirement. Areas designated for customers to wait for cabs may be combined with required public space areas if they meet all other requirements of this subsection.
3. **Amenities.** On-site public space shall include benches or other seating, and the ground surface shall be landscaped or surfaced with high-quality paving materials. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including but not limited to trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas.

- (2) **Design Criteria.** In order to receive permit approval for a commercial center, the review authority shall find that all of the following criteria have been met.



- a. *Integrated Theme.* Buildings and structures will exhibit an integrated architectural theme that includes similar or complementary materials, colors, and design details.
- b. *Site Entrance.* Community-scale commercial developments (10 acres or larger) are developed with at least one (1) major driveway entrance feature that provides an organizing element to the site design. Major driveway entrances include such features as a landscaped entry corridor or a divided median drive separated by a landscaped center dividing island.
- c. *Building Entrances.* Building entrances to anchor tenants and other large stores are prominent and inviting. The architectural details of building entrances are integrated with the overall building design in terms of materials, scale, proportion, and design elements.
- d. *Four-Sided Architecture.* Buildings include a complementary level of design detail on all facades.
- e. *Pad Developments.* Freestanding pad developments, if included in the development, are integrated into the site design in terms of parking lot layout, on-site vehicular and pedestrian circulation routes, landscaping, and building design. Internal cross access is provided between pad developments and the surrounding commercial center. Building scale, materials, colors, and design details are complementary to the surrounding center.
- f. *Drive-Through Facilities.* Drive-through lanes for restaurants, banks, pharmacies, and other uses, where included, are integrated with the overall site layout in such a way as to provide safe, efficient vehicular and pedestrian circulation. Adequate vehicular stacking or queuing spaces are provided to avoid waiting vehicles from blocking drive aisles. Drive-through facilities are located to as to minimize the visual impact from the right-of-way and to provide adequate screening from internal uses.
- g. *Vehicular Circulation.* Safe, convenient vehicular circulation will be provided within the development through an appropriate system of internal vehicular circulation routes based on a hierarchy of drive aisles and cross routes. Vehicular and pedestrian conflicts will be minimized. Where pedestrian circulation routes cross vehicular traffic aisles and driveways within a development, there are clearly delineated crosswalks that include clear sight lines, adequate warning signage for both vehicles and pedestrians, adequate lighting, and protective barrier posts or similar features for separation at walkway entrances.
- h. *Pedestrian Safety and Amenities.* Safe and convenient pedestrian access will be provided through a continuous system of walkways that connects on-site buildings to one another, to automobile and bicycle parking areas, to any on-site open space areas or pedestrian amenities, and to the adjacent public right-of-way. Pedestrian facilities will create

- an attractive, quality environment with integrated landscaping, shading, lighting, surface treatment, and other amenities.
- i. *Bicycle Parking.* Adequate, safe, and convenient bicycle parking facilities are provided. Short-term bicycle parking spaces for the use of customers and visitors are located close to building entrances, easily identifiable, visible to those passing by and separate from pedestrian circulation areas. Long-term bicycle parking for the use of employees will provide a high degree of security and safety through the use of bicycle lockers, designated areas within buildings, or outside areas with constant visual monitoring.
  - j. *Entry Plazas.* Entry plazas and passenger loading areas, where required, include unique, decorative paving materials, adequate seating areas, provision of adequate shade from the summer sun, and attractive landscaping including trees or raised planters.
  - k. *Transit Facilities.* Transit facilities, where included, are developed with effective shading from the summer sun, comfortable seating, attractive landscaping, decorative paving, public art features and efficient pedestrian routes to adjacent development.
  - l. *Lighting.* A combination of attractively designed and located lighting fixtures, including low pole lights, ground-mounted fixtures, light bollards, and architectural lighting is used to provide interesting compositions for outdoor lighting, as well as a safe, secure environment.
  - m. *Shade Areas.* Pedestrian areas, such as walkways, building entrances, and gathering areas, are adequately shaded from the summer sun through such techniques as the careful placement of trees and landscaping, trellis structures, projecting canopies, covered walkways, arcades, porticos, building orientation, and similar techniques.

## Chapter 204    Employment Districts

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### Sections:

|        |                          |
|--------|--------------------------|
| 204.01 | Purpose                  |
| 204.02 | Land Use Regulations     |
| 204.03 | Development Regulations  |
| 204.04 | Supplemental Regulations |

### **204.01        Purpose**

The specific purposes of the “Employment” Districts are to:

- (a)    Provide appropriate areas of the city where employment uses can locate and operate without significant conflicts with other land uses.
- (b)    Strengthen the city’s economic base and provide employment opportunities for residents of the city.
- (c)    Ensure the provision of services and facilities needed to accommodate planned population densities.

Additional purposes of each “Employment” District:

**PO Professional Office.** To allow for areas of office complex development, including professional and medical offices, as well as research and development activities. Small restaurants, support services, and convenience retail. The maximum FAR is 0.50.

**IP Industrial Park.** To provide areas for a mix of light industrial, secondary office, bulk retail, and service uses. This district allows for uses such as, warehouse, personal storage (mini-storage), distribution centers, research and development, wholesale, and office space with limited customer access. This district also allows for other uses, such as commercial recreation, small-scale retail, and service uses serving local employees and visitors are permitted as secondary uses. The maximum FAR is 0.40.

**IG General Industrial.** To provide areas for businesses that have potential to create adverse visual, noise, or other impacts to adjoining public and residential properties. This district allows for uses such as, warehousing, manufacturing, food processing, distribution, with support commercial services and ancillary office space. No retail uses are allowed. The maximum FAR is 0.60.

**IA Airport Industrial.** To provide areas for the Municipal Airport and for related businesses that have the potential to create adverse visual, noise, or other impacts to adjoining public and residential properties. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses. This designation allows for a maximum FAR of 0.60.

## 204.02 Land Use Regulations

Table 204.02 below prescribes the land use regulations for “Employment” Districts. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.

Use classifications are defined in Chapter 701, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.

| <b>TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b> |           |           |           |           |                                                     |
|----------------------------------------------------------------|-----------|-----------|-----------|-----------|-----------------------------------------------------|
| <i>Use Classification</i>                                      | <i>PO</i> | <i>IP</i> | <i>IG</i> | <i>IA</i> | <i>Additional Regulations</i>                       |
| <b>Public and Semi-Public Uses</b>                             |           |           |           |           |                                                     |
| Colleges and Trade Schools, Public or Private                  | C         | P         | -         | -         |                                                     |
| Correctional Facility                                          | -         | P         | P         | -         |                                                     |
| Cultural Institutions                                          | P         | -         | -         | -         |                                                     |
| Day Care Centers                                               | P         | P(1)      | -         | -         |                                                     |
| Elderly and Long-term Care                                     | P         | -         | -         | -         |                                                     |
| Instructional Services                                         | P         | P         | -         | P         |                                                     |
| Residential Care Facilities, General                           | C         | -         | -         | -         | Section 301.15 Residential Care Facilities, General |
| Schools, Public or Private                                     | P         | -         | -         | -         |                                                     |
| <b>Commercial Uses</b>                                         |           |           |           |           |                                                     |
| Aircraft Sales, Services, and Storage                          | -         | -         | -         | P         |                                                     |

| <b>TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b> |                               |           |           |           |                                                      |
|----------------------------------------------------------------|-------------------------------|-----------|-----------|-----------|------------------------------------------------------|
| <i>Use Classification</i>                                      | <i>PO</i>                     | <i>IP</i> | <i>IG</i> | <i>IA</i> | <i>Additional Regulations</i>                        |
| Animal Care, Sales and Services                                | See sub-classifications below |           |           |           |                                                      |
| <i>Kennels</i>                                                 | -                             | M         | M         | -         |                                                      |
| <i>Veterinary Services</i>                                     | -                             | P         | P         | -         |                                                      |
| Automobile/Vehicle Sales and Services                          | See sub-classifications below |           |           |           |                                                      |
| <i>Automobile/Vehicle Repair, Major.</i>                       | -                             | P         | P         | -         | Section 301.04 Automobile/Vehicle Service and Repair |
| <i>Automobile/Vehicle Service and Repair, Minor.</i>           | -                             | P         | P         | -         | Section 301.04 Automobile/Vehicle Service and Repair |
| <i>Automobile/Vehicle Washing.</i>                             | -                             | P         | P         | -         | Section 301.05 Auto Service Stations and Car Washing |
| <i>Large Vehicle and Equipment Sales, Service, and Rental</i>  | -                             | C         | P         | -         |                                                      |
| <i>Service Station</i>                                         | -                             | C         | C         | -         | Section 301.05 Auto Service Stations and Car Washing |
| <i>Towing and Impound.</i>                                     | -                             | C         | P         | -         | Section 300.09 Outdoor Storage                       |
| Banks and Financial Institutions                               | See sub-classifications below |           |           |           |                                                      |
| <i>Banks and Credit Unions</i>                                 | P                             | P(1)      | P(1)      | P(1)      |                                                      |
| <i>Check Cashing Businesses</i>                                | P                             | -         | -         | -         |                                                      |
| Building Materials and Services                                | -                             | P         | P         | -         |                                                      |
| Business Services                                              | P                             | P(1)      | P(1)      | -         |                                                      |
| Commercial Entertainment & Recreation                          | See sub-classifications below |           |           |           |                                                      |
| <i>Large-Scale</i>                                             | -                             | C         | C         | C         | Section 301.02 Alcoholic Beverage Sales              |
| <i>Small Scale</i>                                             | -                             | C         | -         | -         | Section 301.02 Alcoholic Beverage Sales              |

| <b>TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b> |                               |           |           |           |                                                                         |
|----------------------------------------------------------------|-------------------------------|-----------|-----------|-----------|-------------------------------------------------------------------------|
| <i>Use Classification</i>                                      | <i>PO</i>                     | <i>IP</i> | <i>IG</i> | <i>IA</i> | <i>Additional Regulations</i>                                           |
| Eating, Drinking, and Smoking Establishments                   | See sub-classifications below |           |           |           |                                                                         |
| <i>Coffee Shops/Cafes</i>                                      | P(2)                          | P(1)      | P(1)      | P         | Section 300.08 Outdoor Seating                                          |
| <i>Restaurants</i>                                             | P(2)                          | P(1)      | P(1)      | P         | Section 300.08 Outdoor Seating; Section 301.02 Alcoholic Beverage Sales |
| Food and Beverage Retail Sales                                 | P(2)                          | P(1)      | P(1)      | -         | Section 301.02 Alcoholic Beverage Sales                                 |
| Funeral Parlors and Mortuaries                                 | -                             | P         | P         | -         |                                                                         |
| Hotels and Motels                                              | -                             | C         | C         | -         |                                                                         |
| Bed and Breakfasts                                             | P(10)                         | -         | -         | -         |                                                                         |
| Light Fleet Based Services                                     | -                             | P         | P         | -         |                                                                         |
| Maintenance and Repair Services                                | -                             | P         | P         | -         |                                                                         |
| Medical Facilities                                             | See sub-classifications below |           |           |           |                                                                         |
| <i>Hospital</i>                                                | P                             | -         | -         | -         |                                                                         |
| <i>Medical Clinic</i>                                          | P                             | -         | -         | -         |                                                                         |
| <i>Professional/Medical</i>                                    | P                             | -         | -         | -         |                                                                         |
| Offices                                                        | See sub-classifications below |           |           |           |                                                                         |
| <i>General Offices</i>                                         | P                             | P         | P         | P         |                                                                         |
| <i>Walk-In Clientele</i>                                       | P                             | -         | -         | -         |                                                                         |
| Parking, Public or Private                                     | P(3)                          | P         | P         | -         |                                                                         |
| Personal Services                                              | P(2)                          | P(1)      | -         | -         |                                                                         |
| Retail Sales                                                   | P(2)                          | P(2)      | P(2)      | -         |                                                                         |
| Salvage and Wrecking                                           | -                             | C         | C         | C         | Section 300.09 Outdoor Storage                                          |
| <i>Salvage and Wrecking conducted wholly within a building</i> | -                             | P         | P         | P         | Section 300.09 Outdoor Storage                                          |
| Sexually Oriented Business                                     | -                             | P         | P         | -         | Section 301.17 Sexually Oriented Businesses                             |
| Wholesaling and Distribution                                   | -                             | P         | P         | P         |                                                                         |

| <b>TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>                                                                                        |                               |           |           |           |                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------|-----------|-----------|---------------------------------------------|
| <i>Use Classification</i>                                                                                                                             | <i>PO</i>                     | <i>IP</i> | <i>IG</i> | <i>IA</i> | <i>Additional Regulations</i>               |
| <b>Industrial Uses</b>                                                                                                                                |                               |           |           |           |                                             |
| Construction and Material Yards                                                                                                                       | -                             | P         | P         | -         | Section 300.09 Outdoor Storage              |
| Handicraft/Custom Manufacturing                                                                                                                       | -                             | P         | P         | P         |                                             |
| Industry, General                                                                                                                                     | -                             | P         | P         | P         |                                             |
| <i>Alcohol Manufacture</i>                                                                                                                            | -                             | C(4)      | C         | -         |                                             |
| <i>Hazardous Waste Management Facilities</i>                                                                                                          | -                             | C(6)      | C         | -         |                                             |
| <i>Manufacture, processing, or treatment of materials which may be obnoxious, offensive or hazardous to health and safety of persons and property</i> | -                             | -         | C         | -         |                                             |
| Industry, Limited                                                                                                                                     | -                             | P         | P         | P         |                                             |
| Recycling Facilities                                                                                                                                  | See sub-classifications below |           |           |           |                                             |
| <i>Recycling Collection Facility</i>                                                                                                                  | -                             | -         | P         | -         | Section 301.14 Recycling Facilities         |
| <i>Recycling Processing Facility</i>                                                                                                                  | -                             | -         | P         | -         | Section 301.14 Recycling Facilities         |
| Warehousing and Storage                                                                                                                               | See sub-classifications below |           |           |           |                                             |
| <i>Chemical, Mineral, and Explosives Storage</i>                                                                                                      | -                             | C         | C         | C         |                                             |
| <i>Indoor Warehousing and Storage</i>                                                                                                                 | -                             | P         | P         | P         |                                             |
| <i>Personal Storage</i>                                                                                                                               | -                             | P         | P         | P         | Section 301.13 Personal Storage             |
| <b>Transportation, Communication, and Utilities Uses</b>                                                                                              |                               |           |           |           |                                             |
| Communication Facilities                                                                                                                              | See sub-classifications below |           |           |           |                                             |
| <i>Antenna and Transmission Towers, camouflage facilities</i>                                                                                         | P                             | P         | P         | P         | Section 301.20 Telecommunication Facilities |
| <i>Antenna and Transmission Towers, non-camouflage facilities</i>                                                                                     | M(7)                          | M(7)      | M(7)      | M(7)      | Section 301.20 Telecommunication Facilities |

| TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS                                                                                                       |                                                      |      |      |      |                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|------|------|------|----------------------------------------------|
| Use Classification                                                                                                                                            | PO                                                   | IP   | IG   | IA   | Additional Regulations                       |
| Broadcasting Facility                                                                                                                                         | -                                                    | P    | P    | P    | Section 301.20 Telecommunication Facility    |
| Call Center                                                                                                                                                   | P(2)                                                 | P    | P    | -    |                                              |
| Freight/Truck Terminals and Warehouses                                                                                                                        | -                                                    | P    | P    | P    |                                              |
| Heliports                                                                                                                                                     | -                                                    | C    | C    | C    |                                              |
| Transportation Passenger Terminals                                                                                                                            | -                                                    | P    | P    | P    |                                              |
| Utilities, Major                                                                                                                                              | -                                                    | P    | P    | P    |                                              |
| Renewable Energy Facility                                                                                                                                     |                                                      | C    | C    | C    |                                              |
| Solid Waste Collection, Treatment, and Disposal                                                                                                               | -                                                    | -    | P    | C    |                                              |
| Utilities, Minor                                                                                                                                              | P                                                    | P    | P    | P    |                                              |
| Agriculture and Extractive Uses                                                                                                                               |                                                      |      |      |      |                                              |
| Crop Cultivation, Commercial                                                                                                                                  | M                                                    | P    | P    | M    | Section 301.06 Crop Cultivation              |
| Crop Cultivation, Non-commercial                                                                                                                              | -                                                    | P    | P    | -    |                                              |
| Mining & Quarrying                                                                                                                                            | -                                                    | -    | C(6) | -    |                                              |
| Other Applicable Types                                                                                                                                        |                                                      |      |      |      |                                              |
| Accessory Uses and Structures                                                                                                                                 | P                                                    | P    | P    | P    | Section 301.01 Accessory Uses and Structures |
| Additional Uses                                                                                                                                               | -                                                    | -    | -    | P(9) |                                              |
| Caretaker Unit                                                                                                                                                | -                                                    | P(8) | P(8) | -    |                                              |
| Nonconforming Use                                                                                                                                             | Chapter 307 Nonconforming Uses, Structures, and Lots |      |      |      |                                              |
| Temporary Use                                                                                                                                                 | Section 301.21 Temporary Uses                        |      |      |      |                                              |
| Specific Limitations:                                                                                                                                         |                                                      |      |      |      |                                              |
| 1. Permitted only as an accessory use that supports industrial uses, business and office parks, and corporate offices.                                        |                                                      |      |      |      |                                              |
| 2. Permitted only as an accessory to a primary office and limited to establishments with a gross floor area less than 5,000 square feet in size.              |                                                      |      |      |      |                                              |
| 3. Limited to parking areas for exclusive use of occupants, employees and patrons of the uses, buildings, stores, and businesses located in that zone.        |                                                      |      |      |      |                                              |
| 4. Alcohol manufacture must be located more than 500 feet from the nearest residential, or commercial zoning designation as shown on the Official Zoning Map. |                                                      |      |      |      |                                              |



| <b>TABLE 204.02: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |           |           |           |           |                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|-----------|-------------------------------|
| <i>Use Classification</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <i>PO</i> | <i>IP</i> | <i>IG</i> | <i>IA</i> | <i>Additional Regulations</i> |
| 5. On-site hazardous waste management facilities must be accessory and incidental to a primary use.<br>6. In areas designated as Mineral Resource Zones in the General Plan<br>7. Prohibited within 300 feet of any R district.<br>8. For agricultural employees, when located on farms or ranches containing more than 10 acres.<br>9. Additional uses may be allowed with City Council approval of a Conditional Use Permit.<br>10. Limited to no more than two rooms in a dwelling rented to not more than four persons. Meals may not be provided to more than four boarders. |           |           |           |           |                               |

## 204.03 Development Regulations

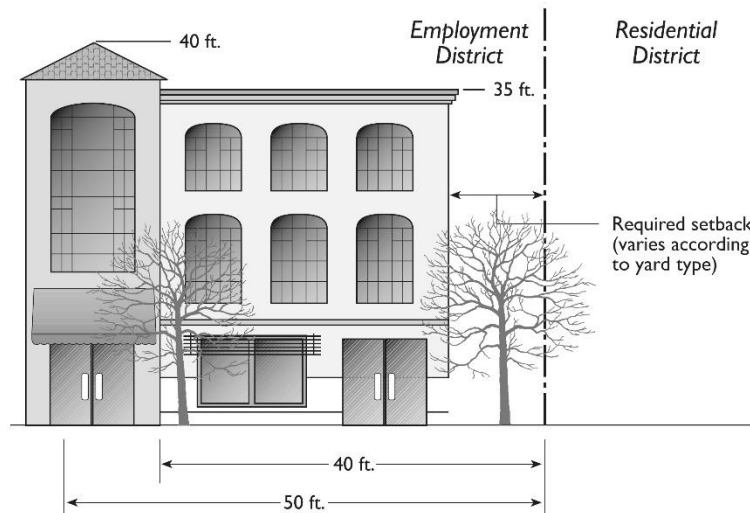
Table 204.03 prescribes the development standards for the Employment Districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

| <b>TABLE 204.03: DEVELOPMENT STANDARDS—EMPLOYMENT DISTRICTS</b> |           |                   |                                          |                   |                                                                                               |
|-----------------------------------------------------------------|-----------|-------------------|------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------|
| <i>Standard</i>                                                 | <i>PO</i> | <i>IP</i>         | <i>IG</i>                                | <i>IA</i>         | <i>Additional Standards</i>                                                                   |
| <b>Lot and Density Standards</b>                                |           |                   |                                          |                   |                                                                                               |
| Minimum Lot Area (sq ft)                                        | 6,000     | 20,000            | 10,000                                   | 10,000            | Section 204.03(a)                                                                             |
| Minimum Lot Width (ft)                                          | 60        | 100               | 100                                      | 100               | Section 204.03(a)                                                                             |
| Minimum Lot Depth (ft)                                          | 75        | 100               | 75                                       | 75                | Section 204.03(a)                                                                             |
| <b>Building Form and Location</b>                               |           |                   |                                          |                   |                                                                                               |
| Maximum Height (ft)                                             | 50        | 75                | 75                                       | 35                | Section 204.03(b); Section 300.06 Heights and Height Exceptions; Chapter 500 Airport Environs |
| Minimum Yards (ft)                                              |           |                   |                                          |                   |                                                                                               |
| <i>Front</i>                                                    | 10        | 25; 30 on highway | 0; 30 on arterial, collector, or highway | 20; 30 on highway | Section 300.01 Building Projections into Yards                                                |
| <i>Interior Side</i>                                            | 5         | 0                 | 0                                        | 10                | Section 204.03(c); Section 300.01 Building Projections into Yards                             |
| <i>Street Side</i>                                              | 5(b)      | 25; 30 on highway | 0; 30 on arterial, collector, or highway | 10; 30 on highway | Section 204.03(d); Section 300.01 Building Projections into Yards                             |
| <i>Rear</i>                                                     | 0         | 10                | 0                                        | 10                | Section 204.03(b) and (c); Section 300.01 Building Projections into Yards                     |
| <i>Transitional – Street side</i>                               | 15        | 15                | 15                                       | 15                | Section 204.03(b) Transitional Standards                                                      |
| Maximum Floor Area Ratio                                        | .50       | .40               | .60                                      | .60               |                                                                                               |

### Additional Development Standards:

- (a) **Exceptions to Minimum Lot Size, Width, and Depth.** An exception to the minimum lot size, width, and depth may be allowed with a Conditional Use Permit if a master plan for the site is submitted concurrently with the subdivision application. The plan shall indicate proposed land uses, building footprints, driveways, fire lanes, parking areas, landscaped areas, buffer yards, and other site features. The City Council must find that the proposed subdivision will create lots that are adequately sized, shaped, and oriented to meet or exceed all requirements for yards, buffer yards, parking, landscaping, fire lanes, and other requirements of this Chapter.
- (b) **Transitional Standards.** Where a site is adjacent to an R district, the following standards apply:
- (1) Buildings exceeding twenty (20) feet in height must be set back five (5) feet from the interior side and rear property line; for buildings exceeding twenty-five (25) feet in height shall be stepped back one (1) additional foot for every foot of height above twenty-five (25) feet.
  - (2) The maximum height within forty (40) feet of an R district boundary is thirty-five (35) feet. The maximum height within fifty (50) feet of an R district boundary is forty (40) feet.

**FIGURE 204.03(B)(2): EMPLOYMENT DISTRICT TRANSITIONAL STANDARDS**



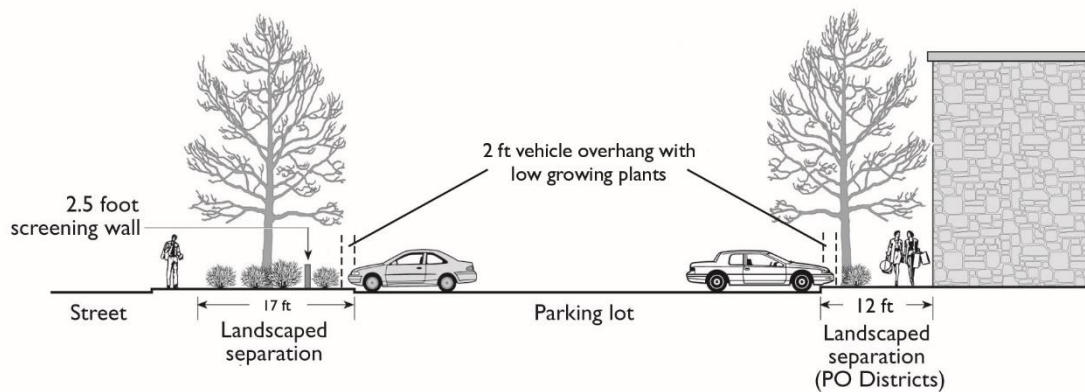
- (c) **Increased Yard for Certain Institutional Uses.** Any building erected or used for a school, government, or other institutional use mentioned elsewhere in this Chapter, shall be located at least fifteen (15) feet from an R district, notwithstanding any lesser requirement in the district where located, provided such building shall not be required to be located more than five (5) feet from any lot line adjacent to any alley. The City Council may waive this requirement for accessory buildings to provide reasonable accommodation.

- (d) **Street Side Yard - Reversed Corner Lots.** Reversed corner lots shall have a minimum street side yard width of twelve (12) feet or the required front yard requirement of the lot in the rear (key lot), whichever is less. No accessory structure shall project beyond the extension of the required front yard line of the lot in the rear (key lot).

#### **204.04 Supplemental Regulations**

##### **(a) Setbacks and Screening Requirements**

- (1) ***Setback and Screening from Highways.*** Any site that is fully or partially located within two hundred (200) feet of State Route 65 or State Route 190 shall provide a landscaped area at least thirty (30) feet deep between the highway right-of-way and any building or parking area for the length of the site frontage facing toward the highway. At least two fifteen (15) gallon trees shall be provided for every twenty-five (25) feet of site frontage toward the highway. The Zoning Administrator may approve a modification to this standard where existing development patterns make it infeasible to provide a landscaped area thirty (30) feet deep.
- (2) ***Parking Setback and Screening from Public Right-of-Way.*** The following requirements apply on all street frontages in the PO district. In the IP and IG districts, they apply only to frontages on arterial or collector streets.
  - a. ***Landscaped Setback of Parking from Right-of-Way.*** Any parking area located between a building and right-of-way must be set back a minimum of seventeen (17) feet from the street-facing lot line, and the setback area must be landscaped. Two (2) feet of the landscaped setback shall be low growing plants to allow for vehicle overhang.
  - b. ***Screening of Parking Areas.*** Any parking area located between a building and right of way, or within fifty (50) feet of and visible from a right-of-way, must be screened by a wall or berm at least two and one-half (2.5) feet high. A screening wall meeting this requirement shall be composed of brick, stone, stucco, or other quality durable material approved by the Zoning Administrator, and shall include a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Zoning Administrator.
- (3) ***Landscaped Setback of Parking from On-Site Buildings.*** In the PO district, parking spaces must be set back at least twelve (12) feet from any building wall, and the area between parking and building must be landscaped. Two (2) feet of the landscaped setback shall be low growing plants to allow for vehicle overhang. Up to five (5) feet of this required landscape area may be occupied by a paved pedestrian walkway.

**FIGURE 204.04(A): PARKING SETBACKS AND SCREENING REQUIREMENTS**

- (b) **Pedestrian Orientation.** Pedestrian oriented design shall be provided in the PO district according to the following standards:
- (1) ***Pedestrian-Oriented Design.*** The following design elements at ground floor street frontage level shall be incorporated into the design of the structure in order to provide pedestrian orientation.
    - a. ***Articulated Facades.*** Buildings shall provide adequate architectural articulation and detail to avoid a bulky and “box-like” appearance. The building facade at ground floor street frontage level shall be articulated with measures such as, indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame, and projecting elements, such as awnings or marquees, to provide shade and shelter.
    - b. ***Entrances.*** All ground floor tenant spaces with at least twenty-five (25) feet of frontage facing a public or private street shall have at least one building entrance oriented to the adjacent street. Such an entrance shall open directly to the outside and shall not require a pedestrian to first pass through a garage, parking lot or loading area to gain access.
    - c. ***Signage.*** Signage shall be integrated with the design of the building and oriented and scaled to the pedestrian, where applicable.
    - d. ***Other Pedestrian-Oriented Design Elements.*** Other pedestrian-oriented design elements such as street furniture or other seating surfaces on private property and other design amenities scaled to the pedestrian such as awnings, drinking fountains, arcades, colonnades, plazas, non-commercial community bulletin boards, public or private art, and alternative paving materials may be provided in areas of pedestrian access. Compliance may also be demonstrated by pedestrian-oriented design elements that are provided off-site.
  - (2) ***Pedestrian Access.*** On-site pedestrian circulation and access shall be provided according to the following standards.

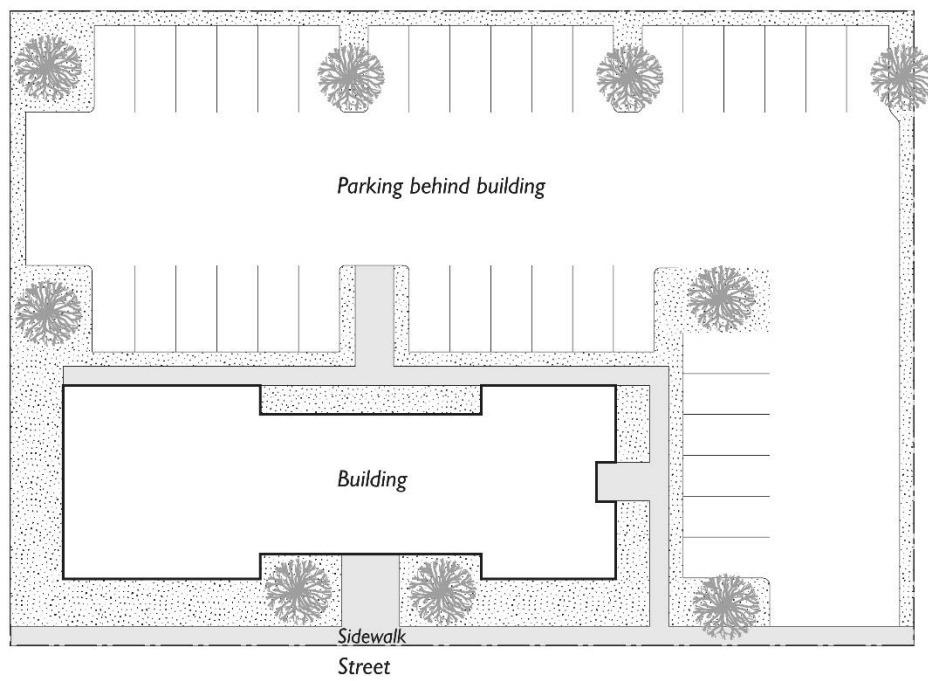
- a. *Internal Connections.* A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
- b. *To Street Network.* An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk.
- c. *To Neighbors.* Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining neighborhood residential and commercial streets. These connections shall remain accessible at all times, and not be gated.
- d. *Pedestrian Walkway Design*
  - 1. Walkways shall be a minimum of five (5) feet wide and shall be paved with concrete, stone, tile, brick, or comparable material.
  - 2. Fifteen gallon shade trees shall be planted along walkways at least thirty (30) feet on center.
  - 3. Walkways shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness.
  - 4. Primary pedestrian routes and access points shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method.

Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.

**(3) Driveway Restrictions; Location of Parking**

- a. *Access.* Access shall be provided from a side street or alley wherever possible. Access shall not be provided from a residential street where alternate access is available.
- b. *Location of Parking.* Parking areas shall be located at the rear of the site or at the side of the building, except for drop-off areas which may be located at the primary entry.

**FIGURE 204.04(B)(3)B: LOCATION OF PARKING**



## Chapter 205 Public and Open Space Districts

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### Sections:

|        |                         |
|--------|-------------------------|
| 205.01 | Purpose                 |
| 205.02 | Land Use Regulations    |
| 205.03 | Development Regulations |

### 205.01 Purpose

The specific purposes of the “Public and Open Space” Districts are to:

- (a) Provide areas for educational facilities, cultural and institutional uses, health services, parks and recreation, general government operations, airports, utility and public service needs, and other similar and related supporting uses.
- (b) Ensure the provision of services and facilities needed to accommodate planned population densities, employment intensities, and traffic regulation.

Additional purposes of each “Public and Open Space” District:

**PS Public and Semi-Public.** To provide areas for needed public facilities, including, but not limited to, recycling centers, sewage treatment ponds, police and fire stations, and schools, colleges, vocational training facilities, school administrative offices, fairgrounds, and similar facilities. This designation is intended for lands owned by public entities, including City Hall, County buildings, and the hospital. This designation allows for a maximum FAR of 0.25.

**REC Commercial Recreation.** To provide areas for private commercial recreation uses where patron usually pay to participate. Allowable uses include campgrounds, off-road vehicle complexes, and other recreation areas that are privately owned and where patrons usually pay to participate. The maximum FAR is 0.10.

**PK Parks and Public Recreation Facilities.** To maintain areas for public parks and recreation sites and facilities on city owned properties. The maximum FAR is 0.10.

### 205.02 Land Use Regulations

Table 205.02 below prescribes the land use regulations for “Public and Open Space” Districts. The regulations for each district are established by letter designations as follows:

“P” designates permitted uses.

“C” designates use classifications that are permitted after review and approval of a Conditional Use Permit by the City Council.

“M” designates use classifications that are permitted after review and approval of a Minor Conditional Use Permit by the City Council.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“-” designates uses that are not permitted.



Use classifications are defined in Chapter 701, Use Classifications. In cases where a specific land use or activity is not defined, the Zoning Administrator shall assign the land use or activity to a classification that is substantially similar in character. Use classifications and sub-classifications not listed in the table or not found to be substantially similar to the uses below are prohibited. The table also notes additional use regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Chapter.

| <b>TABLE 205.02: LAND USE REGULATIONS—PUBLIC AND OPEN SPACE DISTRICTS</b> |                               |            |           |                                         |
|---------------------------------------------------------------------------|-------------------------------|------------|-----------|-----------------------------------------|
| <i>Use Classification</i>                                                 | <i>PS</i>                     | <i>REC</i> | <i>PK</i> | <i>Additional Regulations</i>           |
| <b>Public and Semi-Public Use Classifications</b>                         |                               |            |           |                                         |
| Airport                                                                   | P                             | -          | -         |                                         |
| Cemeteries                                                                | C                             | -          | -         |                                         |
| Clubs and Lodges                                                          | -                             | P(1)       | P(1)      |                                         |
| College and Trade Schools, Public or Private                              | P                             | -          | -         |                                         |
| Community Center                                                          | P                             | -          | P         |                                         |
| Correctional Facility                                                     | P                             | -          | -         |                                         |
| Cultural Institutions                                                     | P                             | -          | P         |                                         |
| Government Offices                                                        | P                             | -          | -         |                                         |
| Instructional Services                                                    | P                             | -          | -         |                                         |
| Park and Recreation Facilities, Public                                    | P                             | P          | P         |                                         |
| Public Safety Facilities                                                  | P                             | -          | -         |                                         |
| Religious Facilities                                                      | C                             |            |           |                                         |
| Schools, Public or Private                                                | P                             | -          | -         |                                         |
| <b>Commercial Use Classifications</b>                                     |                               |            |           |                                         |
| Aircraft Sales, Services, and Storage                                     | P(2)                          | -          | -         |                                         |
| Commercial Entertainment and Recreation                                   | See sub-classifications below |            |           |                                         |
| <i>Large-scale</i>                                                        | P                             | C          | P         | Section 301.02 Alcoholic Beverage Sales |
| <i>Small-scale</i>                                                        | P(6)                          | P(6)       | P(6)      | Section 301.02 Alcoholic Beverage Sales |
| Eating, Drinking, and Smoking Establishments                              | See sub-classifications below |            |           |                                         |
| <i>Coffee Shops/Cafes</i>                                                 | P(3)                          | P(1)       | P(1)      | Section 300.08 Outdoor Seating          |

| <b>TABLE 205.02: LAND USE REGULATIONS—PUBLIC AND OPEN SPACE DISTRICTS</b> |                                                      |            |           |                                                                            |
|---------------------------------------------------------------------------|------------------------------------------------------|------------|-----------|----------------------------------------------------------------------------|
| <i>Use Classification</i>                                                 | <i>PS</i>                                            | <i>REC</i> | <i>PK</i> | <i>Additional Regulations</i>                                              |
| <i>Restaurants</i>                                                        | P(3)                                                 | -          | -         | Section 300.08 Outdoor Seating;<br>Section 301.02 Alcoholic Beverage Sales |
| Medical Facilities                                                        | See sub-classification below                         |            |           |                                                                            |
| <i>Hospital</i>                                                           | P                                                    | -          | -         |                                                                            |
| Recycling Facilities                                                      | See sub-classifications below                        |            |           |                                                                            |
| <i>Recycling Collection Facility</i>                                      | P                                                    | -          | -         |                                                                            |
| <i>Recycling Processing Facility</i>                                      | P                                                    | -          | -         |                                                                            |
| Retail Sales                                                              | See sub-classification below                         |            |           |                                                                            |
| <i>Swap Meet</i>                                                          | C                                                    | -          | -         |                                                                            |
| <b>Transportation, Communication, and Utilities Use Classifications</b>   |                                                      |            |           |                                                                            |
| Telecommunication Facilities                                              | See sub-classifications below                        |            |           |                                                                            |
| <i>Antenna and Transmission Towers, camouflage facilities</i>             | P                                                    | P          | P         | Section 301.20 Telecommunication Facilities                                |
| <i>Antenna and Transmission Towers, non-camouflage facilities</i>         | M(4)                                                 | M(4)       | M(4)      | Section 301.20 Telecommunication Facilities                                |
| Heliports                                                                 | P(5)                                                 | -          | -         |                                                                            |
| Utilities, Major                                                          | C                                                    | -          | -         |                                                                            |
| <i>Solid Waste Collection, Treatment, and Disposal</i>                    | P                                                    | -          | -         |                                                                            |
| Utilities, Minor                                                          | P                                                    | P          | P         |                                                                            |
| <b>Agricultural and Extractive Uses</b>                                   |                                                      |            |           |                                                                            |
| Crop Cultivation, Commercial                                              | M                                                    | M          | M         | Section 301.06 Crop Cultivation                                            |
| <b>Other Applicable Types</b>                                             |                                                      |            |           |                                                                            |
| Accessory Uses and Structures                                             | P                                                    | P          | P         | Section 301.01 Accessory Uses and Structures                               |
| Nonconforming Use                                                         | Chapter 307 Nonconforming Uses, Structures, and Lots |            |           |                                                                            |
| Temporary Use                                                             | Section 301.21 Temporary Uses                        |            |           |                                                                            |

| <b>TABLE 205.02: LAND USE REGULATIONS—PUBLIC AND OPEN SPACE DISTRICTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             |           |            |           |                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------|-----------|-------------------------------|
| <i>Use Classification</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>PS</i> | <i>REC</i> | <i>PK</i> | <i>Additional Regulations</i> |
| <b>Specific Limitations:</b> <ol style="list-style-type: none"> <li>1. Limited to facilities associated with park and recreational facilities.</li> <li>2. Limited to facilities associated with an airport.</li> <li>3. Limited to cafes and restaurants accessory to cultural institutions.</li> <li>4. Prohibited within 300 feet of any R district.</li> <li>5. Permitted only as accessory to a hospital or public airport.</li> <li>6. Minor Conditional Use Permit approval is required for indoor shooting ranges.</li> </ol> |           |            |           |                               |

### 205.03 Development Regulations

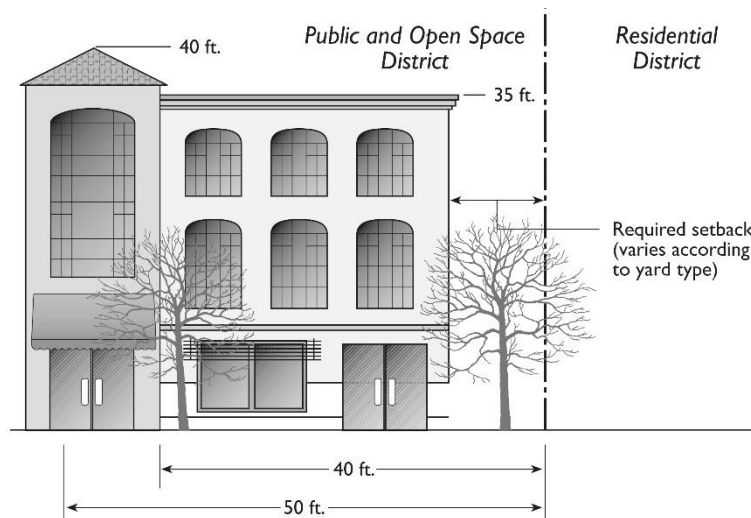
Table 205.03 prescribes the development standards for the public and open space districts. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of this Chapter, while individual letters refer to subsections that directly follow the table.

| <b>TABLE 205.03: DEVELOPMENT STANDARDS—PUBLIC AND OPEN SPACE DISTRICTS</b> |                     |            |           |                                                                  |
|----------------------------------------------------------------------------|---------------------|------------|-----------|------------------------------------------------------------------|
| <i>Standard</i>                                                            | <i>PS</i>           | <i>REC</i> | <i>PK</i> | <i>Additional Standards</i>                                      |
| <b>Lot and Density Standards</b>                                           |                     |            |           |                                                                  |
| Minimum Lot Area (sq ft)                                                   | 87,120<br>(2 acres) | 10,000     | 10,000    |                                                                  |
| Minimum Lot Width (ft)                                                     | 100                 | 100        | 100       |                                                                  |
| Minimum Lot Depth (ft)                                                     | 100                 | 75         | 75        |                                                                  |
| <b>Building Form and Location</b>                                          |                     |            |           |                                                                  |
| Maximum Height (ft)                                                        | 75                  | 35         | 25        | Section 205.03(a); Section 300.06, Heights and Height Exceptions |
| Minimum Yards (ft)                                                         |                     |            |           |                                                                  |
| <i>Front</i>                                                               | 20                  | 0          | 0         | Section 300.01 Building Projections into Yards                   |
| <i>Interior Side</i>                                                       | 10                  | 0          | 0         | Section 300.01 Building Projections into Yards                   |
| <i>Street Side</i>                                                         | 10                  | 0          | 0         | Section 300.01 Building Projections into Yards                   |
| <i>Rear</i>                                                                | 10                  | 0          | 0         | Section 300.01 Building Projections into Yards                   |
| <i>Transitional – Street side</i>                                          | 15                  | 15         | 15        | Section 205.03(b) Transitional Standards                         |
| Maximum Floor Area Ratio                                                   | .25(b)              | .10        | .10       |                                                                  |

### Additional Development Regulations:

- (a) **Transitional Standards.** Where a site is adjacent to an R district, the following standards apply:
- (1) Buildings exceeding twenty (20) feet in height must be set back five (5) feet from the interior side and rear property line; for buildings exceeding twenty-five (25) feet in height shall be stepped back one (1) additional foot for every foot of height above twenty-five (25) feet.
  - (2) The maximum height within forty (40) feet of an R district boundary is thirty-five (35) feet. The maximum height within fifty (50) feet of an R district boundary is forty (40) feet.

**FIGURE 205.03(A)(2): PUBLIC AND OPEN SPACE DISTRICT TRANSITIONAL STANDARDS**



- (b) **Determining FAR.** When determining FAR in the PS District, medical laboratories, operating rooms, meeting rooms, conference facilities, cafeteria facilities, and recreational facilities are excluded from floor area.

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## **Chapter 206     Residential Neighborhood District**

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### Sections:

|        |                                                                 |
|--------|-----------------------------------------------------------------|
| 206.01 | Purpose                                                         |
| 206.02 | Establishment                                                   |
| 206.03 | Master Plan Required                                            |
| 206.04 | Land Use Mix and Distribution within a Residential Neighborhood |
| 206.05 | Park Design Standards                                           |
| 206.06 | Street/Transportation System Requirements                       |
| 206.07 | Variety in Housing Design                                       |

### **206.01           Purpose**

The Residential Neighborhood (RN) District is intended to implement the neighborhood centers shown on the General Plan Land Use Diagram and guide the design of new residential neighborhoods. More specifically, these standards are intended to accomplish the following purposes:

- (a) Create compact neighborhoods with a defined, mixed-use center including public open space, a school or other community facilities, and neighborhood commercial.
- (b) Create neighborhood centers with a mix of retail, civic, and service-oriented uses to support local transit and provide places for social interaction for neighborhood residents.
- (c) Create a street system that is well-aligned with and connected to streets in adjacent neighborhoods and allows residents to walk, bike, or drive directly and safely to parks, schools, and neighborhood shopping via a continuous system of streets, sidewalks, and bike routes.
- (d) Provide a variety of housing types, designs, and lot sizes to serve the range of household types and incomes in Porterville, and give each home individuality.

### **206.02           Establishment**

A RN District may be established within the potential RN district areas shown on the Zoning Map by Zoning Map amendment according to the procedures of Chapter 613, Amendments to Zoning Map and Text, and the standards of this chapter. The minimum area of a RN District shall be eighty (80) acres. The City Council may approve a RN District for smaller areas, but not less than forty (40) acres, upon finding that a RN District of eighty (80) acres or more is infeasible.

### **206.03           Master Plan Required**

An application for a rezoning to an RN district shall include a master plan. The master plan shall be accepted and processed concurrently, in the same manner as a Conditional Use Permit application, pursuant to Chapter 601, Common Procedures, and Chapter 604, Conditional Use Permits, although additional information is required to be submitted in order to determine that the intent of this Chapter and the General Plan will be fulfilled.

- (a) **Required Elements.** An application for a master plan in the RN District shall include the following elements in addition to any application requirements established by the Zoning Administrator.
- (1) **Land Uses.** The location of proposed land uses and a summary of the total land area dedicated to each use. Schools shall be located as shown on the General Plan Land Use Diagram unless an alternative site has been mutually agreed upon by the City and the applicable school district. Other land uses shall be allocated and distributed within the plan area according to the standards of Section 206.04, Land Use Mix and Distribution within Residential Neighborhoods.
  - (2) **Street System**
    - a. Location of major and minor arterial streets, parkways and minor and collector streets, and proposed spacing of intersections.
    - b. Proposed street alignments in relation to existing and planned streets on all abutting properties.
    - c. Cross-sections or equivalent information that indicates the elements (travel lanes, parking lanes, bike lanes, planter strips, sidewalks, sound walls, street tree spacing) and dimensions of elements to be included in each street type within the plan area.
    - d. Any proposed traffic calming facilities.
  - (3) **Pedestrian and Bike Network.** A system of bicycle and pedestrian routes that provide access to all parts of the plan area. All proposed mid-block pedestrian connections or connections from the ends of cul-de-sacs to streets and parks shall be delineated.
  - (4) **Utilities.** Location of main utility lines that must be extended into the project area to accommodate the proposed land uses and densities. The plan also must show utility placement in relation to street trees.

#### **206.04 Land Use Mix and Distribution within a Residential Neighborhood**

The land uses within a RN district shall be allocated and distributed according to the standards of this section.

- (1) **Consistency with General Plan.** Land uses shall reflect the required land use mix in the General Plan Land Use Diagram. Adjustments to the locations of land uses indicated on the General Plan Land Use Diagram may be approved, as long as the total allocation of each use within each plan area is consistent with the proportions indicated on the diagram. Where such locational adjustments are proposed, the standards of this section provide a guide for the minimum allocation of land uses within residential neighborhoods.
- (2) **Residential Uses.** Residential uses shall be provided at densities consistent with the General Plan designation(s) for the site. A minimum of twenty (20) percent of the units within each master plan must be small-lot (4,500 sq. ft. or smaller lot size) detached homes, townhouse, or multi-family units within walking distance (1/4 mile) of the neighborhood center.

- (3) **Public Parks.** Land for public parks must be provided at a ratio of five (5) acres per one thousand (1,000) residents, or in-lieu fees must be paid as established by the City. Parks shall be consistent with any adopted parks or open space master plan for the city. The allocation of types of parks shall be as follows:
  - a. A minimum of three and one-half (3.5) acres of neighborhood parks per one thousand 1,000 residents; and
  - b. A minimum of one and one-half (1.5) acres of community parks per one thousand (1,000) residents.
- (4) **Park Location.** At least one (1) public park must be located within one (1) quarter mile, via a direct pedestrian route, of eighty (80) percent of all homes within the master plan area.
- (b) **Non-Residential Uses.** At least four (4) percent of gross land area must be designated for non-residential uses, including public and semi-public uses and/or neighborhood-serving commercial uses.
- (c) **Neighborhood Centers.** All master plan areas of one hundred sixty (160) acres or more must include a defined, centrally located, neighborhood center composed of a mix of retail, civic, and service-oriented uses, unless an existing or approved neighborhood center is located within one-quarter mile, via a direct pedestrian route, of eighty (80) percent of all homes within the master plan area. At minimum, neighborhood centers shall include:
  - (1) **Retail and Service Commercial Uses.** Retail and service commercial uses oriented to serving the needs of local residents.
  - (2) **Public Plaza, Square, or Commons**
    - a. **Size:** Minimum area of ten thousand (10,000) square feet.
    - b. **Dimensions:** Minimum horizontal dimension of fifty (50) feet.
    - c. **Street Access:** Bordered by public streets on at least one (1) side.
    - d. **Required Amenities:** Public plazas, squares, and commons shall include street furniture and other amenities such as gazebos, fountains, statuary, flag poles, kiosks, and benches. At least one (1) lineal foot of seating area shall be provided for each thirty (30) square feet of plaza area. Seating may include wooden benches, steps, seating walls, and retaining walls where the seating area is between sixteen (16) inches and thirty (30) inches above grade.
    - e. **Surface and Planting:** Public plazas, squares, and commons shall include paved walkways, and may include paved plaza areas. Landscaped areas and pervious surfaces that provide stormwater infiltration shall also be included.
    - f. **Schools:** School sites shall be provided as shown on the General Plan Land Use Diagram. Where locational adjustments are proposed, the applicant shall consult with the school district, Community



Development Department, and the Parks and Leisure Services Department prior to submission of a master plan.

#### **206.05 Park Design Standards**

- (a) **Minimum Park Size.** Neighborhood parks must be a minimum of two (2) acres in size. Community parks must be a minimum of ten (10) acres in size.
- (b) **Park Frontage and Accessibility.** A minimum of sixty (60) percent of the perimeter of any public park must abut a street. Where it is not feasible to locate residences across the street from and facing the park, frequent pedestrian access to the park must be provided at the ends of cul-de-sacs.
- (c) **Landscaped Area.** At least fifty (50) percent of the horizontal area of any park shall consist of landscaped pervious surfaces such as turf, live plantings, gravel, sand, and bark. No more than fifty (50) percent of the area of a neighborhood park may be paved.
- (d) **Detention Basins.** Drainage detention basins may be located within parks; however, all parks shall include open turf area above the basin flood line for playing fields and active recreation areas.

#### **206.06 Street/ Transportation System Requirements**

- (a) **Continuous Street System.** All streets and alleys must connect to other streets and alleys to form a continuous vehicular and pedestrian network within the plan area and to adjacent development. The use of gates or other preventative barriers is not permitted on public streets.
- (b) **Connection to Adjacent Areas.** Streets shall be aligned with existing and planned arterial and collector streets in adjacent neighborhoods in such a way that a continuous street pattern is created. Where a new residential subdivision occurs adjacent to undeveloped land within the Urban Development Boundary, stubs must be provided for future connections to the edge of the property line. Where street stubs exist on adjacent properties, new streets within a new residential subdivision shall be connected to these stubs.
- (c) **Dead-End Streets.** Culs-de-sac and dead end streets shall be prohibited in residential areas except where necessary to give access to or permit satisfactory future development of adjoining land. Cul-de-sacs and dead end streets shall be avoided in all other areas. If cul-de-sacs and dead end streets cannot be avoided, the maximum length shall be six hundred (600) feet. Culs-de-sac longer than three hundred (300) feet shall have pedestrian paths connecting them to parks and adjacent streets.
- (d) **Intersections.** A minimum of three (3) collector streets shall intersect each one (1) mile length of arterial street. Pedestrian facilities shall be provided at all signalized intersections.
- (e) **Maximum Block Length.** Blocks shall not exceed six hundred (600) feet in length, unless existing adjacent property alignment, topographic, or traffic conditions justify a variation. Pedestrian connections consisting of a paved walkway at least five (5)

feet wide within a ten (10) foot landscape right-of-way must be provided no more than three hundred fifty (350) feet apart for any blocks over six hundred (600) feet.

- (f) **Sidewalks.** Sidewalks shall be provided along both sides of the street.
- (g) **Pedestrian and Bicycle Paths.** Continuous and convenient bicycle and pedestrian access shall be provided from every home within a plan area to the nearest neighborhood center, school, and park.
- (h) **Traffic Calming.** Traffic calming street design or devices shall be included as needed to ensure that designated speed limits are not exceeded.
- (i) **Street Trees.** Street trees shall be provided on all public street frontages. Fifteen gallon trees shall be planted in a linear fashion within planter strips between the curb and sidewalk, at least thirty (30) feet on center. Each master plan shall indicate the type and location of proposed street trees and how utility placement will accommodate street tree placement.

#### **206.07          Variety in Housing Design**

No more than three (3) homes within each block face may be designed to have the same front elevation. There must be two (2) distinguishing and obviously different characteristics, such as building envelope, front porch, window pattern, or roof shape, between the front elevations of homes within a single block.

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## **Chapter 207      Planned Development (PD) District**

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### Sections:

|        |                              |
|--------|------------------------------|
| 207.01 | Purpose                      |
| 207.02 | Zoning Map Designation       |
| 207.03 | Land Use Regulations         |
| 207.04 | Development Regulations      |
| 207.05 | Procedures                   |
| 207.06 | Required Findings            |
| 207.07 | Conditions                   |
| 207.08 | Expiration and Renewal       |
| 207.09 | Amendments of Approved Plans |
| 207.10 | Status of Specific Plan      |
| 207.11 | Development Plan Review      |

### **207.01      Purpose**

The purposes of the Planned Development (PD) District are to:

- (a) Establish a procedure for development on large lots of land in order to reduce or eliminate the rigidity, delays, and conflicts that otherwise would result from application of zoning standards and procedures designed primarily for small lots.
- (b) Ensure orderly and thorough planning and review procedures that will result in quality urban design.
- (c) Promote variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities.
- (d) Ensure allocation and improvement of common open space in residential areas, and provide for maintenance of the open space at the expense of those directly benefiting from it.
- (e) Facilitate the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.
- (f) Provide for the integration and administration of Specific Plans, adopted pursuant to State law into the City's land use regulations.

### **207.02      Zoning Map Designation**

A PD district shall be noted on the zoning map by the designation "PD"

### **207.03      Land Use Regulations**

No use other than an existing use is permitted in a PD district except in accord with a valid PD Plan or Specific Plan. Any permitted or conditional use authorized by this Chapter may be included in an approved PD Plan or an adopted Specific Plan consistent with the General Plan land use designation(s) for the property.

#### **207.04 Development Regulations**

- (a) **Minimum Area.** The minimum area of a PD district shall be four (4) contiguous acres. The City Council may approve a PD district that contains less than four (4) acres, but at least two and one-half (2.5) acres, upon a finding that special site characteristics exist and that the proposed development will result in specific public benefits, in addition to the findings required by Section 207.06, Required Findings.
- (b) **Residential Unit Density.** Except where a density bonus is granted in compliance with the City's density bonus regulations for affordable housing and childcare (Chapter 302, Affordable Housing Density Bonus and Other Incentives), the total number of dwelling units in a PD Plan shall not exceed the maximum number permitted by the General Plan density for the total area of the planned development designated for residential use.
- (c) **Performance Standards.** The Performance Standards prescribed by Chapter 306, Performance Standards apply.
- (d) **Other Development Regulations.** Other development regulations shall be as prescribed by the PD Plan.

#### **207.05 Procedures**

- (a) **City Council Review.** A PD district must be adopted by the City Council as an amendment to the Zoning Map, according to the procedures of Chapter 608, Amendments to Zoning Map and Text. An application for rezoning to a PD district shall include a Specific Plan or PD Plan. The PD Plan shall be accepted and processed concurrently, in the same manner as a Conditional Use Permit application, pursuant to Chapter 601, Common Procedures and Chapter 604, Conditional Use Permits, although additional information is required to be submitted in order to determine that the intent of this Chapter and the General Plan will be fulfilled.
- (b) **Initiation.** An amendment to reclassify property to PD shall be initiated by a property owner or authorized agent or the City Council. If initiated by a property owner or authorized agent and the property is not under a single ownership, all owners must join the application, and a map showing the extent of ownership shall be submitted with the application.
- (c) **Pre-Application Procedure.** Prior to submitting an application for approval of a PD, the applicant may schedule a pre-application review conference with the Project Review Committee to discuss the general acceptability of the proposal, possible problems that may be encountered, and the need for any interagency coordination. Such preliminary consultations shall be relative to a conceptual development plan submitted by the applicant.
- (d) **Applications.** Applications for a PD shall be in the form established by the Zoning Administrator and shall be accompanied by the required information and plan submittals and the required fee.

## **207.06 Required Findings**

A PD Plan and re-zoning shall only be approved if all of the following findings are made:

- (a) The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply;
- (b) The site for the proposed development is adequate in size and shape to accommodate the proposed uses and all setbacks, open spaces, setbacks, walls and fences, parking area, loading areas, landscape, and other features required;
- (c) Adequate transportation facilities and public services exist or will be provided in accord with the conditions of development plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
- (d) The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;
- (e) The improvements required and the manner of development adequately address all natural and man-made hazards associated with the proposed development and the project site, including, but not limited to, flood, fire, and seismic or soils hazards; and
- (f) The proposed development provides a more efficient use of the land and superior architecture and site design compared to that which could be achieved through the application of the zoning district regulations that otherwise would apply.

## **207.07 Conditions**

In approving a PD Plan and re-zoning, the City Council may impose reasonable conditions deemed necessary to:

- (a) Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies that the City has adopted;
- (b) Achieve the general purposes of this Chapter or the specific purpose of the zoning district in which the project is located;
- (c) Achieve the findings listed in Section 207.06, Required Findings above; or
- (d) Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the requirements of the California Environmental Quality Act.

## **207.08 Expiration and Renewal**

### **(a) Expiration**

- (1) **PD Plan.** A PD Plan shall be effective on the same date as the Chapter creating the PD district for which it was approved and shall expire two (2) years after the effective date unless actions specified in the conditions of approval have

been taken, or a building permit has been issued and construction diligently pursued. An approved PD Plan may specify a development staging program exceeding two (2) years.

- (2) **Tentative Map.** Where a tentative map has been approved in conjunction with a PD Plan, the PD Plan shall expire upon the expiration of the tentative map.
- (3) **Phased Development.** In the event that the applicant intends to develop the project in phases, and the City Council approves phased development, the PD Plan shall remain in effect so long as not more than one (1) year lapses between the end of one phase and the beginning of the next phase unless the PD Plan is renewed pursuant to subsection (b), below. If the PD Plan is not renewed and more than one (1) year lapses between the end of one phase and the beginning of the next phase, the PD Plan shall expire.
- (b) **Renewal.** An approved PD Plan may be renewed for a period approved by the City Council after a duly-noticed public hearing. Application for renewal shall be made in writing prior to expiration of the original approval. The City Council may renew a PD Plan if it finds the renewal consistent with the purposes of this chapter.

## 207.09 Amendments of Approved Plans

- (a) **Changed Plans.** Amendments to a PD district or PD Plan or Specific Plan may be requested by the applicant or its successors. Amendments to the approved Plan shall be classified as major or minor amendments. Upon receipt of an amendment application, the Zoning Administrator shall determine if the proposed amendment constitutes a major or minor amendment.
- (b) **Major Amendments.** Major Amendments to an approved PD district or PD Plan or Specific Plan shall be considered by the City Council at a duly noticed public hearing. An amendment will be deemed major if it involves one or more of the following changes:
  - (1) A change in the boundary of the PD district;
  - (2) An increase or decrease in the number of dwelling units for the PD district that is greater than the maximum or less than the minimum stated in the PD Plan or Specific Plan;
  - (3) An increase or decrease in the floor area for any non-residential land use that results in the floor area exceeding the minimum or maximum stated in the PD Plan or Specific Plan;
  - (4) Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the City Engineer;
  - (5) Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PD district or to the overall major street system, as determined by the City Engineer; or
  - (6) Any other proposed change to the PD Plan or Specific Plan or the conditions of approval that substantively alters one or more of its components as determined by the Zoning Administrator.

- (c) **Minor Amendments.** Amendments not meeting one or more of the criteria listed in subsection (b) shall be considered minor if they are consistent with and would not change any original condition of approval. Minor Amendments may be approved by the Zoning Administrator.

#### **207.10            Status of Specific Plan**

A Specific Plan adopted by resolution of the City Council shall be administered as prescribed by the Council, consistent with Government Code Section 65450.

#### **207.11            Development Plan Review**

Plans for a project in a PD district shall be accepted for planning and building permits or subdivisions only if they are consistent with an approved PD Plan or Specific Plan and any conditions of approval. No project may be approved and no building permit issued unless the project, alteration or use is consistent with an approved PD Plan or Specific Plan.



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# Series 300: Additional Use and Development Regulations

## Chapter 300 General Site Regulations

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### Sections:

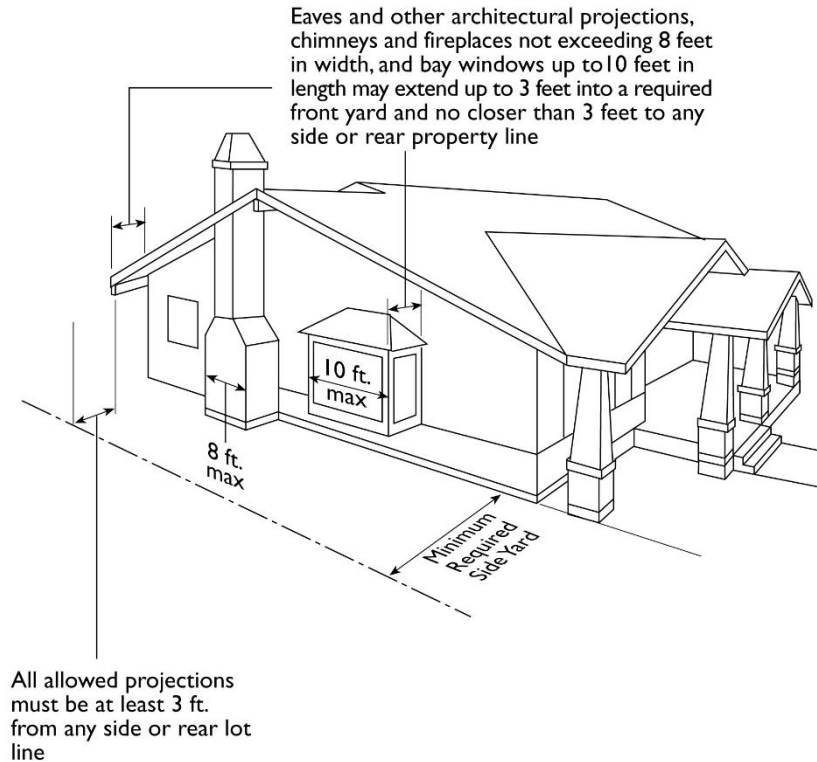
|        |                                                                                                          |
|--------|----------------------------------------------------------------------------------------------------------|
| 300.01 | Building Projections Into Yards                                                                          |
| 300.02 | Development on Substandard Lots                                                                          |
| 300.03 | Fences and Freestanding Walls                                                                            |
| 300.04 | Reserved                                                                                                 |
| 300.05 | Habitat Conservation                                                                                     |
| 300.06 | Heights and Height Exceptions                                                                            |
| 300.07 | Lighting and Illumination                                                                                |
| 300.08 | Outdoor Seating                                                                                          |
| 300.09 | Outdoor Storage                                                                                          |
| 300.10 | Screening                                                                                                |
| 300.11 | Street Dedication, Construction of Public Improvements, and Installation of Certain Parkway Improvements |
| 300.12 | Swimming Pools                                                                                           |
| 300.13 | Trash and Refuse Collection Areas                                                                        |
| 300.14 | Truck Docks, Loading, and Service Areas                                                                  |
| 300.15 | Underground Utilities                                                                                    |
| 300.16 | Visibility at Driveways and Intersections (Sight Distance)                                               |

### 300.01 Building Projections Into Yards

Building projections may extend into required yards, subject to the following standards:

- (a) **Maximum Projection Allowed.** Notwithstanding any other subsection of this section, no projection may extend closer than three (3) feet to an interior lot line. No projection may extend into a public utility easement.
- (b) **Architectural Projections.** Cornices, canopies, eaves, sills, buttresses or similar architectural features, chimneys and fireplaces not exceeding eight (8) feet in width, cantilevered bay windows not exceeding ten (10) feet in width, and planting boxes shall not extend closer than three (3) feet to any side or rear lot line or three (3) feet into any front yard unless further restricted by the Building Code.

**FIGURE 300.01(B): ARCHITECTURAL PROJECTIONS**



- (c) **Fire Escapes.** Fire escapes, required by law, ordinance, or regulations of a public agency may project up to four (4) feet into any yard.
- (d) **Stairways, Stair Landings, and Balconies.** Stairways, stair landings, and balconies that service above the first floor level of the building may project up to three (3) feet into any yard, provided that all such structures shall be open, unenclosed and without roofs, except for lattice type guard railings. Structural supports for stairways and landings may be enclosed.
- (e) **Decks, Porches, and Stairs.** Uncovered decks, porches and stairs less than two and one-half (2.5) feet above ground elevation may project in any yard consistent with the Building Code. Uncovered decks, porches, and stairs higher than two and one-half (2.5) feet servicing the first floor level of the building may project no more than three (3) feet into the front, side, and rear yards, and no closer than three (3) feet to a property line.
- (f) **Depressed Ramps or Stairways and Supporting Structures.** When designed to permit access to parts of buildings below average ground level, may extend into any required yard not more than three (3) feet.
- (g) **Ramps and Similar Structures for Disabled Person's Accommodation.** Up to the entire yard where it is the only feasible location to provide a reasonable accommodation consistent with the Americans with Disabilities Act.

### **300.02          Development on Substandard Lots**

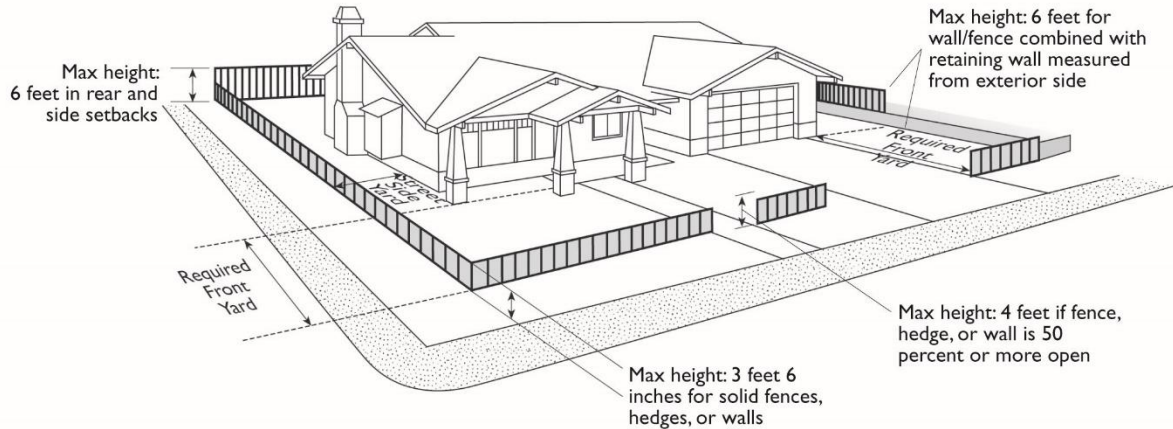
A legally created lot having a width or area less than required for the base district in which it is located may be occupied by a permitted or conditional use if it has a width of twenty-five (25) feet or more and an area of two thousand five hundred (2,500) square feet or more, provided that on the effective date of regulations that made it substandard, it was in single ownership separate from any abutting lot. No substandard lot shall be further reduced in area or width, and a substandard lot shall be subject to the same yard and density requirements as a standard lot except as otherwise provided. A maximum of one (1) dwelling unit may be located on a substandard lot that meets the requirement of this section.

### **300.03          Fences and Freestanding Walls**

#### **(a)          Maximum Height**

- (1)      **Front Yards.** No solid fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of three and one-half (3.5) feet. Open or lattice type fences that are at least fifty percent (50%) open, or hedges, shall not exceed a height of four (4) feet.
- (2)      **Side and Rear Yards.** No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of seven (7) feet. The Zoning Administrator may allow a fence or wall up to eight (8) feet in height to be located along the exterior boundary of the required side or rear yard subject to the issuance of a building permit.
- (3)      **Decorative Features.** One (1) entry gateway, trellis, or other entry structure is permitted in the required front or street-facing side yard of each lot, provided that the maximum height or width of the structure does not exceed ten (10) feet. Such decorative feature shall not have any solid obstruction that exceeds two (2) feet in diameter between the height of three (3) and ten (10) feet.

**FIGURE 300.03: FENCES AND FREESTANDING WALLS**



- (b) **Design and Materials.** Fencing visible from a street shall be treated as an integral part of the architecture, with materials, colors, and detailing drawn from the building they surround or adjoin.
- (1) **Prohibition on Hazardous Fencing Materials.** The use of barbed wire, razor wire, ultra barrier, electrified, and other hazardous fencing is not permitted. An exception to this standard may be approved for sites in the AC District where needed for livestock or ranch operations.
  - (2) **Limitation on Chain Link Fencing.** Use of chain-link fencing is not permitted in front or street-facing side yards, and is permitted only in rear and interior side yards that do not abut public and quasi-public land uses. This standard does not apply to sites in the Residential, IA or IG districts.
- (c) **Visibility at Intersections.** Notwithstanding any other provisions of this section, fences and walls shall comply with the visibility standards contained in Section 300.16, Visibility at Driveways and Intersections.

#### **300.04 Reserved**

#### **300.05 Habitat Conservation**

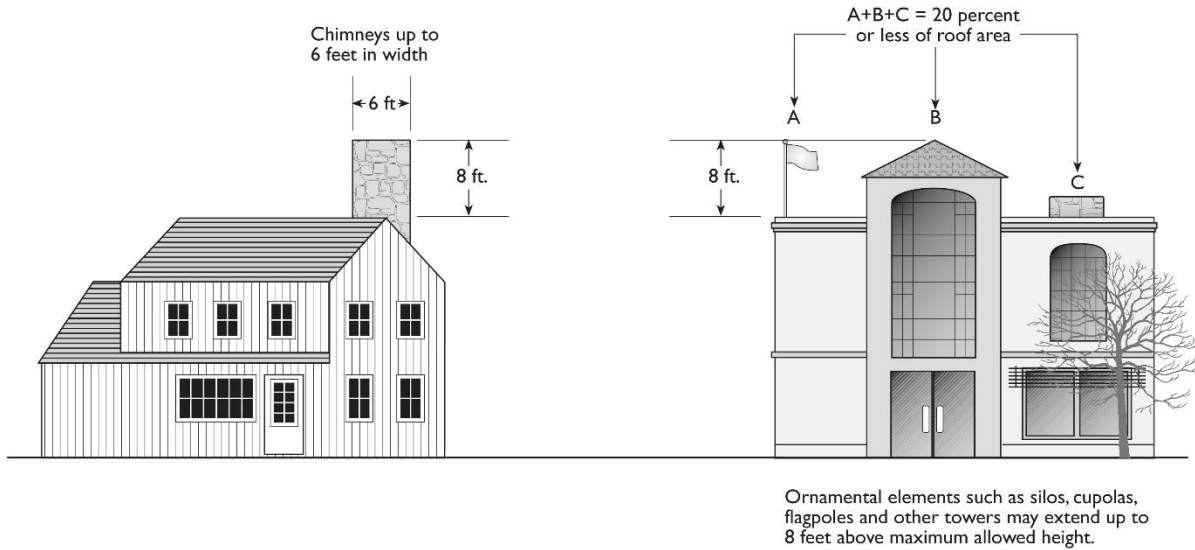
New development shall be located to protect and preserve areas in which plant and/or animal life or its habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would easily be disturbed or degraded by human activities and development. The provisions of this section apply to discretionary development projects proposed within or adjacent to (within 300 feet of the boundary of) sensitive habitat areas designated in the General Plan.

- (a) **Site Design.** Sensitive habitat areas shall be protected by any of the following means: 1) avoidance; 2) onsite mitigation; 3) offsite mitigation; and 4) purchase of mitigation credits.
- (b) **Biological Report.** A discretionary development application for a project on a site located within or adjacent to (within 300 feet of the boundary of) sensitive habitat areas designated in the General Plan shall also include a report commissioned by the City that contains the following:
  - (1) An evaluation of the impact the development may have on the habitat, and whether the development will be consistent with the biological continuance of the habitat. Maximum feasible mitigation measures to protect the resource shall be identified and a program for monitoring and evaluating the effectiveness of the mitigation measures shall be included.
  - (2) Conditions of approval recommendations for the restoration of damaged habitats, where feasible.
- (c) **Required Findings.** Approval of a development permit for a project within or adjacent to identified habitat areas shall not occur unless the applicable review body first finds that:
  - (1) There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
  - (2) The proposed use will not significantly disrupt the habitat.
  - (3) Adequate mitigation measures are required to mitigate impacts to significant biological resources.
  - (4) There has been “no net loss” of wetlands and vernal pools. Disturbed wetlands and vernal pools have been replaced.
  - (5) Where feasible, damaged habitats will be restored as a condition of development approval.

### **300.06 Heights and Height Exceptions**

- (a) **Maximum Height of Structures.** The height of structures shall not exceed the standards established by the applicable zoning district of this Ordinance.
  - (1) **Increased Height Limit for Projections.** Chimneys not over six (6) feet in width, silos, cupolas, flagpoles, monuments, gas storage holders, radio and other towers, water tanks, church steeples, fire and parapet walls, roof furniture, and similar structures covering not more than twenty (20) percent of the top floor roof area to which they are accessory, may exceed maximum permitted height standards by eight (8) feet. Exceptions may be granted with the approval of a Conditional Use Permit.

**FIGURE 300.06: INCREASED HEIGHT LIMIT FOR PROJECTIONS**



- (2) ***Airport Environs Overlay District.*** Airport related towers may exceed the maximum permitted height standard in the IA and PS district. Notwithstanding other provisions of this section, there shall be no exceptions to the specified height limits within the Airport Environs (AE) Overlay District, unless authorized by approval of a Conditional Use Permit.

### 300.07 Lighting and Illumination

- (a) ***Purpose.*** This section is intended to minimize outdoor artificial light that may have a detrimental effect on the environment, astronomical research, amateur astronomy, and enjoyment of the night sky. These provisions are also intended to reduce the unnecessary illumination of adjacent properties and the use of energy.
- (b) ***Applicability.*** Outdoor light fixtures installed after the effective date of this Ordinance and maintained upon private property shall comply with the requirements of this section.
- (c) ***Exemptions.*** The following types of lighting fixtures are exempt from the requirements of this section:
- (1) ***Prior Installation.*** All light fixtures installed prior to the effective date of this Ordinance, unless fifty (50) percent or more of the light fixtures on the premises are replaced.
  - (2) ***Fossil Fuels.*** All light fixtures producing light directly by the combustion of fossil fuels.
  - (3) ***Low Lumens.*** All light fixtures with an initial total lamp sources lumens of four thousand fifty (4,050) or less.
  - (4) ***Construction and Emergency Lighting.*** All construction or emergency lighting fixtures, provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.

- (d) **Maximum Height.** Lighting fixtures shall not exceed the maximum heights specified in Table 300.07(A) below.

| <b>TABLE 300.07(A): MAXIMUM HEIGHT OF LIGHTING FIXTURES</b> |                                                                      |
|-------------------------------------------------------------|----------------------------------------------------------------------|
| <i>District</i>                                             | <i>Maximum Height (ft.)</i>                                          |
| Residential Districts                                       | 16                                                                   |
| CN, PO                                                      | 16                                                                   |
| CMX, Downtown Districts                                     | 16 within 100 feet of any street frontage; 20 in any other location. |
| PS                                                          | 20 within 100 feet of any street frontage; 25 in any other location. |
| CR, CG, IP, IG, IA                                          | 40                                                                   |
| REC, PK                                                     | 50 <sup>1</sup>                                                      |

<sup>1</sup> Sports field lighting shall be defined per project

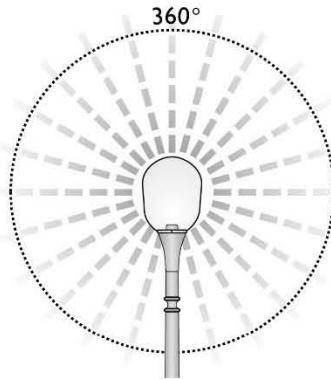
- (e) **Shielding.** All lighting fixtures shall be shielded in accordance with Table 300.07(B) so as not to produce obtrusive glare onto the public right-of-way or adjoining properties. All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for “Cut Off” or “Full Cut Off” luminaries, as illustrated in Figure 300.07.

| TABLE 300.07(B): REQUIREMENTS FOR SHIELDING AND FILTERING                                                                             |                                         |                    |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|--------------------|
| Fixture Lamp Type                                                                                                                     | Shielding Required                      | Filtering Required |
| Low Pressure Sodium <sup>1</sup>                                                                                                      | None                                    | None               |
| High Pressure Sodium                                                                                                                  | Fully                                   | None               |
| Metal Halide                                                                                                                          | Fully                                   | Yes <sup>4</sup>   |
| Fluorescent                                                                                                                           | Fully <sup>5</sup>                      | Yes <sup>2</sup>   |
| Quartz <sup>3</sup>                                                                                                                   | Fully                                   | None               |
| Incandescent Greater than 100W                                                                                                        | Fully                                   | None               |
| Incandescent 100W or less                                                                                                             | None                                    | None               |
| Mercury Vapor                                                                                                                         | Not permitted.                          |                    |
| Fossil Fuel                                                                                                                           | None                                    | None               |
| Glass Tubes filled with neon, argon, or krypton                                                                                       | None                                    | None               |
| Other Sources                                                                                                                         | As approved by the Zoning Administrator |                    |
| <sup>1</sup> This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations. |                                         |                    |
| <sup>2</sup> Warm white natural lamps are preferred to minimize detrimental effects.                                                  |                                         |                    |
| <sup>3</sup> For the purposes of this article, quartz lamps shall not be considered an incandescent light source.                     |                                         |                    |
| <sup>4</sup> Most glass, acrylic, or translucent enclosures satisfy these filter requirements.                                        |                                         |                    |
| <sup>5</sup> Outdoor signs constructed of translucent materials and wholly illuminated from within do not require shielding.          |                                         |                    |



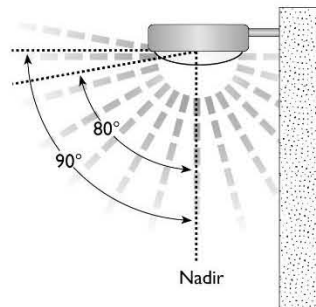
### FIGURE 300.07: LIGHT FIXTURE SHIELDING

*Not Permitted: Non-Cutoff Luminaires*



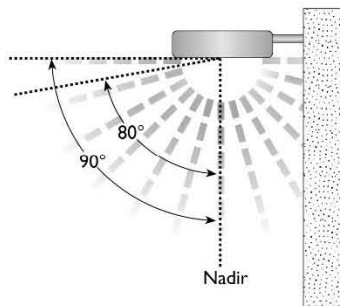
Noncutoff: Unrestricted high-angle illumination. There is no candela limitation in the zone above maximum candela.

*Permitted: Cutoff Luminaires*



Cutoff: The luminous intensity (in candelas) at or above an angle of  $90^\circ$  above nadir does not numerically exceed 2.5% of the luminous flux (in lumens) of the lamp or lamps in the luminaire, and the luminous intensity at or above a vertical angle of  $80^\circ$  above nadir does not numerically exceed 10% of the luminous flux of the lamp or lamps in the luminaire.

*Permitted: Full Cutoff Luminaires*



Full cutoff: The luminous intensity (in candelas) at or above an angle of  $90^\circ$  above nadir is zero, and the luminous intensity (in candelas) at or above a vertical angle of  $80^\circ$  above nadir does not numerically exceed 10% of the (in lumens) of the lamp or lamps in the luminaire.

- (f) **Multi-Family Residential Illumination.** Aisles, passageways, and pedestrian recesses related to and within the building complex shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandal-resistant covers.
- (g) **Pedestrian Oriented Lighting.** In the Downtown, CN, CR, and CMX districts, exterior lighting shall be provided for a secure nighttime pedestrian environment at building entrances, on-site pedestrian walkways, public sidewalks and open areas with a safe level of illumination with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. The Zoning Administrator may require additional lighting for bars, nightclubs, and lounges or other entertainment venues in order to provide a safe level of illumination.
- (h) **Prohibitions and Requirements for Protection and Shielding**
  - (1) *Recreational Facility.* No public or private outdoor recreational facility shall be illuminated after 11:00 p.m., except to conclude any recreational or sporting event or other activity conducted at a ball park, outdoor amphitheater, area, or similar facility in progress prior to 11:00 p.m.
  - (2) *Outdoor Building and Landscaping.* The unshielded outdoor illumination of any building or landscaping is prohibited, except with incandescent fixtures with lamps of one hundred (100) watts or less.
  - (3) *Outdoor Signs.* Lighting fixtures used to illuminate an outdoor sign shall be mounted on the top of the sign structure and shall be shielded according to Table 300.07(C) above.
- (i) **Alternate Materials and Methods of Installation.** Design, material, or method of installation not specifically prescribed by this section may be approved by the Zoning Administrator provided the proposed design, material, or method complies with the intent of these provisions.

### 300.08 Outdoor Seating

Eating and drinking establishments with outdoor seating areas shall be located, developed, and operated in compliance with the following standards:

- (a) **Location.** Outdoor seating areas may be permitted in Downtown Districts on any public sidewalk, provided a minimum of six (6) feet of public sidewalk remains unobstructed for pedestrian uses. Outdoor seating areas may be permitted in other zone districts as long as they do not conflict with required pedestrian walkways, parking, landscaping or loading areas.
- (b) **Conditional Use Permit.** A Conditional Use Permit is required when the outdoor seating area is located immediately abutting the property line of a residential district, and contains more than five (5) tables or seating for fifteen (15) customers.
- (c) **Barriers.** The use of barriers around the outdoor seating area may be permitted, provided they are in a manner acceptable to the City and the design is approved by

the Zoning Administrator. Barriers will be required for uses involving the sale of alcoholic beverages as approved with a Conditional Use Permit.

- (d) **Hours of Operation.** The hours of operation for an outdoor seating area shall be limited to the hours of operation of the associated eating and drinking establishment.
- (e) **Refuse Storage Area.** No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from an outdoor seating area on the public sidewalk or right-of-way. Refuse areas shall be in compliance with Section 300.13 Trash and Refuse Collection Areas.

### 300.09 Outdoor Storage

Outdoor storage of goods, materials, machines, equipment, and vehicles or parts outside of a building for more than seventy-two (72) hours shall conform to the standards of this section. The regulations of this section do not apply to temporary storage of construction materials reasonably required for construction work on the premises pursuant to a valid building permit.

- (a) **Permitted Locations.** Table 300.09 states the districts where outdoor storage is permitted and prohibited.

| <b>TABLE 300.09: OUTDOOR STORAGE REGULATIONS BY DISTRICT AND LOCATION</b> |                                                                                                                                                                        |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Base District</i>                                                      | <i>Permissibility of Outdoor Storage</i>                                                                                                                               |
| Agricultural/Rural/Conservation Districts                                 | Permitted if associated with a permitted agricultural use.                                                                                                             |
| Residential, Downtown, CN, CMX, PK and REC Districts                      | Not permitted. (All storage shall be within an enclosed building).                                                                                                     |
| CR, CG, PO, IP, IA, and PS Districts                                      | Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this section. |
| IG                                                                        | Permitted anywhere on a lot, subject to the standards of this section.                                                                                                 |

- (b) **Screening.** Screening of outdoor storage areas shall comply with the following standards:
  - (1) Outdoor storage areas shall be screened so as not to be visible from any public street or freeway; Residential district; or publicly accessible open space area, parking area, access driveway, or similar thoroughfare.
  - (2) Screening walls and fences shall be architecturally compatible with the main structure on the site and shall not have barbed wire or razor wire visible from any street or public access.
  - (3) No screening wall or fence shall be located within a required landscape planter along the street frontage.

- (4) If located on a lot line or in a required yard, screening walls and fences shall not exceed the maximum fence height in required yards; in other areas, they shall not exceed eight (8) feet in height, unless otherwise approved by the Zoning Administrator to adequately screen material. No stored goods may exceed the height of the screening wall or fence.

(c) **Surfacing**

- (1) Outdoor storage areas shall be paved. This requirement does not apply to outdoor storage associated with a permitted agricultural use.
- (2) A waiver or exception may be granted to allow outdoor storage of non-hazardous materials on other surfacing only if the following findings can be made:
  - a. The proposed surfacing is appropriate, as determined by the City Engineer, to the type of product displayed; and
  - b. The proposed surfacing will conform to all applicable federal and State air and water quality standards.

**300.10 Screening**

- (a) **Screening of Mechanical Equipment.** All mechanical and electrical equipment and antennas shall be screened or incorporated into the design of buildings so as not to be visible from the street, freeway, or adjacent residential districts. Such equipment includes, but is not limited to, all roof-mounted equipment, utility meters, cable equipment, telephone entry boxes, backflow prevention devices, irrigation control valves, electrical transformers and pull boxes. Screening devices shall be consistent with the exterior colors and materials of the buildings to which they are attached.
- (b) **Roof Access Ladders and Fire Sprinkler Risers.** Roof access ladders and fire sprinkler risers shall be located internally as allowed by the California Building Code.
- (c) **Parking Areas.** Parking areas shall be screened from view from public streets and adjacent residential properties according to the following standards:
  - (1) **Height.** Screening of parking lots from adjacent public streets shall be three (3) feet in height. Screening along interior lot lines that abut residential districts shall be six (6) feet in height, except within the required front setback of the applicable zoning district, where screening shall be three (3) feet in height.
  - (2) **Materials.** Screening may consist of one (1) or any combination of the methods listed below.
    - a. **Walls.** Low-profile walls consisting of decorative concrete, stone, or masonry materials.
    - b. **Fences.** An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. This option does not include the use of chain-link or vinyl fencing.

- c. **Planting.** Plant materials consisting of compact evergreen plants that form an opaque screen. Such plant materials shall achieve a minimum height of two (2) feet within eighteen (18) months after initial installation.
  - d. **Berms.** Berms planted with grass, ground cover, or other low-growing plant materials.
- (d) **Drive-Through Facilities.** Vehicle lanes for drive-throughs shall be screened from public streets to a height of three and one-half (3.5) feet. Screening devices shall consist of walls and/or berms.
- (e) **Common Property Lines.** A six (6) foot high wall shall be provided on the interior lot lines where any non-residential use abuts a residential district or residential use where there is no alley. Such screening wall shall be provided at the time of new construction or expansion of buildings, or changes from one (1) use classification to another non-residential use classification.
  - (1) **Location.** Screening walls shall follow the lot line of the lot to be screened, or shall be so arranged within the boundaries of the lot so as to substantially hide from adjoining lots the building, facility, or activity required to be screened.
  - (2) **Height.** The six (6) foot high screening wall shall step down to three and one-half (3.5) feet in height from the side property line intersecting the front property line to a depth equal to the required front or side yard setback of the abutting residential use in order to provide for safe line of sight for vehicular traffic. Wall height may be increased in height to accommodate adequate sound attenuation as required through the findings of an acoustical analysis prepared by an acoustical professional. The design of such improvements shall be approved by the City Engineer.
  - (3) **Materials.** The screening wall shall be a masonry block wall. Block walls shall match the standard colors allowed in the City's graffiti abatement program. The City Engineer may approve new wall/fencing materials that become available in the future for use as an alternative to a masonry block wall based on its proven comparable properties for durability, sound, light, and glare attenuation. Topography, berming, and other alternative methods of mitigating the nuisance of noise and light might be considered at time of project review.
  - (4) **Timing.** If the residential use develops prior to the non-residential use, a six (6) foot high wood fence may be constructed. If the non-residential use or residential use develops adjacent to existing development the wall shall be constructed with the new development. Where a six (6) foot high wood fence already exists, the masonry wall footing, when constructed, shall comply with City standards. The narrow offset portion of the masonry wall footing shall abut the existing wood fence posts, or close thereto. The gap between the fence shall be sealed with a top rail approved by the City Engineer. A condition of approval may be imposed upon the developer of the non-residential use to work with the adjacent property owner to eliminate the abutting and parallel wood fence. Said wall shall be constructed concurrently with the non-

residential development. Those uses subject to a Conditional Use Permit may be evaluated to determine applicability of the wall requirement.

- (f) **State Route.** Where a residential use abuts State Route rights-of-way or State Route frontage road rights-of-way, screening according to the following shall be installed along that frontage.
  - (1) **Height.** An eight (8) foot high wall shall be provided unless an acoustical analysis prepared by an acoustical professional verifies that an appropriate height greater or lesser than the eight (8) feet is warranted or, subject to the approval of any discretionary permit (i.e. Conditional Use Permit, parcel or subdivision map). The design of such improvements shall be approved by the City Engineer.
  - (2) **Material.** The screening wall shall be a masonry block wall constructed of decorative, split-face block and brown in color per the approved colors maintained in the Community Development Department. The wall shall include decorative columns, spaced no more than sixty (60) feet apart, with stone veneer. The entire wall, including the columns, shall be capped on top. The City Engineer may approve new wall/fencing materials that become available in the future for use as an alternative to a masonry block wall based on its proven comparable properties for durability, sound, light, and glare attenuation. Topography, berming, and other alternative methods of mitigating the nuisance of noise and light may be considered at time of project review.
  - (3) **Landscaping.** Landscaping shall be provided along these walls to include trees, shrubs, groundcover and vines in order to improve the aesthetics of the wall and prevent graffiti. Adequate land and access shall be provided to install and maintain such landscaping, to the satisfaction of the Parks and Leisure Services Director. Maintenance of wall landscaping shall be provided by the developer, or by an assessment district established for such maintenance in perpetuity.
- (g) **Adjacent to Residential Uses.** The Zoning Administrator may require a block wall based on the site design of the parking or service area or where other noise, light, and glare are oriented toward a residential use. The wall design shall be approved as part of the project by the City Engineer to ensure that adequate line of sight distance is provided.

### 300.11 **Street Dedication, Construction of Public Improvements, and Installation of Certain Parkway Improvements**

Public improvements shall be provided in compliance with the following standards to any property or lot where public improvements were never constructed or installed to City standards, or where such public improvements for whatever cause have deteriorated to a condition that they no longer adequately serve their intended purpose. An applicant for a Conditional Use Permit or building permit shall be required to provide for said public improvements along the frontage of such property as follows:

- (a) **Right-of-way Dedication.** Dedicate street right of way necessary to obtain the ultimate right of way width as required by ordinance or resolution of the City Council.
- (b) **Curb, Gutter, and Sidewalk.** Construct new, and/or repair existing curb, gutter, sidewalk and handicap ramp as required by the City Engineer. If, due to existing topographic or related conditions, the City Engineer determines that it would be in the best interests of the City and its inhabitants to construct said curb, gutter and sidewalk at a later date, the applicant shall deposit to the City a cash amount equal to the City Engineer's estimate of construction cost, or execute an agreement as provided by Section 20-40.5, Deferred Construction, Cash Deposit, Lien Agreement, of the Municipal Code.
- (c) **Street and Alley Paveout.** Construct street, and, if applicable, alley paveout, from the gutter lip in the case of streets, and from the property line in the case of alleys, to the existing pavement in accordance with City standards. In cases where the street or alley is not paved, the construction required of the applicant shall not exceed fifty (50) percent of the width of the street or alley. If, due to existing topographic or related conditions, the City Engineer determines that it would be in the best interests of the City and its inhabitants to construct said street or alley paveout at a later date, the applicant shall deposit to the City a cash amount equal to the City Engineer's estimate of construction cost, or execute an agreement as provided by Section 20-40.5, Deferred Construction, Cash Deposit, Lien Agreement, of the Municipal Code.
  - (1) Single-family dwellings or duplexes shall not be required to pay for any paveout costs that are over two (2) feet from the gutter lip or property line.
- (d) **Utility Structures.** Relocate existing utility structures, when required, to an area within the parkway to the satisfaction of the City Engineer.
- (e) **Parkway Trees.** Provide for the installation of parkway trees as required by the Director of Parks and Leisure Services in accordance with City standards pertaining to the type, size, spacing and placement of such trees; to the maintenance or extension of street tree themes when applicable; and, to the time of installation when it is determined it would be in the best interest of the City to postpone the placement of trees required pursuant to this section.
- (f) **Non-residential Development.** The following improvements shall be installed with all non-residential development.
  - (1) **Fire Hydrants.** Fire hydrants to meet City standards for type, size and spacing in accordance with the requirements of the Fire Department, and to the satisfaction of the City Engineer. In lieu of installation, if otherwise required pursuant to the provisions of this Section, the City may require payment of a prorated fire hydrant fee in an amount set by resolution of the City Council to acknowledge the area of benefit served by same.
  - (2) **Streetlights.** Streetlights as required by the City Engineer at intersections, culs-de-sac, crosswalks, curves, etc., to meet City standards for type, illumination and spacing. In lieu of installation, if otherwise required pursuant to the provisions of this Section, the City may require payment of a prorated

streetlight fee in an amount set by resolution of the City Council to acknowledge the area of benefit served by same.

- (3) **Drainage Facilities.** Drainage facilities as required by the City Engineer to meet City standards.

### **300.12 Swimming Pools**

Swimming pools located in any zoning district shall not be located in the required front yard, required landscaped areas or closer than five (5) feet from the water's edge to any lot line or building.

### **300.13 Trash and Refuse Collection Areas**

Solid waste and recycling-container enclosures are required for new dwelling groups consisting of four (4) or more dwelling units and for all nonresidential developments in accordance with the following standards:

- (a) **Location.** All enclosures shall comply with the California Building Code and Fire Code and shall meet the following requirements unless it is demonstrated that they are infeasible as determined by the Zoning Administrator.
  - (1) The solid waste and recycling storage area shall not be located within any required front yard, street side yard, or required landscaped area, or any other area required by this Ordinance to be constructed or maintained unencumbered according to fire and other applicable building and public safety codes.
  - (2) Solid waste and recycling areas shall be consolidated to minimize the number of collection sites and located so as to reasonably equalize the distance from the building spaces they serve. The number of required collection sites shall be determined by the Public Works Department.
  - (3) Solid waste and recycling storage areas shall be conveniently accessible to refuse trucks. Enclosures shall be located so that the trucks and equipment used by the City of Porterville or its contractors have sufficient maneuvering areas and, if feasible, so that the collection equipment can avoid backing. Project applicants are responsible for procuring current equipment size and turning radius from the City of Porterville or its contracted solid waste and recycling collector(s).
- (b) **Materials, Construction, and Design**
  - (1) **Minimum Height of Screening.** Solid waste and recycling storage areas located outside or on the exterior of any building shall be enclosed per City standards for refuse and recycling enclosures.
  - (2) **Enclosure Material.** Enclosure material shall be solid masonry or concrete tilt-up with decorated exterior-surface finish compatible to the main structure(s).
  - (3) **Gate Material.** Gate material shall be decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material. If



not visible from a public street, public parking area, or residential area, the enclosure gates may be constructed of chain link with wood or plastic inserts.

- (4) **Access to Enclosure from Residential Projects.** Each solid waste and recycling enclosure serving a residential project shall be designed to allow walk-in access without having to open the main enclosure gate.
- (5) **Enclosure Pad.** Pads shall be a minimum of six (6) inch-thick concrete.
- (6) **Protection for Enclosures.** Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and travel ways.
- (7) **Landscaping.** The perimeter of the recycling and trash enclosure, except for areas used for access, shall be planted, if feasible, with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines.
- (8) **Clear Zone.** The area in front of all enclosure types shall be kept clear of obstructions, and shall be painted, striped, and marked “No Parking.”

#### **300.14 Truck Docks, Loading, and Service Areas**

- (a) **Minimum Distance from Residential Districts.** Truck docks, loading, and service areas are not permitted within fifty (50) feet of an R district boundary, unless noise mitigation and view obscuring screening is provided, as approved by the Zoning Administrator.
- (b) **Screening.** Truck docks, loading, and service areas located in any district shall be screened from any adjacent residential districts or uses. In all districts except IA, IP and IG districts, these facilities shall be located at the interior side of buildings or on the rear of the site and be screened so as not to be visible from public streets.

#### **300.15 Underground Utilities**

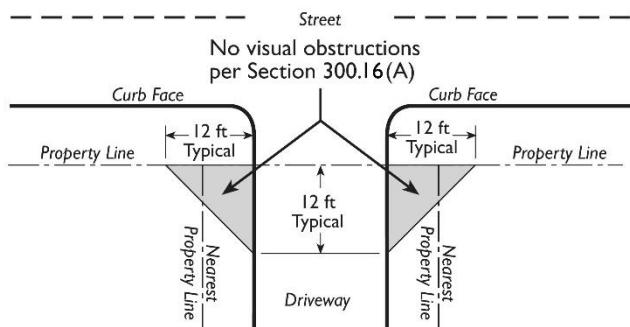
All electrical, telephone, cable television, and similar distribution lines providing direct service to a development site shall be installed underground within the site.

#### **300.16 Visibility at Driveways and Intersections (Sight Distance)**

Visibility at driveways and intersections shall be maintained in accordance with the following standards. The City Engineer may require extended or reduced sight distance lengths where special conditions exist or will be created, as necessary to maintain adequate visibility.

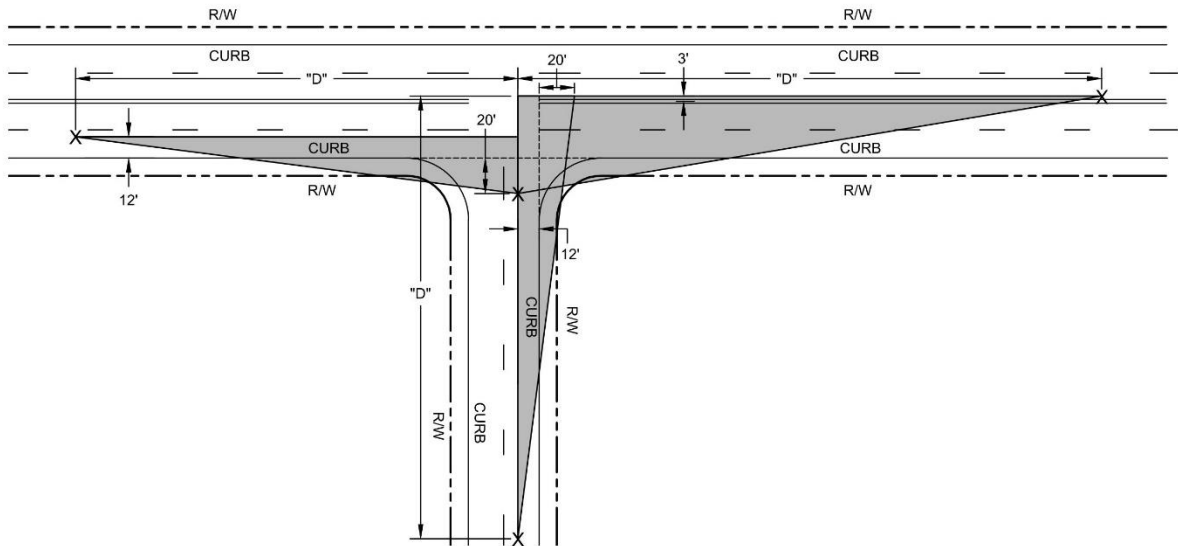
- (a) **Driveways.** Visibility at a driveway crossing a street property line shall not be blocked above a maximum height of three (3) feet by vegetation or three and one-half (3.5) feet by structures for a depth of twelve (12) feet as viewed from the edge of the curb face on either side of the driveway at a distance of twelve (12) feet. Street trees that are pruned at least eight (8) feet above the established grade from top of curb so as not to obstruct clear view by motor vehicle drivers are permitted.

**FIGURE 300.16(A): DRIVEWAY VISIBILITY**



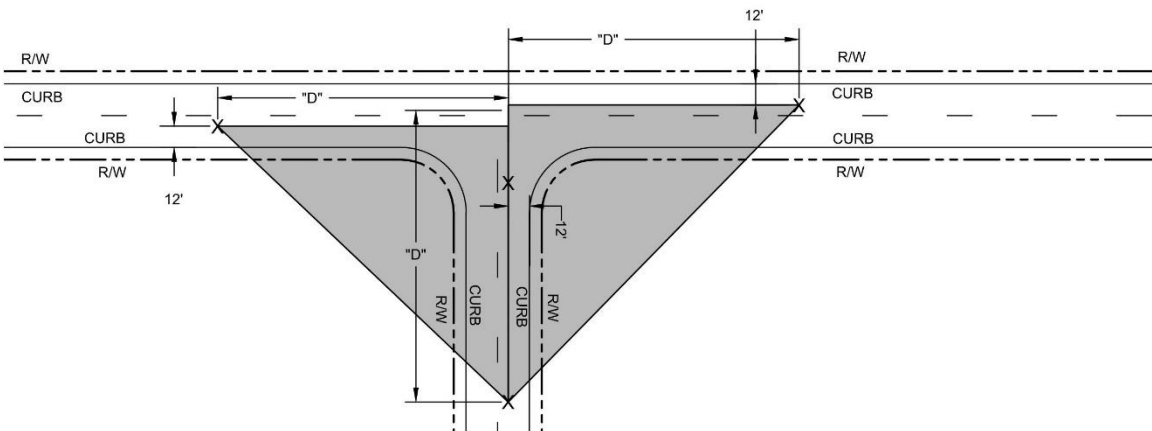
- (b) **Controlled Intersections.** A controlled intersection is one where a traffic signal or stop sign (all-way or minor street only) exists to control the flow and ensure the safety of traffic. Visibility at controlled street intersections shall not be blocked above a maximum height (measured from intersection street grades) of three (3) feet by vegetation or three and one-half (3.5) feet by structures, including, but not limited to, fences and walls. There shall be corner cut-offs of all lots which abut an intersection of two streets. These standard corner cut-offs are determined by intersection points located twelve (12) feet from the edge of the curb face of each street and are the areas between these intersection points and the streets, one point being twenty (20) feet from the curb face extension and the other a distance “D” from the intersection of the crossing street (see Table 300.16, Sight Distance Standards). The corner cut-offs for left turns from a minor road, are determined by intersection points located three (3) feet from the middle edge of the inside lane, and are the areas between these intersection points and the streets, one point being twenty (20) feet from the curb extension and the other a distance “D” from the intersection of the crossing street (see Table 300.16). No obstruction which limits the visibility of persons operating vehicles on said streets shall be permitted in corner cut-off areas.

**FIGURE 300.16(B): VISIBILITY AT CONTROLLED INTERSECTIONS**



- (c) **Uncontrolled Intersections.** An uncontrolled intersection is one where no traffic controls exist and is subject only to yielding from each street leg. Same requirements as controlled intersections shall apply except that both intersecting streets shall require a distance "D" from the intersection of the crossing street to comply with the sight distance requirements on Table 300.16, Sight Distance Standards.

**FIGURE 300.16(C): VISIBILITY AT UNCONTROLLED INTERSECTIONS**



| <b>TABLE 300.16: SIGHT DISTANCE STANDARDS</b>                                                                                                                                                                     |                                                         |                                                                                            |                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <i>Design Speed<br/>(mph)</i>                                                                                                                                                                                     | <i>Controlled Intersections Sight<br/>Distance (ft)</i> | <i>Controlled<br/>Intersections, Left Turn<br/>from Minor Road Sight<br/>Distance (ft)</i> | <i>Uncontrolled<br/>Intersections, Sight<br/>Distance (ft)</i> |
| 15                                                                                                                                                                                                                | 80                                                      | 105                                                                                        | 70                                                             |
| 20                                                                                                                                                                                                                | 115                                                     | 145                                                                                        | 90                                                             |
| 25                                                                                                                                                                                                                | 155                                                     | 195                                                                                        | 115                                                            |
| 30                                                                                                                                                                                                                | 200                                                     | 245                                                                                        | 140                                                            |
| 35                                                                                                                                                                                                                | 250                                                     | 305                                                                                        | 165                                                            |
| 40                                                                                                                                                                                                                | 305                                                     | 365                                                                                        | 195                                                            |
| 45                                                                                                                                                                                                                | 360                                                     | 430                                                                                        | 220                                                            |
| 50                                                                                                                                                                                                                | 425                                                     | 500                                                                                        | 245                                                            |
| 55                                                                                                                                                                                                                | 495                                                     | 580                                                                                        | 285                                                            |
| 60                                                                                                                                                                                                                | 570                                                     | 660                                                                                        | 325                                                            |
| Note: Design speed is based on road classification per AASHTO or Caltrans manuals<br>Sources:<br>“A Policy on Geometric Design of Highways and Streets,” AASHTO, 2010.<br>“Highway Design Manual,” Caltrans, 2011 |                                                         |                                                                                            |                                                                |

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## Chapter 301 Standards For Specific Uses and Activities

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### Sections:

|        |                                                        |
|--------|--------------------------------------------------------|
| 301.01 | Accessory Uses and Structures                          |
| 301.02 | Alcoholic Beverage Sales                               |
| 301.03 | Animal Keeping                                         |
| 301.04 | Automobile/Vehicle Service and Repair, Major and Minor |
| 301.05 | Auto Service Stations and Car Washing                  |
| 301.06 | Crop Cultivation                                       |
| 301.07 | Family Day Care Home, Large                            |
| 301.08 | Hazardous Waste Management Facilities                  |
| 301.09 | Home Occupations                                       |
| 301.10 | Manufactured Homes                                     |
| 301.11 | Mobile Home Parks                                      |
| 301.12 | Outdoor Retail Sales                                   |
| 301.13 | Personal Storage Facilities                            |
| 301.14 | Recycling Facilities                                   |
| 301.15 | Residential Care Facilities, General                   |
| 301.16 | Second Dwelling Units                                  |
| 301.17 | Sexually Oriented Businesses                           |
| 301.18 | Single Room Occupancy Hotels                           |
| 301.19 | Social Service Facilities                              |
| 301.20 | Telecommunication Facilities                           |
| 301.21 | Temporary Uses                                         |
| 301.22 | Transitional and Supportive Housing                    |
| 301.23 | Medical Cannabis Cultivation                           |

### 301.01 Accessory Uses and Structures

An accessory use shall be secondary to a primary use and shall be allowed only in conjunction with a principal use or building to which it relates under the same regulations as the main use in any zoning district. Accessory uses and structures are also subject to the development and site regulations found in Chapter 300, General Site Regulations. Accessory structures shall be designed to be of similar/compatible architecture and materials as the main buildings, and in addition shall be located, developed, and operated in compliance with the following standards in the agricultural and residential zone districts as follows:

- (a) **Agricultural Accessory Structures.** In the AC and RR districts, agricultural accessory uses and structures are allowed subject to the provisions of this section. Agricultural accessory uses and structures include any uses that are customarily related to an agricultural use including stables, barns, pens and sheds or other structures for the housing of such animals, feed, equipment, and tools.
  - (1) **Size.** The maximum lot coverage allowed by the development standards shall not be exceeded.

- (2) **Height.** The agricultural accessory structure shall not exceed thirty-five (35) feet in height unless approved by the Zoning Administrator.
  - (3) **Building Separation.** Agricultural accessory structures shall be separated from any main building by a minimum of six (6) feet.
  - (4) **Setbacks.** Agricultural accessory structures shall meet all setback requirements of the main building.
- (b) **Residential Accessory Structures.** Residential accessory structures include any uses that are customarily related to a residence, including garages, greenhouses, storage sheds, studios, workshops, detached covered decks (i.e. a patio structure), detached uncovered decks and patios two and one-half (2.5) feet in height or greater, and similar structures. Uncovered decks under two and one-half (2.5) feet in height, and fences are not subject to the regulations in this section. Additional regulations for residential second units are located in Section 301.16, Second Dwelling Units.
  - (1) **Attached Structures.** An attached structure is not, by definition, an accessory structure. A structure shall be considered attached to a main structure if it is architecturally compatible with and made structurally a part of the main structure, including sharing a common wall or roof-line with the main structure. A structure attached with a breezeway connecting a door of the residence to a door of the detached structure, with a roof that is a minimum of eight (8) feet in width and fifteen (15) feet in length, will be considered a part of the main structure for purposes of this Ordinance. An attached structure shall comply with all requirements of this Ordinance applicable to the main structure, including, but not limited to setback requirements and height limits.
  - (2) **Number of Structures.** The number of detached accessory structures shall be limited to two (2) unless approved by the Zoning Administrator.
  - (3) **Size.** The floor area of detached accessory structures shall not exceed a cumulative floor area of one thousand two-hundred (1,200) square feet unless approved by the Zoning Administrator. In reviewing a request for additional size, the Zoning Administrator may consider neighborhood compatibility, overall lot coverage, relationship of the accessory structure to the main structure and use, and any circumstances unique to the neighborhood. In no case shall the accessory building exceed the ground floor area of the main building and in no case shall the maximum lot coverage allowed by the development standards be exceeded.
  - (4) **Height.** The maximum height shall not exceed eighteen (18) feet. The Zoning Administrator may consider buildings exceeding eighteen (18) feet in height that are stepped back one (1) foot from the required side and rear setback lines for every foot of height above eighteen (18) feet up to twenty-four (24) feet.
  - (5) **Building Separation.** Detached accessory structures requiring a building permit, with the exception of shade structures, shall be separated from any main building by a minimum of six (6) feet.
  - (6) **Setbacks.** When located in the rear one-third of a lot, detached accessory buildings shall not be located closer than four (4) feet to any rear property line. In instances where the rear property line is coterminous with an alley

right-of-way, the accessory building shall not be closer than one (1) foot to such rear property line. Detached accessory buildings shall meet all other setback requirements of the main building.

### **301.02 Alcoholic Beverage Sales**

Conditional Use Permit approval is required for any use involving the sale of alcoholic beverages under an on-sale or off-sale license.

- (a) **Liquor Stores.** Liquor Stores and other off-sale establishments that dedicate more than twenty-five (25) percent of the sale floor to sales of alcoholic beverages for off-premises consumption, but excluding full-service grocery stores, shall be located, developed, and operated in compliance with the following standards:
  - (1) **Location.** In all areas outside the Downtown Districts, such establishment shall be located a minimum of five hundred (500) feet from any other such establishment or any educational, religious, or cultural institution or public parks. The five hundred (500) foot separation requirement does not apply in the Downtown Districts.
  - (2) **Litter.** Trash receptacles shall be provided by entrances and exits from the building.
  - (3) **Pay Telephones and Vending Machines.** External pay telephones and vending machines are prohibited.

### **301.03 Animal Keeping**

Animal keeping is allowed as an accessory use to a primary residential use. Animals may be kept in compliance with the following standards:

- (a) **Residential Household Pets.** Household pets such as domestic dogs, cats, or birds, ordinarily permitted inside of a dwelling and kept only for the company and pleasure provided to the occupants shall be permitted. Household pets shall not include horses, cows, goats, sheep or other equine, bovine, ovine or ruminant animals, pigs, chickens, ducks geese, turkeys, game birds or fowl which normally constitute an agricultural use. At no time shall the combined number of animals kept exceed seven (7) animals. At no time shall the number of cats or dogs exceed three (3) animals.
- (b) **Agricultural Animals** The keeping of horses, cows, goats, sheep or other equine, bovine, ovine or ruminant animals is permitted in the AC and RR zone districts on lots one-half (0.5) acre or greater as long as the number of animals does not exceed one (1) per fifteen thousand (15,000) square feet of lot area. The keeping of chickens, ducks, geese, turkeys, game birds or fowl is permitted with the total number not to exceed twelve (12) birds per gross acre. The raising of pigs is permitted in conjunction with an FFA or 4-H project for any recognized Fair, the limit being one (1) animal per student residing on the property. All animals other than household pets shall be housed or penned at a minimum distance of thirty-five (35) feet from property lines and fifty (50) feet from any residence. All areas and structures used in conjunction with the keeping of animals other than household pets shall be maintained and cleaned so as not to present a public hazard or nuisance.



- (c) No predatory wild animals, roosters, endangered or protected animals are allowed to be raised within the City.
- (d) The offspring of any permitted animal may be kept until weaned, unless they do not exceed the total number of animals allowed.
- (e) No animals are to be kept for commercial purposes in the RR, RS-1, RS-2, RM-1 RM-2 and RM-3 zones.
- (f) The keeping of pigeons shall be in accordance with City of Porterville Municipal Code Chapter 5, Animal Control.

#### **301.04 Automobile/Vehicle Service and Repair, Major and Minor**

Major and Minor Automobile/Vehicle Service and Repair uses shall be located, developed, and operated in compliance with the following standards:

- (a) **Noise.** All body and fender work, stereo installation and testing, or similar noise-generating activity shall be conducted within an enclosed masonry or similar building with sound-attenuating construction to absorb noise. Air compressors and similar equipment shall be located inside a building.
- (b) **Litter.** The premises shall be kept in an orderly condition at all times. No used or discarded automotive parts or equipment or permanently disabled, junked, or wrecked vehicles may be stored outside a building.
- (c) **Work Areas.** All work shall be conducted within an enclosed building.
- (d) **Bay Doors.** Bay doors shall not face a public right of way. On corner lots fronting two (2) or more streets with different classifications in the General Plan, bay doors shall face the street with the lower classification.

#### **301.05 Auto Service Stations and Car Washing**

Service stations, automobile/vehicle washing facilities, and any other commercial use that includes fuel pumps for retail sales of gasoline shall be located, developed, and operated in compliance with the following standards:

- (a) **Bay Doors.** Bay doors shall not face a public right of way. On corner lots fronting two (2) or more streets with different classifications in the General Plan, bay doors shall face the street with the lower classification.
- (b) **Pump Islands.** Pump islands shall be located a minimum of fifteen (15) feet from any property line to the nearest edge of the pump island. A canopy or roof structure over a pump island may encroach up to ten (10) feet within this distance.
- (c) **Canopies and Roof Structures.** Canopies and roof structures over a pump island, including associated signage, shall be designed as an integral design element of a building's architecture and architecturally compatible, including materials, color and design details, with surrounding structures.

- (d) **Washing Facilities.** No building or structure shall be located within ten (10) feet of the property line or within twenty (20) feet of any interior lot line of a residential use or an R district.
- (e) **Signage.** Where not otherwise accommodated in Section 305, Signs, service station signage needed to comply with the California Business and Professions Code §13532 can be approved by the Zoning Administrator.
- (f) **Hours of Operation.** Automobile/vehicle washing facilities are limited to 7:00 a.m. to 10:00 p.m., seven (7) days a week. When abutting an R district, the hours of operation shall be 8:00 a.m. to 8:00 p.m., seven (7) days a week unless modified otherwise by a Conditional Use Permit.
- (g) **Application Review and Findings for Approval.** In reviewing proposals, emphasis shall be placed on quality design of building materials and landscape features. The following standards shall be incorporated:
  - (1) The project shall be designed so that form and scale are harmonious and consistent with the character of the specific site, the adjacent uses and structures, and the surrounding neighborhood.
  - (2) The site design, including the location and number of driveways, shall promote safe and efficient on-site and off-site traffic circulation.
  - (3) Service bay openings shall be designed to minimize the visual intrusion on surrounding streets and properties.
  - (4) Lighting shall be designed to be low-profile, indirect or diffused, create a pleasing appearance, and avoid adverse impacts on surrounding uses.
- (h) **Conditions of Approval.** Conditions of approval of a Conditional Use Permit may address operational characteristics of the use; impose restrictions on outdoor storage and display, location of pump islands, canopies and service bay openings; and/or require buffering, screening, lighting, planting areas, or other site elements, in order to avoid adverse impacts on properties in the surrounding area.
- (i) **Abandonment.** Any service station shall in the case of abandonment or non-operation of the primary use be dismantled and the site cleared within twelve (12) months subsequent to the close of the last business day.

### **301.06 Crop Cultivation**

Commercial Crop Cultivation is allowed as an interim use in zones designated in Series 200 of this chapter. Land use regulations as identified in Series 200 and elsewhere in this Code apply.

#### **(a) Purpose and Intent**

- (1) It is the purpose and intent of this section to provide opportunity for interim use of land within city limits until such time as the development market supports the intended development of said lands.

- (2) Commercial crop cultivation can be allowed on an interim basis only where the impacts of an agricultural operation will not be detrimental to the health, safety, peace, or general welfare of persons residing or working in the surrounding area.
- (3) Crop cultivation allowed under the premises of this section is secondary to its availability for urban development and should be available for development as an urban use when market conditions improve for such a use.
- (4) Use of a subject site for crop cultivation for an interim period does not result in the land being construed as an agricultural resource requiring protection or preservation.
- (5) If residentially zoned, the land, regardless of the status of its agricultural use, will be considered in the City's Housing Element and the Regional Housing Needs Assessment (RHNA) as available for residential use.
- (6) The key intent of this section is to limit the use to a time period that is appropriate to the type of agricultural crop to be planted, to allow sufficient time for a reasonable profit to be realized while assuring that the use is interim in nature. At its discretion, the City Council may set time periods to limit the use to a specific amount of time.
- (7) This section shall not be construed to apply to animal confinement.

(b) **Development Standards**

Commercial crop cultivation allowed by this section shall comply with the following standards:

- (1) The aerial application of fertilizers, pesticides, or other agricultural treatments is not allowed.
- (2) Prior to the application of pesticides, fungicides, or insecticides, notice will be given to all property owners within 300 feet of the parcel(s), and notice shall be posted on site along every 100 feet of street frontage. Notice shall be no smaller than 10" x 12" and with the word "Notice" in 80 point font.
- (3) A minimum twenty (20) foot wide drive aisle clearance shall be maintained along all property boundaries.
- (4) The applicant/property owner *shall not* enter into a Williamson Act contract or other agricultural preservation measure, whether for tax reduction or other purposes.
- (5) A vector/rodent control plan shall be submitted and approved with the conditional use permit and implemented for the term of the agricultural use.
- (6) The applicant shall indemnify the City of Porterville to the satisfaction of the City Attorney from and against any and all claims or legal recourse resulting from the agricultural operation.

**(c) Considerations**

The following factors will be considered on a project-by-project basis to determine if commercial crop cultivation is an appropriate use for a particular site. The Council may consider the following factors or others as may be appropriate, based on the location of the proposed use and its proximity to urban uses and may consider limiting some crop types due to impacts of excessive noise, dust, vibration, odors or other effects on surrounding uses.

- (1) No “Right to Farm” is conveyed or otherwise implied with the use.
- (2) The area to be farmed is of adequate size, dimension and topography to accommodate the proposed use.
- (3) The burning of agricultural waste/trimmings/etc. on the property will not create a public nuisance or a danger due to the close proximity of urban uses.
- (4) On-site sale of crops is allowed in accordance with Subsection D, “Sale of Agricultural Crops”, of this section.
- (5) The use does not involve the installation of underground storage tanks.
- (6) Best Management Practices to reduce spray drift will be implemented.
- (7) Wells, as needed to serve the subject site, are subject to California Department of Public Health Services approval and review of the City Engineer.
- (8) Irrigation water run-off, if any, can be contained on site.
- (9) Use of municipal water for irrigation is prohibited.
- (10) The area shall be groomed of weeds and agricultural waste regularly to reduce potential fire hazard, proliferation of pests, and unsightly conditions.
- (11) Equipment and vehicles related to the active farming operation of the site shall not be parked in the public right of way and vehicular circulation related to the use shall occur on-site.
- (12) The applicant shall remove all abandoned crops upon discontinuation of the use.

**(d) Sale of Agricultural Crops**

The on-site sale of agricultural crops may be considered by the City Council subject to the following criteria:

- (1) Sales from the site are seasonal in nature.
- (2) Sales are limited to those crops grown on site.
- (3) Sales booths have adequate parking and there is appropriate surfacing for the parking area and drive aisle.
- (4) There is safe access to and from the site from the right of way.
- (5) The sales booth conforms to all requirements of the California Building Code and the size of the booth is commensurate with the crop to be sold, the size of the cultivation area and the length of the season, but shall not exceed 500 square feet.

- (6) One 40 square foot sign is allowed as a wall sign or freestanding sign not greater than twelve (12) feet in height.

### **301.07 Family Day Care Home, Large**

Large Family Day Care Homes shall be located, developed, and operated in compliance with the following standards:

- (a) **Location.** Large Family Day Care Homes shall be located at least three hundred (300) feet apart in all directions from any other Large Family Day Care Home.
- (b) **Hours of Operation.** Large Family Day Care Homes shall operate only between the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday. No outdoor play is allowed before 9:00 a.m.
- (c) **Residency.** The operator of a Large Family Day Care Home shall be a full-time resident of the dwelling unit in which the facility is located.
- (d) **Screening.** A periphery wall, constructed of wood or masonry, shall be provided for purposes of securing outdoor play areas and screening the site and shall achieve seventy-five (75) percent opacity. Chain metal fencing or barbed wire is prohibited.
- (e) **Signs.** No sign shall be publicly displayed on the premises relating to the Large Family Day Care Home.
- (f) **Play Area.** A minimum of seven hundred (700) square feet of play area is required. An additional seventy-five (75) square feet is required for each child in excess of ten (10), as shown by the maximum number of children which may be cared for at any time, pursuant to the license for such a facility. The play area shall not be located in any required front or side yard.
- (g) **Parking and Loading.** An operator of a Large Family Day Care Home shall satisfy the following conditions:
  - (1) **Passenger Loading and Drop-off.** A minimum of one (1) additional improved off-street drop-off and pick-up parking space shall be provided.
  - (2) **Traffic.** Increased traffic due to the operation of any Large Family Day Care Home shall not cause traffic levels to exceed those levels customary in residential neighborhoods. However, somewhat higher traffic levels during the morning and evening commute time is acceptable.

### **301.08 Hazardous Waste Management Facilities**

All hazardous waste management facilities, except household hazardous waste collection centers authorized by the City and the Tulare County Health Department, shall be located, developed, and operated in compliance with the following:

- (a) **Application Content.** Applications for hazardous waste management facilities shall include the following:

- (1) **Site Plan.** A detailed site plan depicting all buildings, land uses, storage areas, parking areas, and driveways internal and surrounding traffic circulation. Occupancy type and rating for each building or structure shall be identified.
- (2) **Best Management Practices.** Demonstrate and certify that they are minimizing the generation of hazardous waste through the use of the best available technology within their manufacturing, and/or product development processes. Applicants shall also demonstrate and certify that facilities will be using the best available control technology in minimizing air emissions and processing hazardous waste. Such demonstration and certification shall be provided prior to the issuance of any building permit or other land use entitlement.
- (3) **Waste Characteristics and Capacity.** Identify the amounts (in tons) and types of hazardous waste to be treated and stored; the duration of stored waste on the facility site and the ultimate destination of the waste. The owner-operator shall make this information available on a quarterly basis to the City of Porterville on an on-going basis. If the application is for a transfer station the applicant shall identify the capacity of the facility to store each type of waste stream, service area(s) of the facility and ultimate disposition of the waste.
- (4) **Air Quality Analysis.** An analysis of all anticipated air quality impacts and proposed mitigation measures. The hazardous waste facility shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District.
- (5) **Risk Assessment.** A risk assessment which analyzes, in detail, all probabilities of accidents or spills at the site, (including transportation related) or accidents from the point of origin to the facility, and any other risk assessment requested by either the City Manager, Zoning Administrator, or the City Council. Such analyses shall identify mitigation measures to reduce the identified risks. The risk assessment shall identify the most probable routes for transporting hazardous wastes to and from the facility.
- (6) **Alternatives Analysis.** All applications shall contain an analysis of alternative regional sites which shall be reviewed pursuant to the California Environmental Quality Act.
- (7) **Emergency Response Plan.** An Emergency Response Plan that indicates at a minimum:
  - a. That the proposed plan is consistent with any and all applicable County and Regional Emergency Response Plans and all City, County, State and Federal Regulatory requirements regarding Emergency Response Procedure.
  - b. Detailed procedures to be employed at the time of emergency for each type of chemical substances utilized including contingency procedures.
  - c. Anticipated impacts on local fire, police, and medical services.
  - d. Names, home and business addresses, and home and business telephone numbers of all management personnel at the facility, if

known, and a detailed description of uncontrolled release and emergency situation reporting procedures.

- (8) **Geotechnical Report.** A geotechnical report providing complete analysis of on-site soil conditions, fault hazards, underground water supplies, and recommendations.
  - (9) **Flooding Information.** An analysis of the potential of flooding on the site. Note residual repositories are prohibited in areas of special flood hazards as depicted by FEMA Flood Hazard Maps.
  - (10) **Traffic Analysis.** Applicants shall submit a traffic analysis which addresses, at a minimum, vehicle-truck trips, effects on nearby intersections, and any special characteristics of the project site. Applicants shall also identify the most likely transportation routes within the City and the County.
  - (11) **Closure Plan.** The Owner/Operator of a hazardous waste facility shall, prior to any local land use decision, submit to the Fire Department a written Closure Plan approved by the California Department of Health Services. All revisions to such Closure Plans shall also be submitted to the Fire Department.
  - (12) **Safety.** The Owner/Operator shall demonstrate that the separation between the hazardous waste facility and residential areas is adequate to protect the health, safety, welfare, and property values of residents.
- (b) **Monitoring.** At minimum, hazardous waste facilities are subject to the following monitoring requirements:
- (1) Upon reasonable notice, and for the purpose of ensuring compliance with all standards, conditions, and other requirements which the City is authorized to enforce under its police power, City Officials or their designated representatives may enter the premises on which a hazardous waste facility permit has been granted.
  - (2) The Owner/Operator of a facility shall report quarterly to the Fire Chief the amount, type, and disposition of all wastes processed by the facility. Included in the report shall be copies of all manifests showing the delivery and types of hazardous wastes and include a map showing the exact location (coordinates and elevation) of quantities and types of materials placed in repositories or otherwise stored or disposed of on-site.
  - (3) The Owner/Operator of a hazardous waste facility shall immediately send copies of all complaints as to facility operations and copies of all inspection reports made by other local, state or federal agencies to the Fire Chief and City Engineer.
  - (4) The Owner/Operator of all facilities shall prepare and submit an Annual Emergency Response Preparedness Report to the Fire Department and all other local emergency response agencies. Such report shall be signed by all management personnel at the facility and each person at the facility who has emergency response responsibilities.
  - (5) The Owner/Operator of all facilities shall submit an annual Air, Soil, and Groundwater Monitoring Report to the City Engineer.

- (c) **Modifications.** Any modifications of the types and quantities of hazardous waste to be managed at the facility which were not included in the approved application for a Conditional Use Permit shall be approved by the Fire Chief and City Engineer before such modifications occur at the facility.
- (d) **Contingency Plan.** Every hazardous waste facility shall have a contingency operation plan approved by the California Department of Health Services. A copy of the contingency plan shall be maintained at the facility and sent to the Police Department, Fire Department, Engineering Division, and the County Department of Environmental Health.
- (e) **Financial Assurance.** Prior to issuance of an "Occupancy Permit" to begin the use of a hazardous waste facility, the applicant shall show proof that it has met all of the financial responsibility requirements imposed by the California Department of Health Services and any other federal or state agency.
- (f) **Indemnification.** The applicant agrees to indemnify, defend, and render harmless the City, and its City Council and all officers, employees and agents of the City against and from all claims, actions and liabilities relating to the land use decision or arising out of the operation of the facility.
- (g) **Enforcement.** All costs of compliance with this Ordinance shall be borne by the Owner/Operator. The City may employ any and all methods permitted by law to enforce this Ordinance.
- (h) **Maintenance.** The Owner/Operator shall keep all equipment and buildings in good repair and shall employ technological advances as may be required by the California Department of Health Services, San Joaquin Valley Air Pollution Control District, or U.S. Environmental Protection Agency.
- (i) **Findings.** The following findings shall be made in writing prior to making a land use decision which will allow the siting of a hazardous waste facility project:
  - (1) The project is consistent with the General Plan.
  - (2) The project will not be detrimental to the health, safety, or general welfare of the community.
  - (3) The project will not significantly reduce incentives for waste minimization by hazardous waste generators.
  - (4) There are adequate City services available to service the project.
  - (5) The project has met or exceeded each requirement of this Ordinance.
  - (6) All environmental impacts identified in an Environmental Impact Report or Negative Declaration as part of the permit process in compliance with the California Environmental Quality Act have been adequately mitigated.

### **301.09 Home Occupations**

Home occupations that are carried on by an occupant of a dwelling unit for gainful employment, are clearly incidental and subordinate to the use of the structure for dwelling



purposes and that do not change the residential character of the primary use, are allowed and shall be operated in compliance with the following standards. Home occupations are subject to zoning conformance approval pursuant to Chapter 602, "Zoning Conformance Review".

- (a) **Permitted Uses.** Home occupations generally include, but are not limited to, the following uses:
  - (1) Professional Offices.
  - (2) Offices for personal services such as janitorial service, gardening service, office services, etc.
  - (3) Dressmaking, millinery, and other home sewing work.
  - (4) Handicrafts such as weaving, leatherwork, and other arts and crafts.
  - (5) Instructional classes, not exceeding two (2) students at one time.
  - (6) Internet sales, mail order or direct sales provided no merchandise is sold on the premises.
  - (7) Cottage food operations.
- (b) **Prohibited Uses.** The following uses are not permitted as a home occupation.
  - (1) The repair, reconditioning, servicing or manufacture of any internal combustion or diesel engine or of any motor vehicle, including automobiles, trucks, motorcycles, or boats.
  - (2) Repair, fix-it or plumbing, welding or fabrication shops.
  - (3) Uses that entail the harboring, training, raising, or grooming of dogs, cats or other animals on the premises.
  - (4) Uses that entail food handling, processing or packing, other than those permitted by cottage food operation.
  - (5) Healing arts.
  - (6) Spiritual advisory service (fortune-telling).
- (c) The residential use remains the primary activity on the property.
- (d) No sign shall be publicly displayed on the premises relating to the home occupation or product thereof.
- (e) No person not residing on the premises may be employed at the site of the home occupation.
- (f) Sale of goods on the premises shall be limited to the products of the home occupations, and no other merchandise or goods shall be sold, kept or displayed for the purposes of sale on the premises.
- (g) The home occupation shall not attract or generate excessive auto or foot traffic, require additional off-street parking spaces, involve the use of commercial vehicles for delivery of materials or supplies to or from the premises, or exceed six (6) patrons or customers for any calendar day.

- (h) No use of materials, mechanical equipment, utilities, or community facilities beyond that normal to the use of the property for residential purposes shall be permitted.
- (i) Storage related to the home occupation shall be confined to the dwelling or accessory building.
- (j) No dwelling or accessory buildings shall be built, altered, finished, or decorated externally for the purposes of conducting the home occupation in such a manner as to change the residential character and appearance of the dwelling, or in such a manner as to cause the structure to be reasonably recognized as a place where a home occupation is conducted.
- (k) No garage or accessory building shall be altered or used in such a manner that would reduce the number of covered parking spaces required in the district in which it is located.
- (l) Not more than one (1) vehicle of not more than one ton capacity used in connection with the home occupation shall be kept on the site. Any trailer, wheeled equipment, or any vehicle displaying or advertising the home occupation shall not be visible from off the premises.
- (m) The home occupation shall not involve the use of power equipment on the premises using motors exceeding one (1) horsepower combined capacity.
- (n) No equipment or process shall be used which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses off the lot if the occupation is conducted in a single-family detached residence, or outside the dwelling unit if conducted in other than a single-family detached residence. No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.
- (o) Service-oriented mobile businesses that provide services at the location of a client may function as a home based business, where compliant with all other provisions of this section and subject to the following standards:
  - (1) No business activities other than office activities occur on the premises. A client may not come to the home of the business to use the mobile unit.
  - (2) The primary business activity involves provision of services that by their nature are intermittent and convenient to be provided at the home or business of the client. Examples include: mobile notary, personal services, minor vehicle repair not involving engines as prohibited above (windshield repair or battery replacement), computer maintenance and repair.
  - (3) Sale of goods is permitted only as an accessory to the service-oriented use, such as sale of windshield when it is replaced, or a new hard-drive when it is required and installed as part of a computer repair.

- (p) More than two yard sales per year, but not more than four yard sales per year, may be permitted subject to issuance of a business license and a home occupation permit subject to the following standards:
  - (1) A Seller's Permit must be obtained through the State Board of Equalization prior to the date of the third yard sale.
  - (2) The sales events must be compliant with the provisions of Section 301.21 of this Chapter.

### **301.10        Manufactured Homes**

Manufactured homes shall be designed and operated in compliance with the following standards:

- (a) **General Requirements.** Manufactured homes may be used for residential purposes subject to the provisions of this section. Manufactured homes may also be used for temporary uses subject to the approval of a temporary Use Permit (See Chapter 605, Temporary Use Permits).
- (b) **Design Criteria.** A manufactured home shall be compatible in design and appearance with residential structures in the vicinity and shall meet the following standards:
  - (1) **Foundation.** A manufactured home shall be built on a permanent foundation system approved by the Building Official.
  - (2) **Date of Construction.** Each manufactured home shall have been manufactured within ten (10) years of the date of issuance of a permit to install the manufactured home and shall be certified under the National Manufactured Home Construction and Safety Act of 1974.
  - (3) **Skirting.** The unit's skirting shall extend to the finished grade.

### **301.11        Mobile Home Parks**

Mobile home parks shall be located, developed, and operated in compliance with the following standards:

- (a) **Maximum Density.** The maximum density is as allowed by the base zoning district in which the mobile home park is located.
- (b) **Access.** Access to internal private streets is required for all mobile home lots or spaces within the mobile home park. Direct access from a mobile home lot or spaces to a public street or alley is not permitted. All points of vehicular access to and from public streets shall be approved by the City Engineer.
- (c) **Internal Streets.** All private internal streets within the mobile home park shall not be less than thirty (30) feet in width and shall be surfaced and maintained with an all-weather surface.
- (d) **Parking.** Each unit shall provide for at least two vehicle parking spaces, one of which shall be covered.

- (e) **Walls and Screening.** Exterior boundaries of a mobile home park adjacent to a public street frontage shall be screened with a six (6) foot high solid wall setback twenty (20) feet from the property line. Such walls shall be composed of decorative block, concrete panels or similar materials and include architectural relief through variations in height, the use of architectural “caps,” columns, or similar measures. Block walls shall match the standard colors allowed in the City’s graffiti abatement program.
- (f) **Common Open Space.** Recreation, or common open spaces, shall be provided for each mobile home park, or subdivision, in accordance with Section 201.04(b)(4) and (5). An area of at least three hundred (300) square feet for each mobile home space shall be provided. This open space may be used in more than one (1) location, but no location shall contain less than one thousand (1,000) square feet in the aggregate. Each recreational space shall be accessible to all of the mobile home spaces in the park, and shall not be used for any other purpose.
- (g) **Landscaping.** Landscaping, as prescribed in Chapter 303: Landscaping, is required for all common open space areas, exterior front and street side yards, and common parking areas. A fifteen (15) foot landscaped buffer shall be provided along streets adjoining the park.
- (h) **Certification.** All mobile homes shall be certified under the National Manufactured Home Construction and Safety Act of 1974.

### **301.12 Outdoor Retail Sales/Display**

- (a) **Outdoor Retail Sales/Display.** Outdoor display of merchandise is allowed in association with an approved permanent use on the site, subject to Zoning Administrator approval. Outdoor retail sales and display shall be located and operated in compliance with the following standards:
  - (1) Displayed merchandise shall occupy a specifically approved and defined location that does not disrupt the normal function of the site or its circulation. Displayed merchandise shall be located outside of any fire lane or fire access way and shall not obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic. Displayed merchandise shall not encroach upon driveways, landscaped areas, private walkways or required parking spaces.
  - (2) Merchandise shall be located entirely on private property outside of required setbacks except in Downtown Districts, where outdoor display is allowed on the sidewalk directly adjacent to property if a pedestrian walkway of at least six (6) feet is constantly maintained.
  - (3) Display of merchandise shall not obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
  - (4) The Zoning Administrator may require landscaping, screening, paving or other site improvements including the removal of obsolete or abandoned facilities on nonconforming sites.

### 301.13 Personal Storage Facilities

Personal Storage Facilities shall be located, developed, and operated in compliance with the following standards:

- (a) **Business Activity.** All Personal Storage Facilities shall be limited to the storage of inactive items such as furniture and files. No retail, repair, or other commercial use shall be conducted out of the individual rental storage units. No activities other than rental of storage units and pick-up and deposit of storage shall be allowed on the premises. Examples of activities prohibited in said facilities include, but are not limited to the following:
  - (1) Auctions, commercial wholesale or retail sales, or miscellaneous garage sales. Excepting auctions required by law to comply with lien sale requirements. During the course of said lien sales, customer vehicles shall not be allowed to obstruct travelways within the self-service storage facility.
  - (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
  - (3) The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
  - (4) Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
- (b) **Notice to Tenants.** As part of the rental process, the facility manager shall inform all tenants of conditions restricting storage of hazardous materials and limitation on the use of the storage units. These restrictions shall be included in rental contracts and posted at a conspicuous location within the front of each rental unit.
- (c) **Size Limitations.** Total lot coverage by any and all structures shall be limited to fifty (50) percent of the total lot area.
- (d) **Circulation.** Driveway aisles shall be a minimum of twenty (20) feet wide.
- (e) **Landscaping.** A landscaped buffer with a minimum inside dimension of six (6) feet shall be provided along the front and street property lines, except for vehicular circulation openings. Additional landscaping may be required where necessary to prevent visual impacts on adjacent properties. All landscaped areas shall be bound by a concrete curb at least six (6) inches wide and six (6) inches high and shall be permanently maintained in compliance with Chapter 303, Landscaping.
- (f) **Fencing.** A six (6) foot high solid wall shall be provided around the perimeter of the development at locations where the solid facades of the storage structures do not provide a perimeter barrier. Such walls shall be composed of decorative block, concrete panels or similar materials and include architectural relief through variations in height, the use of architectural “caps”, columns, or similar measures. Block walls shall match the standard colors allowed in the City’s graffiti abatement program.

- (g) **Open Storage.** Open storage, outside an enclosed building, shall be limited to vehicles and trailers and screened from public view by building facades or solid fences.
- (h) **Outdoor Lighting.** All outdoor lights shall be shielded to direct light and glare only onto the personal storage premises and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded, and focused away from all adjoining property.
- (i) **Portable Storage Buildings.** Movable storage buildings shall be allowed if they are constructed to appear as conventional storage buildings or are located in an area completely screened from public view and adhere to all applicable building and fire codes.

### 301.14 Recycling Facilities

Recycling facilities shall be located and operated in compliance with the following standards:

#### (a) Reverse Vending Machines

- (1) **Accessory Use.** Reverse vending machines shall be installed as an accessory use to a permitted or conditionally permitted primary use on the same site.
- (2) **Location.** Machines shall be located adjacent to the entrance of the commercial host use and shall not obstruct pedestrian or vehicular circulation.
- (3) **Identification.** Machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.
- (4) **Signs.** Machines shall have a maximum sign area of four (4) square feet exclusive of operating instructions.
- (5) **Lighting.** Machines shall be illuminated to ensure comfortable and safe operation between dawn and dusk.
- (6) **Trash Receptacle.** Machines shall provide a forty (40) gallon garbage can for nonrecyclable materials located adjacent to the reverse vending machine.

#### (b) Recycling Collection Facilities

- (1) **Size.** Recycling collection facilities shall not exceed a footprint of three hundred fifty (350) square feet or include more than three (3) parking spaces (not including space periodically needed for the removal or exchange of materials or containers).
- (2) **Equipment.** No power-driven processing equipment, except for reverse vending machines, may be used.
- (3) **Location.** Facilities shall not abut a residential district.
- (4) **Setback.** Facilities shall be set back at least ten (10) feet from any street line and not obstruct pedestrian or vehicular circulation.

- (5) **Containers.** Containers shall be constructed of durable waterproof and rustproof material(s) and secured from unauthorized removal of material and have capacity sufficient to accommodate materials collected in the collection schedule.
  - (6) **Identification.** Containers shall be clearly marked to identify the type of accepted material, the name and telephone number of the facility operator and the hours of operation.
  - (7) **Signs.** Signs shall be a maximum of twenty (20) percent per side of facility or container or sixteen (16) square feet, whichever is larger. In the case of a wheeled facility, the side is measured from the pavement to the top of the container. The Zoning Administrator may authorize increases in the number, size and nature of additional signs.
  - (8) **Parking.** Patrons and the attendant shall not reduce available parking spaces below the minimum number required for the main use unless a parking study shows available capacity during recycling facility operation.
  - (9) **Site Maintenance.** Sites shall be maintained clean, sanitary, and free of litter and any other undesirable materials.
- (c) **Recycling Processing Facility**
- (1) **Location.** Facilities shall not abut a residential district or use.
  - (2) **Screening.** The facility shall be screened from public rights-of-way, by solid masonry walls or located within an enclosed structure.
  - (3) **Outdoor Storage.** Exterior storage of material shall be in sturdy containers or enclosures that are secured and maintained in good condition. Storage shall not be visible above the height of the required solid masonry walls.
  - (4) **Identification.** Facilities shall be clearly marked with the name and phone number of the facility operator and hours of operation.

### **301.15 Residential Care Facilities, General**

Residential care facilities shall be located, developed and operated in compliance with the following standards:

- (a) **Location.** Minimum distance from other residential care facilities shall be three hundred (300) feet.
- (b) **Screening.** A minimum six (6) foot high solid wall or fence shall be provided for purposes of securing outdoor recreational areas and screening the site. Chain metal fencing and barbed wire are prohibited.
- (c) **Licensing.** Residential care facilities shall be licensed and certified by the State of California and shall be operated according to all applicable State and local regulations.

### 301.16 Second Dwelling Units

A second dwelling unit, in addition to the first single-family dwelling unit on a single-family residential lot, shall be located, developed, and operated in compliance with Section 301.01(b) Residential Accessory Structures and the following standards:

- (a) **Location.** Second units may be established on any lot in any R district where a primary single-family dwelling has been previously established or is proposed to be established in conjunction with construction of a second unit. Only one (1) second unit is permitted per primary single-family dwelling on the same lot. The primary unit shall meet all City codes except density, including the height, setback, lot coverage, parking, and other zoning requirements. Any nonconforming structures shall be brought into conformance prior to construction of second unit.
- (b) **Development Standards.** Second units shall conform to the height, setbacks, lot coverage and other zoning requirements of the zoning district in which the site is located, the following development standards, other requirements of the Development Ordinance, and other applicable City codes. Applications for a second dwelling shall include: (1) location map and site plan drawn to scale showing existing and proposed structures and additions, orientation and dimension of lot and structure(s) on the lot, and adjacent streets, access and parking and (2) a floor plan of existing and proposed structures.
  - (1) **Type of Unit.** The second unit shall provide separate, independent living quarters for one (1) family. The second unit may be attached, detached, or located within the living areas of the primary dwelling unit on the lot, subject to the standards of this section. An existing single-family dwelling may be converted into two (2) dwelling units.
  - (2) **Maximum Floor Area.** The total area of floor space of a detached second unit shall not exceed twelve hundred (1,200) square feet. The floor area of an attached second unit shall not exceed thirty (30) percent of the living area or the minimum area of an efficiency unit as described in Section 17958.1 of the California Health and Safety Code, whichever is greater.
  - (3) **Architectural Compatibility.** The entrance to an attached second unit shall be separate from the entrance to the first unit and shall be installed in a manner as to negate an obvious indication of two (2) units in the same structure. A second unit shall be designed and constructed so as to blend with and complement the existing single-family unit in terms of height, roofing, siding materials and color.
  - (4) **Parking.** In addition to parking required for the existing residence, an additional one (1) covered space for efficiency units and one (1) bedroom units, two (2) covered parking spaces for two (2), three (3), and four (4) bedroom units, and one (1) parking space per bedroom thereafter shall be provided. Access to parking for the primary and second unit shall be provided via a paved driveway in compliance with City codes and shall be fully accessible to the parking areas.



- (c) **Use Limitation.** Either the primary or secondary unit may be for rental purposes and neither unit may be sold separately.
- (d) **Deed Restrictions.** Before obtaining a building permit, the property owner shall file with the County Recorder a declaration or agreement of restrictions which has been approved by the City Attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner stating that:
  - (1) The second dwelling unit shall be considered legal only so long as either the primary residence or the second dwelling is occupied by the owner of the property.
  - (2) The second dwelling cannot be sold separately.
  - (3) The restrictions shall be binding upon any successor in ownership of the property, the City may enforce these provisions at the cost of the owner, and enforcement may include legal action against the property owner.
- (e) **Conversion of an Existing House to a Second Unit.** In cases where an existing single-family residence is twelve hundred (1,200) square feet or less, the Zoning Administrator may approve the construction of one (1) additional residence which is intended to be the primary residence on the property. The existing residence, which is intended to become the lawful second unit, shall comply with all the requirements of this Ordinance, including the second-dwelling size limitations. The primary residence shall be constructed in accordance with the provisions of the applicable zoning district and other requirements of this Ordinance.

### **301.17 Sexually Oriented Businesses**

- (a) **Purpose and Intent**
  - (1) It is the purpose and intent of this section to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of the city and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the city, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this section to restrict or deny access by adults to sexually oriented materials protected by the first amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene material.
  - (2) One of the important purposes of the regulations set forth in this section is to discourage and to minimize the opportunity for criminal conduct. As such, nothing in this section shall permit or be interpreted to permit any use, conduct, and/or activity which is specifically prohibited under the following California Penal Code sections:

- a. Receipt of money for placement of person for purposes of cohabitation (Penal Code section 266d);
    - b. Purchase of person for purposes of prostitution or placement of person for immoral purposes (Penal Code section 266e);
    - c. Sale of person for immoral purposes (Penal Code section 266f);
    - d. Pimping (Penal Code section 266h);
    - e. Pandering (Penal Code section 266i);
    - f. Lewd or obscene conduct (Penal Code section 314);
    - g. Houses of ill fame (Penal Code section 315);
    - h. Disorderly houses which disturb the immediate neighborhood (Penal Code section 316);
    - i. Places of prostitution (Penal Code section 317); and
    - j. Place of prostitution; place of lewdness; place used as bathhouse permitting conduct capable of transmitting AIDS (Penal Code section 11225).
  - (3) Nothing in this section shall permit, or be interpreted to permit any use, conduct, and/or activity which violates any federal, state or local law of regulation.
- (b) **Definitions.** For the purposes of this section, certain terms and words are defined as follows:
- (1) **Employee.** A person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operation of said business.
  - (2) **Establishment.** Means and includes any of the following:
    - a. The opening or commencement of any such business as a new business;
    - b. The conversion of an existing business, whether or not a sexually oriented business, to any of the "sexually oriented businesses" defined in this section;
    - c. The addition of any of the "sexually oriented businesses" defined in this section to any other existing sexually oriented business;
    - d. The relocation of any such sexually oriented business; or
    - e. The substantial enlargement of any such sexually oriented business.
  - (3) **Nudity or State of Nudity**
    - a. The appearance or display of human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or
    - b. A state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.

- (4) **Operator.** Means and includes the owner, permit holder, custodian, manager, operator or person in charge of any permitted or licensed premises.
- (5) **Permitted or Unlicensed Premises.** Any premises that requires a license and/or permit that is classified as a sexually oriented business.
- (6) **Permittee and/or Licensee.** A person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.
- (7) **Person.** An individual, proprietorship, partnership, corporation, association or other legal entity.
- (8) **Public Building Regularly Frequented by Children.** Any building owned, leased or held by the United States, the state, the county, the city, any special district, school district, or any other agency or political subdivision of the state or the United States, which building is used as a library, community center, children's center, or any other use having special attraction to children, or which building is often visited by children for social activities unaccompanied by their parents or other adult custodian.
- (9) **Public Park or Recreation Area.** Public land which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, open space wilderness areas, or similar public land within the city which is under the control, operation, or management of the city park and recreation authorities.
- (10) **Religious Institution.** Any church, synagogue, mosque, temple or building which is primarily used for religious worship and related religious activities, as identified on the latest equalized tax roll.
- (11) **School.** Any public or private educational facility including, but not limited to, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities. School includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school.
- (12) **Seminude.** A state of dress in which clothing covers no more than the genitals, pubic region and areolae of the female breasts, as well as portions of the body covered by supporting straps or devices.
- (13) **Sensitive Use.** Any cemetery; religious institution; school; public building regularly frequented by children; public park; or boys' club, girls' club, or similar youth organization.
- (14) **Sexually Oriented Businesses (Adult Oriented Businesses).** Those businesses defined as follows:
  - a. **Adult Arcade:** An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are regularly available or used to show

films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

- b. *Adult Bookstore, Adult Novelty Store Or Adult Video Store:* A commercial establishment which: 1) has as a significant or substantial portion of its stock in trade; or 2) derives a significant or substantial portion of its revenues; or 3) devotes a significant or substantial portion of its interior floor or display space; or 4) devotes a significant or substantial portion of its business activities or employees' time, or advertising, to the sale, rental or viewing for any form of consideration, of any one or more of the following:
  1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes, slides, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas;
  2. Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities;
  3. An establishment may have other significant or substantial business purposes that do not involve the offering for sale, rental or viewing of materials, depicting or describing specified sexual activities or specified anatomical areas, and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its significant or substantial business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe specified anatomical areas or specified sexual activities.
- c. *Adult Cabaret:* A nightclub, bar, restaurant, "bottle club", or similar commercial establishment, which regularly features: 1) live performances which are characterized by the exposure of specified anatomical areas, or by specified sexual activities; or 2) films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- d. *Adult Model Studio:* Any place where a person who displays specified anatomical areas or who engages in specified sexual activities is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This term does not include a modeling class operated by a proprietary school, licensed by the state of California; a college, junior college, or university supported entirely or partly by taxation; by a private college or university which maintains and operates educational programs in which credits are transferable to a

college, junior college, or university supported entirely or partly by taxation; or in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing, where in order to participate in a class a student must enroll at least three (3) days in advance of the class, and where no more than one nude model is on the premises at any one time.

- e. *Adult Motel:* A motel, hotel or similar commercial establishment which: 1) offers public accommodations, for any form of consideration, and which regularly provides or makes available to patrons with closed circuit television transmissions, films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right of way, or by means of any off premises advertising including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or 2) offers a sleeping room for rent for a period of time less than ten (10) hours; or 3) allows a tenant or occupant to rent or subrent the sleeping room for a time period of less than ten (10) hours.
- f. *Adult Motion Picture Theater:* A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions depicting or describing specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.
- g. *Adult Theater:* A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features live performances which are characterized by exposure of specified anatomical areas or by specified sexual activities.
- h. *Regularly Features Or Regularly Shown:* With respect to an adult cabaret, adult theater, or adult motion picture theater means a regular and substantial course of conduct. The fact that a live performance or film which is distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities is exhibited on two (2) or more occasions within a thirty (30) day period; three (3) or more occasions within a sixty (60) day period; or four (4) or more occasions within a one hundred eighty (180) day period, shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.
- i. *Significant Or Substantial Portion:* Such a percentage of its activities, space allocation, revenues, advertising targeting, stock in trade, floor or display space, business receipts, revenues, or other business undertakings as to indicate to a reasonable person that a sexually oriented portion of the business is one of its important activities, though not necessarily its only or even primary activity; for this

purpose, evidence that twenty five percent (25%) or more of its revenue is derived from such sexually oriented activities or materials, or that twenty five percent (25%) or more of its interior floor space or display space is devoted to such sexually oriented activities or materials, or that twenty five percent (25%) or more of its actual stock in trade regularly displayed and immediately available for use, rental, purchase, viewing or perusal is comprised of such sexually oriented materials, all as defined in this subsection, shall be evidence that a "significant or substantial portion" of the business is devoted to such uses.

- (15) ***Specified Anatomical Areas.*** As used in this section, means and includes any of the following:
  - a. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
  - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (16) ***Specified Sexual Activities.*** As used in this section, means and includes any of the following:
  - a. The fondling or other intentional touching of buttocks for purpose of sexual arousal, or fondling or other intentional touching of human genitals, pubic region, anus, or female breasts;
  - b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
  - c. Masturbation, actual or simulated;
  - d. Human genitals in a state of sexual stimulation, arousal or tumescence;
  - e. Excretory functions as part of or in connection with any of the activities set forth in subparagraphs a through d of this definition.
- (17) ***Substantial Enlargement of a Sexually Oriented Business.*** An increase in the floor areas occupied by the business as the floor areas existed on the effective date hereof.
- (18) ***Transfer of Ownership or Control of a Sexually Oriented Business.*** Means and includes any of the following:
  - a. The sale, lease or sublease of the business;
  - b. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means.
- (c) **Establishment And Classification Of Businesses Regulated:** The establishment of any sexually oriented business shall be permitted only in those particular specified districts where such uses are permitted, and shall be subject to the following restrictions: No person shall cause or permit the establishment of any "sexually oriented businesses", as defined in subsection (b) of this section, within six hundred (600) feet of another such business or within one thousand (1,000) feet of any

sensitive use. These limitations apply to sexually oriented businesses classified as follows:

- (1) Adult arcade.
  - (2) Adult bookstore, adult novelty store, or adult video store.
  - (3) Adult cabaret.
  - (4) Adult model studio.
  - (5) Adult motel.
  - (6) Adult motion picture theater.
  - (7) Adult theater.
- (d) **Measurement Of Distance:** Distance between any two (2) sexually oriented businesses or between a sexually oriented business and a sensitive use shall be measured in a straight line, without regard to intervening structures, from property line to property line.
- (e) **Location of Sexually Oriented Business:** Sexually oriented businesses shall be allowed only in districts in which such uses are specifically permitted. Permits for sexually oriented businesses shall be required and governed by the procedures and policies specified in the city of Porterville municipal code. In addition, any sexually oriented business shall be subject to the following restrictions:
- (1) The person commits a misdemeanor, if he operates or causes to be operated, a sexually oriented business outside of the permitted districts.
  - (2) The person commits a misdemeanor if he operates or causes to be operated a sexually oriented business within one thousand (1,000) feet of any sensitive use.
  - (3) A person commits a misdemeanor if he operates or causes to be operated a sexually oriented business within six hundred (600) feet of another such business, which will include, any adult arcade, adult book store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, or adult modeling studio.
- (f) **Nonconforming Uses:**
- (1) **Permitted To Continue:** Any sexually oriented business operating on the effective date hereof that is in violation of subsections (c) through (e) of this section shall be deemed a nonconforming use. Such nonconforming uses shall be governed by the provisions of this code. If two (2) or more sexually oriented businesses are within six hundred (600) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later established business(es) is nonconforming.
- (g) **Injunction:** A person who operates or causes to be operated a sexually oriented business without having a valid permit due to location restrictions is subject to a suit for injunction as well as prosecution for the misdemeanor punishable by a fine of one

thousand dollars (\$1,000.00) and/or one hundred eighty (180) days' imprisonment, or by both such fine and imprisonment. If an injunction is sought and granted, the sexually oriented business shall be obligated to pay the city attorney fees and costs of the city, at the discretion of the court.

- (h) **Exception For Certain Nude Modeling:** It is a defense to prosecution under this section if a person appearing in a state of nudity did so in a modeling class operated:
  - (1) By a proprietary school, licensed by the state of California; a college, junior college, or university supported entirely or partly by taxation; or
  - (2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
  - (3) In a structure:
    - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
    - b. Where, in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
    - c. Where no more than one (1) nude model is on the premises at any one (1) time.

### **301.18 Single Room Occupancy Hotels**

Single Room Occupancy (SRO) Hotels shall be located, developed, and operated in compliance with the following standards:

- (a) **Maximum Occupancy.** Each SRO living unit shall be designed to accommodate a maximum of two (2) persons.
- (b) **Minimum Size.** An SRO living unit shall have at least one hundred fifty (150) square feet of floor area, excluding closet and bathroom. No individual unit may exceed four hundred (400) square feet.
- (c) **Minimum Width.** An SRO of one (1) room shall not be less than twelve (12) feet in width.
- (d) **Entrances.** All SRO units shall be independently accessible from a single main entry, excluding emergency and other service support exits.
- (e) **Cooking Facilities.** Cooking facilities shall be provided either in individual units or in a community kitchen. Where cooking is in individual SRO units, SRO units shall have a sink with hot and cold water; a counter with dedicated electrical outlets and a microwave oven or properly engineered cook top unit pursuant to Building Code requirements; a refrigerator; and cabinets for storage. Where cooking facilities are in a community kitchen, the community kitchen shall be a minimum of one hundred fifty (150) square feet and designed to provide a minimum of two (2) linear feet of counter space for fifty (50) percent of the maximum number of tenants.



- (f) **Bathrooms.** SRO units shall have individual bathrooms containing a sink, a toilet, and a shower or bath per Housing and Building Code requirements. Units may have only one (1) sink by the cooking area and may omit the bathroom sink.
- (g) **Lobby/Meeting Area.** Each SRO building shall provide ample ground floor entry area that provides a central focus for tenant social interaction and meetings. The lobby/meeting area shall be designed to accommodate at least twenty-five (25) percent of the tenants at one (1) time using an average of fifteen (15) square feet per person and a minimum four hundred (400) square feet for up to fifty (50) SRO units, excluding janitorial storage, laundry facilities, and hallways.
- (h) **Ground Floor Use.** Ground floor area next to public right-of-ways shall be dedicated for public use such as lobby/meeting areas or resident-serving commercial uses. No SRO units shall be on the street level adjacent to the public right-of-ways. If any SRO units are at ground level, they shall face into a private open area such as an interior courtyard.
- (i) **Management Plan.** A management plan shall be submitted with the permit application for all SRO projects. At minimum, the management plan shall include the following:
  - (1) **Security/Safety.** Proposed security and safety features such as lighting, security cameras, defensible space, central access, and user surveillance;
  - (2) **Management Policies.** Management policies including desk service, visitation rights, occupancy restrictions, and use of cooking appliance;
  - (3) **Rental Procedures.** All rental procedures, including weekly and monthly tenancy requirements;
  - (4) **Staffing and Services.** Information regarding all support services, such as job referral and social programs; and
  - (5) **Maintenance.** Maintenance provisions, including sidewalk cleaning and litter control, recycling programs, general upkeep, and the use of durable materials.

### 301.19 Social Service Facilities

Social Service Facilities shall be located, developed, and operated in compliance with the following standards:

- (a) **Location.** Social Service Facilities are not allowed on Main Street.
- (b) **Minimum Standards.** All Social Services Facilities shall provide: adequate and accessible sanitary facilities, including lavatories, rest rooms and refuse containers; sufficient patron seating facilities for dining, whether indoor or outdoor; effective screening devices such as landscaping and masonry fences in conjunction with outdoor activity areas; a plan of operation, including but not limited to, patron access requirements, hours of operation, security measures, litter control, and noise attenuation. Evidence of compliance with all Building and Fire Safety regulations and any other measures determined by the City Council to be necessary and appropriate

to ensure compatibility of the proposed use or uses with the surrounding area shall be provided with permit applications.

### **301.20 Telecommunication Facilities**

(a) **Purpose.** The specific purposes of this chapter are to:

- (1) To permit the siting, construction, operation and maintenance of wireless telecommunications towers and antennas within the City's boundaries;
- (2) To protect and promote the public health, safety, general welfare and quality of life within the City by regulating the siting of wireless telecommunications towers and antennas, while preserving the rights of wireless telecommunications providers;
- (3) To establish guidelines for the governance of wireless telecommunications facilities which recognize the unique land use distribution, topography, and aesthetics of the community;
- (4) Protect residential areas and land uses from visual blight, safety impacts associated with attractive nuisance, and degradation of residential character;
- (5) Promote the location of towers in non-residential areas;
- (6) Minimize the total number of towers throughout the community;
- (7) Establish the joint use of new and existing tower sites as a primary option rather than construction of single-use towers;
- (8) Locate towers and antennas in areas where the overall impact on the community is minimal, now and in the future; to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;
- (9) Enhance the ability of providers of wireless telecommunications services to provide such services to the community quickly, effectively and efficiently;
- (10) Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures;
- (11) Create and preserve telecommunication facilities that will serve as an important and effective part of the City's emergency response network; and
- (12) Promote fair and effective wireless telecommunication services and ensure that a broad range of competitive telecommunications services with high quality telecommunications infrastructure are available to serve the community.

(b) **Applicability.** Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities. This chapter shall apply, to the fullest extent allowed by and consistent with applicable Federal, State, and California Public Utility laws and regulations, to all new wireless towers and facilities, including towers and antennas proposed to be located on private or public property, except for the following:

- (1) **Amateur Radio Station Operators.** Any tower, or the installation of any antenna, that is under the height limitation of the relevant district and is owned and operated by a federally-licensed amateur radio station operator.
- (2) **Receive Only Antennas.** A single ground or building-mounted receive-only radio or television antenna not exceeding the maximum height permitted by this Ordinance, including any mast, or a receive-only radio or television satellite dish antenna, subject to the following restrictions:
- (3) **Residential Districts**
  - a. *Satellite Dish One (1) Meter or Less.* A satellite dish that does not exceed one (1) meter in diameter or the height of the ridgeline of the primary structure on the same parcel, and is for the sole use of a resident occupying the parcel.
  - b. *Satellite Dish Greater than One (1) Meter.* A satellite dish that is greater than one (1) meter in diameter, is not located within a required front or street side yard, and is screened from view from any public right-of-way and adjoining property.
  - c. *Antennas.* An antenna that is mounted on any existing building or other structure that does not exceed twenty-five (25) feet in height, and is for the sole use of a resident occupying the parcel.
- (4) **Commercial and Employment Districts**
  - a. *Satellite Dish Two (2) Meters or Less.* A satellite dish that does not exceed two (2) meters in diameter so long as the location does not reduce required parking, diminish pedestrian or vehicular access, or require removal of landscaping maintained as a condition of project approval.
  - b. *Satellite Dish Greater than Two (2) Meters.* A satellite dish that is greater than two (2) meters in diameter that is not located within a required front yard or street side yard and is screened from view from any public right-of-way and adjoining property.
  - c. *Mounted Antennas.* An antenna that is mounted on any existing building or other structure when the overall height of the antenna and its supporting tower, pole or mast does not exceed a height of thirty (30) feet or twenty-five (25) feet if located within twenty (20) feet of a Residential district.
  - d. *Free-Standing Antennas.* A free standing antenna and its supporting tower, pole, or mast that complies with all applicable setbacks when the overall height of the antenna and its supporting structure does not exceed a height of thirty (30) feet or twenty-five (25) feet if located within twenty (20) feet of a Residential district.
  - e. *Undergrounding Required.* All wires and/or cables necessary for operation of an antenna shall be placed underground or attached flush with the surface of the building or the structure of the antenna.

- (5) **Pre-existing Towers or Antennas.** Pre-existing towers and pre-existing antennas in full compliance with applicable regulations in effect at the time of construction shall not be required to meet the requirements of this chapter.
  - (6) **Public Safety Broadcasting.** Any non-commercial satellite dish antenna utilized for public safety broadcasting.
- (c) **General Requirements**
- (1) **Permit Requirements**
    - a. **Camouflage Facilities:** Permitted by right in all allowed districts.
    - b. **Co-located Facilities:** Permitted by right in allowed districts when proposed to be co-located on a facility that was subject to a discretionary permit issued on or after January 1, 2007 and that contemplated co-location.
    - c. **Non-Camouflage Facilities:** Allowed in certain districts subject to Conditional Use Permit approval when located at least three hundred (300) feet from any R District.
  - (2) **State or Federal Requirements.** All towers and antennas shall meet or exceed current standards and regulations of the FCC, the FAA, and any other agency of the State or Federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
  - (3) **Building Codes and Safety Standards.** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable State or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitute a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
  - (4) **Multiple Antenna/Tower Plan.** The City encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites. Applications for multiple sites shall be given priority in the review process, in compliance with the Permit Streamlining Act.

(d) **Minimum Application Requirements**

In addition to meeting the standard application submittal requirements for permits specified in Chapter 601, Common Procedures, applications for wireless telecommunications facilities pursuant to this chapter shall include the following:

- (1) **Inventory of Existing Sites.** Each applicant for an antenna and/or tower shall provide to the Zoning Administrator an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the City limits or urban area boundary (UAB), including specific information about the location, height, and design of each tower. The Zoning Administrator may share such information with other applicants applying for administrative approvals or Conditional Use Permits under this chapter or other organizations seeking to locate antennas within the jurisdiction of the City, provided, however, that the Zoning Administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
- (2) Copies of all applicable licenses or other approvals required by the Federal Communications Commission (FCC), the California Public Utilities Commission (PUC), and any other Federal or State government with authority to regulate telecommunications facilities including documentation of compliance with all conditions imposed in conjunction with such licenses or approvals.
- (3) Written certification of compliance with all applicable FCC requirements and standards.
- (4) Site plan and elevations drawn to scale. Elevations shall include all structures on which facilities are proposed to be located.
- (5) Description of proposed approach for screening all facilities from public view including plans for installation and maintenance of landscaping and sample exterior materials and colors.
- (6) Written authorization from the landowner in the event the applicant does not own the subject property
- (7) Any other information the Zoning Administrator deems necessary in order to process the application in compliance with the requirements of this chapter. This may include, but is not limited to, a visual analysis of the proposed project.

(e) **Location and Siting**

- (1) Wireless telecommunication facilities shall be located in the following order of preference:
  - a. Integrated into building/structure design (camouflage sites).
  - b. Co-located with other major wireless telecommunication facilities.
  - c. On existing structures such as buildings, communication towers, or utility facilities not subject to the City's franchise agreements.

- d. On existing signal, power, light or similar kinds of permanent poles.
  - e. In Employment Districts.
  - f. In Commercial Districts.
- (2) Wireless telecommunication facilities shall be located where the existing topography, vegetation, building or other structures provide the greatest amount of screening. Where insufficient screening exists, applicants shall provide screening satisfactory to the Zoning Administrator, or as otherwise required through the approval of a Conditional Use Permit.
- (3) Ground-mounted wireless telecommunication facilities shall be located only in close proximity to existing above-ground utilities, such as permanent electrical towers, light poles, trees of comparable heights, and in areas where they will not detract from the appearance of the City. If located within a public right of way, ground-mounted equipment shall be installed underground unless deemed infeasible by the Building Official. In such case, ground-mounted equipment shall be screened to the satisfaction of the Zoning Administrator.
- (4) **Required Separation.** For the purposes of this section, all distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed major wireless telecommunication facility to the nearest point of another major wireless telecommunication facility. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and County jurisdictional boundaries.
- a. **Residential Districts.** A facility shall not be located within a three hundred (300) foot radius of any R District.
  - b. **Other Telecommunications Facilities.** A facility shall not be located within a one thousand (1,000) foot radius of another facility, unless appropriate camouflage techniques have been used to minimize the visual impact of the facility to the extent feasible and mounting on a building or co-location on an existing facility is not feasible.
  - c. **Reduction in Required Separation.** A reduction in the required separation between telecommunications facilities may be granted as a part of the Conditional Use Permit approval where technical evidence has been provided to substantiate the following findings:
    - 1. The granting of the reduction will not substantially impair the intent and purpose of this title or the goals, policies, and objectives of the adopted General Plan;
    - 2. The reduction is not requested exclusively on the basis of economic hardship to the applicant;
    - 3. The reduction is necessary and essential to providing the applicant's wireless service based on the technical constraints and the lack of other available appropriately zoned land outside the radius; and

4. Evidence has been submitted to the satisfaction of the City demonstrating that co-location on existing tower structures is not available or is not technically feasible. Evidence may include a written statement from the service provider with the existing facility that collocation is not feasible.

(f) **General Development Requirements**

The following standards apply to all telecommunications facilities:

- (1) **Maximum Height.** No antenna shall exceed one hundred (100) feet in height except for camouflage facilities on or within a structure such as a steeple or flag pole, otherwise allowed to exceed one hundred (100) feet in height. Such antenna shall not exceed the height of the structure.
- (2) **Setbacks.** Telecommunications facilities and accessory structures shall comply with the required building setbacks for the zoning district in which the facility is located, however, in no instance shall the facility (including antennae and equipment) be located closer than five (5) feet of any property line.
- (3) **Design Standards.** All facilities shall be designed to minimize their visibility, prevent visual clutter, and reduce conflicts with surrounding land uses. A visual analysis may be required as part of the Conditional Use Permit review. All telecommunications facilities shall:
  - a. Utilize state of the art camouflage technology as appropriate to the site and type of facility. Where no camouflage technology is proposed for the site, a detailed analysis as to why camouflage technology is physically and technically infeasible for the project shall be submitted with the application.
  - b. Facilities that are not camouflage shall close mount all panel antennas.
  - c. Antennae and support structures, where utilized, shall be monopole type.
  - d. Monopole support structures shall not exceed four (4) feet in diameter unless technical evidence is provided showing that a larger diameter is necessary to attain the proposed tower height and that the proposed tower height is necessary.
  - e. Wireless telecommunications facility support structures and antennae shall be painted a non-glossy color so as to minimize visual impacts from surrounding properties.
  - f. All facilities shall be designed and located to minimize their visibility to the greatest extent feasible. All wireless telecommunications facilities proposed for locations where they would be readily visible from the public right-of-way or from a residential district shall incorporate appropriate techniques to disguise the facility and/or blend into the surrounding environment, to the extent feasible. Facilities shall be compatible in scale and integrated architecturally with the design of surrounding buildings or the natural setting.

- g. No telecommunications antenna or ancillary support equipment shall be located within the front setback except for facilities that are completely subterranean.
  - h. Support structures and site area for wireless telecommunications antennae shall be designed and of adequate size to allow at least one (1) additional wireless service provider to co-locate on the structure.
  - i. Towers shall not be artificially lighted unless required by the FAA or other applicable authority. All objects affecting navigable airspace shall comply with Federal Aviation Regulation Section 77 and shall be in conformance with the current land use designations for land within one (1) mile of the runway.
  - j. For the protection of emergency response personnel, each telecommunications facility shall have an on-site emergency "kill switch" to de-energize all RF-related circuitry/componentry at the site. For collocation facilities, a single "kill switch" shall be installed that will de-energize all carriers at the facility in the event of an emergency.
  - k. All proposed fencing shall be decorative and compatible with the adjacent buildings and properties within the surrounding area and shall be designed to limit graffiti.
- (4) **Signage.** A permanent, weather-proof identification sign, approximately sixteen (16) inches by thirty-two (32) inches in size, shall be placed on the gate of the fence surrounding the facility or, if there is no fence, on the facility itself. The sign shall identify the facility operator(s), provide the operator's address, and specify a twenty-four (24) hour telephone number at which the operator can be reached so as to facilitate emergency services.
- (5) **Landscaping.** Each applicant for an antenna and/or tower shall provide a landscaping plan that covers as much as the parcel and lease area as necessary to achieve the following:
- a. Landscaping shall be provided to screen the facility from surrounding properties or right-of-ways.
  - b. All landscaping shall be installed with an irrigation system equipped with an automatic timer.
  - c. Street trees and other landscaping may be required for telecommunications facilities proposed on parcels lacking street frontage landscaping.
  - d. Landscaping shall include re-vegetation of any cut or fill slopes.
  - e. Where possible, existing plants and trees shall be used to the full extent possible for screening of the facility.
- (6) **Noise and Traffic.**
- a. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:00 a.m. and 7:00 p.m.



- b. Traffic shall be limited to no more than one (1) round-trip per day on an average annual basis once construction is complete, except for emergency maintenance

**(g) Required Findings**

The City Council may approve or approve with conditions any Conditional Use Permit required under this chapter only after making the following findings:

- (1) The proposed telecommunication facility will comply with all applicable state and Federal standards and requirements;
- (2) The proposed telecommunication facility will conform with the specific purposes of this chapter and any special standards applicable to the proposed facility;
- (3) The applicant has made good faith and reasonable efforts to locate a telecommunication facility on a support structure other than a new monopole or lattice tower or to accomplish co-location.
- (4) To locate a telecommunication facility where it is readily visible from the habitable area of a dwelling unit within three hundred (300) feet or at any location where it is visible from a public right-of-way, public park, or other public recreation or cultural facility, the decision-making authority shall find that:
  - a. It is not feasible to provide the service at another location or to incorporate additional measures such as a decrease in height, increase in setback, change in design, relocation relative to other structures or natural features, that would further reduce its visibility; and
  - b. The proposed telecommunication facility provides an important link in applicant's service area build-out and is necessary to provide personal wireless services to City residents.
  - c. It is not feasible to incorporate additional measures that would make the telecommunication facility not readily visible, meaning that a person with normal vision can see the facility and distinguish it as an antenna or other component of a telecommunication facility;
- (5) The City Council may waive or modify requirements of this chapter upon finding that strict compliance would result in noncompliance with applicable federal or state law.

**301.21 Temporary Uses**

A Temporary Use is intended to operate only for a limited period of time. Unless otherwise specified, temporary uses shall require a permit in accordance with Chapter 605, Temporary Use Permits. Temporary uses shall be located, developed, and operated in compliance with the standards of this section.

- (a) **Carnivals, Fairs and Festival Events.** Carnivals, fairs, and festival events in connection with an existing commercial use or in conjunction with an activity of a

civic organization, church, lodge, public or private school, or other such group or organization are permitted in accordance with the following standards:

- (1) **Location.** Carnivals, fairs, and festival events are limited to areas within commercial or employment districts, or on property owned by a civic organization, church, lodge or public or private school.
  - (2) **Time Limit.** When located adjacent to or within an R district, the hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
  - (3) **Duration.** Carnivals, fairs, and festival events are limited to no more than five (5) consecutive days four (4) times a year. A more limited duration may be established through the Temporary Use Permit process in order to prevent the use from becoming a nuisance with regard to the surrounding neighborhood or the city as a whole.
  - (4) **Existing Parking.** Where such a use is proposed within a developed parking lot, the available parking shall not be reduced to less than seventy-five (75) percent of the minimum number of spaces required by Chapter 304, On-Site Parking and Loading.
- (b) **Garage Sales.** A garage or yard sale may be permitted on any developed lot in an R district, in accordance with Section 18-8.2 of the Municipal Code and the following standards.
- (1) Garage sales are limited to no more than three (3) consecutive days in any six (6) month period.
  - (2) All merchandise to be sold shall be displayed on a private lot and not within the public right-of-way.
  - (3) One sign not exceeding two feet by two feet in size may be posted on the property where the sale is being held during the duration of the sale only. No signs regarding such sale shall be posted on any property other than where the sale is held.
- (c) **Model Homes.** Model homes with sales offices and temporary information/sales trailers in new residential subdivisions are subject to the following requirements. No temporary use permit is necessary for a model home.
- (1) **Time Limits.** A temporary information/sales trailer may be used during the construction of the model homes for a maximum period of six (6) months or completion of the first phase, whichever occurs first.
  - (2) **Location of Sales.** Real estate sales conducted from a temporary sales office are limited to sales of lots within the subdivision.
  - (3) **Return to Residential Use.** Prior to the sale of any of the model homes as a single-family residence, any portion used for commercial purposes will be converted to its intended residential purpose.
  - (4) **Term of Use.** The model home may be established and operated for a term period of five (5) years or until completion of the sale of the lots or residences,

whichever comes first. One (1) year extensions may be approved by the Zoning Administrator until the sale of all lots/residences is completed.

(d) **Temporary and Seasonal Outdoor Sales.** Temporary and Seasonal Outdoor Sales may be permitted in accordance with the following standards:

(1) **General Sales Events.** Temporary outdoor sales, including but not limited to grand opening events, temporary automobile sales, and other special sales events on private property in non-residential districts shall be subject to the following standards:

- a. Temporary outdoor sales shall be part of an existing business on the same site.
- b. Temporary automobile sales are limited to the CR district and need not be in connection with an existing commercial use.
- c. Sales events shall be conducted solely on private property and not encroach within the public right-of-way.
- d. Temporary outdoor sales are limited to four (4) consecutive days six (6) times a year. No site shall be used for such an activity for more than ten (10) days in any calendar month. A more limited duration may be established through the Temporary Use Permit process in order to prevent the use from becoming a nuisance with regard to the surrounding neighborhood or the city as a whole.
- e. When located adjacent to an R district, the hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.
- f. The entire area used for temporary outdoor sales, including display, sales, circulation, parking, etc. shall be paved per City standards.
- g. Location of the displayed merchandise shall not disrupt the normal circulation of the site, nor encroach upon driveways, pedestrian walkways, or required landscaped areas, or obstruct sight distances or otherwise create hazards for vehicle or pedestrian traffic.
- h. Where such a use is proposed within a developed parking lot, the available parking shall not be reduced to less than seventy-five (75) percent of the minimum number of spaces required by Chapter 304, On-Site Parking and Loading.

(2) **Seasonal Sales.** The annual sale of holiday related items such as Christmas trees, pumpkins and similar items is permitted in accordance with the following standards:

- a. *Time Period.* Seasonal sales associated with holidays are permitted up to a month preceding and one (1) week following the holiday. Christmas tree sales are permitted from Thanksgiving Day through December 31st.
- b. *Goods, Signs and Temporary Structures.* All items for sale, as well as signs and temporary structures, shall be removed within ten (10) days

after the end of sales, and the appearance of the site shall be returned to its original state.

- (3) **Non-Profit Fund Raising.** Fund raising sales by a non-profit organization are limited to seven (7) consecutive days twelve (12) times a year.
- (e) **Long Term Special Events and Sales.** Other special events, outdoor sales, and displays that exceed seven (7) consecutive days but not more than three (3) months, may be permitted with Zoning Administrator approval and in accordance with the following standards:
  - (1) **Location.** Events are limited to non-residential district.
  - (2) **Number of Events.** Long term special events and sales are limited to no more than two (2) per year.
  - (3) **Existing Business.** Temporary outdoor sales shall be part of an existing business on the same site.
  - (4) **Signs.** Outdoor uses may include the addition of one (1) nonpermanent sign up to a maximum size of four (4) square feet in area, subject to Chapter 305, Signs.

### 301.22 Transitional and Supportive Housing

Transitional and supportive housing, as defined in Section 50675.2 and 50675.14, respectively, of the Health and Safety Code constitute a residential use and are subject only to those restrictions that apply to other residential uses of the same type in the same district. For example, if transitional housing is a multi-family use proposed in the RM-1 district, it is subject only to the same restrictions as other multi-family uses in the RM-1 district.

### 301.23 Medical Cannabis Cultivation

#### (a) Purpose and Intent

- (1) The City Council of the City of Porterville, based on evidence presented to it in the proceedings leading to the adoption of this chapter, hereby finds that the cultivation, preparation, and distribution of medical cannabis in the city has caused and is causing ongoing impacts to the community. These impacts are intensified by the activities of those who are abusing the current State statutory provisions for the cultivation, processing and distribution of cannabis for nonmedical, improper and illegal purposes. These impacts include increases in various types of crime due to outdoor grows, damage to buildings containing indoor grows, including improper and dangerous electrical alterations and use, inadequate ventilation leading to mold and mildew, increased frequency of home-invasion robberies and related crimes. Many of these impacts have fallen disproportionately on residential neighborhoods, but nonetheless also negatively impact properties in the commercial districts. These impacts have also created an increase in response costs, including code enforcement, building, land use, fire, and police staff time and expenses.

- (2) The City Council also acknowledges that the voters of the State of California have provided a criminal defense to the cultivation, possession and use of medical cannabis for medical purposes under the Compassionate Use Act, but that the Compassionate Use Act does not address land use or building code impacts or issues arising from the resulting increase in cannabis cultivation within the city.
- (3) The purpose and intent of this chapter is to regulate the cultivation, preparation and distribution of medical cannabis in a manner that protects the public health, safety, and welfare of the community and mitigates for the cost to the community of the oversight of these activities.

(b) **Interpretation and Applicability**

- (1) No part of this chapter shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. Section 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state, federal law, statute, rule or regulation. The cultivation, preparation, and distribution of medical cannabis in the city is controlled by the provisions of this chapter of the Porterville Development Ordinance.
- (2) Nothing in this chapter is intended to, nor shall it be construed to, preclude a landlord from limiting or prohibiting cannabis cultivation, smoking or other related activities by tenants.
- (3) Nothing in this chapter is intended to, nor shall it be construed to, burden any defense to criminal prosecution otherwise afforded by California law.
- (4) Nothing in this chapter is intended to, nor shall it be construed to, exempt any cannabis related activity from any and all applicable local and state construction, electrical, plumbing, land use, or any other building or land use standards or permitting requirements.
- (5) Nothing in this chapter is intended to, nor shall it be construed to, make legal any cultivation, transportation, sale or other use of cannabis that is otherwise prohibited under California law.
- (6) All cultivation, preparation and distribution of medical cannabis within city limits shall be subject to the provisions of this chapter and other applicable provisions of this Code, regardless of whether cultivation, preparation, or distribution existed or occurred prior to adoption of this chapter.

(c) **Definitions:** For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) **Accessory Structure.** A residential accessory structure shall include any uses that are customarily related to a residence, including garages, greenhouses, storage

sheds, studios, and workshops. Any accessory structure must be compliant with Section 301.01 and any other applicable provisions of the Municipal Code.

- (2) **Dwelling Unit.** A room or suite of rooms including one (1) and only one (1) kitchen, and designed or occupied as separate living quarters for one (1) family.
  - (3) **Medical Cannabis** (also known as medical marijuana). Cannabis, including constituents of cannabis, THC and other cannabinoids, used as a physician-recommended form of medicine or herbal therapy.
  - (4) **Medical Cannabis Cooperative or Collective.** Any person, association, cooperative, affiliation, or collective of persons who provide education, referral, or network services, and/or facilitation or assistance in the cultivation, preparation or distribution of medical cannabis.
  - (5) **Medical Cannabis Cultivation Area.** The area allowed for the growing and preparation of medical cannabis.
  - (6) **Medical Cannabis Cultivation Facility.** A facility at which medical cannabis is grown and harvested for supply to a medical cannabis preparation facility and/or a medical cannabis distribution facility.
  - (7) **Medical Cannabis Distribution.** The supply to a qualified patient by any person, including a primary caregiver, cooperative or collective, of medical cannabis that is not grown in the qualified patient's residence.
  - (8) **Medical Cannabis Distribution Facility/Dispensary.** Any facility or location where the primary purpose is to distribute medical cannabis as a medication upon recommendation by a physician and where medical cannabis is made available to or distributed by or to a primary caregiver or a qualified patient in strict accordance with the Compassionate Use Act of 1996 (Cal. Health and Safety Code §§ 11362.5 et seq.).
  - (9) **Medical Cannabis Preparation.** Includes, but is not limited to: manicuring, drying, curing, pressing, cooking, baking, infusing, grinding, bagging, packaging, rolling.
  - (10) **Medical Cannabis Preparation Facility.** A facility at which medical cannabis is processed for supply to a medical cannabis distribution facility.
  - (11) **Qualified Patient.** As defined in Cal. Health and Safety Code §§ 11362.7 et seq., and as it may be amended from time to time.
  - (12) **Residence.** A legal dwelling unit.
- (d) **Severability:** If any part of this chapter is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.
- (e) **Cultivation Generally:** A qualified patient shall be allowed to cultivate medical cannabis for their own personal use. Cultivation of medical cannabis for said use shall be in conformance with the following standards:
- (1) No more than one medical cannabis cultivation area shall be permitted on a legal parcel, regardless of the number of dwelling units on the parcel;

- (2) No medical cannabis cultivation site shall be located within 100 feet of a sensitive use “use, sensitive” as defined in Chapter 700;
- (3) The residence shall remain at all times a residence with legal and functioning cooking, sleeping and sanitation facilities. Medical cannabis cultivation shall remain at all times accessory to the residential use of the property;
- (4) The qualified patient shall reside at the residence where the medical cannabis cultivation occurs. This shall be confirmed through the application process by comparing the addresses on the patient’s identification (for example, a California issued Driver’s License) and the patient’s recommendation card;
- (5) Cultivation of medical cannabis for personal use shall occur only on the parcel occupied by a qualified patient and shall be for the exclusive use of the qualified patient and otherwise in conformance with this chapter (i.e. no collectives or cooperatives);
- (6) Cultivation of medical cannabis for personal use shall not displace required off-street parking, or violate any other provisions of the Porterville Municipal Code;
- (7) Qualified patients shall have no more than the number of plants the patient is permitted under State law to have, provided that in no case shall any parcel/dwelling have more than 12 plants; with not more than 12 cultivated outdoors and/or within an Accessory Structure;
- (8) The use of gas products (e.g., CO<sub>2</sub>, butane, etc.) for medical cannabis cultivation is prohibited;
- (9) There shall be no exterior evidence of medical cannabis cultivation occurring at the property, from a public right-of-way;
- (10) Medical cannabis cultivation is prohibited as a home occupation;
- (11) No distribution of medical cannabis cultivated for personal use shall be allowed other than as otherwise authorized by this Code;
- (12) Medical cannabis cultivation shall be an accessory use to a primary residential use on a property within the RS-1 and RS-2 zones, or at a single-family residence within the RM-1, RM-2 or RM-3 zones;
- (13) Medical cannabis cultivation is not allowed in multi-family developments or in mobile home parks. However, where a property within a residential zone district is developed with two single-family residential detached units, could be legally subdivided as developed, both residences have separate utilities, and a fence separates the residences, one of the two residences may apply for a permit, subject to Zoning Administrator approval and conditions as deemed necessary for each unique situation;
- (14) The cultivation of medical cannabis shall not adversely affect the health or safety of the residents of the property on which it is cultivated, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, surface runoff, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes pursuant to the standards contained in Chapter 306 Performance Standards of this Code;

- (15) Medical cannabis cultivation lighting shall not exceed 1,200 watts;
- (16) The accessory structure(s) shall at all times meet the requirements of the latest adopted version of the California Building, Fire, Mechanical, Electrical and Plumbing Codes (collectively California Codes);
- (17) All electrical equipment used in the cultivation of medical cannabis, (e.g., lighting and ventilation) shall be plugged directly into a wall outlet or otherwise hardwired and permits obtained pursuant to the California Building, Electrical, Mechanical, Plumbing or other state or local laws rules and regulations;
- (18) Prior to performing any work on electrical wiring/rewiring the applicant shall first obtain a building, mechanical and/or electrical permit from the Building Division;
- (19) If required by California Building or Fire Code, the wall(s) adjacent to the cultivation area shall be constructed with 5/8-inch Type X moisture-resistant drywall;
- (20) The growing of medical cannabis outdoors shall comply with the setback requirements for the primary residence on the property subject to the zoning classification of the property;
- (21) Medical Cannabis plants shall be grown in an area enclosed with a solid view obscuring fence, secured with self-closing and locking gates, and shall not exceed a maximum height of five (5) feet for properties with a six (6) foot tall fence. In the alternative, plants may grow to a maximum height of seven (7) feet if the area is fenced and screened to eight (8) feet in compliance with applicable Development Ordinance and California Building Code standards; and
- (22) Areas for cultivation of medical cannabis shall be secured, locked, and fully enclosed and rendered inaccessible to minors.

(f) **Preparation**

A qualified patient shall be allowed to prepare for personal use medical cannabis cultivated on the property or within his or her private residence or accessory structure. Preparation of medical cannabis cultivated at the residence shall be in conformance with the following standards:

- (1) Only medical cannabis cultivated at the residence in conformance with this chapter shall be allowed to be prepared for use at the residence;
- (2) The primary use of a dwelling unit shall remain at all times a residence with legal and functioning cooking, sleeping and sanitation facilities. Medical cannabis preparation shall remain at all times accessory to the residential use of the property;
- (3) The medical cannabis preparation shall be in compliance with the current adopted edition of the California Codes;
- (4) The use of gas products (e.g., CO<sub>2</sub>, butane, etc.) for medical cannabis preparation is prohibited;
- (5) The preparation of medical cannabis shall not adversely affect the health or safety of the residents, residence or accessory building in which it is processed, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious



gasses, odor, smoke, traffic, vibration, surface runoff, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes pursuant to the standards contained in Chapter 306 Performance Standards of this Code; and

- (6) Cultivation of medical cannabis for personal use shall not displace required off-street parking, or violate any other provisions of the Porterville Municipal Code.
- (7) Areas for preparation of medical cannabis shall be secured, locked, and fully enclosed and rendered inaccessible to minors.
- (g) Medical cannabis preparation is prohibited as a home occupation.
- (h) No sale or distributing of medical cannabis processed for personal use shall be allowed.
- (i) **Individual Distribution Prohibited.** Medical cannabis cultivated or processed for personal use as provided for in this chapter shall not be distributed to any person, cooperative or collective, unless as otherwise proscribed by this Article.
- (j) **Cultivation Permit:**
  - (1) Prior to commencing any medical cannabis cultivation, the person(s) owning, leasing, occupying, or having charge or possession of any legal parcel or premises where medical cannabis cultivation is proposed to occur must obtain a medical cannabis cultivation permit from the Community Development Director or his or her designee. The following information will be required with the initial permit application and subsequent permit extensions:
    - a. A notarized signature from the owner of the property consenting to the cultivation of cannabis at the premises on a form acceptable to the City.
    - b. The name of each person owning, leasing, occupying, of having charge of any legal parcel or premises where medical cannabis will be cultivated.
    - c. The name of each qualified patient or primary caregiver who participates in the medical cannabis cultivation.
    - d. A copy of the a current valid medical recommendation or county-issued medical marijuana card for each qualified patient identified as required above, and for each qualified patient for whom any person identified as required above is the primary caregiver.
    - e. The physical site address of where the marijuana will be cultivated.
    - f. A signed consent form, acceptable to the City, authorizing City staff, including the Police Department authority, to conduct an inspection of the cultivation area without notice.
    - g. Proof that the applicant and any resident or person assisting in cultivation has had no drug related felony convictions within the past seven (7) years.

- (2) The initial permit shall be valid for no more than two (2) years and may be extended in increments of two (2) years. Applications will be accepted after January 1 and shall be submitted not later than June 30 of a calendar year.
  - (3) To the extent permitted by law, any personal or medical information submitted with a medical cannabis cultivation permit application or permit extension shall be kept confidential and shall only be used for purposes of administering this chapter.
  - (4) The Zoning Administrator may, in his or her discretion, deny any application for a medical cannabis cultivation permit, or extension thereof, where he or she finds, based on articulated facts, that the issuance of such permit, or extension thereof, would be detrimental to the public health, safety, or welfare. The Zoning Administrator shall deny any application for a medical cannabis permit, or extension thereof, which does not demonstrate satisfaction of the minimum requirements of this chapter. Failure to comply with requirements twice within a permitting period constitutes grounds for permit revocation and serves as a basis for denial of any new application or extension. In the event a permit holder becomes subject to criminal proceedings related to the cultivation and/or sale of cannabis, the holder's permit shall be suspended until such time as said criminal case is resolved. The denial of any permit application, or permit extension, shall be subject to appeal pursuant to Section 601.11 Appeals.
  - (5) The City may establish a fee or fees required to be paid upon filing of any application for permit(s) as provided by this Chapter, which fees shall not exceed the reasonable cost of administering this chapter, including but not limited to review of applications for permits, monitoring and inspections, and enforcement costs. Said fee or fees shall be established by Resolution of the City Council.
- (k) ***Medical Cannabis Cultivation or Distribution Facility/Dispensary.*** Medical cannabis distributing facilities, dispensaries, or services are not a permitted use and are prohibited in any and all zoning designations or districts within the city limits. Further, delivery of medical cannabis from a dispensary, facility, or service outside this jurisdiction into the city limits of Porterville is expressly prohibited.
  - (l) ***Enforcement.*** Any violation of this chapter is subject to any and all penalties as prescribed in the Porterville Municipal Code, in addition to being subject to other remedies provided by law, including but not limited to, injunctive relief, nuisance abatement action, summary abatement of immediately hazardous conditions, and all other applicable fines, penalties and remedies. This chapter is adopted to address public health and safety issues, and as such, carries with it an express legislative intent to be interpreted strictly, enforced with an emphasis on public and community safety, and enforced rigorously in a manner such as to deter further violations.
  - (m) ***Appeals.*** With the exception of the appeal process set forth in subsection (J)(4) for consideration of applications for permits, any other decisions made by the Zoning Administrator related to the application and enforcement of this Section including, but not limited to decisions to suspend, revoke or modify a permit, shall be subject to

the appeal provisions set forth in Chapter 612 Appeals of the Porterville Development Code.

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## Chapter 302     **Affordable Housing Density Bonus and Other Incentives**

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### Sections:

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| 302.01 | Purpose                                       |
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| 302.03 | State Affordable Housing Density Bonus        |
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| 302.05 | Affordable Housing Concessions and Incentives |
| 302.06 | Application Requirements                      |
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### **301.01     Purpose**

The specific purposes of the affordable housing density bonus and other incentives regulations are to:

- (a) Allow for density bonuses and additional incentives, consistent with Government Code Section 65915, for affordable housing lower and moderate income households, for seniors and disabled persons, and for development that includes a childcare facility;
- (b) Implement the policies of the General Plan Housing Element to expand the provision of housing for lower and moderate income households, elderly residents and others with special housing needs; and
- (c) Establish requirements for resale and rental controls to ensure that units remain affordable for at least thirty (30) years or such other term as required by the City, consistent with State law.

### **301.02     General Provisions**

- (a) **State Law Governs.** The provisions of this chapter shall be governed by the requirements of Government Code Section 65915, as amended. Where conflict occurs between the provisions of this chapter and State law, the State law shall govern.
- (b) **Land Use Compatibility.** All affordable housing units shall be dispersed throughout the community. Affordable housing units within market-rate projects shall be comparable with the design of market-rate units in appearance, use of materials, and finished quality. Building forms, materials and proportions shall comply with the standards of Series 200.
- (c) **Availability.** Affordable housing units shall be constructed concurrently with, and made available for qualified occupants at the same time as the market-rate housing units within the same project unless both the City and the developer agree to an alternative schedule for development.

- (d) **Effect of Granting Density Bonus.** The granting of a density bonus shall not, in and of itself, require a General Plan amendment, zoning change, or other discretionary approval.
- (e) **Income Levels.** For purposes of determining income levels of households under this chapter, the City shall use the Tulare County income limits in Title 25, Section 6932 of the California Code of Regulations or other income limits adopted by the City Council if the State department of Housing and Community Development fails to provide timely updates of the income limits in the California Code of Regulations.

### **301.03 State Affordable Housing Density Bonus**

- (a) **Minimum Density Bonus and Composition of Qualifying Projects.** Pursuant to Government Code Section 65915, the City shall grant a density bonus in the following amounts over the otherwise allowable maximum residential density permitted by this Ordinance and the General Plan, and one (1) or more additional concessions or incentives, consistent with Government Code Section 65915 and this section, if the applicant applies for and proposes to construct any one (1) of the following:
  - (1) **Lower Income Units.** A density bonus of twenty (20) percent if ten (10) percent of the total units of a housing development are affordable to lower income households, as defined in Section 50079.5 of the Health and Safety Code.
  - (2) **Very Low Income Units.** A density bonus of twenty (20) percent if five (5) percent of the total units of a housing development are affordable to very low income households, as defined in Section 50105 of the Health and Safety Code.
  - (3) **Senior Citizen Housing Development.** A density bonus of twenty (20) percent if a housing development qualifies as a Senior Citizen Housing Development, as defined in Section 51.3 of the Civil Code.
  - (4) **Moderate Income Units in Condominium and Planned Use Developments.** A density bonus of five (5) percent if ten (10) percent of the total dwelling units in a condominium project, as defined in Subdivision (f) of, or in a Planned Development, as defined in Subdivision (k) of Section 1351 of the Civil Code, are affordable to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code.
- (b) **Additional Sliding Scale Density Bonus.** As provided for in Government Code Section 65915(g) the number of units to which the applicant is entitled may exceed the percentage specified in Subsection (a) under the following provisions:
  - (1) **Lower Income Dwellings.** For each additional one (1) percent increase above ten (10) percent units affordable to lower income households, the density bonus shall be increased by one and one-half (1.5) percent up to a maximum density bonus of thirty-five (35) percent of the maximum allowable residential density for the site.
  - (2) **Very Low Income Dwellings.** For each additional one (1) percent increase above five (5) percent in the proportion of units affordable to very low income

households, the density bonus shall be increased by two (2) and one-half (2.5) percent, up to a maximum of thirty-five (35) percent of the maximum allowable residential density for the site.

- (3) **Condominium and Planned Development Units.** For each additional one (1) percent increase above ten (10) percent units affordable to moderate income households, the density bonus shall be increased by one (1) percent, up to a maximum of thirty-five (35) percent of the maximum allowable residential density for the site.
- (c) **Qualifying Projects—Number of Units.** The bonuses under Subsections (a) and (b) are applicable to residential projects of five (5) or more units, and senior housing projects of more than thirty-five (35) units.
- (d) **Calculation of Density Bonus Units.** When calculating the number of permitted density bonus units, all fractional units shall be rounded to the next higher whole number. The applicant who requests a density bonus for a project that meets two (2) or more of the eligibility requirements shall specify whether the bonus shall be awarded on the basis of paragraphs (1), (2), (3), or (4) of Section 302.03.(a), Minimum Density Bonus and Composition of Qualifying Projects. The density bonus shall not be included when determining the number of target units to be provided in a development project.
- (e) **Optional Density Bonus.** The City may grant a proportionally lower density bonus and/or provide concessions and/or incentives set forth in Section 302.05, Affordable Housing Concessions and Incentives, if an applicant agrees to construct a development containing less than the percentage of housing for lower or very low income households than provided in Subsection (a) of this section.

#### **301.04 State Childcare Facility Density Bonus**

- (a) **Basic Requirements.** When an applicant proposes to construct a housing development that conforms to the requirements of the State Density Bonus law and includes a childcare facility other than a Family Day Care Home that will be located on the premises of, as part of, or adjacent to, the project, the City shall grant either of the following:
  - (1) **Additional Density Bonus.** A density bonus of additional residential units equal in square footage to the amount of square feet of the childcare facility.
  - (2) **Additional Concession or Incentive.** An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
- (b) **Conditions of Approval.** The City shall require, as a condition of approving the housing development, that the following occur:
  - (1) **Length of Operation.** The childcare facility remains in operation for a period of time that is as long as, or longer than the length of time during which the affordable housing units shall remain affordable.

- (2) **Attending Children.** The percentage of children of very low, low or moderate income households who attend the childcare facility shall be the same or greater than the percentage of dwelling units in the project that are required for households at each income level.
- (c) **Exceptions.** The City shall not be required to provide a density bonus or concession for a childcare facility if it finds that, based upon substantial evidence, the community has adequate childcare facilities.

### **301.05 Affordable Housing Concessions and Incentives**

- (a) **Number of Incentives or Concessions.** Pursuant to Government Code Section 65915, an applicant is entitled to receive incentives and/or concessions as follows:
  - (1) One (1) incentive or concession for projects that include at least ten (10) percent of the total units for lower income households, at least five (5) percent for very low income households, or at least ten (10) percent for persons and families of moderate income in a condominium or planned development; or
  - (2) One (1) incentive or concession for senior citizen housing developments; or
  - (3) Two (2) incentives or concessions for projects that include at least twenty (20) percent of the total units for lower income households, at least ten (10) percent for very low income households, or at least twenty (20) percent for persons and families of moderate income in a condominium or planned development; or
  - (4) Three (3) incentives or concessions for projects that include at least thirty (30) percent of the total units for lower income households, at least fifteen (15) percent for very low income households, or at least thirty (30) percent for persons and families of moderate income in a condominium or planned development.
  - (5) The applicant who requests incentives or concessions for a mixed-income project shall specify whether the incentives or concessions shall be awarded on the basis of paragraph one (1), two (2), three (3), or four (4) of this section.
- (b) **Proposal of Incentives and Findings.** An applicant may propose specific incentives or concessions that would contribute significantly to the economic feasibility of providing affordable units pursuant to this chapter and State law. In addition to any increase in density to which an applicant is entitled, the City shall grant one (1) or more incentives and/or concessions that an applicant requests, up to the maximum number of incentives and concessions required pursuant to Subsection (a), unless the City makes a written finding that either:
  - (1) The concession or incentive is not necessary in order to provide the proposed targeted units, or
  - (2) The concession or incentive would have a specific adverse impact that cannot be feasibly mitigated on public health and safety or the physical environment or any property that is listed in the California Register of Historical Resources.

- (3) Notwithstanding the restriction in Subsection (a)(5) above, the applicant may propose and the City may approve additional incentives and concessions for an eligible project that provides targeted units that meet two (2) or more of the eligibility requirements based on a written finding that the additional incentives or concessions are necessary in order to make the project economically feasible.
- (c) **Types of Affordable Housing Incentives.** Affordable housing incentives may consist of any combination of the items listed below:
  - (1) **Modification of Development Standards.** Up to twenty (20) percent in modification of site development standards or zoning code requirements that exceed minimum building code standards and fire code standards, including, but not limited to:
    - a. Reduced minimum lot sizes and/or dimensions.
    - b. Reduced minimum building setbacks and building separation requirements.
    - c. Reduced minimum outdoor and/or private usable open space requirements.
    - d. Increased maximum lot coverage.
    - e. Increased maximum building height.
  - (2) **Parking.** Upon the applicant's request, the following maximum parking standards, inclusive of handicapped and guest parking, shall apply to the entire project. Further reductions in required parking may be requested as one (1) of the incentives allowed under Subsection (a).
    - a. One (1) on-site space for studios to one (1) bedroom units;
    - b. Two (2) on-site spaces for two (2) to three (3) bedroom units; and
    - c. Two and a half (2.5) on-site spaces for four (4) more bedroom units.
    - d. For purposes of this section, at the applicant's request, on-site parking may be provided through tandem parking or uncovered parking but not through on-street parking.
  - (3) **Mixed Use Zoning.** Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial or other land uses will reduce the cost of the housing development and such uses are compatible with the housing project and the surrounding area.
  - (4) **Other Incentives.** Other regulatory incentives or concessions proposed by the developer or the City that result in identifiable cost reductions or avoidance.

### 301.06 Application Requirements

An application for a density bonus, incentive, concession, waiver, modification, or revised parking standard pursuant to this chapter shall be submitted in conjunction with the project application and shall be processed concurrently with all other applications required for the



project. The application shall be submitted on a form provided by the City and shall include, at a minimum, the following information:

- (a) A site plan showing the total number of units, the number and location of the units dedicated pursuant to California Government Code Section 65915(b), and the number and location of the proposed density bonus units;
- (b) The level of affordability of the dedicated units;
- (c) A description of any requested incentives, concessions, waivers or modifications of development standards, or modified parking standards and evidence demonstrating that the application of the subject standard or requirement would preclude construction of the project at the densities provided for in California Government Code Section 65915 and that the waiver or modification is necessary to make development of the project financially feasible at the densities provided for in California Government Code Section 65915;
- (d) If a density bonus is requested for a land donation pursuant to California Government Code Section 65915(h), the application shall show the location of the land to be dedicated and provide evidence that the requirements of Section 65915(h) have been met, thus entitling the project to the requested density bonus; and
- (e) If a density bonus is requested for construction of a child care facility pursuant to California Government Code Section 65915(i), the application shall show the location and square footage of the proposed facility and provide evidence that the requirements of Section 65915(i) have been met, thus entitling the project to the requested density bonus.

### **301.07           Review**

- (a) **Duration of Affordability.** All affordable housing units shall be kept affordable for a minimum period of thirty (30) years or such other term approved by the City, consistent with State law.
- (b) **Regulatory Agreement Required.** All affordable housing projects shall be subject to the approval of an agreement pursuant to conforming to the provisions of Sections 65864 to 65869 of the Government Code. The terms of the agreement shall be reviewed and revised as appropriate by the Zoning Administrator and/or City Attorney, who shall formulate a recommendation to the decision making body for final approval. This agreement shall include, but is not limited to, the following:
  - (1) **Number of Units.** The total number of units approved for the projects, including the number of affordable housing units.
  - (2) **Target Units.** The location, unit sizes (in square feet) and number of bedrooms of the affordable housing units.
  - (3) **Household Income Group.** A description of the household income groups to be accommodated by the project and a calculation of the Affordable Sales Price.

- (4) **Certification Procedures.** The party responsible for certifying sales prices or annual rental rates, and the process that will be used for certification.
- (5) **Schedule.** A schedule for the completion and occupancy of the affordable housing units.
- (6) **Required Term of Affordability.** Duration of affordability of the housing units. Provisions shall also cover resale control and deed restrictions on targeted housing units that are binding on property upon sale or transfer.
- (7) **Expiration of Agreement.** Provisions covering the expiration of the agreement, including notice prior to conversion to market rate units and right of first refusal option for the City and/or the distribution of accrued equity for for-sale units.
- (8) **Remedies for Breach.** A description of the remedies for breach of the Agreement by either party.
- (9) **Other Provisions.** Other provisions to ensure implementation and compliance with this chapter.
- (10) **Condominium and Planned Developments.** In the case of condominium and planned developments, the Regulatory Agreement shall provide for the following conditions governing the initial resale and use of affordable housing units:
  - a. Target units shall, upon initial sale, be sold to eligible Very Low, Lower, or Moderate Income Households at an Affordable Sales Price and Housing Cost, or to Qualified Residents as defined by this Ordinance.
  - b. Target units shall be initially owner-occupied by eligible Very Low or Lower Income Households.
  - c. Upon resale, the seller of a target unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City shall recapture its proportionate share of appreciation, which shall be used to promote home ownership opportunities as provided for in Health and Safety Code Section 33334.2. The City's proportionate share shall be equal to the percentage by which the initial sale price to the targeted household was less than the fair market value of the dwelling unit at the time of initial sale.
- (11) **Rental Housing Developments.** In the case of rental housing developments, the Regulatory Agreement shall provide for the following conditions governing the use of Target Units during the use restriction period:
  - a. The rules and procedures for qualifying tenants, establishing affordable rent rates, filling vacancies, and maintaining Target Units for qualified tenants.
  - b. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this chapter.

- c. Provisions requiring owners to submit an annual report to the City, which includes the name, address, and income of each person occupying Target Units, and which identifies the bedroom size and monthly rent or cost of each Target Unit.

## Chapter 303 Landscaping

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### Sections:

|        |                               |
|--------|-------------------------------|
| 303.01 | Purpose                       |
| 303.02 | Applicability                 |
| 303.03 | Landscape Design Principles   |
| 303.04 | Landscape Plans               |
| 303.05 | Areas to be Landscaped        |
| 303.06 | General Landscaping Standards |
| 303.07 | Water Efficiency              |
| 303.08 | Irrigation Specifications     |
| 303.09 | Model Homes                   |
| 303.10 | Installation and Completion   |

### **303.01 Purpose**

The specific purposes of the landscaping regulations are to:

- (a) Improve the appearance of the community by requiring aesthetically pleasing landscaping on public and private sites;
- (b) Aid in energy conservation by providing shade from the sun and shelter from the wind;
- (c) Soften the appearance of parking lots and other development through landscaping;
- (d) Promote conservation of water resources through the use of native and drought-tolerant plants, and water-conserving irrigation practices; and
- (e) Minimize or eliminate conflicts between potentially incompatible but otherwise permitted land uses on adjoining lots through visual screening.

### **303.02 Applicability**

The standards of this chapter apply to all new development or improvements subject to project review and building permits.

### **303.03 Landscape Design Principles**

The following design principles are general standards to be used by City staff in evaluating whether landscape plans conform to the requirements of this chapter:

- (a) **Natural Landscapes.** Landscape designs shall incorporate and enhance existing natural landscapes and existing specimen trees and native vegetation (including canopy, understory, and ground cover). Particular care shall be given to preserve intact natural landscapes. Where previous landscaping has dramatically altered natural landscapes, new designs shall seek to reestablish natural landscape patterns and plantings. Natural landscapes and native vegetation do not include weeds.

- (b) **Composition.** The quality of a landscape design is dependent not only on the quantity and selection of plant materials but also on how that material is arranged. Landscape materials shall include a combination of ground covers, shrubs, vines and trees with a variety of plant heights and colors.
- (c) **Buffering and Screening.** The placement of natural landscape materials (trees, shrubs, and hedges) is the preferred method for buffering differing land uses, for providing a transition between adjacent properties, and for screening the view of any parking or storage area, refuse collection, utility enclosures, or other service area visible from a public street, alley, or pedestrian area. Plants may be used with fences or berms to achieve the desired screening or buffering effect. When used to screen an activity area such as a parking lot, landscaping shall not interfere with public safety.
- (d) **Responsive to Local Context and Character.** Landscape designs shall build on the site's and area's unique physical characteristics, conserving and complementing existing natural features. Naturalistic design elements such as irregular plant spacing, undulating berm contours, and mixed proportions of plant species shall be used to ensure that new landscaping blends in and contributes to the quality of the surrounding area. Selection and spacing of plant material shall be reflective of the surrounding area's character.
- (e) **Use of Native and Drought Resistant Plants.** Landscape designs shall feature native and/or related plant species and avoid invasive species, especially in areas adjacent to existing native vegetation, to take advantage of the unique natural character and diversity of the region and the adaptability of native plants to local environmental conditions. Where feasible, the re-establishment of native habitats shall be incorporated into the landscape design. In the same manner, landscape designs shall utilize drought tolerant plant materials to the maximum extent feasible. The use of drought tolerant plants shall enrich the existing landscape character, conserve water and energy, and provide as pleasant and varied a visual appearance as plants that require more water.
- (f) **Continuity and Connection.** Landscaping shall be designed within the context of the surrounding area, provided that the landscaping is also consistent with these design principles. Where the design intent and the surrounding landscape is naturalistic, plant materials shall blend well with adjacent properties, particularly where property edges meet, to create a seamless and natural landscape. Where the design intent and the surrounding landscape is formal, consistent or similar plant material and spacing shall be utilized. Exceptions shall be made when seeking to create a transition between uses, districts, and tiers.
- (g) **Enhancing Architecture.** Landscape designs shall be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape. Major landscape elements shall be designed to complement architectural elevations and rooflines through color, texture, density, and form on both vertical and horizontal planes. Landscaping shall be in scale with on-site and adjacent buildings. Plant material shall be installed at an appropriate size and allowed to accomplish these intended goals. When foundation planting is

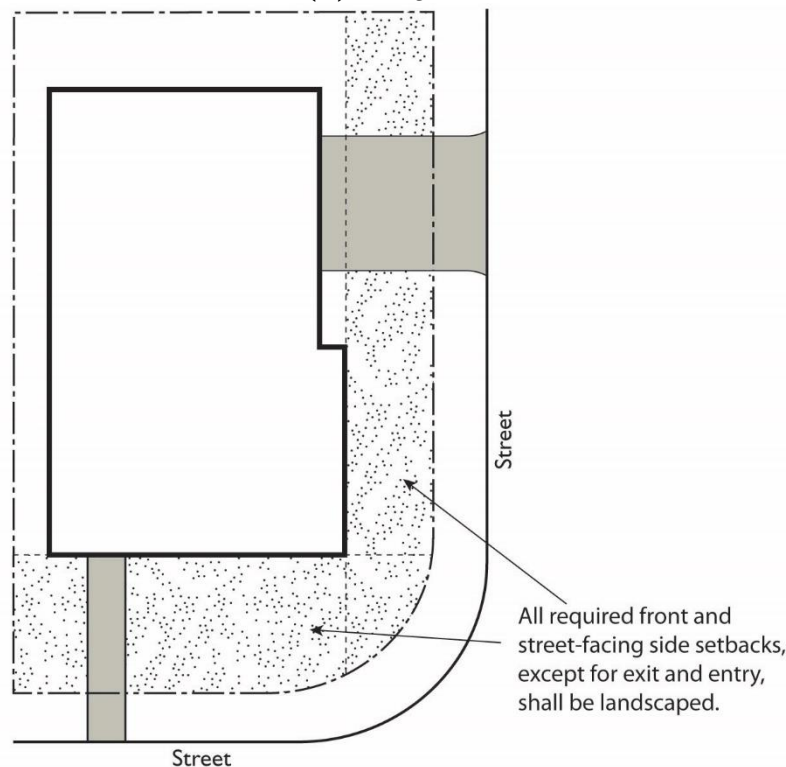
required, plantings and window boxes shall incorporate artistic elements and be compatible with a building's architectural character.

### 303.04 Areas to be Landscaped

The following areas shall be landscaped, and may count toward the total area of site landscaping required by the zoning district regulations.

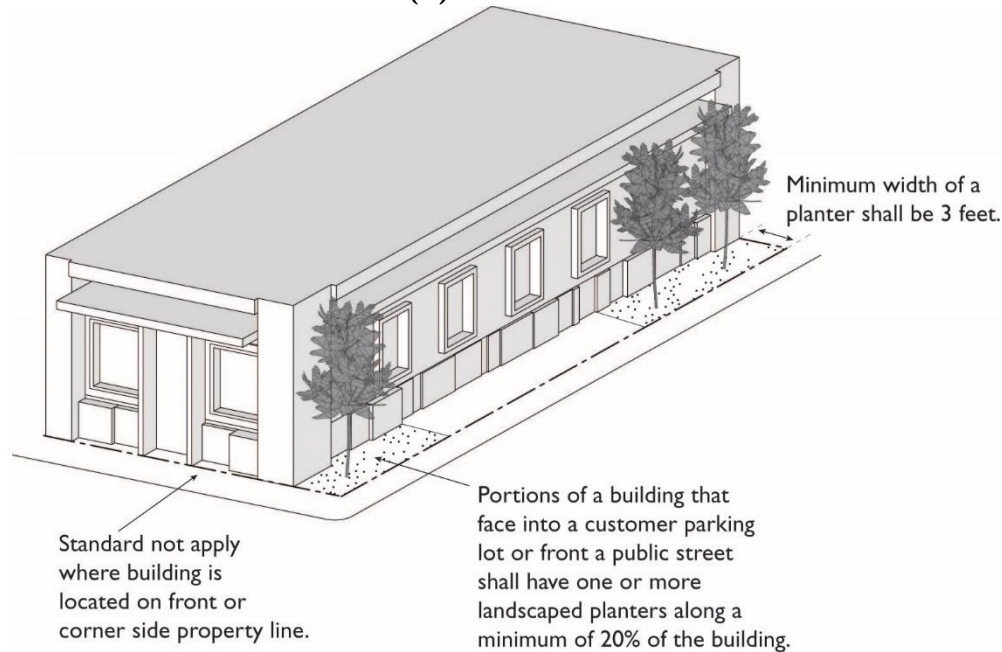
- (a) **Required Setbacks.** All required front and street-facing side setbacks, except for exit and entry, shall be landscaped.

**FIGURE 303.04(A): REQUIRED SETBACKS**



- (b) **Interior Property Lines Abutting R Districts.** A minimum five (5) foot wide landscape buffer shall be provided along interior property lines, where no building abuts a property line, in districts adjacent to an R district.
- (c) **Building Perimeters.** The portions of a building façade that face onto a customer parking lot or front a public street shall have one (1) or more landscape planters installed along a minimum twenty (20) percent of that building face. The minimum width of the planter shall be three (3) feet. This standard does not apply where a building is located on the front or corner side property line and there is no setback between the building and the property line.

**FIGURE 303.04(C): BUILDING PERIMETERS**



- (d) **Landscaping in Parking Areas.** Parking areas shall be landscaped as required by Article 304, On-Site Parking and Loading.
- (e) **Orchards and Gardens.** Areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens.
- (f) **Unused Areas.** All areas of a project site not intended for a specific use, including areas planned for future phases of a phased development, shall be landscaped or left in a natural state. Access to the unused portion of the site shall be prohibited by a concrete curb, timber barrier or other barrier not less than six (6) inches high.

### **303.05 General Landscaping Standards**

#### **(a) Materials**

- (1) **General.** Landscaping shall consist of a combination of ground covers, shrubs, vines, and trees. Landscaped areas may include paved or graveled surfaces. Plant materials shall be selected from those species and varieties known to thrive in the Porterville climate and/or listed in Sunset's *Western Garden Book*, Region No. 9. Recirculating water shall be used for decorative water features.
- (2) **Ground Cover Materials.** Ground cover shall be of living organic plant material. Ground cover may include grasses. The exclusive or majority use of non-plant materials such as gravel, colored rock, cinder, bark, and similar materials may not be used to meet the minimum planting area requirements required by this chapter. Mulch is not a substitute for ground cover plants.
- (3) **Turf Allowance/Drought-Tolerant Materials.** The maximum amount of lawn in required landscape areas shall be twenty-five (25) percent except for turf

areas that comprise an essential component of a project (e.g., golf courses or playing fields), which are exempt from this limit. The installation of turf on slopes greater than twenty-five (25) percent is prohibited. The use of drought-tolerant or artificial turf plant materials is preferred in these applications to conserve the City's water resources.

- (4) **Mulch.** A minimum three (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers or other special planting situations where mulch is not recommended. Stabilizing mulching products shall be used on slopes.
- (5) **Size and Spacing.** Plant materials shall be grouped in hydrozones in accordance with their respective water, cultural (soil, climate, sun and light) and maintenance needs. Plants shall be of the following size and spacing at the time of installation:
  - a. **Ground Covers.** Areas planted in ground cover plants other than grass seed or sod shall be planted at a rate of one (1) per twelve (12) inches on center.
  - b. **Shrubs.** Shrubs shall be a minimum size of one (1) gallon. When planted to serve as a hedge or screen, shrubs shall be planted with two (2) to four (4) feet of spacing, depending on the plant species.
  - c. **Trees.** Trees shall be a minimum of fifteen (15) gallons in size with a one (1) inch diameter at breast height (dbh) spaced at thirty-five (35) feet on center. Newly planted trees shall be supported with stakes or guywires.
- (b) **Dimension of Landscaped Areas.** No landscaped area smaller than three (3) feet in any horizontal dimension shall count toward required landscaping.
- (c) **Drivers' Visibility.** Trees and shrubs shall be planted and maintained so that at maturity they do not interfere with traffic safety sight areas, or public safety. Notwithstanding other provisions of this section, landscaping must comply with Section 300.16, Visibility at Intersections and Driveways.

### 303.06 Installation and Completion

- (a) **Consistency with Approved Plans.** All landscaping and screening shall be installed consistent with approved plans and specifications, in a manner designed to promote and maintain healthy plant growth.
- (b) **Timing of Installation.** Required landscaping and screening shall be installed prior to the issuance of a Certificate of Occupancy for the associated project.
- (c) **Exception—Assurance of Landscaping Completion.** The Zoning Administrator may permit the required landscaping to be installed within one hundred twenty (120) days after the issuance of a Certificate of Occupancy in special circumstances related to weather conditions or plant availability. A surety in the amount equal to one hundred fifty (150) percent of the estimated cost of landscaping, including materials and labor, as well as an agreement that the required landscaping will be installed within one



hundred twenty (120) days, shall be filed with the City to assure completion of landscaping installation within such time. The surety may take the form of cash deposit; and together with the agreement, would provide for payment to the City of any costs incurred in contracting for completion of the required landscaping.

- (d) **Certification of Substantial Completion.** Upon completion of the installation of the landscaping and irrigation system, a field observation shall be completed by the licensed project contractor. A certificate of substantial completion shall be submitted to the City by the licensed project contractor. The certificate shall specifically indicate that the plants were installed as specified, that the irrigation system was installed as designed, along with a list of any deficiencies.

## Chapter 304 On-Site Parking and Loading

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### Sections:

|        |                                               |
|--------|-----------------------------------------------|
| 304.01 | Purpose                                       |
| 304.02 | Applicability                                 |
| 304.03 | General Provisions                            |
| 304.04 | Required Parking Spaces                       |
| 304.05 | Location of Required Parking                  |
| 304.06 | Parking Reductions                            |
| 304.07 | Downtown Parking Districts                    |
| 304.08 | Bicycle Parking                               |
| 304.09 | On-Site Loading                               |
| 304.10 | Parking Area Design and Development Standards |
| 304.11 | Parking and Storage of Recreational Vehicles  |

### 304.01 Purpose

The specific purposes of the on-site parking and loading regulations are to:

- (a) Ensure that parking uses are provided for new land uses and major alterations to existing uses to meet the parking needs created by such uses;
- (b) Establish standards and regulations for the developer, owner, or operator of any specific use occurring outdoors or within an existing, newly constructed, or relocated building to provide well-designed, on-site parking areas; and
- (c) Ensure that on-site parking and loading areas are designed and located to protect the public safety; minimize congestion and conflict points on travel aisles and public streets; and where appropriate, buffer surrounding land uses from their impact.

### 304.02 Applicability

The requirements of this chapter apply to the establishment, alteration, expansion, or change in any use or structure, as provided in this section.

- (a) **New Buildings and Land Uses.** On-site parking and loading shall be provided according to the provisions of this chapter at the time any main building or structure is erected or any new use is established.
- (b) **Expansion and Change in Use of Existing Buildings.** When an expansion of floor area or change in use classification creates an increase of ten (10) percent or more in the number of required on-site parking or loading spaces, on-site parking and loading shall be provided according to the provisions of this chapter.
- (c) **Reconstruction.** Additional parking spaces are not required for the remodel or reconstruction of an existing building when there is no increase in footprint or floor area.
- (d) **Alterations that Increase Number of Dwelling Units.** If an alteration to an existing building increases the number of residential dwelling units on the site, on-site parking

- to serve the new dwelling units shall be provided according to the provisions of this chapter.
- (e) **When Constructed.** On-site parking and loading facilities required by this chapter shall be constructed or installed prior to the issuance of a Certificate of Occupancy for the uses that they serve.

### **304.03 General Provisions**

- (a) **Existing Parking and Loading to be Maintained.** No existing parking or loading serving any use may be reduced in amount or changed in design, location or maintenance below the requirements for such use, unless equivalent substitute parking or loading facilities are provided or a parking reduction is approved pursuant to Section 304.06, Parking Reductions.
- (b) **Use of Required Parking Spaces.** Required on-site parking areas shall be used exclusively for the temporary parking of vehicles and shall not be used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, merchandise, or equipment, or for any other use, unless specifically authorized by another provision of this Ordinance.
- (c) **Nonconforming Parking or Loading.** An existing use of land or structure shall not be deemed to be nonconforming solely because of a lack of on-site parking or loading facilities required by this chapter, provided that facilities used for on-site parking and loading as of the date of adoption of this Ordinance are not reduced in number to less than that required by this chapter.

### **304.04 Required Parking Spaces**

- (a) **Minimum Number of Spaces Required.** Each land use shall be provided at least the number of on-site parking spaces stated in Table 304.04(A).
- (b) **Calculation of Required Spaces.** The number of required parking spaces shall be calculated according to the following rules:
- (1) **Fractions.** If the calculation of required parking or loading spaces results in the requirement of a fractional space, such fraction, if one-half (0.5) or greater, shall be considered one (1) additional space; if the fraction is less than one-half (0.5), it shall result in no additional spaces.
  - (2) **Floor Area.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to floor area, the floor area is assumed to be gross floor area, unless otherwise stated.
  - (3) **Employees.** Where an on-site parking or loading requirement is stated as a ratio of parking spaces to employees, the number of employees shall be based on the largest shift that occurs in a typical week.
  - (4) **Bedrooms.** Where an on-site parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and

meeting the standard of the Building Code as a bedroom shall be counted as a bedroom.

- (5) **Students or Clients.** Where a parking or loading requirement is stated as a ratio of parking spaces to students (including children in day care), the number is assumed to be the number of students or clients at the state-certified capacity.
- (6) **Seats.** Where parking requirements are stated as a ratio of parking spaces to seats, each eighteen (18) inches of bench-type seating at maximum seating capacity is counted as one (1) seat.
- (c) **Existing Spaces—Role in Parking Calculation.** The number of parking or loading spaces required for an expansion or change in use, shall be based on the existing spaces plus the additional spaces prescribed in this section, unless the preexisting number is already greater than the number required.
- (d) **Downtown Parking—Role in Parking Calculation.** For properties in the Downtown districts, on-street parking spaces may be counted toward required off-street parking for non-residential uses in an amount equal to the proportionate share of the block face. For example, a site that occupies twenty-five (25) percent of the block face is credited with twenty-five (25) percent of the on-street parking spaces along that block face. These provisions apply to street frontages where on-street parking is allowed as identified in 304.07 Downtown Parking Districts.
- (e) **Sites with Multiple Uses.** If more than one (1) use is located on a site, the number of required on-site parking spaces and loading spaces shall be equal to the sum of the requirements prescribed for each use unless a reduction for shared parking is approved pursuant to Section 304.06(b), Shared Parking, and except for commercial centers with two (2) or more commercial establishments, which shall be provided parking at a ratio of one (1) parking space per three hundred (300) square feet of floor area if the floor area is more than fifty thousand (50,000) square feet.
- (f) **Uses Not Specified.** The parking requirement for any use not listed in Table 304.04(A) shall be determined by the Zoning Administrator based upon the requirements for the most similar comparable use, the particular characteristics of the proposed use, and any other relevant data regarding parking demand. In order to make this determination, the Zoning Administrator may require the applicant to submit a parking demand study or other information, at the applicant's cost.
- (g) **Parking Requirements Determined by Zoning Administrator.** Where the parking requirement in Table 304.04(A) is listed as "to be determined by the Zoning Administrator," the Zoning Administrator shall establish the parking requirement based on the particular characteristics of the proposed use, and any other relevant data regarding parking demand. The Zoning Administrator may require the applicant to submit parking studies or any other information needed to assess parking demand for the proposed project. Where a Conditional Use Permit is required for the use, the ultimate parking requirement will be established by the Conditional Use Permit.
- (h) **Queuing Area.** The number of parking spaces required by Table 304.04(A) does not include queuing space that may be required for vehicles and customers waiting in

vehicles for service at drive-through facilities, pump stations, auto service bays, or similar uses. Queuing Area shall provide space for six (6) vehicles (restaurants shall provide spacing from the menu board). In lieu of this standard, a focused traffic study which models vehicular queuing may be prepared subject to Zoning Administrator approval. The stacking area shall not interfere with other on-site circulation and parking facilities. Where required, queuing area shall be measured as twenty (20) feet per car.

| <b>TABLE 304.04(A): REQUIRED ON-SITE PARKING SPACES</b> |                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Land Use Classification</i>                          | <i>Required Parking Spaces</i>                                                                                                                                                                                                                                                                           |
| <b>Residential Use Classifications</b>                  |                                                                                                                                                                                                                                                                                                          |
| Single-family, Detached<br>Single-family, Attached      | 2 covered parking for each dwelling unit.                                                                                                                                                                                                                                                                |
| Second Unit                                             | See Section 301.16, Second Dwelling Units.                                                                                                                                                                                                                                                               |
| Multi-family Residential                                | 1 per studio unit. 1.5 per one-bedroom unit. 2 per 2-bedroom unit. Additional bedrooms above 2: 0.5 space/bedroom. One space for each unit shall be designated for the unit and covered. One additional guest parking space shall be provided for every 3 units.                                         |
| Small Family Day Care Home                              | None, beyond what is required for the residential use.                                                                                                                                                                                                                                                   |
| Large Family Day Care Home                              | 1 per non-resident employee. 1 passenger loading space, on or off-site. (Required spaces are in addition to those required for the primary residential use).                                                                                                                                             |
| Group Residential                                       | 1 per bed, bedroom, or dwelling unit, whichever is greatest, plus 1 guest parking space per 3 units.                                                                                                                                                                                                     |
| Manufactured Home Park                                  | 2 on-site spaces for each dwelling unit. At least one required space shall be covered. Tandem parking allowed                                                                                                                                                                                            |
| Residential Care, Limited                               | None, beyond what is required for the residential use.                                                                                                                                                                                                                                                   |
| <b>Public and Semi-Public Use Classifications</b>       |                                                                                                                                                                                                                                                                                                          |
| Cemetery                                                | To be determined by the Zoning Administrator.                                                                                                                                                                                                                                                            |
| Clubs and Lodges                                        | 1 for each 3 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided.                                                                                                                                                           |
| Colleges and Trade Schools, Public or Private           | To be determined by the Zoning Administrator based on parking demand study.                                                                                                                                                                                                                              |
| Community Center                                        | To be determined by the Zoning Administrator.                                                                                                                                                                                                                                                            |
| Cultural Institutions                                   | For theaters and auditoriums: 1 for each 3 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided. Galleries and Museums: 1 for every 400 sq. ft. of floor area. Other establishments: determined by the Zoning Administrator. |
| Day Care Center                                         | 1 per first 5 clients, plus 1 for each additional 10 clients.                                                                                                                                                                                                                                            |

| <b>TABLE 304.04(A): REQUIRED ON-SITE PARKING SPACES</b>      |                                                                                                                                                                                                 |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Land Use Classification</i>                               | <i>Required Parking Spaces</i>                                                                                                                                                                  |
| Elderly and Long Term Care                                   | For first 10 beds: 1 per 2 beds. Additional beds: 1 additional space for each 4 beds.                                                                                                           |
| Government Offices                                           | 1 per 300 sq. ft. of floor area.                                                                                                                                                                |
| Instructional Services                                       | 1 per 300 sq. ft. of floor area.                                                                                                                                                                |
| Park and Recreation Facilities, Public                       | To be determined by the Zoning Administrator.                                                                                                                                                   |
| Public Safety Facilities                                     | To be determined by the Zoning Administrator.                                                                                                                                                   |
| Religious Facilities                                         | 1 for each 3 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided.                                                  |
| Residential Care, General                                    | For first 10 beds: 1 per 2 beds. Additional beds: 1 additional space for each 4 beds.                                                                                                           |
| Schools, Public or Private                                   | Elementary and Middle Schools: 1 per classroom, plus 1 per 250 sq. ft. of office area.<br>High Schools: .35 per student                                                                         |
| Social Service Facilities                                    | 1 per 200 sq. ft. of floor area.                                                                                                                                                                |
| <b>Commercial Use Classifications</b>                        |                                                                                                                                                                                                 |
|                                                              |                                                                                                                                                                                                 |
| Aircraft Sales, Services, and Storage                        | To be determined by the Zoning Administrator.                                                                                                                                                   |
| Animal Care, Sales and Services                              |                                                                                                                                                                                                 |
| <i>Kennels</i>                                               | 1 per 1,000 sq. ft. of floor area.                                                                                                                                                              |
| <i>Pet Store</i>                                             | 1 per 250 sq. ft. of floor area.                                                                                                                                                                |
| <i>Veterinary Services</i>                                   | 1 per 250 sq. ft. of floor area.                                                                                                                                                                |
| <i>Artists' Studios</i>                                      | 1 per 1,000 sq. ft. of floor area.                                                                                                                                                              |
| Automobile/Vehicle Sales and Services                        |                                                                                                                                                                                                 |
| <i>Automobile/Vehicle Rentals</i>                            | 1 per 250 sq. ft. of office area in addition to spaces for all vehicles for rent.                                                                                                               |
| <i>Automobile/Vehicle Sales and Leasing</i>                  | 1 per 250 sq. ft. of office area, plus 1 space per 1,000 sq. ft. of indoor or outdoor sales display area. Any accessory auto repair: 2 spaces per service bay. Minimum 5 spaces per dealership. |
| <i>Automobile/Vehicle Repair, Major or Minor</i>             | 2 per service bay.                                                                                                                                                                              |
| <i>Automobile/Vehicle Washing</i>                            | Minimum 1 space for automatic facilities, minimum 3 spaces for other facilities, plus 1 space per 250 sq. ft. of any indoor sales, office, or lounge areas.                                     |
| <i>Large Vehicle and Equipment Sales, Service and Rental</i> | 1 per 250 sq. ft. of office area plus 1 per 2,500 sq. ft. of sales display area.                                                                                                                |

| <b>TABLE 304.04(A): REQUIRED ON-SITE PARKING SPACES</b>      |                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Land Use Classification</i>                               | <i>Required Parking Spaces</i>                                                                                                                                                                                                                                                                                      |
| <i>Service Station</i>                                       | 2 per service bay, if service bays are included on site. 1 per 200 sq. ft. of any convenience store on site.                                                                                                                                                                                                        |
| <i>Towing and Impound</i>                                    | 1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.                                                                                                                                                                                                                                   |
| Banks and Financial Institutions<br>(All subclassifications) | 1 per 300 sq. ft. of floor area.                                                                                                                                                                                                                                                                                    |
| Building Materials Services                                  | 1 per 400 sq. ft. of floor area; 1 per 600 sq. ft. of outdoor display area.                                                                                                                                                                                                                                         |
| Business Services                                            | 1 per 300 sq. ft. of floor area.                                                                                                                                                                                                                                                                                    |
| Commercial Entertainment and Recreation                      | Establishments with seating: 1 for each 3 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area where temporary or moveable seats are provided.<br><br>Bowling alleys: 3 per lane.<br><br>Other Commercial Entertainment and Recreation uses: to be determined by Zoning Administrator. |
| Eating, Drinking, and Smoking Establishments                 |                                                                                                                                                                                                                                                                                                                     |
| <i>Bars/Night Clubs/Lounges</i>                              | Minimum 2 spaces. 1 per 75 sq. ft. of customer seating area.                                                                                                                                                                                                                                                        |
| <i>Coffee Shops/Cafes</i>                                    | Minimum 2 spaces. 1 per 100 sq. ft. of customer seating area.                                                                                                                                                                                                                                                       |
| <i>Restaurants</i>                                           | Minimum 2 spaces. 1 per 75 sq. ft. of customer seating area; no parking is required for outdoor seating when seats provided equal 50 percent or less of total indoor seating.                                                                                                                                       |
| <i>Tobacco Bars</i>                                          | Minimum 2 spaces. 1 per 75 sq. ft. of customer seating area.                                                                                                                                                                                                                                                        |
| Food and Beverage Retail Sales                               | 1 per 250 sq. ft. of floor area.                                                                                                                                                                                                                                                                                    |
| Funeral Parlors and Mortuaries                               | 1 for each 4 permanent seats in assembly areas, plus 1 per 250 sq. ft. of office area.                                                                                                                                                                                                                              |
| Hotels and Motels                                            | 1 per each living or sleeping unit, plus 2 spaces adjacent to registration office. Additional parking required for ancillary uses, such as restaurants, according to the parking requirements for the ancillary use.                                                                                                |
| Light Fleet-based services                                   | 1 per 250 sq. ft. of office floor area, plus one space for each fleet vehicle.                                                                                                                                                                                                                                      |
| Maintenance and Repair Services                              | 1 per 350 sq. ft. of building floor area, plus one space for each fleet vehicle.                                                                                                                                                                                                                                    |
| Medical Facilities                                           |                                                                                                                                                                                                                                                                                                                     |
| <i>Hospital</i>                                              | 1 per bed; plus 1 per 250 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.                                                                                                                                                    |
| <i>Medical Clinic</i>                                        | 1 per 200 square feet                                                                                                                                                                                                                                                                                               |

| <b>TABLE 304.04(A): REQUIRED ON-SITE PARKING SPACES</b>                 |                                                                                                                         |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <i>Land Use Classification</i>                                          | <i>Required Parking Spaces</i>                                                                                          |
| <i>Single Physician Office</i>                                          | 1 per 175 square feet                                                                                                   |
| Nurseries and Garden Centers                                            | 1 per 250 sq. ft. of floor area, plus 1 per 500 sq. ft. of outside display or greenhouse area.                          |
| Offices<br>(All Subclassifications)                                     | 1 per 250 sq. ft. of floor area.                                                                                        |
| Parking, Public or Private                                              | 1 per attendant station (in addition to the spaces that are available to public).                                       |
| Personal Services                                                       | 1 per 200 sq. ft. of floor area.                                                                                        |
| Retail Sales                                                            |                                                                                                                         |
| <i>Less than 50,000 square feet</i>                                     | 1 per 250 sq. ft. of floor area.                                                                                        |
| <i>50,000 square feet or more</i>                                       | 1 per 300 sq. ft. of floor area.                                                                                        |
| Salvage and Wrecking                                                    | 1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.                                       |
| Sexually Oriented Business                                              | As determined by the Zoning Administrator based upon requirements for the most similar comparable use                   |
| Wholesaling and Distribution                                            | 1 per 2,000 sq. ft. of floor area.                                                                                      |
| <b>Industrial Use Classifications</b>                                   |                                                                                                                         |
| Construction and Materials Yards                                        | To be determined by Zoning Administrator.                                                                               |
| Handicraft/Custom Manufacturing                                         | 1 per 2,000 sq. ft. of floor area.                                                                                      |
| Industry, General                                                       | 1 per 1,000 sq. ft. of floor area.                                                                                      |
| Industry, Limited                                                       | 1 per 1,000 sq. ft. of floor area.                                                                                      |
| Recycling Collection Facilities                                         |                                                                                                                         |
| <i>Recycling Collection Point</i>                                       | Minimum 1 space. Number of additional spaces to be determined by the Zoning Administrator.                              |
| <i>Recycling Processing Facility</i>                                    | 1 for each 2 employees on the maximum work shift, or 1 per 1,000 sq. ft. of floor area, whichever is greater.           |
| Warehousing and Storage                                                 |                                                                                                                         |
| <i>Chemical, Mineral, and Explosives Storage</i>                        | 1 per 2 employees or 1 per 200 sq. ft. of office area, whichever is greater.                                            |
| <i>Indoor Commercial Storage</i>                                        | 1 per 1,000 sq. ft. of floor area.                                                                                      |
| <i>Outdoor Storage</i>                                                  | 1 per 2 employees or 1 per 200 sq. ft. of office area, whichever is greater.                                            |
| <i>Personal Storage</i>                                                 | 1 space per 75 storage units, plus 1 space per 300 square feet of office area. A minimum of 5 spaces shall be provided. |
| <b>Transportation, Communication, and Utilities Use Classifications</b> |                                                                                                                         |
| Airports and Heliports                                                  | To be determined by the Zoning Administrator.                                                                           |



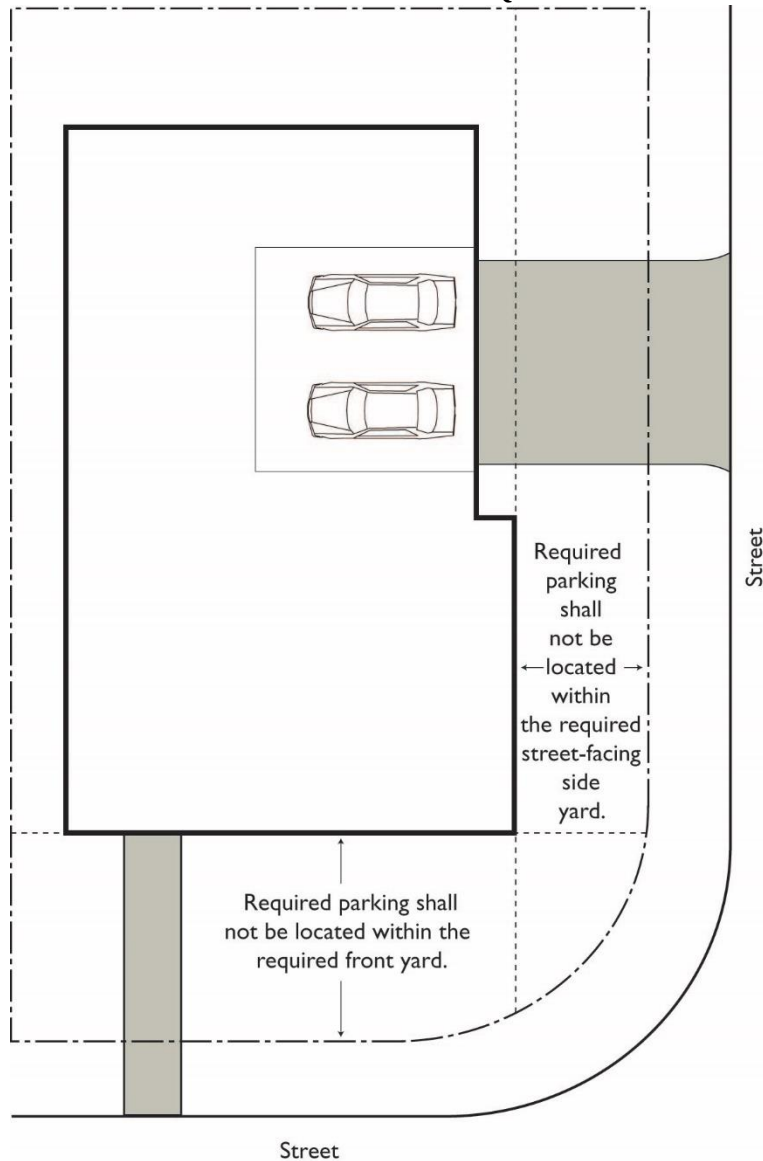
| <b>TABLE 304.04(A): REQUIRED ON-SITE PARKING SPACES</b> |                                                                                                                    |
|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <i>Land Use Classification</i>                          | <i>Required Parking Spaces</i>                                                                                     |
| <b>Communication Facilities</b>                         |                                                                                                                    |
| <i>Antennae and Transmission Towers</i>                 | Minimum 1 space for maintenance and servicing. Additional spaces to be determined by the Zoning Administrator.     |
| <i>Facilities within Buildings</i>                      | To be determined by the Zoning Administrator.                                                                      |
| Freight/Truck Terminals and Warehouses                  | 1 for each 2 employees on the maximum work shift, or 1 for each 3,000 sq. ft. of floor area, whichever is greater. |
| Transportation Passenger Terminals                      | To be determined by the Zoning Administrator.                                                                      |
| Utilities, Major                                        | To be determined by the Zoning Administrator.                                                                      |
| Utilities, Minor                                        | None.                                                                                                              |
| <b>Agriculture and Extractive Use Classifications</b>   |                                                                                                                    |
| Crop and Animal Raising                                 | 1 for every 2 employees on the maximum shift.                                                                      |
| Mining and Quarrying                                    | 1 for every 2 employees on the maximum shift.                                                                      |

### **304.05 Location of Required Parking**

- (a) **Single-Family Dwellings and Second Units.** Required parking for a Single-Family Dwelling (except a manufactured home located within a manufactured home park) and a Second Unit shall be located on the same lot as the dwelling(s) served, and shall not be located within a required front or street-facing side yard. For purposes of this section, the required front yard setback is twenty (20) feet.
- (b) **Multi-Family Residential, Group Housing, and Manufactured Homes.** Required parking for Multi-Family Residential, Group Housing, manufactured homes located in a manufactured home park, and other residential uses, shall be located on the same lot as the dwelling served, or in a common parking area not more than four hundred (400) feet from the dwellings served. If located in a common parking area, a parking agreement shall be filed as provided in Subsection (d)(2) of this section. Parking shall not be located within a required front or street-facing side yard.
- (c) **Nonresidential Uses.** Required parking spaces serving commercial, industrial, and other non-residential uses shall be located on the same lot as the use they serve, or in an off-site parking facility as provided in Subsection (d) of this section.
- (d) **Off-Site Parking Facilities.** A parking facility serving one (1) or more non-residential uses located on a site other than the site of one (1) or more such use(s) may be approved if the standards of this subsection are met.
  - (1) **Location.** Any off-site parking facility shall be located within four hundred (400) feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required.

- (2) **Parking Agreement.** A written agreement between the landowner(s) and the City shall be filed, in a form satisfactory to the City Attorney, and including:
- A guarantee among the landowner(s) for access to and use of the parking facility;
  - A guarantee that the spaces to be provided will be maintained and reserved for the uses served for as long as such uses are in operation; and
  - Evidence that the agreement has been recorded in the County Recorder's office.

**FIGURE 304.05: LOCATION OF REQUIRED PARKING**



### 304.06 Parking Reductions

The number of on-site motor vehicle parking spaces required by Table 304.04(A) may be reduced in accordance with the provisions of this section.

- (a) **Residential Uses.** If a developer can demonstrate that a Multi-Family Residential, Group Residential, or service-oriented housing project designed for residents with special needs, such as senior citizens or handicapped individuals, will not generate a need for as much parking as such a project designed for a general market, the City Council shall have the authority to allow a reduction in the number of required parking spaces. Upon conversion of a senior citizen or other special needs group housing project to a general market apartment or condominium complex, parking shall be provided consistent with the requirements of Table 304.04(A).
- (b) **Shared Parking.** Where a shared parking facility serving more than one (1) use will be provided, the total number of required parking spaces may be reduced with a Minor Conditional Use Permit, if the City Council finds that all of the following are true:
  - (1) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;
  - (2) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;
  - (3) A parking demand study prepared by an independent qualified professional approved by the City supports the proposed reduction; and
  - (4) In the case of a shared parking facility that serves more than one (1) property, a parking agreement has been prepared consistent with the provisions of Section 304.05(d), Off-Site Parking Facilities.
- (c) **Other Parking Reductions.** Required parking for any use may be reduced through approval of a Minor Conditional Use Permit.
  - (1) **Criteria for Approval.** The City Council shall consider the following before approving a Minor Conditional Use Permit.
    - a. The required findings in Chapter 605, Conditional Use Permits are met.
    - b. Special conditions—including but not limited to the nature of the proposed operation, proximity to frequent transit service, transportation characteristics of persons residing, working, or visiting the site, or because the applicant has undertaken a transportation demand management program—exist that will reduce parking demand at the site;
    - c. The use will adequately be served by the proposed parking; and
    - d. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

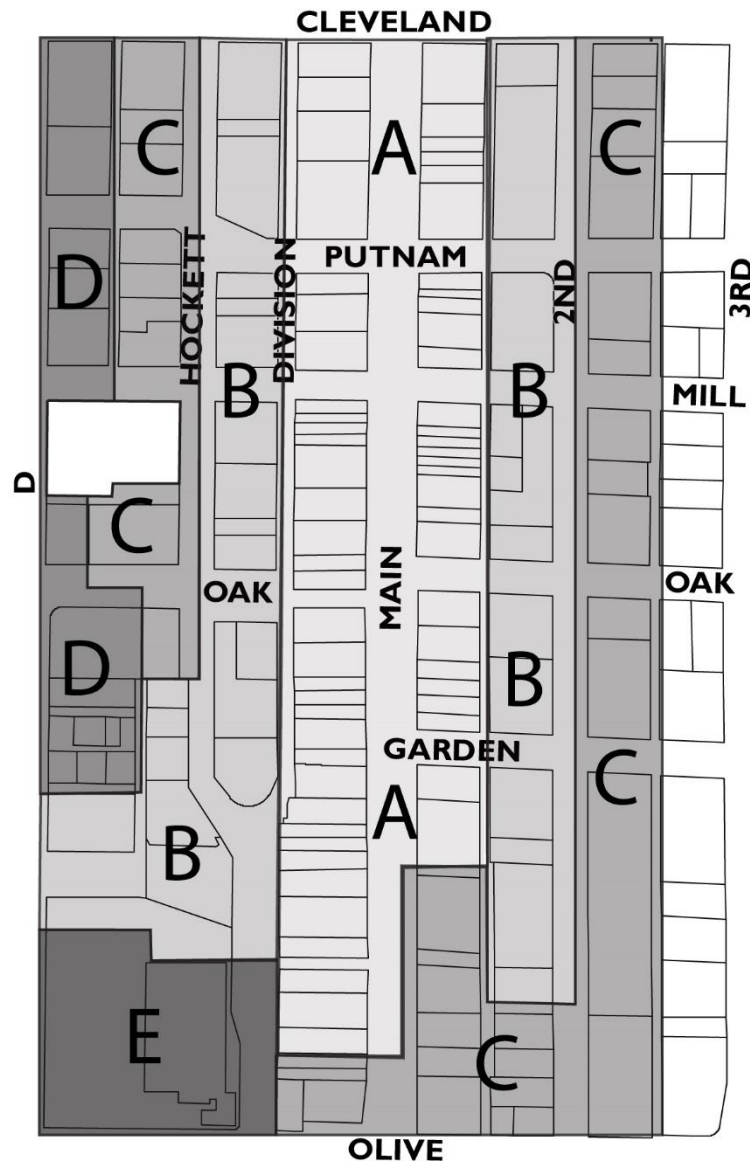
- (2) **Parking Demand Study.** In order to evaluate a proposed project's compliance with the above criteria, the Zoning Administrator may require submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces and includes any of the following information, as directed by the City:
- a. Total square footage of all uses within existing and proposed development and the square footage devoted to each type of use.
  - b. A survey of existing on-street and on-site parking within three hundred fifty (350) feet of the project site.
  - c. Parking requirements for the net change in square footage and/or change in use, based on the requirements of Table 304.04(A).
  - d. Estimated net change in parking demand between existing and proposed development, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other sources. If appropriate parking demand studies are not available, the City may require the applicant to conduct a parking demand survey of a development similar to the proposed.
  - e. Comparison of proposed parking supply with parking requirements and net change in parking demand.
  - f. A shared parking analysis, as appropriate.
  - g. A description of possible Transportation Demand Management measures, such as preferential carpool spaces, telecommuting or staggered works shifts, provision of transit passes or other transit incentives for residents or employees, incorporation of spaces for car share vehicles, bicycles, or other measures that could result in reduced parking demand.
  - h. Other information as required by the City.

### **304.07 Downtown Parking Districts**

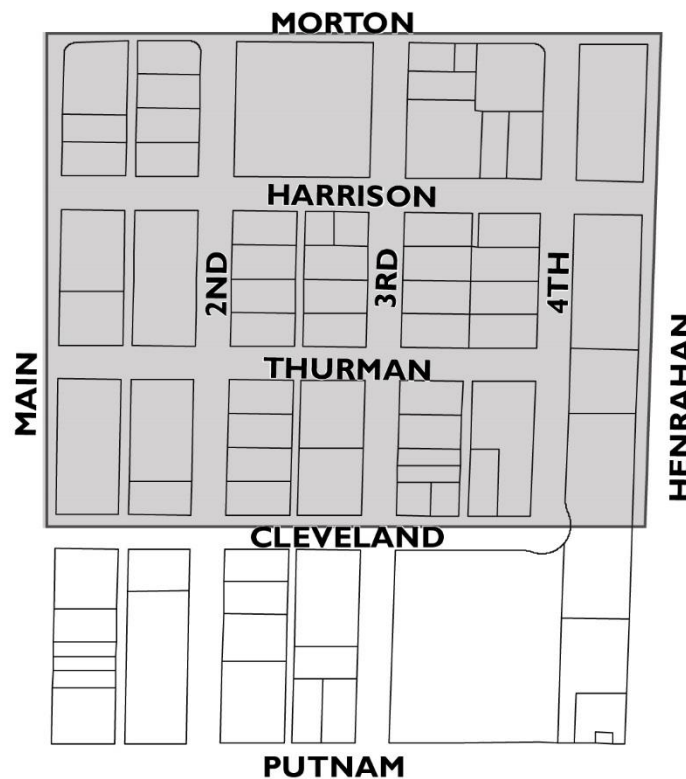
- (a) **Purpose.** The City has established two (2) downtown parking districts in the downtown area in recognition that due to the concentration and mix of uses in the downtown area, parking spaces will be shared among uses and the actual demand for spaces in these areas is less than what would otherwise be necessary. In addition, the proximity to the City transit center further reduces parking demand in these areas.
- (b) **Required Parking Spaces.** The number of off-street parking spaces required within the zones of Downtown Parking District No. 1, as shown in Figure 304.07(A), shall not be less than stated in Table 304.07(B). The number of off-street parking spaces in Downtown Parking District No. 2, as shown in Figure 304.07(B) shall be determined by the City Council.

| <b>TABLE 304.07(B): REQUIRED PARKING SPACES IN DOWNTOWN PARKING DISTRICT NO. 1</b> |                                                                                                                       |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <i>Zones of Benefit</i>                                                            | <i>Required Parking Spaces</i>                                                                                        |
| Zone A                                                                             | No parking spaces required for a total of three stories of floor area with a basement, if any, included as one story. |
| Zone B                                                                             | 1 per 600 square feet of floor area.                                                                                  |
| Zone C                                                                             | 1 per 500 square feet of floor area.                                                                                  |
| Zone D                                                                             | 1 per 400 square feet of floor area.                                                                                  |
| Zone E                                                                             | 1 per 250 square feet of floor area.                                                                                  |

**FIGURE 304.07(A): DOWNTOWN PARKING DISTRICT NO. 1**



**FIGURE 304.07(B): DOWNTOWN PARKING DISTRICT NO. 2**



- (c) **In Lieu Payments.** In lieu of providing the parking spaces required in Table 304.07(B), the person required to provide said parking spaces may pay to the City in the case of Downtown Parking District No. 1 and the Redevelopment Agency/Successor Agency in the case of Downtown Parking District No. 2, an amount to be established by the City Council. All monies collected pursuant to this section shall be deposited in a special fund with said fund to be used only for the purpose of acquisition of properties and construction of parking spaces within the respective downtown parking district. For all projects within Downtown Parking District No. 1-Zone E and projects that exceed two (2) stories in Downtown Parking District No. 2, the in lieu payment option is subject to City Council approval.
- (d) **Exceptions.** The following uses are not subject to the parking space requirements in Table 304.07(B) and shall instead provide parking in accordance with Table 304.04(A).
  - (1) All residential uses.
  - (2) Bowling lanes.
  - (3) Commercial Entertainment and Recreation Facilities.
  - (4) Drive-In Restaurants.
  - (5) Gymnasiums.
  - (6) Hotels and Motels.

- (7) Theaters.
- (e) **Location of Parking.** The parking spaces required by this chapter shall be located within the boundaries of the respective downtown parking district or immediately adjacent to the district.

### **304.08 Bicycle Parking**

Bicycle parking shall comply with the latest edition of the California Green Building Standards Code, and the location of such parking shall be shown on the site plan.

### **304.09 On-Site Loading**

- (a) **Loading Spaces Required.** A building, or part thereof, having a floor area of ten-thousand (10,000) square feet or more that is to be occupied by a manufacturing plant, storage facility, warehouse facility, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry-cleaning establishment, or other use similarly requiring the receipt or distribution by vehicles or trucks of material or merchandise shall provide at least one (1) on-site loading space, plus one (1) additional loading space for each additional forty thousand (40,000) square feet of floor area. Such on-site loading space shall be maintained during the existence of the building or use that it is required to serve.
  - (1) **Reduction in Number of Loading Spaces Required.** The loading space requirement may be waived upon a finding that the applicant has satisfactorily demonstrated that due to the nature of the proposed use, such loading space will not be needed.
  - (2) **Additional Loading Spaces Required.** The required number of loading spaces may be increased to ensure that trucks will not be loaded, unloaded, or stored on public streets. Such requirement shall be based on the anticipated frequency of truck pickups and deliveries and of the truck storage requirements of the use for which the on-site loading spaces are required.
- (b) **Minimum Size.** Each on-site loading space required by this chapter shall not be less than twelve (12) feet wide, thirty (30) feet long, and fifteen (15) feet high, exclusive of driveways for ingress and egress and maneuvering areas.
- (c) **Driveways for Ingress and Egress and Maneuvering Areas.** Each on-site loading space required by this chapter shall be provided with driveways for ingress and egress and maneuvering space of the same type and meeting the same criteria required for on-site parking spaces. Truck-maneuvering areas shall not encroach into required parking areas, travelways, or street rights-of-way.

### **304.10 Parking Area Design and Development Standards**

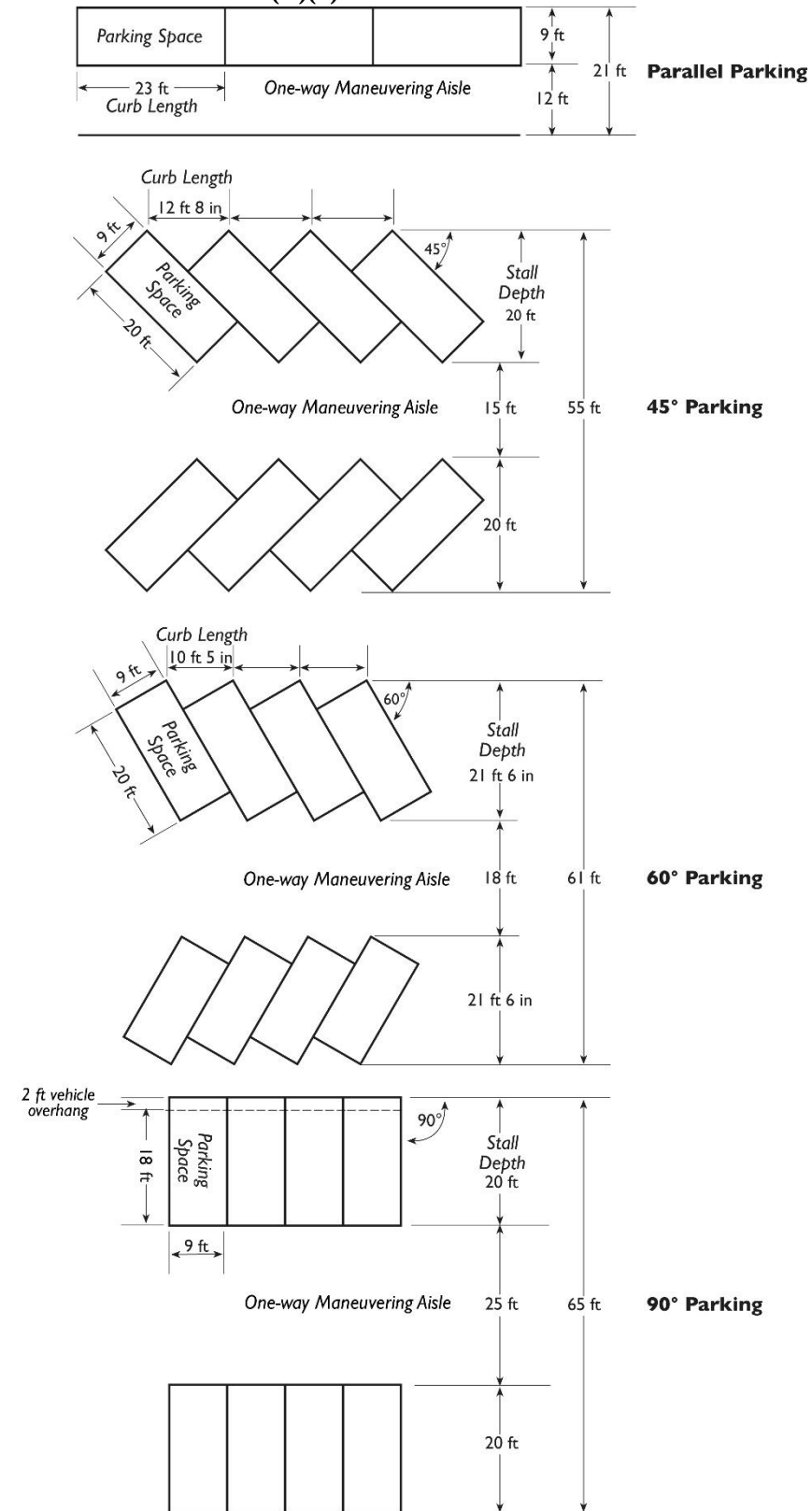
- (a) **Handicapped Parking.** Each lot or parking structure where parking is provided for the public as clients, guests, or employees shall include parking accessible to handicapped or disabled persons as near as practical to a primary entrance and in accordance with the Americans with Disabilities Act.

- (b) **Compact Parking.** On a site with at least ten (10) parking spaces, up to ten (10) percent of the total required parking spaces may be compact spaces, provided that the following standards are met:
- (1) In residential parking areas, all parking spaces that are required to be covered shall be standard size; and
  - (2) All compact spaces are to be designated with a sign or pavement marking.
- (c) **Size of Parking Spaces and Maneuvering Aisles.** Parking spaces and maneuvering aisles shall be provided to meet the minimum dimensions required by this subsection. Screening walls, roof support posts, columns, or other structural members shall not intrude into the required dimensions for parking spaces.
- (1) **Standard Parking Spaces.** The minimum basic dimension for standard parking spaces is nine (9) feet by twenty (20) feet. This dimension is reduced to nine (9) feet by eighteen (18) feet where an additional two (2) feet of sidewalk or landscaped area planted with low growing plants is provided for vehicle overhang. Table 304.10(C)(1) provides the dimensions of spaces (stalls) and aisles according to angle of parking spaces.

| <b>TABLE 304.10(C)(1): STANDARD PARKING SPACE AND AISLE DIMENSIONS</b> |                    |                              |                              |                    |                |
|------------------------------------------------------------------------|--------------------|------------------------------|------------------------------|--------------------|----------------|
| <i>Angle of Parking</i>                                                | <i>Stall Width</i> | <i>Curb Length Per Stall</i> | <i>Stall Depth from Curb</i> | <i>Aisle Width</i> |                |
|                                                                        |                    |                              |                              | <i>One-way</i>     | <i>Two-way</i> |
| Parallel                                                               | 9'0"               | 23'0"                        | 9'0"                         | 12'                | 20'            |
| 45°                                                                    | 9'0"               | 12'8"                        | 20'0"                        | 15'                | 20'            |
| 60°                                                                    | 9'0"               | 10'5"                        | 21'6"                        | 18'                | 20'            |
| 90°                                                                    | 9'0"               | 9'0"                         | 20'0"                        | 25'                | 25'            |

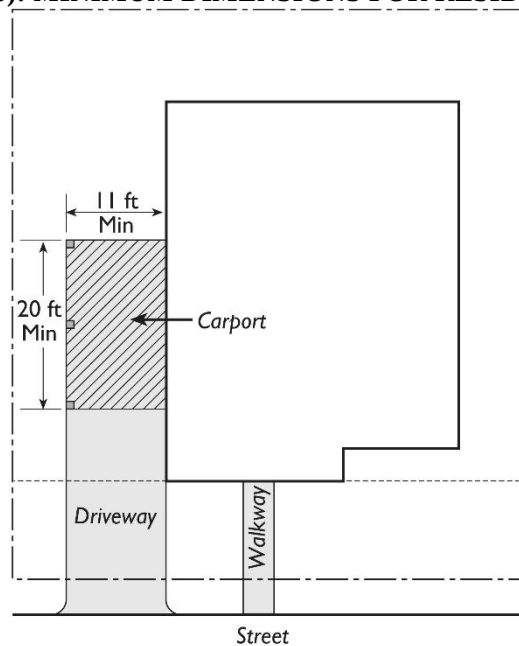


**FIGURE 304.10(C)(1): STANDARD PARKING SPACES**



- (2) **Compact Parking Spaces.** The minimum basic dimension for compact parking stalls shall be seven (7) feet by sixteen (16) feet.
- (3) **Parking Spaces Abutting Wall or Fence.** Parking spaces shall be located a minimum of two (2) feet from any wall, fence, column, or other obstruction higher than one-half (0.5) feet.
- (4) **Long-term Parking.** In parking areas, or portions of parking areas, restricted to employee use rather than customer or visitor use, and in which a vehicle is not normally moved during the period of an employee's work shift, the width of parking spaces may be reduced to eight and one-half (8.5) feet and the stall depth for standards spaces may be reduced to eighteen (18) feet.
- (5) **Minimum Dimensions for Residential Carports.** Each single-car carport shall measure at least eleven (11) feet wide by twenty (20) feet long. Each double carport shall measure at least twenty (20) feet wide by twenty (20) feet long. The width of the carport is to be measured from inside face of support to inside face of opposite support. The carport roof shall cover the entire twenty (20) feet length of the space.

**FIGURE 304.10(C)(6): MINIMUM DIMENSIONS FOR RESIDENTIAL CARPORTS**



- (6) **Minimum Dimensions for Residential Enclosed Garages.** Enclosed garages serving residential uses shall be constructed to meet the following minimum inside dimensions.
  - a. A single-car garage shall be at least eleven (11) feet wide and twenty (20) feet long.
  - b. A double-car garage shall be at least twenty (20) feet wide and twenty (20) feet long.
- (d) **Surfacing**

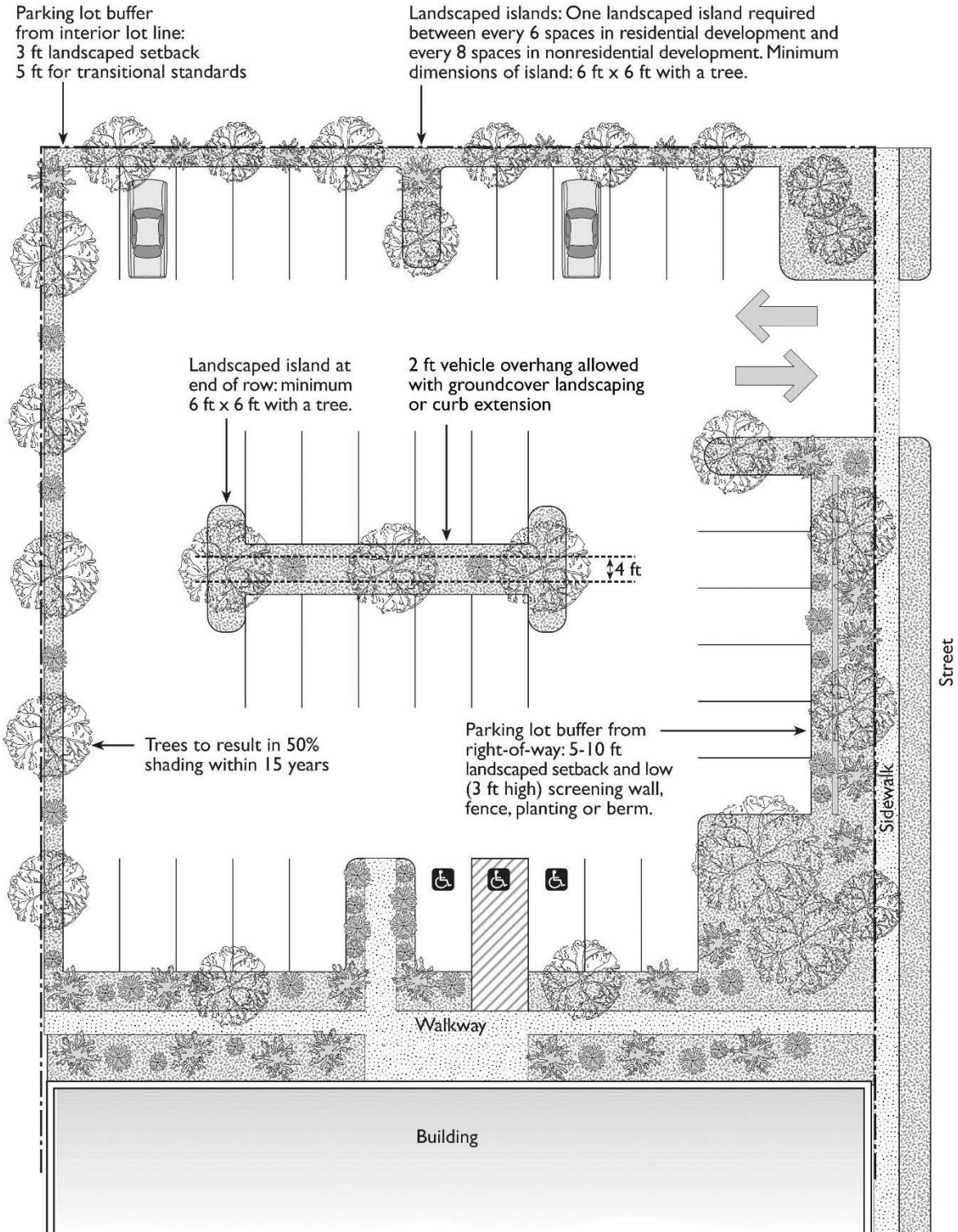
- (1) Residential. New residences or improvements to an existing residence of \$25,000 or more within a two (2) year period shall provide a paved driveway consisting of concrete, asphalt concrete, pavers or other like material.
- (2) Non-Residential.
  - a. For parking, aisles, and access drives that are used on a daily basis asphalt concrete or concrete paving is required.
  - b. For long term parking or storage inside a secured enclosure that is not used on a daily basis any combination of asphalt concrete, concrete, pavers, decomposed granite or like material that creates a dust-free surface may be approved by the Zoning Administrator and the City Engineer.
  - c. Fire access roads shall be designed to carry the traffic loads anticipated.
  - d. Improvements to parking areas to be utilized for overflow parking or special events may be approved by the Zoning Administrator and City Engineer
- (e) **Parking Lot Striping.** All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement.
- (f) **Perimeter Curbing.** A six (6) inch wide and six (6) inch high concrete curb shall be provided along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Where a parking facility abuts an area planned for a future phases of a phased development a timber barrier or other barrier not less than six (6) inches high may be installed instead of a curb.
- (g) **Lighting.** Public parking areas designed to accommodate ten (10) or more vehicles shall be provided with a minimum of one-half (0.5) foot-candle and a maximum average of three (3) foot-candles of light over the parking surface during the hours of use from one-half (0.5) hour before dusk until one-half (0.5) hour after dawn. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination. Parking lot lighting shall, to the maximum extent feasible, be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights-of-way, consistent with Chapter 306, Performance Standards.
- (h) **Separation From On-Site Buildings.** Parking areas shall be separated from the front and side exterior walls of on-site buildings by walkways at least four (4) feet in width.
- (i) **Landscaping.** Landscaping of parking areas shall be provided and maintained according to the general standards of Chapter 303, Landscaping, as well as the standards of this subsection. The provisions of this subsection apply to all uses except Single-Family Dwellings and Duplexes.
  - (1) **Landscape Area Required.** A minimum of ten percent (10%) of any parking lot area shall be landscaped. For the purpose of calculating required parking

lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas.

- (2) **Minimum Planter Dimension.** No landscape planter that is to be counted toward the required landscape area shall be smaller than twenty-five (25) square feet in area, or four (4) feet in any horizontal dimension, excluding curbing.
- (3) **Layout.** Landscaped areas shall be well-distributed throughout the parking lot area. Parking lot landscaping may be provided in any combination of:
  - a. Landscaped planting strips at least four (4) feet wide between rows of parking stalls;
  - b. Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;
  - c. Landscaped islands located between parking stalls or at the ends of rows of parking stalls; and
  - d. On-site landscaping at the parking lot perimeter.
- (4) **Required Landscaped Islands.** A landscaped island at least six (6) feet in all interior dimensions and containing at least one (1) fifteen (15) gallon size tree shall be provided at each end of each interior row of parking stalls and between all consecutive parking stalls in the following ratios:
  - a. Between every eight (8) stalls in any non-residential development;
  - b. Between every six (6) consecutive stalls in a residential development or in a mixed-use development in which residential units overlook on-site parking areas.
- (5) **Landscaped Buffer for Open Parking Adjacent to Right-of-Way.** A landscaped buffer area shall be provided between any surface parking area and any property line adjacent to a public street. The landscaped buffer shall have a minimum width as listed below unless a different dimension is specified in the base district standards applicable to a site.
  - a. *Residential Districts:* Five (5) feet. Landscaped parkways or strips between the property line and the sidewalk count toward this requirement.
  - b. *Non-residential Districts:* Six (6) feet clear of overhang.
- (6) **Landscaped Buffer for Open Parking Abutting Interior Lot Line.** A landscaped area at least three (3) feet wide shall be provided between the outside edge of any surface parking area and any adjacent lot for the length of the parking area and a five (5) feet wide landscaped area shall be provided where commercial abuts an R district.
- (7) **Trees.** Trees shall be planted to result in fifty percent (50%) shading of parking lot surface areas within fifteen (15) years. In lieu of calculating shading, the applicant may provide a tree in landscaped islands between every six (6) parking spaces consistent with §304.10(1)(4).

- a. *Distribution.* Trees shall be distributed relatively evenly throughout the parking area.
- b. *Species.* Required trees for parking lots shall be selected from a list of recommended trees maintained by the Community Development Department or as listed in Sunset's Western Garden Book, suitable for Region No. 9.
- c. *Minimum Planter Size.* Any planting area for a tree shall have a minimum interior dimension of five (5) feet. Additional space may be required for some tree species.

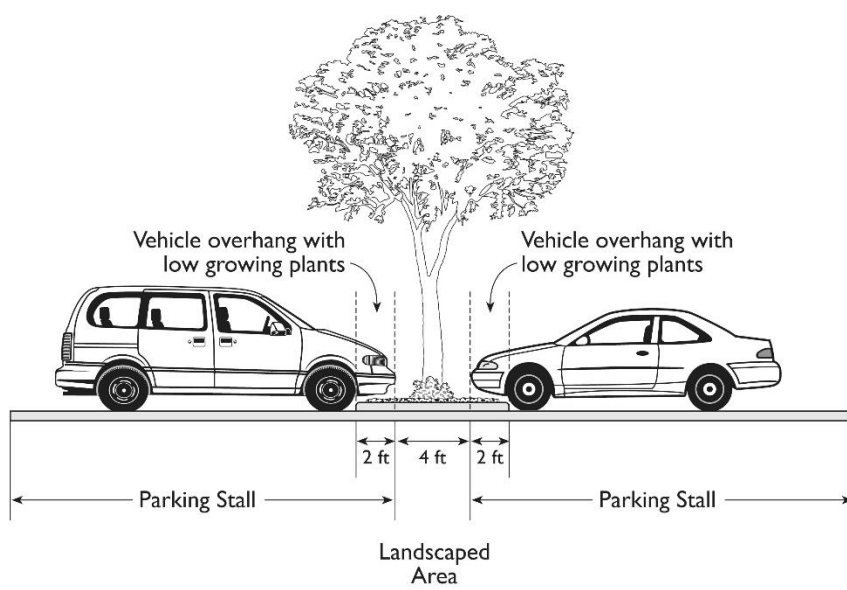
**FIGURE 304.10(I): LANDSCAPING**



(8) **Protection of Vegetation.**

- a. **Clearance from Vehicles.** All landscaped areas shall be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two (2) foot clearance of low-growing plants where a vehicle overhang is permitted.
- b. **Planters.** All required parking lot landscaping shall be within planters bounded by a concrete curb at least six (6) inches wide and six (6) inches high.

**FIGURE 304.10(I)(8): PROTECTION OF VEGETATION**



- (9) **Irrigation.** All landscaped areas shall be provided with an automatic sprinkler system.
- (10) **Visibility and Clearance.** Landscaping in planters at the end of parking aisles may not obstruct drivers' vision of vehicular and pedestrian cross-traffic. Mature trees shall have a foliage clearance maintained at eight (8) feet from the surface of the parking area. Other plant materials located in the interior of a parking lot shall not exceed thirty (30) inches in height.

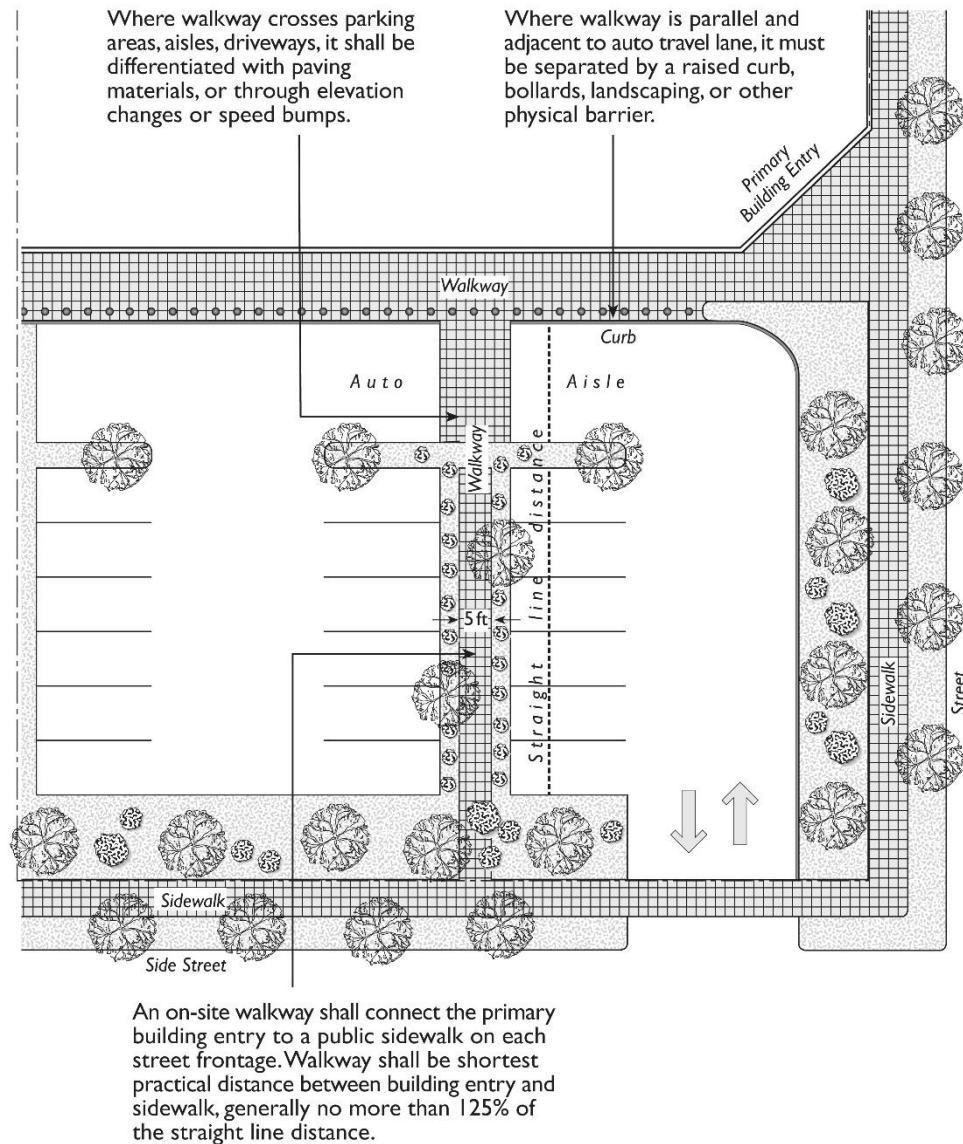
(j) **Circulation and Safety**

- (1) Visibility shall be assured for pedestrians, bicyclists, and motorists entering individual parking spaces, circulating within a parking facility, and entering or leaving a parking facility.
- (2) Off-street parking and loading areas shall be provided with sufficient maneuvering room so that all vehicles can enter and exit from a public street by forward motion only. This standard shall not apply to parking areas serving Single-Family Dwellings or duplexes served by individual driveways.

- (3) Parking lots shall be designed so that sanitation, emergency, and other public service vehicles can provide service without backing unreasonable distances or making other dangerous or hazardous turning movements.
- (4) Separate vehicular and pedestrian circulation systems shall be provided where possible. Multi-family residential developments of five (5) or more units shall be provided pedestrian access that is separate and distinct from driveways. Parking areas for commercial and mixed-use developments that are eighty (80) feet or more in depth and/or include fifty (50) or more parking spaces shall have distinct and dedicated pedestrian access from the commercial use to parking areas and public sidewalks, according to the following standards:
  - a. *Connection to Public Sidewalk.* An on-site walkway shall connect the main building entry to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main building entry and sidewalk, no more than one hundred twenty-five (125) percent of the straight-line distance.
  - b. *Materials and Width.* Walkways shall provide at least five (5) feet of unobstructed width and be paved with concrete, stone, tile, brick, or comparable material.
  - c. *Identification.* Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method.
  - d. *Separation.* Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it shall be raised and separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.



**FIGURE 304.10(J): CIRCULATION AND SAFETY**



### 304.11 Parking and Storage of Recreational Vehicles

Parking and storing of recreational vehicles, boats, campers, trailers and similar vehicles are prohibited from being stored for a period longer than seventy-two hours (72) hours in the front yard setback. They may be stored in the side or rear yard behind a minimum six (6) foot high, solid fence. At no time are recreational vehicles allowed to be occupied as residences. Connection to any combination of electrical, water, cable, or sewer facilities is considered prima fascia evidence of occupation as a residence. Storage on the street is limited pursuant to Section 17-10.4 of the Porterville Municipal Code.

## Chapter 305 Signs

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### Sections:

|        |                                              |
|--------|----------------------------------------------|
| 305.01 | Purpose                                      |
| 305.02 | Policies                                     |
| 305.03 | Applicability                                |
| 305.04 | Design Principles                            |
| 305.05 | Exempt Signs                                 |
| 305.06 | Prohibited Signs                             |
| 305.07 | General Standards                            |
| 305.08 | Sign Standards for Residential Districts     |
| 305.09 | Sign Standards for Non-Residential Districts |
| 305.10 | Standards for Specific Types of Signs        |
| 305.11 | Temporary Signs                              |
| 305.12 | Permits Required; Review Process             |
| 305.13 | Master Sign Program                          |
| 305.14 | Nonconforming Signs                          |
| 305.15 | Abatement and Removal of Illegal Signs       |

### **305.01 Purpose**

The purpose of this chapter is to establish regulations to ensure the orderly display of signs as a city-wide information system, consistent with State and Federal law. These regulations recognize the desire and need of each individual, business, firm or corporation to identify its place of residence, business or service, and realizing that the indiscriminate erection, location, illumination, coloring, size, and lack of proper maintenance of signs and advertising structures constitutes a significant contributing factor detrimental to the well-being and continuing activity of a city's people and economy. Specifically, these regulations are intended to:

- (a) Assure that all signs and advertising structures are designed, erected and maintained in a manner to enhance, rather than detract from, the ultimate design and appearance of the affected locality, and do not impair the view of nearby or adjacent signs;
- (b) Prohibit the installation and maintenance of signs or advertising structures that unduly distract motorists' attention from driving, and which detract from attention to traffic movement and to signs and signals promoting traffic safety;
- (c) Prevent the installation and maintenance of signs or advertising structures that individually or collectively have an injurious effect on the morale of the people and the economic well-being of the city;
- (d) Assure that size and location of signs and advertising structures do not constitute an obstacle to effective fire protection and firefighting techniques; nor constitute a direct or potential danger to vehicular or pedestrian traffic, especially in the event of structural failure during the period of inclement weather and earthquakes or in the event of impaired vision due to improper size or location; and
- (e) Otherwise protect the public health, safety, morale, and promote the public welfare.

## 305.02 Policies

The policies and principles stated in this Section apply to all signs within the regulatory scope of this Chapter, and to all procedures set forth in, or invoked by, this Chapter. These policies are to prevail over any other provision to the contrary, even if more specific.

- (a) **Permit Requirement.** Unless expressly exempted by a provision of this Chapter, or by other applicable law, signs within the regulatory scope of this Chapter may be displayed only pursuant to a permit issued by the City.
- (b) **Message Neutrality.** It is the City's policy to regulate signs in a constitutional manner, which is content neutral as to noncommercial signs and viewpoint neutral as to commercial signs.
- (c) **Regulatory Interpretations.** All regulatory interpretations of this Chapter are to be exercised in light of the City's message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or wherever a sign does not qualify as a "structure" as defined in the Building Code, then the Zoning Administrator shall approve, conditionally approve, or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
- (d) **Substitution of Messages.** Subject to the property owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal without consideration of the message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over any other noncommercial message. This provision does not create the right to increase the total amount of signage on a parcel, lot or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; does not allow the substitution of an off-site commercial message in place of an on-site commercial message; and does not allow one particular on-site commercial message to be substituted for another without a permit.
- (e) **Rules for Non-communicative Aspects of Signs.** All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.
- (f) **Situs of Non-commercial Message Signs.** The onsite/offsite distinction applies only to commercial messages on signs.
- (g) **Property Owner's Consent.** No sign may be displayed without the consent of the legal owner(s) of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control or use of the property.

- (h) **Legal Nature of Signage Rights and Duties.** As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Chapter attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Chapter), or the ownership of sign structures.
- (i) **Sign Programs.** Sign programs for specific developments, as well as special sign districts or special sign overlay zones, when approved by the Approving Authority, may modify the rules stated herein as to sign size, height, number, illumination, spacing, orientation or other non-communication aspects of signs, but may not override or modify any of the Basic Policies stated in this Section. All the provisions of this Section shall automatically apply to, and be deemed a part of, any sign program after the date on which this provision is initially adopted.
- (j) **Severance.** If any section, sentence, clause, phrase, word, portion or provision of this Chapter is held invalid, or unconstitutional, or unenforceable by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Chapter which can be given effect without the invalid portion. In adopting this Chapter, the City Council affirmatively declares that it would have approved and adopted the Chapter even without any portion which may be held invalid or unenforceable.

### **305.03           Applicability**

The requirements and development standards in this chapter apply to signs in all zoning districts, unless otherwise specified.

### **305.04           Design Principles**

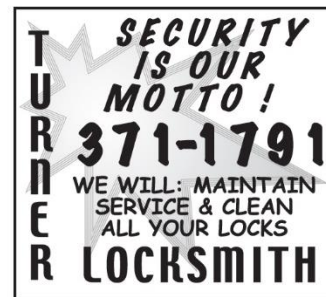
- (a) **Architectural Compatibility.** A sign (including its supporting structure, if any) shall be designed as an integral design element of a building's architecture and architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings, or is detrimental to visual order is not permitted.
- (b) **Consistency with Area Character.** A sign shall be consistent with distinct area or district characteristics and incorporate common design elements such as sign materials or themes. Where a sign is located in close proximity to a residential area, the sign shall be designed and located so it has little or no impact on adjacent residential neighborhoods.
- (c) **Legibility.** The proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, shall be selected based on the anticipated distance and travel speed of the viewer. Colors chosen for the sign text and/or graphics shall have sufficient contrast with the sign background in order to be easily read during both day and night hours.

**FIGURE 305.04(C): LEGIBILITY OF SIGNS**

This:



Not This:



This:



Not This:



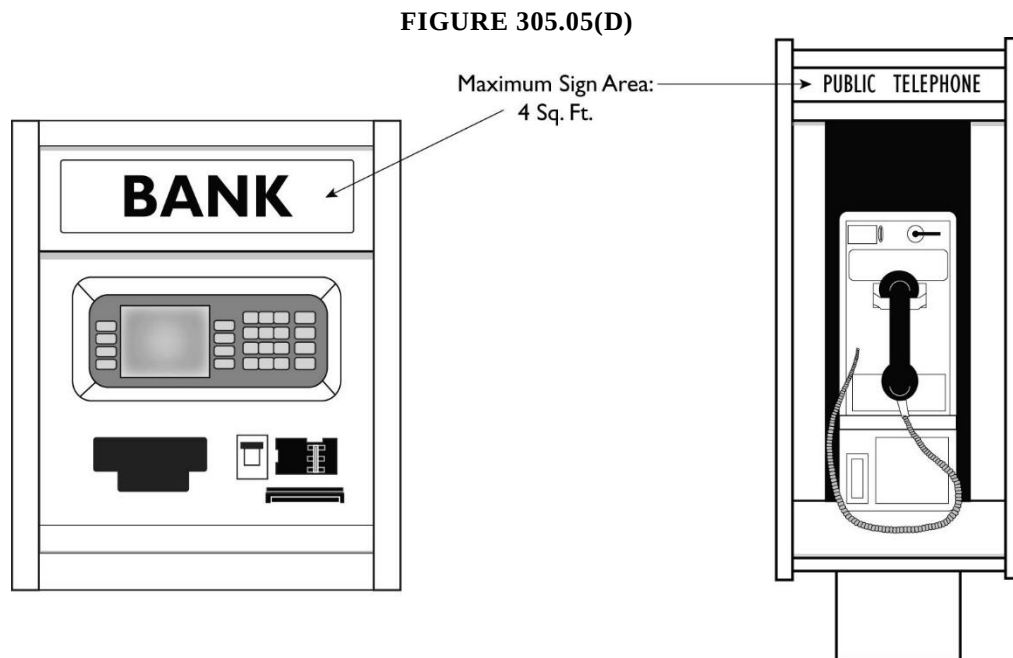
- (d) **Finish.** Signs shall have finished edges with a clean, smooth, consistent surface. Lettering on the sign is to be of complementary size, proportion and font and either carved, routed, painted or applied.
- (e) **Visibility.** A sign shall be conspicuous and readily distinguishable from its surroundings.

### **305.05 Exempt Signs**

The following signs are exempt from the permit requirements of this chapter, and they do not count toward the total sign number or area limit for a site, provided that they conform to the specified standards and obtain building permits when required by law.

- (a) Signs for historical or memorial buildings, when constructed of bronze or other incombustible materials or cut into any masonry surface and installed by a civic organization recognized by the City Council.
- (b) A temporary attachment or covering of wood, plastic, or canvas over a permanent sign may be displayed no longer than thirty (30) days following the change of ownership, or up to ninety (90) days following issuance of a building permit. The sign shall be no larger than the previously permitted permanent sign.
- (c) One (1) sign, with a maximum sign area of thirty-two (32) square feet, per street frontage on real property where construction, structural alteration or repair is to take place, or is taking place. Construction signs shall be removed upon final building inspection.

- (d) Signs, not more than four (4) square feet in area, incorporated into displays, machinery or equipment by a manufacturer, distributor or vendor, such as signs customarily fixed to automated teller machines (ATMs), gasoline pumps, vending machines, menu boards and umbrellas, such as those represented in Figure 305.05(D).



- (e) **Flags.** Flags with the display of only noncommercial speech.
- (f) **Handbills.** Handbills, Advertising Circulars, Etc., must comply with the standards and licensing contained in Chapter 3, Article II, of the Porterville Municipal Code
- (g) A maximum of one sign per apartment house, boarding or rooming house, or similar use, not exceeding six (6) square feet in area.
- (h) A maximum of two signs per building within six feet of the building entrances for commercial, industrial, and office uses, not exceeding six square feet per building. Government uses, in addition to the aforementioned six square feet per building, may include not more than one shadowbox with not more than ten square feet of display area.
- (i) Up to two on-site signs for public or private developments, not exceeding four (4) square feet in area per face, and not exceeding forty-eight inches in height, provided such signs are not prohibited or further regulated by other sections of this or any other chapter of the Porterville Municipal Code. Uses that include a drive-through service window are allowed one additional sign per this exemption.
- (j) Properties or lease spaces may display not more than one (1) on-site sign with a maximum size of six (6) square feet (excluding rider signs no larger than a total of six (6) square feet) and a maximum height of six (6) feet in the R districts, and a maximum size of thirty-two (32) square feet and a maximum height of eight (8) feet in all other districts, per street frontage of a parcel when the property is currently for

- sale or rent. Such signs shall be removed within 5 days following close of escrow or finalization of sale, rental or lease.
- (k) **Reader Panels.** Permanent reader panels for public, charitable, or religious institutions provided said reader panels are located on the property to which such reader panels pertain and do not exceed twenty (20) square feet in total area per face nor more than ten (10) feet in height, and further provided said reader panels are located in such a manner as not to constitute a hazard to vehicular or pedestrian traffic. Electronic reader boards which otherwise comply with the signage requirements of the zone in which they are located, and do not include animation, characters, flashing, or similar rapid movements, and which are programmed to change messages no more frequently than once every three (3) seconds shall also be allowed as exempt signs for public, charitable or religious institutions.
  - (l) One sign per business provided by said business, which sponsors and contributes to the sports activities upon public premises, not to exceed thirty-six (36) square feet in area, per site shall be permitted for a period not to exceed ninety (90) days preceding the event or season. Such sign shall be removed within fifteen (15) days after the event or season.
  - (m) Bus stop, shelter, and bench advertisement displays as permitted by the Transit Advertising Policy.

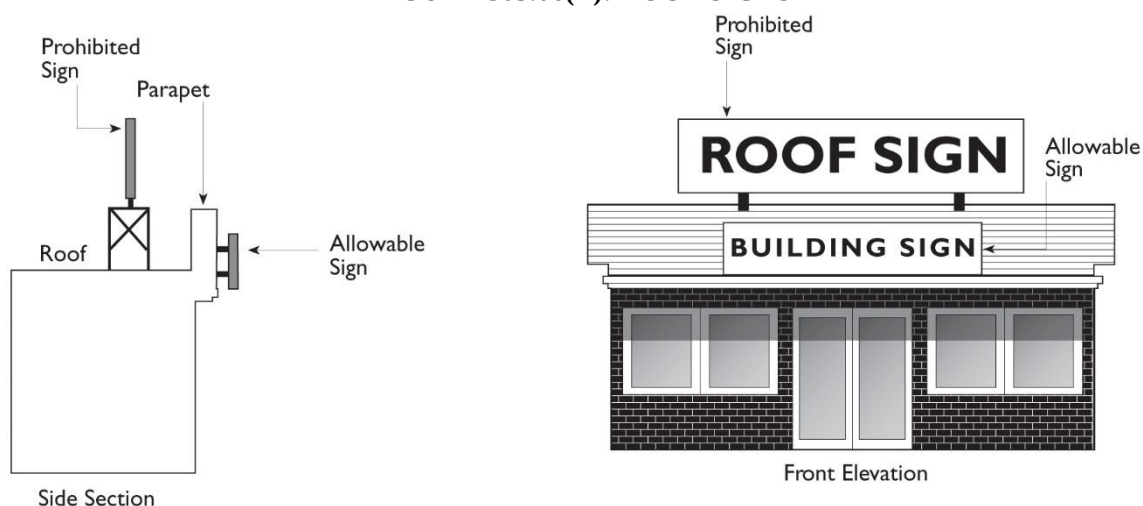
### **305.06 Prohibited Signs**

The following types of signs and devices are specifically prohibited:

- (a) **Animated, Flashing or Moving Signs.** Signs that incorporate, flashing, moving, rotating, pulsating or intermittent lighting, with the exception of changeable copy message center display signs and barber poles, except as allowed elsewhere in this chapter. Any sign that, because of brilliant lighting, interferes with the enjoyment of surrounding residential property or interferes with traffic, vehicular or pedestrian, is prohibited.
- (b) **Balloons, Banners, Streamers and Pennants.** Signs, balloons, banners, pennants, or any other advertising display constructed of cloth, canvas, light fabric, paper, cardboard, wallboard or other light materials, except awnings or as allowed for Automobile/Vehicle Sales and Leasing establishments, or in Section 305.11, Temporary Signs.
- (c) **Billboards.** Any sign directing attention to a business, service, or product that is not conducted, sold, produced, or offered by any use on the same lot, or which identifies by brand name a product which, although sold on the premises, does not constitute one (1) of the principal items for sale on the premises unless otherwise provided by the California Outdoor Advertising Act (Business and Professions Code Sections 5200 – 5486, inclusive).
- (d) **Emissions.** Signs that produce noise in excess of forty (40) decibels, excluding voice units at drive-through facilities, and signs that emit odor or visible smoke, vapor or particles.

- (e) **Fence Signs.** Signs attached or painted on fences or freestanding walls that are not part of a building, except for subdivision entry signs as allowed in Section 305.08 (b).
- (f) **Obscenities.** Signs that depict, describe or relate to “specified sexual activities” or “specified anatomical areas” as defined in Chapter 700, Terms and Definitions.
- (g) **Obstructions to Exits.** Signs erected, constructed or maintained which obstruct any firefighting equipment, fire escape, required exit or door opening intended as a means of egress, unless approved by the Fire Marshal.
- (h) **Obstructions to Driver Visibility.** Signs in corner cut-offs and lines of sight in accordance with the provisions of Section 300.16, Visibility at Driveways and Intersections.
- (i) **Obstructions to Ventilation.** Signs that interfere with any opening required for ventilation.
- (j) **Portable Signs.** Signs not permanently attached to, mounted upon or affixed to a building, structure or the ground, except as otherwise provided herein.
- (k) **Posters.** Posters of a temporary character that are tacked, painted, pasted or otherwise placed or affixed and made visible from a public way, on the walls of buildings, on barns, sheds, trees, fences, utility poles or other structures, sidewalks or patios, except as otherwise provided in this chapter. This section excludes signs placed in windows per Section 305.10 (e).
- (l) **Roof Signs.** Signs erected or painted upon, over or above the roof of a building or structure, or any sign affixed to the wall of a building so that it projects above the ridge line or top of parapet, except as allowed in this chapter.

**FIGURE 305.06(L): ROOF SIGNS**



- (m) **Signs Creating Traffic Hazards.** Signs that simulate in color, size or design any traffic control sign, signal or device, or that make use of words, symbols or characters



- in a manner that interferes with, misleads or confuses pedestrian or vehicular traffic. No sign, light or advertising structure shall be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic, or in such a manner as to obstruct free and clear vision, at any location where, by reason of the position, shape, color or movement may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- (n) Signs of public property. Signs located on public lands, including but not limited to public rights of way, parks, public buildings, storm drainage basins, and facilities are prohibited. When associated with rental or reservation of such facility, signs may be placed during the event for which the reservation was made; however, such signs must be removed at the end of the reservation period.

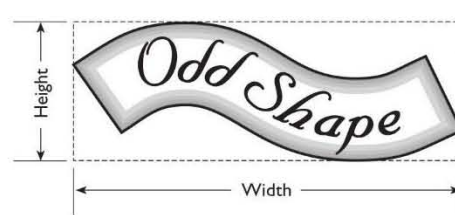
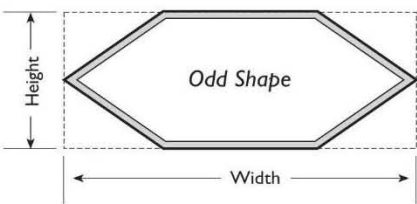
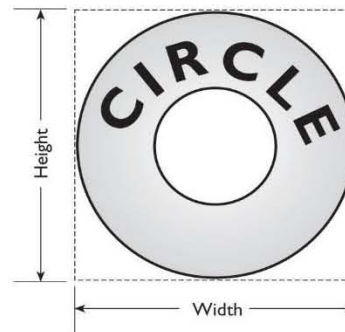
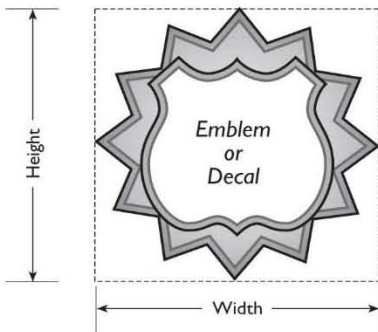
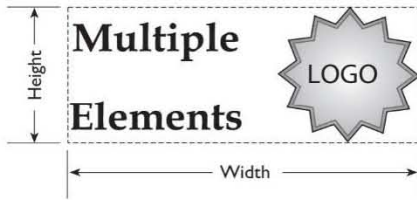
### **305.07 General Standards**

This section establishes general physical standards and requirements. More detailed standards applicable to specific sign types (e.g. wall signs, awning signs) are in Section 305.10, Standards for Specific Sign Types. In addition to these general standards, all signs shall conform to the specifications of Municipal Code Chapter 3, Advertising and Signs.

- (a) **Maximum Allowable Sign Area.** All signs shall conform to the maximum area requirements specified in Table 305.09, unless a different limit is approved under a Master Sign Program.
- (b) **Measuring Sign Area.** Sign area includes the entire face of a framed sign, but does not include the supporting structure. Individual letters attached to a building shall be measured by the area enclosed by a continuous line outlining the perimeter of the words, emblems, and logos.

**FIGURE 305.07(B): MEASURING SIGN AREA**

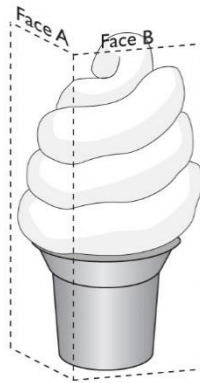
Sign Area = Height x Width



- (1) **Double-Faced Signs.** For double-faced signs, only one (1) side shall be counted as the total area. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area.
- (2) **Multi-faced Signs.** The sign area of signs with three (3) or more sign faces shall be calculated as the sum of two (2) sign faces. Where the faces are not equal in size, the larger sign faces shall be used as the basis for calculating sign area.
- (3) **Three-dimensional Signs.** Signs that consist of, or have attached to them, one (1) or more three-dimensional objects (i.e. balls, cubes, clusters of objects, sculpture, or statue-like trademarks), shall have a sign area of the sum of two (2) adjacent sides or sign faces.

**FIGURE 305.07(B)(3): THREE-DIMENSIONAL SIGNS**

Sign Area = Sum of Two Adjacent Sides



- (c) **Abandoned Signs.** Any sign, including its supporting structure, which no longer identifies the current occupant after a lapse of ninety (90) days, shall be deemed an abandoned sign and shall be removed by the owner of the property on which it is located. When a wall sign is removed, the wall behind the sign shall be repaired and painted to match the rest of the building wall. Any signs not removed or made blank within this time shall be removed pursuant to the removal procedures set forth in this chapter.
- (d) **Building Frontage.** Building frontage shall be considered the wall of a building that faces and is roughly parallel with a public street, excluding an alley. The linear dimension of that building frontage shall be used to calculate allowable signage. Buildings with walls facing more than one public street shall be allowed signage for each building frontage in accordance with Table 305.09. Buildings located on interior lots (not on a corner) and that are oriented perpendicular to a public street shall be allowed signage based on the longer of the front or side building elevation. All, or a percentage, of the allowable sign area may be transferred to the other building elevations provided the sign area on any wall shall not exceed the maximum allowable for that wall in accordance with Table 305.09. For buildings that have no public street frontage, building frontage shall be determined by the Zoning Administrator.
- (e) **Changeable Copy.** Changeable copy shall cover no more than forty (40) percent of the total sign allowance for manually changeable signs. For electronic message center

signs with copy that can be changed or altered by electric, electro-mechanical, electronic, or any other artificial energy means, the changeable portion of the sign shall cover no more than forty (40) percent of the total sign allowance. The following uses are exempt from this restriction: religious institutions, cinemas, government or civic uses, gas station uses, indoor theaters, schools, and colleges.

- (f) **Clearance from Utilities.** Signs and their supporting structures shall maintain clearance from and not interfere with electrical conductors, communications equipment or lines, surface and underground facilities and conduits for water, sewage, gas, electricity and communications equipment or lines. Signs shall not be placed in public utility easements unless express written permission from the affected public utility is obtained.

- (g) **Construction and Maintenance**

- (1) Unless exempt, signs and supporting structures shall be installed in accordance with the latest adopted Building Code.
- (2) All signs, together with all supporting structures, shall be maintained in the following manner:
  - a. Signs shall be kept free of rust, dirt and chipped, cracked or peeling paint.
  - b. All hanging, dangling, torn or frayed parts of signs shall be promptly repaired, and graffiti and unauthorized attachments shall be removed.
  - c. Failed, damaged, or blinking illumination shall be promptly replaced.
  - d. Sign areas shall be kept free and clear of all noxious substances, rubbish and weeds.
  - e. Discolored or faded panels on plastic faces shall be restored to their original condition and color.

- (h) **Encroachment into Public Street or Sidewalk.** Any sign projecting into a public right of way requires an encroachment agreement approved by the City Engineer.

- (i) **Illumination.** Channel letters, internally illuminated signs and neon signs are permitted. Bare bulbs visible from the public right of way are prohibited. On signs with external illumination, lights shall be provided with proper reflectors to concentrate the illumination on the area of the sign to prevent glare on the street or adjacent properties. All sign illumination shall adhere to the performance standards for lighting and glare in Chapter 306, Performance Standards.

- (j) **Materials.** Paper, cardboard, untreated plywood and other materials subject to rapid deterioration shall be limited to signs displayed for no more than (30) days

### 305.08 Sign Standards for Residential Districts

- (a) Religious facilities, multi-family residential projects, schools, civic uses and other nonresidential uses in R districts are allowed one (1) building-mounted sign and one

- (1) monument sign with a maximum cumulative sign area of thirty-two (32) square feet.
- (b) Residential subdivisions are allowed one (1) monument sign or wall sign per street frontage for entry into the subdivision. Each sign shall not exceed a maximum size of thirty-two (32) square feet.

### **305.09 Sign Standards for Non-Residential Districts**

Signage in non-residential districts shall comply with the standards in Table 305.09 unless a different sign area allowed for a specific use is described elsewhere in this code. Buildings without clearly defined tenant space frontage shall share total sign area allowed per building as determined in Table 305.09. All properties in non-residential districts shall be allowed a minimum sign area of twenty (20) square feet.

| <b>Table 305.09: SIGN AREA AND SIGN STANDARDS FOR SPECIFIC SIGN TYPES AND ZONING DISTRICTS</b> |                                                                          |                             |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------|
| <i>Zoning Districts (Frontage)</i>                                                             | <i>Sign Area Allowed (Sq. Ft. Per 1 Linear Ft. Of Building Frontage)</i> | <i>Permitted Sign Types</i> |
| DR-N, D-MX                                                                                     | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| D-PO                                                                                           | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Window                      |
| D-PS                                                                                           | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| DR-D, DR-S                                                                                     | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| D-GC                                                                                           | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |

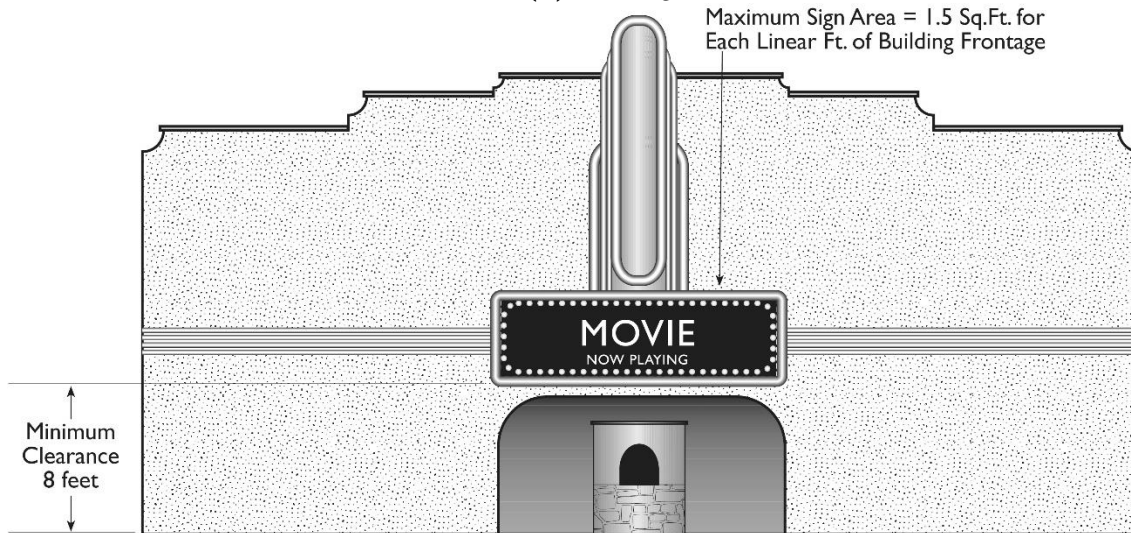
| <b>Table 305.09: SIGN AREA AND SIGN STANDARDS FOR SPECIFIC SIGN TYPES AND ZONING DISTRICTS</b> |                                                                          |                             |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------|
| <i>Zoning Districts (Frontage)</i>                                                             | <i>Sign Area Allowed (Sq. Ft. Per 1 Linear Ft. Of Building Frontage)</i> | <i>Permitted Sign Types</i> |
| CMX, CN, PO                                                                                    | 1.5                                                                      | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Freestanding                |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| CG, CR                                                                                         | 3                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Freestanding                |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| IP, IG, IA                                                                                     | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Marquee                     |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Freestanding                |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |
|                                                                                                |                                                                          | Window                      |
| REC, PK, PS                                                                                    | 2                                                                        | Awning and canopy           |
|                                                                                                |                                                                          | Monument                    |
|                                                                                                |                                                                          | Freestanding                |
|                                                                                                |                                                                          | Projecting                  |
|                                                                                                |                                                                          | Wall                        |

### 305.10 Standards for Specific Types of Signs

- (a) **Awning and Canopy Signs.** Signs painted on awnings, canopies, arcades, or similar attachments or structures are allowed. Awning and canopy signs are subject to the specific zoning district standards and the following standards:

- (1) **Maximum Sign Area Per Awning or Canopy Sign:**
    - a. Downtown, CMX, and CN districts: twenty-four (24) square feet
    - b. CG, CR, and Employment districts: sixty (60) square feet
  - (2) **Sign Clearance.** Minimum of eight (8) feet.
  - (3) **Height Limit.** Twenty-five (25) feet.
  - (4) **Number of Signs.** Four (4) maximum per building façade, which includes any wall signs.
- (b) **Marquee Signs.** A sign permanently affixed to a marquee is allowed in conjunction with theaters, museums, galleries, and similar uses. Removable copy may be changed on the face of permitted marquee signs without securing a permit. Marquee signs are subject to the specific zoning district standards and the following standards:
- (1) **Maximum Number of Signs:** One (1) marquee sign per site.
  - (2) **Maximum Sign Area Per Sign:** One and one-half (1.5) square feet per linear foot of building frontage.
  - (3) **Sign Clearance.** Minimum of eight (8) feet.

FIGURE 305.09(B): MARQUEE SIGNS

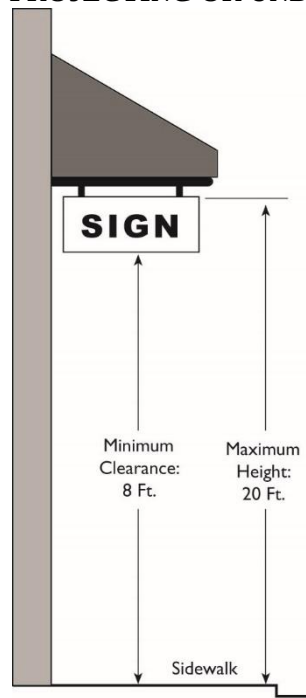


- (c) **Projecting Signs.** Signs under canopies or covers in conjunction with pedestrian walkways, or signs projecting from the building wall are allowed, subject to the specific zoning district standards and the following standards:
- (1) **Maximum Number of Signs:** One (1) projecting sign per building façade or tenant space frontage.
  - (2) **Maximum Sign Area Per Sign:** Sixteen (16) square feet; except the maximum sign area per sign is eight (8) square feet when the sign is located under a canopy or awning.
  - (3) **Sign Clearance.** Minimum of eight (8) feet.



- (4) **Height.** A projecting sign shall be erected in such a manner as not to create a traffic hazard to vehicles or pedestrians. Projecting signs shall not extend higher than twenty (20) feet above ground level or above an eave or roof, whichever is lower.
- (5) **Projection**
- A projecting sign cannot extend more than three (3) feet from the building to which it is attached.
  - An under-canopy sign, attached to and hanging from an awning or canopy shall be located completely under the canopy or awning and shall not project beyond its edge. An under-canopy sign shall not count towards the sign area allowed.

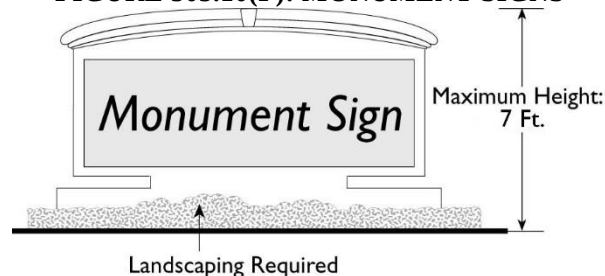
**FIGURE 305.10(C): PROJECTING OR UNDER-CANOPY SIGNS**



- (d) **Wall Signs.** Wall signs include any sign attached to, erected against or painted upon the wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall. Wall signs also include signs on a parapet or mansard roof. Wall signs attached to the fascia shall be channel letters and shall be architecturally consistent with other signage in the development. No wall sign may cover wholly or partially any required wall opening. Wall signs are also subject to the specific zoning district standards and the following standards:
- (1) **Maximum Number of Signs.** Four (4) maximum per building façade or tenant space frontage, which includes any awning or canopy signs.
  - (2) **Maximum Sign Area Per Sign:** Three hundred (300) square feet.

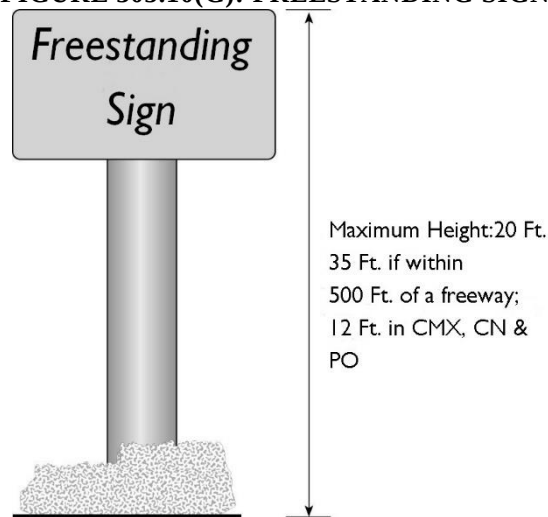
- (3) **Height.** Wall signs shall not be mounted or placed higher than the second story and shall not extend higher than the building wall upon which they are attached.
  - (4) **Coverage.** Wall sign copy shall not occupy more than seventy-five (75) percent of the length of the wall to which the sign is attached.
  - (5) **Projection.** Wall signs cannot extend more than twelve (12) inches beyond the face of the wall to which they are attached.
  - (6) **Design.** Wall signs shall be oriented to achieve balance composition and harmony with other architectural elements of a building façade.
- (e) **Window Signs.** Window signs painted or otherwise adhered directly onto a window are exempt from the permit requirements of this chapter and do not count towards the total sign area limit for a site, but are subject to the specific zoning district standards and the following standards:
- (1) **Coverage.** Window signs shall cover no more than fifty (50) percent of the total glass window area along each building façade.
  - (2) **Height.** Window signs shall not be mounted or placed on windows higher than the second story.
- (f) **Monument Signs.** Freestanding signs erected on the ground or on a monument base designed as an architectural unit are allowed, subject to the specific zoning district standards and the following standards:
- (1) **Maximum Number of Signs.** One (1) monument sign per frontage per site.
  - (2) **Maximum Sign Area Per Sign:**
    - a. D-PO, D-PS, D-GC, CMX, and CN districts: thirty-two (32) square feet.
    - b. CG, CR, and Employment districts: sixty (60) square feet
    - c. PS, REC and PK districts: thirty-two (32) square feet.
  - (3) **Height.** A maximum of seven (7) feet.
  - (4) **Landscaping.** All monument signs shall require automatic irrigated landscaping at the base equivalent to the area of the sign copy.

**FIGURE 305.10(F): MONUMENT SIGNS**



- (g) **Freestanding Signs.** Freestanding signs are allowed subject to the specific zoning district standards and the following standards:
- (1) **Maximum Number of Signs:** One (1) freestanding sign per site.
  - (2) **Allowable Sign Area Per Sign.** The area of any freestanding sign shall be included in the maximum allowed sign area per Table 305.09.
  - (3) **Architectural Treatment.** Freestanding signs shall be architecturally compatible in style, finish and color with the adjacent building or development. Structural supports, poles, angle bars, iron pipes, I-beams or similar structural members shall be architecturally encased with finished metal cladding, stucco, or similar material at least one foot in diameter, subject to approval by the Zoning Administrator as to proportion and architectural compatibility.
  - (4) **Landscaping.** Freestanding signs shall be placed within a landscaped planter with at least twenty-four (24) square feet of planting area. As a condition of any permit for a pole sign, additional landscaping of the property may be required where needed to better integrate sign appearance with the site through scale and softening effects.
  - (5) **Height**
    - a. A maximum of twenty (20) feet; thirty-five (35) feet within five hundred (500) feet of a freeway right of way. Pole signs shall have a minimum clearance of fourteen (14) feet over parking lots and driveways, and eight (8) feet over interior pedestrian walkways.
    - b. A maximum of twelve (12) feet in the CMX, CN and PO zone districts.
  - (6) **Projection.** Freestanding signs shall not project beyond the property line.

**FIGURE 305.10(G): FREESTANDING SIGNS**



(h) **Other Sign Types**

- (1) **Commercial Center Signs.** Commercial Center signs may be erected in the Commercial and Employment districts, subject to the following limitations:
  - a. *Allowable Areas.* The center shall consist of a commercial or industrial development with an integrated site and design plan creating a single unified development with three (3) or more uses.
  - b. *Area Not Counted.* The area of the sign shall not count towards the sign area allowed for the individual tenant space or building on the lot.
  - c. *Sign Area Allowed.* The maximum sign area may be no more than one (1) square foot for each linear foot of street frontage, but in no case shall the total sign area exceed two hundred (200) square feet. If more than one (1) entrance to the lot exists, the maximum sign area permitted will be divided among the number of entryways and signs requested.
  - d. *Sign Height.* The maximum sign height shall not exceed twenty (20) feet in the CMX, CN and PO zone districts; thirty-five (35) feet in all other Commercial and Employment zone districts.
  - e. *Sign Base.* The sign base is to be located within a planter box or planting area at least twenty-four (24) square feet in area and the design and location is to be approved by the Zoning Administrator.
- (2) **A-Frame/Sandwich Board Signs.** Temporary, portable A-frame or sandwich board signs may be erected in all nonresidential zone districts, subject to the following limitations:
  - a. *Area Not Counted.* The area of the sign shall not count towards the permissible sign area of the individual lot.
  - b. *Maximum Number of Signs.* One (1) A-frame/sandwich board sign per tenant space.
  - c. *Maximum Sign Area.* The total sign area shall not exceed a maximum of six (6) square feet per side.
  - d. *Location.* Such sign may encroach into the right of way up to two (2) feet from the property line provided there remains a five (5) foot wide walkable area when the sign is in place.
  - e. *Removal.* Such sign is to be removed during non-operational hours.
- (3) **Mobile Signs.** Signs pulled on a trailer or otherwise mounted to a vehicle may be allowed subject to the following limitations:
  - a. *Permit process.* Only three such signs shall be permitted at a given time. A party wishing to present signage in a mobile or semi-mobile manner may apply for a conditional use permit. The conditional use permit will be valid for a term of one year. The three terms will initiate on a rotational basis, beginning in January, May, and September of each year. A lottery will be held in December, April, and August of each year for the respective terms.

- b. *Materials.* A mobile sign permitted per this section shall be developed of materials as prescribed in Section 305.07, and shall include any additional design considerations to assure that such signs are securely and safely affixed to the host vehicle in consideration of its use on local streets and roadways.
- c. *Size.* Signs may not exceed the height of the vehicle to which they are affixed by more than eighteen inches, and may not extend beyond the horizontal dimensions of the trailer on which they are mounted.
- d. *Exemptions.* Decals, paint, stickers, and similar treatments affixed directly to the exterior of the host vehicle, or to a trailer, are exempted from this ordinance, provided that:
  - 1. Lighting, changeable copy, and digital signs are not permissible exemptions.
  - 2. In order for signage on a trailer to be exempt, the trailer shall meet the standard minimum dimensions established by the U.S. Department of Transportation, Federal Highway Administration, in the Federal Size Regulations for Commercial Motor Vehicles.
- e. Signs placed or displayed on vehicles parked in a conspicuous location that do not otherwise suit the above noted exemptions shall be considered mobile signage and are subject to this section.

### **305.11 Temporary Signs**

The following types of temporary signs are permitted, provided that they conform to the standards of this section:

- (a) **Signs Associated with Commercial Uses:** Banners, handheld signs, portable signs and other similar temporary advertising devices shall be prohibited, except for business openings, special events, promotional events and new subdivisions being developed in the City and are subject to the following:
  - (1) A temporary sign permit shall be secured prior to the installation or display of any such sign. Issuance of a temporary sign permit may be contingent upon the overall permissible area available for temporary signs within a geographic area as identified in subsection (a)(6) of this section. In addition, the application would be reviewed in light of other temporary sign permit applications submitted for the same area, which may put such signs in conflict with subsection (a)(6) of this section.
  - (2) A temporary sign permit shall be granted for any one business or building for a period of three (3) calendar months. A temporary sign permit shall authorize the business to display a banner, handheld sign, portable sign or inflatable sign for the duration of the sign permit. A maximum of two (2) such signs may be permitted with a single application.
  - (3) No more than one temporary sign permit shall be in effect simultaneously for any business.

- (4) Each business shall be limited to a maximum of four (4) temporary sign permits in any calendar year. A temporary sign is not intended to be in lieu of a permanent sign. A temporary sign permit shall not be permitted longer than one (1) year before a permanent sign is installed.
  - (5) Each business shall be limited to a maximum of one temporary sign permit during a “going out of business sale,” or the equivalent in any calendar year.
  - (6) Unless otherwise authorized by a master sign program, freestanding temporary signs for multiple tenants of any one building, shopping center, office complex, or unified development shall be separated by a minimum of one hundred (100) feet.
  - (7) All banners, regardless of their ratio allowance of signage to linear building frontage, shall not exceed forty (40) square feet in size.
  - (8) A-frame signs are not considered temporary and as such do not apply to this section.
  - (9) No temporary sign shall be mounted on or above roofs or mansards or otherwise extend above a parapet wall or ridge line of a structure.
  - (10) During the period of time beginning sixty (60) days before a general, special, primary, or runoff election, and ending fifteen (15) days after such election, one additional temporary sign may be permitted without a temporary use permit, subject to the following size limitations:
    - a. Size Limitations in a Residential Zone District. The following size limitations apply:
      1. Four (4) square feet of cumulative signage when located on private property with frontage on a local street as designated in the General Plan.
      2. Eight (8) square feet of cumulative signage when located on private property with frontage on an Arterial or Collector Street as designated in the General Plan.
    - b. Size Limitations in a Non-Residential Zone District. The following size limitations apply:
      1. Sixteen (16) square feet of cumulative signage when located on private property.
      2. Four (4) square feet of cumulative signage when located within the public right of way.
- (b) **Signs Associated With Residential Uses.** On residential uses, non-illuminated temporary signs, with the size restrictions as specified below may be displayed at any time. However, during the period of time beginning sixty (60) days before a general, special, primary or runoff election, and ending fifteen (15) days after such election, the amount of display area may be doubled. Flags do not count toward the signage allowed under this provision.
- (1) *Size Limitations in a Residential Zone District.* The following size limitations apply:

- a. Four (4) square feet of cumulative signage when located on private property with frontage on a local street as designated in the General Plan.
    - b. Eight (8) square feet of cumulative signage when located on private property with frontage on an Arterial or Collector Street as designated in the General Plan.
  - (2) *Size Limitations in a Non-Residential Zone District.* The following size limitations apply:
    - a. Sixteen (16) square feet of cumulative signage when located on private property.
    - b. Four (4) square feet of cumulative signage when located within the public right of way.
  - (3) *Violations.* Violation to any of the above regulatory conditions shall be deemed a public nuisance and may be summarily abated as such, and each day that such violation continues shall be regarded as a new and separate offense.
- (c) Developers of a new subdivision being developed in the City may be permitted signs subject to the following requirements:
- (1) One (1) sign per street frontage with a maximum of three (3) temporary signs may be permitted on the subdivision site in accordance with the following:
    - a. *Maximum Sign Area.* The maximum sign area may be no more than one hundred (100) square feet (total of all signs).
    - b. *Height.* A maximum of ten (10) feet
    - c. *Duration.* Signs shall be removed twelve (12) months from the date the permit for same is issued, or within one year of the date that the most recent building permit was issued for a new house within the subdivision.
    - d. *Letter of Agreement.* A Letter of Agreement from the property owners giving the City right of entry to remove signs in the event the above stipulations are not complied with shall be submitted to the Zoning Administrator prior to the issuance of a sign permit. If at any time the property on which the signs are located is sold, the signs shall be removed, or a new Letter of Agreement shall be submitted from the buyer to permit the signs to remain and granting the City right to enter the property and remove the signs.
  - (2) Up to four (4) off-site signs may be permitted in any zone, provided that:
    - a. *Maximum Sign Area.* The maximum sign area per sign may be no more than thirty-two (32) square feet.
    - b. *Height.* A maximum twelve (12) feet.
    - c. *Duration.* Said signs shall be removed twelve (12) months from the date the permit for same is issued, or within one year of the date that

the most recent building permit was issued for a new house within the subdivision.

- d. *Consent of Landowner.* A completed application form, including a notarized affidavit signed by each property owner of each site is required prior to issuance of a sign permit.

### **305.12 Permits Required; Review Process**

- (a) **Authority.** Unless otherwise stated, the Zoning Administrator shall review and approve all signs as specified in this chapter.
- (b) **Applicability.** Except for certain signs exempted in compliance with Section 305.05, Exempt Signs, no sign shall be erected, re-erected, constructed or altered (excluding change of copy on a can or cabinet sign) without Zoning Administrator approval and a building permit is issued by the Building Division.
- (c) **Applications for Filing, Processing and Review**
  - (1) **Applicant.** Sign owners or their designees shall apply for Building Permits for signs that require them.
  - (2) **Filing and Filing Fee.** Application for such permits shall be made upon forms furnished by the Zoning Administrator and accompanied by the required fee and working drawings adequate to show the location, construction and design, including colors, materials, lighting, electrical elements, and advertising copy, of the sign in accordance with applicable sign design guidelines and the linear footage of building frontage owned or leased by the business
  - (3) **Compliance with Standards.**
    - a. Upon acceptance of a sign application, the Zoning Administrator shall review the request for compliance with the locational and operational standards identified in this chapter, and with any standards established in a Master Sign Program pursuant to Section 305.13, Master Sign Program.
    - b. The Zoning Administrator's decision shall clearly state any conditions of approval or reasons for disapproval and applicable appeal provisions.
- (d) **Appeals.** Decisions by the Zoning Administrator may be appealed subject to the provisions of Chapter 612, Appeals.

### **305.13 Master Sign Program**

- (a) **Purpose.** The purpose of a Master Sign Program is to provide a method for an applicant to integrate the design and placement of signs within a project with the overall development design to achieve a more unified appearance. It is not the intent of this section to be used solely to request relief from the sign regulations in order to circumvent any requirements or purpose of this chapter.



- (b) **Applicability.** A Master Sign Program may be processed for any development. However, shown below are examples of when a Master Sign Program may be most appropriate:
- (1) Nonresidential developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities (e.g., shopping centers, malls, office complexes and industrial parks); or
  - (2) Developments with multiple structures with limited frontage or no frontage on a public street; or
  - (3) Businesses conducted primarily outside of a building; or
  - (4) New multi-family residential developments of one hundred (100) or more units, or
  - (5) Other developments where the strict application of the sign code unduly restricts the allowable signage that can be located on the parcel.
- (c) **Application.** Master Sign Program applications shall contain all written and graphic information needed to fully describe the proposed sign program, including the proposed location and dimension of each sign, as well as proposed color schemes, font types, materials, methods of attachment or support, and methods of illumination. A Master Sign Program application shall also include calculation of total allowed sign area, and total proposed sign area, for the site.
- (d) **Allowable Modifications.** A Master Sign Program may provide for additional sign area and other deviations from the standards of this chapter, provided that the Master Sign Program is consistent with the sections on design principles and general standards.
- (e) **Review Authority.** All Master Sign Programs are subject to review and approval of the Zoning Administrator, unless the signs are associated with a project that requires City Council review and approval; then the City Council shall review and approve it as part of the overall project approval.
- (f) **Required Findings.** In order to approve a Master Sign Program, the decision-making body shall find that all of the following are met, in addition to other applicable regulations in this section:
- (1) The proposed signs are compatible in style and character with any building to which the signs are to be attached, any surrounding structures and any adjoining signage on the site;
  - (2) Future tenants will be provided with adequate opportunities to construct, erect or maintain a sign for identification;
  - (3) Directional signage and building addressing is adequate for pedestrian and vehicular circulation and emergency vehicle access; and
  - (4) Use of the Master Sign Program provides a more desirable functional and aesthetic appearance than would otherwise be provided by standard code requirements.

- (g) **Lessees to Be Informed of Master Sign Program.** Lessees within developments subject to the requirements of an approved Master Sign Program shall be made aware of the Master Sign Program in their lease.
- (h) **Revisions to Master Sign Programs.** Revisions to an approved Master Sign Program shall be approved by the Zoning Administrator.

#### **305.14 Nonconforming Signs**

- (a) All legal nonconforming signs are permitted to remain unless they are subject to a permit condition or development agreement providing for their removal after a fixed period of time.
- (b) Any changes to legal nonconforming signs or their structures in terms of location, orientation, size, or height other than routine maintenance and repair or change of sign copy shall require the signs to be brought into conformance with this chapter.
- (c) A legal nonconforming sign loses its legal nonconforming status when the activity, product, business, service, or other use which was being advertised has ceased or vacated the premises for one hundred eighty (180) days, at which time it shall be considered an abandoned sign, subject to the requirements of Section 305.07(c), Abandoned Signs.

#### **305.15 Abatement and Removal of Illegal Signs**

- (a) **Authority to Abate.** The City has the authority to abate illegal and abandoned signs.
- (b) **Illegal Signs in the Public Right-of-Way.** Illegal signs posted in the public right-of-way or upon public property may be removed by the Zoning Administrator or officer without notice or hearing. Signs shall be retained by the City for a period of not less than thirty (30) days if identifiable. Thereafter, any unclaimed signs may be discarded.
- (c) **Recovery of Costs.** When the City is required to remove illegal or abandoned signs in compliance with this chapter, the reasonable cost of the removal may be assessed against the owner of the sign(s).
- (d) **Sign Removal**
  - (1) Any sign, including its supporting structure, which no longer identifies the current occupant or products currently sold, or which otherwise fails to serve its original purpose, or is not maintained in a safe, presentable, and good condition, including the replacement of defective parts, painting, repainting, and cleaning, shall be removed by the owner of the property within 30 calendar days after written notice to do so from the Building Division.
  - (2) Any sign which the Building Division establishes as unsafe or insecure shall be corrected or removed, together with all supporting structures, by the owner of the property upon which the sign is located within thirty (30) days after written notice by the Building Division.

- (3) Such notice shall state the location of the sign, the nature of the violation, and/or the manner in which the sign constitutes a public nuisance. The notice also shall require the removal or other abatement of the sign before the date specified in the notice. Further, the notice shall state that failure to comply may result in the removal of the sign by the City and that the cost of such removal may be imposed on the owner of the property. The notice shall also include instructions for the filing of an appeal of the determination of the Zoning Administrator that the sign is in violation of this chapter or constitutes a public nuisance. Such notice shall be served by posting on the property on which the sign is located and by registered or certified mail delivery, postage prepaid to the owner of the property, and, if known, the owner of the sign.
- (4) After the periods specified in paragraphs (1) and (2) above, the Building Division may cause such sign to be removed, and the cost of such removal shall become a lien against the property.
- (5) If a hazardous condition exists, the condition shall be corrected forthwith upon notice by the Building Division.

If an appeal is received prior to the date specified in the notice, abatement proceedings shall be suspended, and any deadlines shall be suspended, pending the outcome of such appeal.

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## **Chapter 306      Performance Standards**

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### Sections:

|        |                                                    |
|--------|----------------------------------------------------|
| 306.01 | Purpose                                            |
| 306.02 | Applicability                                      |
| 306.03 | General Standard                                   |
| 306.04 | Location of Measurement for Determining Compliance |
| 306.05 | Noise                                              |
| 306.06 | Vibration                                          |
| 306.07 | Lighting and Glare                                 |
| 306.08 | Maintenance                                        |
| 306.09 | Odors                                              |
| 306.10 | Heat and Humidity                                  |
| 306.11 | Air Contaminants                                   |
| 306.12 | Liquid or Solid Wastes                             |
| 306.13 | Fire and Explosive Hazards                         |
| 306.14 | Hazardous and Extremely Hazardous Materials        |
| 306.15 | Electromagnetic Interference                       |
| 306.16 | Radioactivity                                      |

### **306.01      Purpose**

The specific purposes of this chapter are to:

- (a) Establish permissible limits and permit objective measurement of nuisances, hazards, and objectionable conditions;
- (b) Ensure that all uses will provide necessary control measures to protect the community from nuisances, hazards, and objectionable conditions; and
- (c) Protect any industry from arbitrary exclusion.

### **306.02      Applicability**

The requirements in this chapter apply to all land uses in all zoning districts, unless otherwise specified.

### **306.03      General Standard**

Land or buildings shall not be used or occupied in a manner creating dangerous, injurious, or noxious fire, explosive or other hazard; noise, vibration, smoke, dust, odor, or form of air pollution; heat, cold, dampness, electrical or other disturbance; glare, refuse, or wastes; or other substances, conditions or elements which would substantially affect the surrounding area in an adverse manner.

#### **306.04 Location of Measurement for Determining Compliance**

Measurements necessary for determining compliance with the standards of this chapter shall be taken at the lot line of the establishment or use that is the source of a potentially objectionable condition, hazard, or nuisance.

#### **306.05 Noise**

- (a) **General Requirements.** No use may generate noise that is in violation of the City's Noise Standards contained in Chapter 18, Article IX, of the Porterville Municipal Code or other standards as may be adopted by the City Council.
- (b) **Acoustic Study.** An acoustic study shall be required for any proposed project which could create or be subject to a noise exposure greater than that deemed "normally acceptable" by the General Plan.
- (c) **Noise Attenuation Measures.** Noise attenuation measures necessary to reduce noise impacts to acceptable levels to the extent feasible may be required to be incorporated into a project in accordance with the following:
  - (1) All new residential development shall achieve interior noise level reductions through sound insulation and other measures to meet the General Plan land use compatibility standards by acoustical design and construction of the structure and building elements.
  - (2) New dwelling units exposed to an exterior DNL above sixty-five (65) dB shall incorporate the following noise reduction measures:
    - a. All facades shall be constructed with substantial weight and insulation;
    - b. Sound-rated windows providing noise reduction performance similar to that of the façade shall be included for all exterior entries;
    - c. Acoustic baffling of vents is required for chimneys, fans, and gable ends; and
    - d. Installation of a mechanical ventilation system affording comfort under closed window conditions.
  - (3) Sound walls or other attenuation measures designed to reduce noise by a minimum of ten (10) dB in residential areas adjacent to State highways when additional lanes are added or when new residential development or sensitive receptors would be exposed to noise above sixty-five (65) dB.
  - (4) Other measures identified in an acoustic study conducted for the proposed project as necessary to reduce noise levels to "normally acceptable" levels.

#### **306.06 Vibration**

No vibration shall be produced that is discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g. construction equipment, trains, trucks, etc.) are exempt from this standard.

### 306.07 Lighting and Glare

Activities, processes, and uses shall be operated in compliance with the following provisions:

- (a) **Mechanical or Chemical Processes.** Light or glare from mechanical or chemical processes, high-temperature processes such as combustion or welding, or from reflective materials on buildings or used or stored on a site, shall be shielded or modified to prevent casting of adverse light or glare onto other properties.
- (b) **Lighting.** Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street. Except for public street lights, no light or combination of lights, or activity shall cast light on a public street exceeding one (1) foot-candle as measured from the centerline of the street. No light, combination of lights, or activity shall cast light onto a residentially zoned property, or any property containing residential uses, exceeding one-half foot-candle. Refer to Section 300.07 Lighting and Illumination and Section 304.10(g) Parking Lot Lighting for additional lighting standards required by this code.
- (c) **Glare.** No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located.

### 306.08 Maintenance

Sites and facilities shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.

- (a) **Walls.** Walls shall be maintained in good repair, including painting, if required, and shall be kept free of graffiti, litter, or advertising. Where hedges are used as screening, trimming or pruning shall be employed as necessary to maintain the maximum allowed height.
- (b) **Signs.** Every sign displayed within the city, including exempt signs, shall be maintained in good physical condition. All defective or broken parts shall be replaced. Exposed surfaces shall be kept clean, in good repair, free from graffiti, and painted where paint is required. The Zoning Administrator may order the repair or removal of any sign determined by the City to be unsafe, defective, damaged, or substantially deteriorated.
- (c) **Landscaping.** All planting and other landscape elements shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Wherever necessary, plantings shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements.
- (d) **Trees.** Trees shall be maintained by property owners to be free from physical damage or injury arising from lack of water, chemical damage, accidents, vandalism, insects and disease. Any tree showing significant damage shall be replaced with another tree.

- (e) **Parking Lots.** Parking lots, including landscaped areas, driveways, and loading areas, shall be maintained free of refuse, debris, or other accumulated matter and shall be kept in good repair at all times.

### **306.09 Odors**

No use, process, or activity shall produce objectionable odors that are perceptible without instruments by a reasonable person at the lot lines of a site.

### **306.10 Heat and Humidity**

Uses, activities, and processes shall not produce any emissions of heat or humidity that cause distress, physical discomfort, or injury to a reasonable person, or interfere with ability to perform work tasks or conduct other customary activities. In no case shall heat emitted by a use cause a temperature increase in excess of five (5) degrees Fahrenheit on another property.

### **306.11 Air Contaminants**

Uses, activities, and processes shall not operate in a manner that emits excessive dust, fumes, smoke, or particulate matter.

- (a) **Compliance.** Sources of air pollution shall comply with rules identified by the Environmental Protection Agency (Code of Federal Regulations, Title 40), the California Air Resources Board, and the San Joaquin Valley Air Pollution Control District (SJVAPCD).
- (b) **SJVAPCD Permit.** Operators of activities, processes, or uses that require “approval to operate” from the SJVAPCD, shall file a copy of the permit with the Planning Division within thirty (30) days of permit approval.

### **306.12 Liquid or Solid Wastes**

- (a) **Discharges to Water or Sewers.** Liquids and solids of any kind shall not be discharged, whether directly or indirectly, into a public or private body of water, sewage system, watercourse, or into the ground, except in compliance with applicable regulations of the California Regional Water Quality Control Board (California Administrative Code, Title 23, Chapter 3 and California Water Code, Division.)
- (b) **Solid Wastes.** Solid wastes shall be handled and stored so as to prevent nuisances, health, safety and fire hazards, and to facilitate recycling. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects, unless stored in closed containers.

### **306.13 Fire and Explosive Hazards**

All activities, processes and uses involving the use of, or storage of, flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Firefighting and fire suppression equipment and devices standard in industry shall be approved by the Fire Department. All incineration is prohibited with the exception of those substances such as, but not limited to, chemicals, insecticides, hospital materials and waste

products, required by law to be disposed of by burning, and those instances wherein the Fire Department deems it a practical necessity.

#### **306.14 Hazardous and Extremely Hazardous Materials**

The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations and the California Fire and Building Code, as well as the laws and regulations of the California Department of Toxic Substances Control and the County Environmental Health Agency. Activities, processes, and uses shall not generate or emit any fissionable or radioactive materials into the atmosphere, a sewage system or onto the ground.

#### **306.15 Electromagnetic Interference**

No use, activity or process shall cause electromagnetic interference with normal radio and television reception in any R district, or with the function of other electronic equipment beyond the lot line of the site in which it is situated. All uses, activities and processes shall comply with applicable Federal Communications Commission regulations.

#### **306.16 Radioactivity**

No radiation of any kind shall be emitted that is dangerous to humans.



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## **Chapter 307    Nonconforming Uses, Structures, and Lots**

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### Sections:

|        |                                                          |
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### **307.01        Purpose**

The specific purpose of this chapter is to permit continuation of uses and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of this Ordinance in a manner that does not impair public health, safety, and general welfare.

### **307.02        Applicability**

These provisions apply to structures, land and uses that have become nonconforming by operation of this Ordinance and that remain in a nonconforming status by application of this chapter, as well as structures, land, and uses that hereafter become nonconforming due to annexation to the City or amendments to the zoning map or development Ordinance text.

### **307.03        Establishment of Legal Nonconforming Uses and Structures**

- (a) **Nonconformity.** A non-conformity may result from any inconsistency with the requirements of this Ordinance, including but not limited to location, density, height, yard, usable open space, buffering, or performance standards or the lack of a Conditional Use Permit, variance, or other required authorization. A use or structure shall not be deemed nonconforming solely because it does not conform with the parking dimension standards, loading, planting area, or screening regulations of the district in which it is located or does not conform to the standards for the following building features: garage door location; garage door width; chimney height; cornices, eaves, and other ornamental features that exceed maximum projections into required yards; or bay windows and balconies above the first floor that exceed maximum projections into required yards.
- (b) **Nonconforming Uses and Structures—Right to Continue.** Any use or structure that was legally established prior to the effective date of this Ordinance or of any subsequent rezoning or amendment shall be deemed to be in compliance with this Ordinance and may be continued and maintained indefinitely if it has remained in continuous existence. The right to continue a nonconforming use or structure shall run with the land. However, no substitution, expansion, or other change in use and no

alteration or other change in structures is permitted, except as otherwise provided in this chapter.

### **307.04 Continuation and Maintenance of Nonconforming Structures**

Legal nonconforming structures may be continued and maintained in compliance with the requirements of this chapter unless deemed to be a public nuisance because of health or safety conditions.

- (a) **Maintenance and Nonstructural Repairs.** Maintenance, non-structural repairs and non-structural interior alterations are permitted to a nonconforming structure or to a structure occupied by a nonconforming use, so long as the changes and improvements do not enlarge or extend the structure.
- (b) **Structural Repairs.** Structural repairs that do not enlarge or extend the structure, including modification or repair of bearing walls, columns, beams or girders, may be undertaken only when the Building Official determines that such modification or repair is immediately necessary to protect public health and safety, occupants of the nonconforming structure, or occupants of adjacent property and when the cost of such work does not exceed fifty (50) percent of the higher of the assessed value of the nonconforming structure as determined by the Tulare County Assessor or an appraisal performed by a certified appraiser for the applicant. If an applicant chooses not to submit an appraisal, the Tulare County Assessor's determination shall be used.

### **307.05 Alterations and Enlargements to Nonconforming Structures**

Nonconforming structures may be enlarged, extended, structurally altered or repaired as long as the use of the property is conforming, and subject to the following provisions:

- (a) **Nonconforming Single-Family Dwellings.** A Single-Family Dwelling that is nonconforming with respect to one (1) or more required setbacks may be enlarged or altered, subject to the following standards:
  - (1) **Interior Side and Rear Setbacks.** Additions or enlargements that maintain a nonconforming interior side or rear yard setback are permitted as long as the addition does not:
    - a. Further reduce any nonconforming side or rear setback;
    - b. Create any new encroachment into any other required setback;
    - c. Increase the existing height of the portion of the structure that is within the required setback;
    - d. Result in a violation of applicable standards for building coverage, parking, or useable open space; or
    - e. Result in a violation of any standard of the Building Code.
  - (2) **Front Setbacks.** Additions or enlargements that vertically or horizontally extend a nonconforming front yard setback may be approved based on a finding that the proposed addition will maintain the average setback of development on the same block front within two hundred (200) feet of the lot.

- (3) **Height.** Additions or enlargements that horizontally extend a nonconforming side or rear setback of any portion of a structure that is nonconforming with respect to height may be approved based on findings that the proposed alteration will not:
          - a. Substantially interfere with solar access available to surrounding properties;
          - b. Reduce the privacy of surrounding properties; or
          - c. Create a structure that is incompatible with the character of surrounding development due to its bulk or form.
- (b) **Nonconforming Parking**
  - (1) **Nonresidential Structures.** A nonresidential structure that is nonconforming because it does not satisfy the parking requirements of this Ordinance may not be expanded unless the parking spaces that are required for the expansion are provided in accordance with applicable provisions of Chapter 304, On-Site Parking and Loading.
  - (2) **Residential Structures.** A residential structure that is nonconforming because two (2) spaces have not been previously required by this Ordinance may be altered or expanded with only one (1) covered space, provided that such alterations or expansions of an individual dwelling shall not cumulatively exceed twenty-five (25) percent of the habitable floor area at the time of the first expansion or alteration.
  - (3) **Exception.** No residence may be constructed or expanded by more than one thousand (1,000) square feet of additional habitable area without providing parking in accordance with the applicable provisions of Chapter 304, On-Site Parking and Loading.
- (c) **Nonconforming Lot Coverage.** A structure that is nonconforming because it exceeds the maximum allowable lot coverage may be expanded in floor area only if the expansion does not increase the lot coverage.

### 307.06 Classification of Nonconforming Uses

The City Council may classify legally established nonconforming uses for the purpose of determining whether to permit substitution or expansion subject to the requirements of the following section. The classification of any use or structure shall be optional and shall be based on written application by the property owner or his/her designee, including such information as may be deemed necessary to determine that the use was legally established and to make any other findings that may be required.

- (a) **Class I.** Class I nonconforming uses are designated by the City Council following a public hearing and based on findings that:
  - (1) The existing nonconforming use was legally established;
  - (2) The proposed expansion or substitution of the nonconforming use would not be detrimental to public health, safety, or welfare;

- (3) The proposed expansion or substitution would not be inconsistent with the General Plan and would not preclude or interfere with implementation of any applicable adopted City plan;
  - (4) The proposed use will not depress the value of nearby properties; and
  - (5) No useful purpose would be served by strict application of the provisions or requirements of this Ordinance with which the use or structure does not conform.
- (b) **Class II.** Class II nonconforming uses include any legally established non-residential use that involves the following:
  - (1) Storage, use, or generation of hazardous materials, processes, products, or wastes;
  - (2) Activity that may be detrimental to public health and safety because of the potential to create dust, glare, heat, noise, noxious gases, odor, smoke, vibration;
  - (3) Conditions that would be incompatible with surrounding uses; or
  - (4) Any nonconforming Sexually Oriented Business.

### **307.07 Changes and Substitutions of Nonconforming Uses**

No legal nonconforming use shall be substantially expanded or changed in operation without the approval of a Conditional Use Permit as provided for in this chapter. This requirement shall not apply to a change of ownership, tenancy, or management where the new use is in the same classification as the previous use, as defined in Chapter 701: Use Classifications, and the use is not expanded.

- (a) **Change from Nonconforming to Permitted Use.** Any nonconforming use may be changed to a use that is allowed by right in the zoning district in which it is located and complies with all applicable standards for such use.
- (b) **Conditional Use Permit to Legalize Use.** Any use that is nonconforming solely by reason of the absence of a Conditional Use Permit may be changed to a conforming use by obtaining the required permit.
- (c) **Change from Nonconforming Use to Other Nonconforming Use.** The City Council may allow the expansion of a Class I use, substitution of a Class II nonconforming use with a Class I nonconforming use, or substitution of a Class I nonconforming use with another Class I nonconforming use, subject to approval of a Conditional Use Permit and the requirements of this chapter.
  - (1) **Within a Structure That Conforms to the Development Ordinance.** A Class I nonconforming use in a structure that conforms to this Ordinance and to the requirements of the Building Code may expand the floor area that it occupies, subject to Conditional Use Permit approval provided that no structural alteration is proposed or made for the purpose of the expansion.

- a. A nonconforming use may not be expanded to occupy all or a part of another structure or another lot that it did not occupy on the effective date of this Ordinance.
  - b. The expansion of the nonconforming use shall not exceed fifty (50) percent of the area that the nonconforming use legally occupies at the time of application.
- (2) ***Within a Structure That Does Not Conform to the Development Ordinance.*** A Class I nonconforming use in a structure that does not conform to the requirements of this Ordinance may expand its occupancy and building floor area subject to the requirements of paragraph one (1) above.
- (3) ***Within a Structure That Does Not Conform to the Building Code.*** Any nonconforming use in a structure that does not conform to the Building Code may not expand the area it occupies. A Class I nonconforming use may expand the area it occupies subject to Conditional Use Permit approval after the structure is brought into conformance with all applicable Building Code requirements.
- (4) ***City Council Review.*** The City Council shall hold a public hearing, pursuant to the procedures established in Chapter 601, Common Procedures, on each application for a change or substitution of use. In addition to any other findings that may be required, the City Council shall find that:
  - a. The proposed new use will be more compatible with the purposes of the district and surrounding uses than the nonconforming use it replaces;
  - b. The proposed new use will not be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the surrounding area or be detrimental or injurious to property and improvements of adjacent properties, the surrounding area, or the neighborhood because of noise, traffic generation, odors, dust, glare, vibrations, or other effects; and
  - c. The proposed new use will comply with all applicable standards or there are special circumstances peculiar to the property and its relation to surrounding uses or to the district itself that would justify modification to applicable standards.
- (5) ***Standards for Council Determination.*** In making its findings and conclusions pursuant to paragraph four (4) above, the City Council shall consider the following factors:
  - a. Noise;
  - b. Traffic generation;
  - c. Hours of operation;
  - d. Noxious or annoying emissions of odor, smoke, waste water or other matters;
  - e. Proximity of the use to conforming uses;
  - f. Extent and severity of nonconformity;

- g. Effect of the nonconforming use on surrounding conforming uses;
  - h. Character of the surrounding neighborhood, including the number and proportion of nonconforming uses;
  - i. Access to the nonconforming use;
  - j. Maintenance of the nonconforming use; and
  - k. Any other factors the City Council deems relevant given the purposes of this chapter.
- (6) **Conditions.** When making its decision on an application for a change or substitution of use, the Council may establish conditions that are necessary to accomplish the purposes of this chapter, including, but not limited to:
- a. Required improvement of, or modifications to existing improvements on, the property;
  - b. Limitations on hours of operations;
  - c. Limitations on the nature of operations; and
  - d. A specified term of years for which the continued nonconforming use shall be allowed.
- (7) **Revocation of Approved Changes of Nonconforming Use.** The City Council may initiate a review of a changed or substituted nonconforming uses upon its own motion, or following a recommendation from the Zoning Administrator, in accordance with Section 601.10, Revocation of Approvals, and the following standards and procedures.
- a. *Initiation of Revocation Procedure.* Initiation of City Council review of a nonconforming use approved pursuant to this section shall first require a report from the Zoning Administrator based upon the Zoning Administrator's independent investigation and determination, recommending action by the Council.
  - b. *City Council Review and Decision.* The City Council shall hold a public hearing, pursuant to the procedures established in Chapter 601, Common Procedures. Upon the conclusion of the public hearing, the Council shall determine whether the nonconforming status shall be revoked and the use discontinued or allowed to continue subject to conditions. In making its determination the Council shall base its decision on the same considerations it used when approving the Conditional Use Permit to allow a change or substitution of a nonconforming use and the standards in paragraph five (5) above.

### **307.08 Restoration of Damaged Nonconforming Structures**

- (a) **Restoration When Damage is Less than Seventy-Five (75) Percent of Value.** If a nonconforming structure or a structure containing a nonconforming use is destroyed by fire or other calamity, to the extent of seventy-five (75) percent or less of the replacement cost, as determined by the Building Official, the structure may be restored and the nonconforming use may be resumed, provided that a building permit

for restoration is issued within six (6) months and restoration work is diligently pursued to completion.

- (b) **Restoration When Damage Exceeds Seventy-Five (75) Percent of Value.** If any nonconforming structure or a structure containing a nonconforming use is destroyed by fire, explosion or other casualty or act of God to an extent of seventy-five (75) percent or greater of the replacement cost, as determined by the Building Official, then the structure may be restored and used only in compliance with the applicable regulations for the district where it is located, except as provided below.

- a. ***Exceptions for Residential Structures.***
- b. Any nonconforming residential use may be reconstructed, restored, or rebuilt up to the size and number of dwelling units prior to the damage and the nonconforming use, if any, may be resumed unless the City finds that:
  1. The reconstruction, restoration, or rebuilding will be detrimental or injurious to the health, safety, or general welfare of persons residing or working in the neighborhood, or will be detrimental or injurious to property and improvements in the neighborhood.
  2. The existing nonconforming use of the building or structure can be more appropriately moved to a zoning district in which the use is permitted, or that there no longer exists a district in which the existing nonconforming use is permitted.
- c. Any reconstruction, restoration, or rebuilding undertaken pursuant to this section shall conform to all applicable Building Code requirements.
- d. A building permit shall be obtained within two (2) years after the date of the damage or destruction.

### **307.09      Correction of Nonconforming Site Features**

Prior to occupancy of a site or structure that is nonconforming due to lack of one (1) of the following: screening of mechanical equipment; required walls or fences to screen parking; required paving for driveways; or required landscaping; a schedule for elimination or substantial reduction of these nonconformities over a period not exceeding five (5) years shall be submitted. Priority may be given to elimination of nonconformities that have a significant adverse impact on surrounding properties, and shall not require a commitment to remove nonconformities that have a minor impact and would be costly to eliminate due to the configuration of the site and the location of existing structures.

### **307.10      Abandonment of Nonconforming Uses**

No nonconforming use may be resumed, reestablished, reopened or replaced by any other nonconforming use after it has been abandoned or vacated for a period of six (6) months, except as provided for in this section. The nonconforming use of a legally established structure may be reestablished if the City Council approves a Conditional Use Permit after



making all the following findings in addition to any other required findings. As a condition of approving the resumption of such nonconforming use, the Council may impose a time limit on its duration if necessary in order to make the required findings.

- (a) The structure cannot be used for any conforming use because of its original design or because of legal structural changes made for a previous nonconforming use;
- (b) The structure can be reasonably expected to remain in active use for a period of twenty (20) years without requiring repairs or maintenance in excess of fifty (50) percent of the replacement cost of the structure, as defined in this chapter, within any five (5) year period; and
- (c) The continuation of the use or structure will not be incompatible with or detrimental to surrounding conforming uses.

# Series 400: Land Divisions

## Chapter 400 General Provisions

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### Sections:

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| 400.01 | Introductory Provisions       |
| 400.02 | General Responsibilities      |
| 400.03 | Appeals                       |
| 400.04 | Grounds for Denial            |
| 400.05 | Authority to Vary Regulations |
| 400.06 | Maps Required                 |

### 400.01 Introductory Provisions

**Citation and Authority.** This Series is enacted pursuant to the provisions of Division 2 of Title 7 of the Government Code of the State of California, referred to herein as the “Subdivision Map Act.”

**Purpose.** Series 400, Land Divisions, is adopted to preserve, protect and promote the public health, safety, convenience, prosperity and general welfare. More specifically, this Series is adopted in order to achieve the following objectives:

To aid in the implementation of the General Plan, and elements thereof, as adopted by the City Council.

To provide lots of sufficient size and appropriate design for the purposes for which they are to be used.

To provide streets of adequate capacity for the anticipated traffic which would utilize them, and to ensure that they are designed to promote a safe vehicular and pedestrian traffic circulation system.

To accommodate new development in a manner which will preserve and enhance the city’s living environment.

To provide for water supply, sewage disposal, storm drainage, and other utilities and facilities which are required by conditions of an urban environment.

To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to service new developments are borne fairly and equitably by the subdivider, rather than by property owners of the city at large.

**Scope.** Series 400, Land Divisions, is enacted for the purpose of regulating subdivision of land in accordance with the Subdivision Map Act of the State of California, and any future amendments thereto, and repeals all other regulations of the City of Porterville in conflict with this Series;

provided, however, that such repeal shall not affect any agreement, contract, or bond executed pursuant to such regulations or any rights of action accruing thereunder. The regulations contained in this Series shall apply to all subdivisions and parcel maps or parts of subdivisions and parcel maps hereafter made entirely or partially within the City of Porterville. The provisions of this Series shall be in addition to and shall be considered as supplemental to the provisions of the Subdivision Map Act of the State of California, as now in effect or hereinafter amended.

**Exclusions.** These standards shall not apply to those divisions of land excluded by Section 66412 of the Subdivision Map Act.

#### **400.02 General Responsibilities**

**City Attorney.** The City Attorney shall be responsible for approving as to form all subdivision improvement agreements and improvement securities.

**City Council.** The City Council shall review and approve, conditionally approved or disapprove tentative and final subdivision maps and parcel maps when the parcel map is in coordination with a discretionary permit and/or multi-application projects. The City Council shall have final jurisdiction in the approval of final maps and improvement agreements and the acceptance by the city of lands and/or improvements as may be proposed for dedication to the city for final maps. The City Council shall act as the final appeal board for hearing appeals of the approval, conditional approval or disapproval for parcel maps.

**City Engineer or Public Works Director.** The City Engineer or Public Works Director shall be responsible for:

Establishing design and construction details, standards and specifications.

Determining if proposed subdivision improvements comply with the provisions of this Series and the Subdivision Map Act and for reporting the findings together with any recommendations for approval, or conditional approval, of the tentative map to the Zoning Administrator for tentative subdivision maps and parcel maps.

The processing of final maps, reversion to acreage maps and amended maps; the processing and approval of subdivision improvement plans, lot line adjustments, mergers, and certificates of compliance.

Examining and stating that final maps are in substantial conformance with the approved tentative map.

The inspection and approval of subdivision improvements.

On behalf of the City Council, accept the dedication of streets, alleys, including access rights and abutter's rights, drainage easements, parks, and other easements and parcels of land intended for public use.

The collection of all required deposits and fees.

**Zoning Administrator.** The Zoning Administrator shall be responsible for design analysis for conformity with the General Plan and this Ordinance; for the environmental quality of the subdivision design; and for the expedient processing of subdivision maps, parcel maps, and reports, as provided herein.

**Project Review Committee.** The Project Review Committee shall be responsible for reviewing and commenting on preliminary maps that show the general characteristics of the proposed subdivision.

**Parcel Map Committee.** The Parcel Map Committee shall be the designated advisory agency for parcel map subdivisions and shall have the authority to approve, conditionally approve, or deny tentative parcel maps. The Parcel Map Committee may impose conditions upon a tentative map, as appropriate, to determine compliance with general engineering or surveying practices.

**Subdivider.** The subdivider shall prepare maps consistent with the standards contained herein, and design public improvements consistent with the public improvement standards of the City of Porterville. The subdivider shall process said maps in accordance with the regulations set forth herein.

#### **400.03            Appeals**

The subdivider or any interested person adversely affected may appeal any decision, determination or requirement of the City Engineer, Zoning Administrator or Parcel Map Committee consistent with the provisions of Chapter 612, Appeals.

When the Parcel Map Committee has acted on an application for an exception, in accordance with the provisions of this Series, any interested person may appeal to the City Clerk pursuant to the procedures and within the time limits set forth in Chapter 612, Appeals. City Council decisions are final upon adoption of the resolution.

#### **400.04            Grounds for Denial**

A tentative map or parcel map shall be denied approval or conditional approval in the event any one (1) of the following findings is found to prevail by the legislative body:

That the proposed map is not consistent with applicable general and specific plans.

That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

That the site is not physically suitable for the type of development.

That the site is not physically suitable for the proposed density of development.

That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

That the design of the subdivision or type of improvements is likely to cause serious public health problems.

That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

#### **400.05 Authority to Vary Regulations**

The Parcel Map Committee/City Council, with respect to tentative parcel maps and tentative subdivision maps, respectively, can modify any of the requirements and regulations set forth in this Series as it pertains to lot design, subject to the approval of a conditional use permit. Variation of regulations is applicable when there are natural features such as topographic constraints and soils conditions that may warrant modified standards. Application for any such modification shall be made in writing by the subdivider in the form of a conditional use permit application, stating fully the grounds of the application and the facts relied upon by the subdivider. Such application shall be filed with the tentative map of the proposed land division. If in the opinion of the Zoning Administrator and Public Works Director/City Engineer the on- and/or off-site improvements, phasing and/or type of improvements necessitate it, a development agreement may be required between the City and the subdivider. In order for the property referred to in the application to come within the provisions of this section, it shall be necessary that the City Council or Parcel Map Committee find the following facts with respect thereto:

There are special circumstances or conditions affecting the property that make it impractical to conform to all of the provisions prescribed by this Series provided, however, that no exceptions may be granted to any requirements imposed by the Subdivision Map Act or any other applicable provision of State law;

That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

That the granting of the modification will not be detrimental to the public welfare or injurious to other property in the territory in which such property is situated;

That the exception is appropriate for the proper design and/or function of the subdivision; and

That the granting of the exception is consistent with the General Plan.

**Exception to Conditional Use Permit Requirement.** As it pertains to tentative parcel maps and tentative subdivision maps, exceptions to regulations pertaining to lot depth, reverse corner lots, street length and width, and double frontage lots or for minor exceptions as determined by the Zoning Administrator, shall be processed with the tentative map and shall not be subject to a conditional use permit per the above section (a). Exceptions from additional subdivision design standards and/or standards pertaining to the lot design within particular zones shall be subject to the approval of a conditional use permit.

**Action on Exceptions.** In the event that the proposed exceptions represent more than exceptions from lot depth, reverse corner lots, street length, and double frontage lots, the City Council shall approve, conditionally approve or disapprove the application for a conditional use permit pertaining to a tentative map in a public hearing held concurrently with the proposed tentative map. The Parcel Map Committee shall consider the exceptions not subject to a conditional use permit during the public hearing at which it considers the tentative parcel map.

#### **400.06 Maps Required**

**General.** The necessity for tentative maps, or vesting tentative maps, parcel maps, and final maps shall be governed by the provisions of this Series. A designated remainder lot shall not be counted as a parcel for the purpose of determining whether a parcel or final map is required.

**Final Map.** A tentative or vesting tentative and final map shall be required for all divisions of land creating five (5) or more parcels, five (5) or more condominiums as defined in Section 783 of the State Civil Code, a community apartment project containing five (5) or more parcels, or for the conversion of a dwelling to a stock cooperative containing five (5) or more dwelling units, except where:

The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street or highway and no dedications or improvements are required by the legislative body; or

Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a maintained public street or highway; or

The land consists of a parcel or parcels of land having approved access to a public street or highway which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the governing body as to street alignments and widths; or

Each parcel created by the division has a gross area of not less than 40 acres or is not less than one quarter of a quarter section.

The land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 66418.2 of the Subdivision Map Act.

The subdivisions described in paragraphs (1), (2), (3), (4) or (5) shall require a parcel map.

**Parcel Map.** A tentative map, vesting tentative map, and parcel map shall be required for all divisions of land into four (4) or fewer parcels, and for divisions of land into five (5) or more parcels that are classified as a parcel map in subsection (b) above, except that a tentative map and parcel map shall not be required for:

**Right-of-Way Subdivisions.** Subdivisions of a portion of the operating right-of-way of a railroad corporation, defined by Section 230 of the Public Utilities Code that are created by short-term leases terminable by either party on not more than 30 days' notice in writing.

**Conveyances.** Land conveyed to or from a governmental agency, public entity or public utility, or for land conveyed to a subsidiary of a public utility for conveyance to the public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map.

**Lot Line Adjustments.** Lot line adjustments that meet the requirements of Section 406.03, Lot Line Adjustments.

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## Preliminary Map

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### Sections:

- 401.01        Form of Preliminary Map
- 401.02        Project Review Committee

### **401.01        Form of Preliminary Map**

Prior to the filing of a map, the subdivider shall submit to the Zoning Administrator an application for Project Review Committee and nine (9) copies of a preliminary map to indicate the essential characteristics of the subdivision. The preliminary map shall be eighteen by twenty-six inches (18" X 26"), be legibly drawn, in pencil or ink, and shall use a decimal or an engineer's scale of not less than one inch equals one hundred feet (1" = 100') and shall contain the following minimum information:

- (1)        Key map showing adjacent property, subdivisions and roads or streets, proposed street in the subdivision, and other development that would affect the subdivision.
- (2)        Name and address of the owner of record, subdivider and engineer or surveyor.
- (3)        Date, north point and scale showing the general topography contours and features.
- (4)        Approximate location and widths of proposed and existing street rights-of-way.
- (5)        Approximate location, average size, and number of lots.
- (6)        Approximate acreage of proposed tract.
- (7)        The intended land use and information on utilities, sanitary sewers, drainage, water and other improvements.

### **401.02        Project Review Committee**

The Zoning Administrator will schedule a meeting of the Project Review Committee, in compliance with Chapter 601.03, with the subdivider on the preliminary map. The Project Review Committee will make such general recommendations to the subdivider as shall seem proper regarding such preliminary map and shall recommend consultations by the subdivider with such other public or private agencies as it shall designate. The Project Review Committee shall furnish written copies of its recommendations to the subdivider and to all other public or private agencies which may be interested.



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## Tentative Maps

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### Sections:

- 402.01 Map Filing Procedure and Requirements
- 402.02 Form of Map and Content
- 402.03 Expiration of Maps and Extensions of Time

### **402.01 Map Filing Procedure and Requirements**

The subdivider shall file with the Zoning Administrator ten (10) copies, one (1) photo-ready master (11" X 17" maximum) and one (1) copy of the owner's statement (if not included on the tentative map), all in accordance with the requirement of this Series, of each proposed subdivision. Said tentative map shall be accompanied with filing fees per resolution adopted by the City Council. The Zoning Administrator shall indicate upon all copies of the tentative map and accompanying data the date of filing, which shall be the date on which all required maps, masters, and accompanying data are deposited in the office of the Zoning Administrator. The Zoning Administrator may refuse to accept a tentative map submittal which fails to comply with the requirements of this Series.

### **Department Review and Referral**

**Determination of Complete Application.** Not later than thirty (30) days after receipt of an application for a tentative map approval, the Zoning Administrator shall determine in writing whether such application is complete, and shall immediately transmit such determination to the applicant for the tentative map. In the event that the application is determined not to be complete, the Zoning Administrator's determination shall identify those parts of the application which are complete, and shall specify those parts of the application which are incomplete, and shall indicate the manner in which they can be made complete. Zoning Administrator may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

**Referral.** Within ten (10) days of acceptance of a tentative map of a subdivision, the Zoning Administrator shall transmit the requested number of copies of such map, together with accompanying data, to such public agencies and utilities as may be concerned. Each of the public agencies and utilities may, within fifteen (15) days after distribution of the tentative map, forward to the Zoning Administrator a written report of their findings and recommendations thereon. The Zoning Administrator shall prepare a written report on the conformity of the tentative map to the provisions of the General Plan, the Development Ordinance, and all other applicable requirements of this and other ordinances and regulations of the City of Porterville. Such public agencies and utilities include, but are not limited to:

Public Works Director/City Engineer;

Chief Building Official;

Police Department;

Fire Department;

Field Services Manager;

Office of Intergovernmental Management as required by the Government Code;

Southern California Edison or other affected electric company;

The Gas Company or other affected gas company;

Telephone company or other affected phone company;

Cable TV companies affected;

School Districts as required by Section 66455.7 of the Map Act;

Water supplier that is or may become a public water system as required by Section 66455.3 of the Map Act; and

Affected owner of irrigation ditches or canals, and any other public agency or public utility affected by the subdivision.

**Consideration of Tentative Maps.** The Zoning Administrator shall prepare a written report on the conformity of the tentative map to the provisions of the General Plan and all other applicable requirements of this and other ordinances and regulations of the City of Porterville. The report shall include a recommendation for action, including any requirements or conditions deemed necessary to ensure that the map will comply with the General Plan and any applicable city regulations. The Public Works Director/City Engineer shall prepare a written report of recommendations on the tentative map in relation to the public improvement requirements of this chapter and the provisions of the Map Act.

**Notification Procedures for Public Hearings.** Notice of the time and place of any public hearing shall be given in conformance with the provisions of Section 601.05, Public Notification.

**Action.** Within the timeframes established in the Permit Streamlining Act, the City Council shall act on the tentative map for subdivisions and the Parcel Map Committee shall act on the tentative parcel map, unless an extension is agreed upon by the subdivider as provided for in the Permit Streamlining Act. If the City Council/Parcel Map Committee find that the proposed map complies with the requirements of this chapter and the Map Act, it shall approve the map. If the City Council/Parcel Map Committee finds that the proposed map does not meet the requirements of this chapter and the Map Act, it shall conditionally approve or disapprove such map.

**Notice of Action.** Within ten (10) days following the action by the City Council or Parcel Map Committee, as appropriate, the Zoning Administrator shall transmit a letter containing the record pertaining to such action to the party submitting the tentative map. Upon approval, the tentative shall be so marked and all conditions of approval and required dedications and improvements clearly specified on or with the map. Copies of the approved tentative map shall be filed with the Zoning Administrator and the City Engineer.

## **402.02 Form of Map and Content**

The subdivider shall cause the tentative map of the land proposed to be subdivided to be prepared by a registered civil engineer or a licensed land surveyor. The size of each sheet shall be eighteen by twenty-six inches (18" X 26"). The tentative map shall be legibly drawn, in pencil or ink, and shall use a decimal or an engineer's scale of not less than one inch equals one hundred feet (1" = 100'), or as approved by the Zoning Administrator.

The tentative map shall clearly show the following information:

The tract name or number, date, north point, scale and sufficient description to define the location and boundaries of the proposed tract.

Names, addresses, and phone numbers of record owner(s), subdivider, and engineer or surveyor.

Partial legal description (1/4 section, township/range).

The tentative map shall include enough sheets to show details at the scale of the map. The number of the sheet and the total number of sheets comprising the tentative map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown.

Location, names, present right-of-way and physical dimension, and approximate grades of adjacent roads, streets, highways or ways, names and dimensions of abutting subdivisions and properties.

The locations, names, widths, and proposed grade of all streets in the proposed subdivision.

Radius of each curve (in accordance with Section 407.03, Design and Construction Standards).

Typical cross sections of any non-standard streets.

The outline of any existing buildings and their locations in relation to existing or proposed street and lot lines. The location of existing wells and sewage disposal facilities and the proposed disposition of same.

Contour lines having the following intervals (Development within the Hillside Zone shall comply with Chapter 501, Hillside Zone Overlay District):

One (1) foot contour interval for ground slopes between level and five (5) percent.

Five (5) foot contour intervals for ground slopes exceeding five (5) percent.

The approximate widths, location and purpose of all existing or proposed easements.

Approximate lot layout and approximate dimensions of each lot, and each to be numbered.

The area of the subdivision in gross area and net area (excluding streets and other proposed public uses).

Approximate location of all areas subject to inundation or storm water overflow and the location, width, grade and direction of flow of all watercourses and the location of all floodplain lines.

Public areas proposed.

City limit lines.

Vicinity map showing the proposed subdivision and surrounding streets within one-fourth (1/4) mile radius of the proposed subdivision.

Location of trees to remain in place and landscaping proposed to remain in public right-of-way.

Show all proposed dedications and irrevocable offers of dedication on the tentative map or to be made by separate instrument.

The location and sizes of existing and proposed utility lines and structures.

The elevation of sewers at the proposed connection.

Any other drawings, data or information as deemed necessary by the Zoning Administrator and/or the City Engineer.

The Zoning Administrator may waive any of the above tentative map requirements if the location and nature of the proposed subdivision or existing documentation demonstrate that a waiver is justified.

**Owner's Statement and Accompanying Data.** Additional information relating to the subdivision which may not practicably be shown on the tentative map shall be contained in similar supplemental maps or written owner's statement which shall accompany the tentative map and include the following information. Any information that is engineering in nature shall be provided by a Civil Engineer.

Existing use or uses of the property, present zoning, and General Plan designation.

Proposed uses of the property indicating respective proportion of the total area of the subdivision represented by each.

General outline of proposed water system.

Provisions for sanitary sewage disposal and general outline of proposed system.

Plan for surface drainage and flood control and general outline of proposed system.

Proposed street improvements for sidewalk, curb and gutter, and paving of public ways, as required, indicating approximate location and dimensions of the proposed system.

If developed in increments, maps shall indicate approximate sequence of development.

Environmental Information Form.

Additional data and information, including fees, as may be required for the preparation and processing of environmental documents pursuant to the California Environmental Quality Act.

Any other data or reports deemed necessary by the Zoning Administrator and/or the City Engineer.

#### **402.03            Expiration of Maps and Extensions of Time**

**Expiration.** When a timely filing is made prior to expiration, subsequent actions of the City Council or Parcel Map Committee, as appropriate, including, but not limited to, processing, approval, and recordation, may lawfully occur after the date of expiration of the tentative map. Delivery to the City Engineer shall be deemed a timely filing for purposes of this section. The effective life of an approved tentative parcel map or tentative subdivision map shall comply with the provisions of Section 66463.5 and 66452.6 of the Map Act, respectively. The expiration of an approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the City Council or Parcel Map Committee, as appropriate, without first processing a new tentative map.

**Extension.** Extensions for tentative parcel maps and tentative subdivision maps may be granted pursuant to the provisions of Section 66463.5 and 66452.6 of the Map Act, respectively. Upon application of the subdivider, prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the Parcel Map Committee or by the City Council.

**Request for Extension.** Prior to the expiration of an approved or conditionally approved tentative map, upon receipt of a written application by the subdivider to extend that map, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. A written application to extend an approved or conditionally approved tentative map shall be submitted to the Zoning Administrator prior to expiration of the tentative map, who shall forward such to the City Council or Parcel Map

Committee, as appropriate. If the Parcel Map Committee denies a subdivider's application for an extension, the subdivider may appeal, in writing, to the City Council within fifteen (15) days after the Parcel Map Committee has denied the extension.

***Consideration of Extension Request.*** Consideration of an application for an extension of time shall be limited to the mandatory findings of significance contained in the original Parcel Map Committee conditions or City Council resolution which approved or conditionally approved the tentative map. If it can be reasonably demonstrated that any one (1) of the original mandatory findings of significance used to justify approval or conditional approval of the tentative map, as specified in the original resolution has changed to the extent it can be considered a cause for denial, then such request for extension may be denied.

***Companion Permits.*** When a tentative map is approved or conditionally approved in conjunction with a Conditional Use Permit or other discretionary permit, such permit shall expire at the same time as the tentative map unless the permit states a different expiration date approved by the City Council. Extensions of time of tentative maps approved with companion Conditional Use Permits or other discretionary permits may also include extensions of time for such companion permits to exceed the maximum appropriate time limit permitted by this section.

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## Vesting Tentative Maps

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### Section:

- 403.01 Vesting Tentative Maps
- 403.02 Vesting of Development Rights

### 403.01 Vesting Tentative Maps

**Citation and Authority.** This section is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the State of California (hereinafter referred to as the vesting tentative map statute).

**Purpose.** It is the purpose of this section to establish procedures necessary for the implementation of the vesting tentative map statute, and to supplement the provisions of the Subdivision Map Act.

**Consistency.** No land shall be subdivided and developed pursuant to the vesting tentative map for any purpose which is inconsistent with the General Plan and any applicable specific plan, or not permitted by this Ordinance or other applicable provisions of the Municipal Code, which were in effect at the time the vesting tentative map was approved or conditionally approved.

### Application

Whenever a provision of the Map Act, as implemented and supplemented by this Series, requires the filing of a tentative map, a vesting tentative map may instead be filed, in accordance with the provisions hereof.

If a subdivider does not seek the rights conferred by the vesting tentative map statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.

**Filing and Processing.** A vesting tentative map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth in this Series for a tentative map, except as hereinafter provided:

At the time a vesting tentative map is filed it shall have printed conspicuously on its face the words “vesting tentative map.”

At the time a vesting tentative map is filed, a subdivider may be required to supply the following information in addition to the requirements set forth in Section 402.02, Form of Map and Content:

Height, size, and location of buildings.

Geological studies.

Architectural plans.

Any other studies that are normally deferred to the building permit stage.

**Expiration.** The approval or conditional approval of a vesting tentative map shall expire at the end of the same time period, and shall be subject to the same extensions established by 402.03 Expiration of Maps and Extensions of Time for the expiration of the approval or conditional approval of a tentative map.



## **403.02 Vesting of Development Rights**

### **Review Authority Action**

The approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards described in Government Code Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a vesting tentative map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies and standards in effect at the time the vesting tentative map is approved or conditionally approved.

Notwithstanding paragraph (1) above, a permit, approval, extension or entitlement may be made conditional or denied if any of the following are determined:

A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.

The condition or denial is required, in order to comply with state or federal law.

**Time Limits and Extensions of Time on Vesting Tentative Maps.** The rights referred to herein shall expire if a final map is not approved prior to the expiration of the vesting tentative map as provided below. If the final map is approved, these rights shall last for the following periods of time:

An initial time period of two (2) years. Where several final maps are recorded on various phases of a project covered by a single vesting tentative map, this initial time period shall begin for each phase when the final map for that phase is recorded.

The initial time period set forth in paragraph (1) above shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds thirty (30) days, from the date a complete application is filed.

A subdivider may apply for a one (1) year extension at any time before the initial time period set forth in paragraph (1) above expires.

If the subdivider submits a complete application for a building permit during the periods of time specified in paragraphs (1), (2), and (3) above, the rights referred to herein shall continue until the expiration of that period, or any extension of that permit.

### **Development Inconsistent with Zoning Conditional Approval**

Whenever a subdivider files a vesting tentative map for a subdivision whose intended development is inconsistent with this Ordinance, that inconsistency shall be noted on the map. The city may deny such a vesting tentative map or approve it conditioned on the subdivider/applicant obtaining the necessary change in the Ordinance to eliminate the inconsistency. If the change in the Ordinance is obtained, the approved or conditionally approved vesting tentative map shall, notwithstanding subsection (a)(1) above, confer the vested right to proceed with the development in substantial compliance with the change in the Ordinance and the map, as approved.

The rights conferred by this subdivision shall be for the time periods set forth in subsection (b) above.

**Applications Inconsistent with Current Policies.** Notwithstanding any provision of this section, the applicant may seek approvals or permits for development which depart from the ordinances,

policies and standards and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law.

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## Final Maps

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### Section:

- 404.01 Filing Final Map
- 404.02 Form of Map and Content
- 404.03 Approvals

### **404.01 Filing Final Map**

Within the time limit designated in Section 402.03, Expiration of Maps and Extensions of Time, and upon the accomplishment of all dedication by certification on the map and required construction of all public improvements, or the execution of an agreement and provision of surety providing therefore and the payment of all applicable fees and charges, the applicant may file with the City Engineer, who shall approve, a final map which shall substantially conform to the approved tentative map and all applicable provisions of the Map Act. The appropriate statements as provided by the applicant in accordance with the provisions of the Map Act, shall be signed by the City Engineer upon the final map; and the final map shall be transmitted to the Clerk of the County Board of Supervisors for ultimate transmittal to the county recorder.

**Multiple Final Maps.** Multiple final maps may be filed if the subdivider informs the Zoning Administrator in writing of his or her intention to file multiple final maps, at the time the tentative map is filed or, if the Zoning Administrator and the subdivider concur to the filing of multiple final maps after the filing of the tentative map.

**Effect of Multiple Final Maps.** The filing of a final map on a portion of an approved or conditionally approved tentative map shall not invalidate any part of the requirements to provide for the construction of improvements as required to constitute a logical and orderly development of the whole subdivision.

The subdivider shall file three (3) copies of the final map and required accompanying data with the City Engineer. The said final map shall be accompanied by filing fees as specified in the comprehensive fee schedule. When a final map is submitted to the City Engineer in accordance with this Series, it shall be accompanied by the following documents:

**Improvement Plans.** The original tracings of detailed plans, cross sections and profiles of all improvements proposed to be installed as required by the provisions of this Series, and of all other improvements proposed to be installed by the subdivider in, on, over, or under any street, right-of-way, easement or parcel of land dedicated by the map or previously dedicated, including the estimated cost thereof, shall be filed with the City Engineer or Public Works Director for his approval and signature. All such plans shall be prepared in accordance with the requirements of the City Engineer or Public Works Director. Plan sheets shall be twenty-four inches by thirty-six inches (24" X 36") and a plan and profile drawn to a scale of one inch equals fifty feet (1" = 50'), or an appropriate scale previously approved by the City Engineer.

**Traverse Sheets.** Calculation and traverse sheets in a form approved by the City Engineer giving bearings and distances, coordinates, error of closure and areas within the boundary of the subdivision and blocks and lots therein shown on the final map.

**Design Data.** Design data, assumptions and computations for proper analysis in accordance with sound engineering practice.

**Report and Guarantee of Title.** The final map shall be accompanied by a current (within six (6) months of the final map filing date) report prepared by a duly authorized title company naming the persons whose consent is necessary for the preparation and recordation of such map, and for dedication of the streets, alleys and other public places shown on the map and certifying that, as of the date of the preparation of the report, the persons wherein named are all the persons necessary to give clear title to such subdivision. At the time of recording said map, following approval by the City Council, there shall be filed with the County Recorder a guarantee executed by a duly authorized title company for the benefit and protection of the city showing that the persons consenting to the preparation and recordation of such map and offering for dedication the streets, alleys and other public places shown thereon are all the persons necessary to pass clear title to such subdivision and to the dedications shown thereon. The report should also include a statement of explanation of why any right-of-way or easement holders across the subdivision need not sign the map if they are not included as needed to pass a clear title.

**Preliminary Soils Report.** A preliminary soil report prepared by a qualified engineer registered by the State of California, based upon adequate test borings or excavations. The soil report that has been prepared shall be kept on file for public inspection. The preliminary soil report may be waived by the City Engineer or Public Works Director if adequate existing data is available as to the soil qualities of the soils of the subdivision. If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision may be required, prepared by a qualified engineer registered by the State of California. The soil investigation shall recommend corrective action intended to prevent structural damage to each dwelling proposed to be constructed on expansive or unstable soil. The report shall be filed with the Building Department. If the preliminary soils report indicates the presence of naturally-occurring asbestos, a construction dust management plan shall be prepared.

**Utility Statements.** Statements from the various public utility companies authorized to serve in the area of the subdivision or division of land certifying that satisfactory provisions have been made to accommodate their facilities.

**Improvement Agreements.** With final review; all agreements, improvement security required by state law or this Ordinance, and offer(s) of dedication.

#### **404.02 Form of Map and Content**

The final map shall be prepared by or under the direction of a registered civil engineer authorized to practice land surveying or licensed land surveyor, shall be based upon a survey, and shall conform to all of the following provisions:

It shall be legibly drawn, printed, or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film. Statements, certificates, affidavits, and acknowledgments may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

The size of each sheet shall be eighteen inches by twenty-six inches (18" X 26") inches or four hundred sixty by six hundred sixty (460 X 660) millimeters. A marginal line shall be drawn

completely around each sheet, leaving an entirely blank margin of one (1) inch or twenty-five (25) millimeters. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of the sheet and the total number of sheets comprising the map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown.

All survey and mathematical information and data necessary to locate all monuments and to locate and retrace any and all interior and exterior boundary lines appearing on the map shall be shown, including bearings and distances of straight lines, and radii and arc length or chord bearings and length for all curves and any information which may be necessary to determine the location of the centers of curves and ties to existing monuments used to establish the subdivision boundaries.

Each lot shall be numbered. Each street shall be named or otherwise designated. The subdivision name/number shall be shown together with the description of the real property being subdivided.

Exterior boundary of the land included within the subdivision shall be indicated by distinctive symbols and clearly so designated. The map shall show the definite location of the subdivision, and particularly its relation to surrounding surveys. If the map includes a “designated remainder” parcel, and the gross area of the “designated remainder” parcel or similar parcel is five (5) acres or more, that remainder parcel need not be indicated as a matter of survey, but only by deed reference to the existing boundaries of the remainder parcel. A parcel designated as “not a part” shall be deemed to be a “designated remainder” for purposes of this section.

On and after January 1, 1987, no additional requirements shall be included that do not affect record title interests. However, the map shall contain a notation or reference to additional information required by a local ordinance adopted pursuant to Section 66434.2.

Any public streets or public easements to be left in effect after the subdivision shall be adequately delineated on the map. The filing of the final map shall constitute abandonment of all public streets and public easements not shown on the map, provided that a written notation of each abandonment is listed by reference to the recording data or other official record creating these public streets or public easements and certified to on the map by the clerk of the legislative body or the designee of the legislative body approving the map. Before a public easement vested in another public entity may be abandoned pursuant to this section, that public entity shall receive notice of the proposed abandonment. No public easement vested in another public entity shall be abandoned pursuant to this section if that public entity objects to the proposed abandonment.

**Survey Requirement.** At the time of making a survey for final map, the engineer or surveyor shall set sufficient durable monuments to conform with City Standards so that another engineer or surveyor may readily retrace the survey. At least one (1) exterior boundary line of the land being subdivided be adequately monumented or referenced before the map is recorded.

The monuments shall be approved by the City Engineer and shall be per City Standards. Any monument or bench mark, as required by this section, which is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider. The monuments shall be set at each corner and angle point in the exterior and interior boundaries (lot corners) of the subdivision, except wherein such monuments already exist in their proper positions. Monuments shall be set on street and alley center lines or offsets thereto at all street intersections, beginnings and end of curves, angle points or as otherwise directed by the City Engineer.

Interior monuments need not be set at the time of the map is recorded, if the engineer or surveyor certifies on the map that monuments will be set on or before a specified date, and if the subdivider

furnishes to the city security guaranteeing payment of the cost of setting such monuments in accordance with Section 66496 of the Map Act.

Within five (5) days after the final setting of monuments has been completed, the engineer or surveyor shall give written notice to the subdivider and to the City Engineer that the final monuments have been set in accordance with Section 66497 of the Map Act.

**Statements and Acknowledgment.** The title sheet of the map, below the title, shall show the name of the engineer or surveyor together with the date of the survey, the scale of the map and the number of sheets. The following statements, certificates, acknowledgments and description shall appear on the title sheet of final maps, and such statements may be combined where appropriate:

**Statement by parties holding title.** A statement in accordance with the provisions of Section 66436 and 66445 of the Map Act.

**Dedication Statement.** A statement in accordance with Section 66439 of the Map Act.

**Engineer's or Surveyor's Statement.** A statement in accordance with Section 66441 of the Map Act.

**Soil Engineer's Statement.** A statement referring to preliminary soils reports on file with the city in accordance with Section 66434.5 of the Map Act.

**Statement to be executed.** A statement for execution by each of the following, as applicable:

City Engineer;

Surveyor;

~~Soil Engineer and/or Geologist~~ Geotechnical Engineer, Engineering Geologist, or Geophysicist;

Zoning Administrator;

City Council;

City Clerk;

County Board of Supervisors;

County Recorder;

Owner.

**Notation or Reverence.** Notation or reference to survey and map information required pursuant to Section 66434.2 of the Map Act.

### **Information on Final Maps**

Each lot shall be consecutively numbered. Each lot shall have its area shown to the nearest one-hundredth (1/100) of an acre or nearest square foot. The exterior boundary of the land included within the lot or lots being created shall be indicated by a distinctive border applied on the tracings. Such border shall not interfere with the legibility of figures or other data. The map shall show the definite location of such lot or lots, and particularly the relationship to existing surveys.

The final map shall also contain the following information:

The tentative map number or vesting tentative map number, resolution number and date of preparation, printed on the upper right hand corner of the face sheet (first sheet).

The net dimensions of each lot. No ditto marks shall be used.

The names, locations and right-of-way widths of all abutting public streets.

The proposed location, purpose and width of all proposed public roads and private access easements.

The boundaries of any private easement, whether an easement of record or a prescriptive easement, shall be shown by means of a dotted line; and the name of the person or entity owning the easement shall be shown on the map.

Location and widths of easements for public utilities, if required.

The location and widths of watercourses and areas subject to inundation, and location of selected flood lines within the lots being created.

Building setback lines, if applicable.

A north point and graphic scale.

Location or vicinity map at a minimum scale of one (1) inch equals one (1) mile.

Names of the owners of the property being divided.

### **404.03 Approvals**

**Approval by City Engineer.** Upon receipt of the final map and other data submitted therewith, the City Engineer shall examine such to determine that the subdivision as shown is substantially the same as it appeared on the tentative map, and any approved alterations thereof, that all provisions of this Series or any other ordinance and the Map Act applicable at the time the application for the tentative map is deemed complete, and that he is satisfied that the map is technically correct. If the City Engineer shall determine the final map is not in full conformity with the tentative map, he shall advise the subdivider of the changes or additions that must be made for such purposes, and shall afford the subdivider an opportunity to make such changes or additions. If the City Engineer determines that full conformity therewith has been made, he shall transmit said map to the City Council for approval in the case of a final map.

#### **City Council Approval – Final Map**

The City Council shall, at the meeting at which it receives the final map for approval, or at its next regular meeting after the meeting at which it received the map, approve the map if it conforms to all the requirements of this Series and the Map Act applicable at the time of approval or conditional approval of the tentative map and any rulings made thereunder.

The Council may accept or reject any or all offers of dedication. In the event that all improvements required or conditions imposed upon approval under the terms of this Series or by law are not completed before the filing of the final map, the Council may enter into an agreement with the subdivider for posting improvement security as provided in this Series. The City Engineer, upon the approval of the final map by the City Council, shall transmit the map to the Clerk of the Board of Supervisors, who shall record same.



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## Parcel Maps

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Section:

- 405.01 Filing
- 405.02 Form and content
- 405.03 Final Parcel Map
- 405.04 Waiver of Requirements for Parcel Maps

### **405.01 Filing**

Ten (10) copies of the tentative parcel map and one (1) photo-ready master (11"X17" maximum) shall be filed with the Zoning Administrator.

The tentative parcel map shall be accompanied by an application fee as established by City Council resolution.

The Zoning Administrator may refuse to accept a tentative parcel map which is inaccurate, illegible, incomplete, or which fails to comply with the requirements of this article.

### **405.02 Form and Content**

The subdivider shall cause the tentative parcel map of the land proposed to be subdivided to be prepared by a registered civil engineer authorized to practice surveying or licensed land surveyor. The size of each sheet shall be eighteen by twenty-six inches (18" X 26"). The tentative parcel map shall be legibly drawn, in pencil or ink, and shall use a decimal or an engineer's scale of not less than one inch equals one hundred feet (1" = 100'), unless the Zoning Administrator determines that a different scale will be adequate and appropriate for the tentative map.

The tentative map shall clearly show the following information:

A key map showing the location of the subject property, adjacent property, subdivisions, streets or roads and other development which would affect the tentative map.

Names, addresses, and phone numbers of record owner(s), subdivider, and engineer or surveyor.

Partial legal description (1/4 section, township/range).

The tentative map shall include enough sheets to show details at the scale of the map. The number of the sheet and the total number of sheets comprising the tentative map shall be stated on each of the sheets and its relation to each adjoining sheet shall be clearly shown.

Location, names, present right-of-way and physical dimension, and approximate grades of adjacent roads, streets, highways or ways, names and dimensions of abutting subdivisions and properties.

The locations, names, widths, and proposed grade of all streets in the proposed subdivision.

Radius of each curve (in accordance with Section 407.03 Design and Construction Standards).

Typical cross sections of any non-standard streets.

The outline of any existing buildings and their locations in relation to existing or proposed street and lot lines. The location of existing wells and sewage disposal facilities and the proposed disposition of same.

Contour lines shall be shown with the following intervals (Development within the Hillside Zone shall comply with Chapter 501, Hillside Zone Overlay District):

One (1) foot contour interval for ground slopes between level and five (5) percent.

Five (5) foot contour intervals for ground slopes exceeding five (5) percent.

The approximate widths, location and purpose of all existing or proposed easements.

Approximate lot layout and approximate dimensions of each lot, and each to be numbered.

The area of the subdivision in gross area and net area (excluding streets and other proposed public uses).

Approximate location of all areas subject to inundation or storm water overflow and the location, width, grade and direction of flow of all watercourses and the location of all floodplain lines.

City limit lines.

Vicinity map showing the proposed subdivision and surrounding streets within one-fourth (1/4) mile radius of the proposed subdivision.

Location of trees to remain in place and landscaping proposed to remain in public right-of-way.

Show all proposed dedications and irrevocable offers of dedication.

The location and sizes of existing and proposed utility lines and structures.

The elevation of sewers at the proposed connection

**Owner's Statement and Accompanying Data.** Additional information relating to the subdivision which may not practicably be shown on the tentative map shall be contained in similar supplemental maps or written owner's statement which shall accompany the tentative map and include the following information.

Existing use or uses of the property, present zoning, and General Plan designation.

Proposed uses of the property indicating respective proportion of the total area of the subdivision represented by each.

General outline of proposed water system.

Provisions for sanitary sewage disposal and general outline of proposed system.

Plan for surface drainage and flood control and general outline of proposed system.

Proposed street improvements for sidewalk, curb and gutter, and paving of public ways, as required, indicating approximate location and dimensions of the proposed system.

Environmental Information Form.

Additional data and information, including fees, as may be required for the preparation and processing of environmental documents pursuant to the California Environmental Quality Act.

Any other data or reports deemed necessary by the Zoning Administrator and/or the City Engineer.

**Transmittal of maps to public agencies and utilities.**

When the tentative map is received and filed under the provisions of this title, the Zoning Administrator shall, within ten (10) days thereafter, transmit the tentative map to each of the following:

Public Works Director/City Engineer

Chief Building Official

Police Department

Fire Department

Field Services Manager

Office of Intergovernmental Management as required by the Government Code

Southern California Edison or other affected electric company

The Gas Company or other affected gas company

Telephone Company or other affected phone company

Cable TV companies affected

School Districts as required by Section 66455.7 of the Map Act

Affected owner of irrigation ditches or canals, and any other public agency or public utility affected by the subdivision.

Such public utility companies and public utilities shall review the parcel map and transmit any report or recommendations thereon to the Zoning Administrator who shall incorporate them into the report and recommendations to the advisory agency.

The departments of the city to which the map is transmitted shall file with the Zoning Administrator within ten (10) days of receipt thereof its approval thereof or a report showing what changes are necessary to make such map conform to the requirements of this title and the Map Act coming within the jurisdiction of such department.

**Consideration of tentative parcel maps.** Not later than thirty (30) calendar days after the Zoning Administrator has received an application for a tentative map approval, the Zoning Administrator shall determine in writing whether such application is complete, and shall immediately transmit such determination to the applicant for the tentative map. In the event that the application is determined to be incomplete, the Zoning Administrator's determination shall specify those parts of the application which are complete and shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete. The Zoning Administrator may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

The Parcel Map Committee shall review and approve, conditionally approve or disapprove the tentative parcel map within fifty (50) days after the date of acceptance of a complete application by the Zoning Administrator. Notice of the time and place of any public hearing shall be given in conformance with the provisions of Section 601.05, Public Notification.

If the Parcel Map Committee determines that the tentative parcel map complies with all of the provisions of this article, General Plan, zoning ordinance, and the Map Act, it shall approve the map.

If the tentative parcel map fails to meet one or more requirements set forth in this article, the Parcel Map Committee may approve the map subject to such conditions as may be necessary to conform to such requirements.

When approving or conditionally approving the tentative parcel map, the Parcel Map Committee shall specify the dedications and improvements to be made by the applicant.

Within fourteen (14) days after the action by the Parcel Map Committee, written notice of the action by the Parcel Map Committee shall be mailed to the applicant.

Upon approval of the tentative parcel map by the Parcel Map Committee, the tentative parcel map shall be so marked and all conditions of approval and required dedications and improvements clearly specified on or with the map. Copies of the approved tentative parcel map shall be filed with the Zoning Administrator and the City Engineer.

**Appeals.** Tentative parcel map decisions by the Parcel Map Committee are subject to the provisions of Section 400.03 Appeals.

**Time limits and extensions of time on tentative parcel maps.** Findings, time limits and extensions of time for tentative parcel maps shall be the same as provided for by 402.03, Expiration of Maps and Extensions of Time of this Series.

**Improvements.** Pursuant to the provisions of the Map Act, the subdivider shall install, construct and/or provide all on- or off-site improvements as required by the Parcel Map Committee; and such improvements shall be in conformance with all applicable provisions of 407.02, Improvements of this Series.

**Right-of-way dedications.** Pursuant to the Map Act, the subdivider shall provide such dedication of right-of-way or easements as may be required by the Parcel Map Committee.

**Final parcel maps.** Within the time limit designated in 402.03, Expiration of Maps and Extensions of Time of this Series, and upon the accomplishment of all dedication by certification on the map and required construction of all public improvements, or the execution of an agreement and provision of surety providing therefore and the payment of all applicable fees and charges, the applicant may file with the City Engineer, who shall approve, a final parcel map which shall substantially conform to the approved tentative parcel map and all applicable provisions of the Map Act. The appropriate statements as provided by the applicant in accordance with the provisions of the Map Act, shall be signed by the City Engineer upon the parcel map; and the final parcel map shall be transmitted to the Clerk of the County Board of Supervisors for ultimate transmittal to the county recorder.

**Survey requirement.** Where a parcel map is required, the parcel map shall be based on a field survey of the land conducted in accordance with the Land Surveyor's Act of the State of California. All new lot corners shall be monumented and based on a field survey. At the discretion of the City Engineer, a parcel map may be compiled from recorded or filed data when sufficient recorded or filed data when sufficient recorded or filed survey monumentation presently exists to enable to retracement of the exterior boundary lines of the parcel map and the establishment of the interior parcel or lot lines of the parcel map.

#### **405.03 Final Parcel Map**

**Information on final parcel map.** Each parcel shall be consecutively numbered. Each parcel shall have its area shown to the nearest one-hundredth (1/100) of an acre or nearest square foot. The exterior boundary of the land included within the parcel or parcels being created shall be indicated by a distinctive border applied to the tracings. Such border shall not interfere with the legibility of

figures or other data. The map shall show the definite location of such parcel or parcels, and particularly the relationship to existing surveys.

The final parcel map shall also contain the following information:

The tentative parcel map number or vesting parcel map number, printed on the upper right hand corner of the face sheet.

The net dimensions of each lot. No ditto marks shall be used.

The names, locations and right-of way widths of all abutting public streets.

The proposed location, purpose, and width of all proposed public roads and private access easements.

The boundaries of any private easement, whether an easement or record or a prescriptive easement, shall be shown by means of a dotted line; and the name of the person or entity owning the easement shall be shown on the map.

Location and widths of easements for public utilities, if required.

The location and widths of watercourses and areas subject to inundation, and location of selected flood lines within the parcels being created.

Building setback lines, if applicable.

A north point and graphic scale.

Location of vicinity map at a minimum scale of one (1) inch equals one (1) mile.

Names and addresses of the owners of the property being divided.

### **Required statements**

All required dedications of rights-of-way or easements shall be certified on the final parcel map by appropriate statements in accordance with Section 66447 of the Map Act.

All parties having any record title interest in the real property subdivided shall sign a statement on the final parcel map in accordance with Subsections 66436 and 66445 of the Map Act.

A statement of the registered civil engineer or licensed land surveyor who prepared the survey and the parcel map in compliance with Section 66449 of the Map Act.

A statement of execution by the City Engineer which complies with Section 66450 of the Map Act.

A statement of execution by the Zoning Administrator on behalf of the Parcel Map Committee certifying that the final parcel map conforms to the approved tentative parcel map.

Additional information to be filed or recorded with the final parcel map as required in accordance with Section 66434.2 of the Map Act.

### **405.04 Waiver of Requirements for Parcel Maps**

The requirement for a parcel map may be waived if a finding is made by the Parcel Map Committee that the proposed division of land complies with all requirements of this Ordinance as to area, improvement and design, drainage control, street dedications and improvements, sewer and water supply availability and environmental protection. No parcel map will be required for tentative maps approved under this section.

Approval of an application for a waiver of the requirement of a parcel map shall automatically constitute approval for the issuance of a certificate of compliance pursuant to the provisions of Section 66499.35 of the Map Act. When approval has been given to an application for a waiver of the requirement of a parcel map, the Zoning Administrator and City Engineer shall issue a resolution approving the waived parcel map, and shall cause said resolution to be filed with the county recorder.

## Reversions, Mergers, and Lot Line Adjustments

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### Sections:

|        |                      |
|--------|----------------------|
| 406.01 | Reversion to Acreage |
| 406.02 | Mergers              |
| 406.03 | Lot Line Adjustments |

### **406.01      Reversion to Acreage**

**Purpose.** The purpose of this section is to establish procedures and standards, consistent with the requirements of the Subdivision Map Act, for the reversion of previously subdivided property to acreage.

**Initiation of Proceedings.** Proceedings for reversion to acreage may be initiated by the Parcel Map Committee on its own motion or by petition of all of the owners of record of the real property within the subdivision.

**Contents of Petition.** The petition shall be in a form prescribed by the Zoning Administrator and shall contain the following:

Adequate evidence of title to the real property within the subdivision.

Sufficient data to enable the legislative body to make all of the determinations and findings required by this Series, including a three hundred (300) foot radius map and property owners list.

A reversion to acreage map which delineates dedications which will not be vacated and dedications which are a condition to reversion if applicable and which sufficiently describes all property to be reverted to acreage.

Such other pertinent information as may be required by the Zoning Administrator and City Engineer.

**Public Hearing.** A public hearing shall be held on the proposed reversion to acreage. Notice of the time and place of any public hearing shall be given in conformance with the provisions of Section 601.05, Public Notification.

**Required Findings.** Subdivided real property may be reverted to acreage and a reversion to acreage map approved for recordation only if the City Council finds that:

Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes if applicable. Such determination regarding dedicated public streets shall be made by the City Council in accordance with Division 9, Part 3 of the Streets and Highways Code of the State of California.

Either:

All owners of an interest in the real property within the subdivision have consented to reversion;  
or

None of the improvements required to be made have been made within two (2) years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is the later; or



No lots shown on the final map or parcel map have been sold within five (5) years from the date such map was filed for record.

**Conditions of Approval.** As conditions of reversion, the following shall be required:

Dedications or offers of dedication necessary for the purposes specified by city ordinance following reversion.

Retention of all previously paid fees if necessary to accomplish the purposes of this Ordinance adopted pursuant thereto.

Retention of any portion of required improvement security or deposits if necessary to accomplish the purposes of this Ordinance adopted pursuant thereto.

**Effective Date.** Reversion shall be effective upon the map being filed for record by the county recorder, and thereupon all dedications and offers of dedication not shown thereon shall be of no further force or effect.

**Deposits and Securities.** When a reversion is effective, all fees and deposits shall be returned and all improvement security released, except those retained pursuant to applicable city ordinance, including the stipulations of this Series.

#### **406.02 Mergers**

**Required Mergers.** Two (2) or more contiguous parcels or units of land which have been subdivided under the provisions of the Map Act or any prior law regulating the division of land or a local ordinance enacted pursuant thereto, or which were not subject to such provisions at the time of their creation, shall not merge simply by virtue of the fact such contiguous parcels or units are held by the same owner. No further proceeding under the provisions of the Map Act or this Series enacted pursuant thereto shall be required for the purpose of sale, lease or financing of such contiguous parcels or units, except, however, the city may provide for the merger of a parcel or unit with a contiguous parcel or unit held by the same owner if all of the following requirements are satisfied:

At least one (1) of the affected parcels is not developed with a structure, other than an accessory structure, for which a building permit was issued by the local agency, or which was built prior to the time such permits were required by the local agency.

With respect to any affected parcel, one (1) or more of the following conditions exists:

Comprises less than five thousand (5,000) square feet in area at the time of the determination of merger.

Was not created in compliance with applicable laws and ordinances in effect at the time of its creation.

Does not meet current standards for sewage disposal and domestic water supply.

Does not meet slope stability standards.

Has no legal access which is adequate for vehicular and safety equipment access and maneuverability.

Its development would create health or safety hazards.

Is inconsistent with the applicable General Plan and any applicable specific plan, other than minimum lot size or density standards.

**City Initiation Merger.** Notification of Intention to Merge. Prior to recording a notice of merger, the Zoning Administrator shall cause to be mailed by certified mail to the current record owner of the property a notice of intention to determine status, notifying the owner that the affected parcels may be merged pursuant to standards specified in the merger ordinance, and advising the owner of the opportunity to request a hearing on determination of status and to present evidence at the hearing that the property does not meet the criteria for merger. The notice of intention to determine status shall be filed for record with the Tulare County Recorder on the date that notice is mailed to the property owner.

**Request for Hearing.** At any time within thirty (30) days after recording of the notice of intention to determine status, the owner of the affected property may file with the Zoning Administrator a request for a hearing on determination of status.

**Procedure for Hearing.** Upon receiving a request for a hearing on determination of status, the Zoning Administrator shall fix a time, date and place for a hearing to be conducted by the City Council, and shall so notify the property owner by certified mail. The hearing shall be conducted not less than thirty (30) days following the receipt of the property owner's request therefor, but may be postponed or continued with the mutual consent of the Zoning Administrator and the property owner.

**Procedure for Determination Following Hearing.** At the hearing, the property owner shall be given the opportunity to present any evidence that the affected property does not meet the standards for merger specified in the merger ordinance. At the conclusion of the hearing, the City Council shall make a determination that the affected parcels are to be merged or are not to be merged and shall so notify the owner of its determination. A determination of nonmerger may be made whether or not the affected property meets the standards for merger specified in paragraphs (1) and (2) above. A determination of merger shall be recorded within thirty (30) days after conclusion of the hearing.

**Determination When No Hearing is Requested.** If, within the thirty (30) day period specified in paragraph (1) above, the owner does not file a request for a hearing, the Zoning Administrator may, at any time thereafter, make a determination that the affected parcels are to be merged or are not to be merged. A determination of merger shall be recorded with the Tulare County Recorder which specifies the names of the property owners and particularly describes the real property in question no later than ninety (90) days following the mailing of the notice required by paragraph (2) above.

**Notice of Intention for Nonmerger.** If, in accordance with paragraph (3) or (4) above, the Zoning Administrator or City Council determines that the subject property shall not be merged, it shall cause to be recorded a release of the notice of intention to determine status, and shall mail a clearance letter to the current owner of record.

**Property Owner Initiated Merger of Contiguous Parcels.** Pursuant to Government Code Section 66499.20 <sup>3</sup>/<sub>4</sub>, a property owner owning contiguous parcels is authorized to merge those contiguous legal parcels without requiring the property to be reverted to acreage. Such merger shall be accomplished in accordance with the following procedures:

The property owner shall file an application for merger with the Zoning Administrator, submit evidence of title to all parcels to be affected, submit a proposed certificate of compliance, and pay

the processing fee established by resolution of the City Council. Mergers shall be in the form and contain the information required and described in the City of Porterville Parcel Merger Policy and Procedures manual. The City Engineer and Zoning Administrator shall review the submitted application for accuracy and compliance with all applicable codes.

The Zoning Administrator and City Engineer shall consider and approve the application if it is found that the parcel created by the merger will conform to the requirements of this code and applicable state law.

The merger shall be evidenced by recording a certificate of compliance signed by the Zoning Administrator and City Engineer. The certificate of compliance shall be recorded concurrently with any deed of easement regarding the relocation or elimination of applicable easements.

### **Certificate of Compliance**

Any person owning real property may request, and the Zoning Administrator shall determine, whether such real property complies with the provisions of the Map Act and of this Series. Upon making such a determination, the Zoning Administrator shall cause a certificate of compliance to be filed for record with the county recorder. The certificate of compliance shall identify the real property and shall state that the division thereof complies with applicable provisions of the Map Act and of this Series. The Zoning Administrator may impose a reasonable fee to cover the cost of issuing and recording the certificate of compliance.

If the Zoning Administrator determines that such real property does not comply with the provisions of the Map Act or of this Series. He may, as a condition to granting a certificate of compliance, impose such conditions as would have been applicable to the division of the property at the time the applicant acquired his or her interest therein and shall comply with the conditions set-forth in Section 66499.35 of the Subdivision Map Act. Upon making such a determination and establishing such conditions, the Zoning Administrator shall cause a conditional certificate of compliance to be filed for record with the county recorder. Such certificate shall serve as notice to the property owner who has applied for the certificate pursuant to this section, a grantee of the property owner, or any subsequent transferee or assignee of the property that the fulfillment and implementation of such conditions shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for development of such property is issued by the city.

## **406.03 Lot Line Adjustments**

**Lot Line Adjustment.** Pursuant to Government Code Section 66412(d), a lot line adjustment between four (4) or fewer existing adjoining parcels, where the land taken from one (1) parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, may be approved by the City Engineer and Zoning Administrator or authorized representatives without the approval and filing of a parcel map. Such lot line adjustments shall be accomplished in accordance with the following procedures:

Applications for lot line adjustments shall be filed with the Zoning Administrator and shall be in the form and contain the information required of a tentative map together with legal descriptions of each parcel.

The property owner(s) or agent shall file an application for a lot line adjustment with the city, submit evidence of title to all parcels to be affected, submit a proposed lot line adjustment map and legal description, and pay the processing fee established by resolution of the City Council.

The Zoning Administrator and City Engineer shall consider and approve the application if it is found that the parcels created by the lot line adjustment will conform to the requirements of this Ordinance and applicable state law. Criteria to be considered includes, but is not limited to, standards relating to lot width and depth and minimum lot area.

The lot line adjustment shall be evidenced by recording a deed describing each affected parcel and a city resolution signed by the Zoning Administrator and City Engineer. The deed and resolution shall be recorded concurrently with any easement deed regarding the relocation or elimination of applicable easements.

The City Engineer shall not impose any conditions on the approval of a lot line adjustment.

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## Dedications, Reservations and Improvements

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### Sections:

|        |                                   |
|--------|-----------------------------------|
| 407.01 | Dedications                       |
| 407.02 | Improvements                      |
| 407.03 | Design and Construction Standards |

### **407.01 Dedications**

**Purpose.** The purpose of this chapter is to establish the dedications and reservations that the city may impose on a subdivider as a condition for approval of a tentative map.

**Required Dedications.** When required as a condition for approval of a tentative map, the subdivider shall dedicate or make an irrevocable offer of dedication of land within the subdivision that is needed for streets, alleys, including access rights and abutter's rights, drainage, elementary school sites, parks, and other easements and parcels of land intended for public use according to the standards listed below.

**Streets.** The subdivider shall dedicate land for streets according to adopted City Standards. Partial streets shall be discouraged in developments except in those situations where warranted and when approved by the City Engineer in accordance with the following:

Where a full pavement street is constructed along the perimeter of a subdivision, the subdivider be compensated for this construction by reimbursement agreement between the subdivider, the city and the adjoining property owner when development occurs on his property.

Where a partial street configuration is allowed, the outside edge shall be a thickened design approved by the City Engineer, and shall be designed to accommodate the orderly development of adjacent undeveloped property. No parking signs shall be posted by the subdivider if there are no lots fronting on the partial street.

Partial street dedications and improvements shall be wide enough to permit two (2) lanes of traffic and on-street parking on one (1) side.

**Waiver of Direct Access Right.** The City Engineer or Public Works Director may require that offers of dedication of streets include a waiver of direct access rights from any property shown on the final map as abutting thereon.

**Public Easements.** The subdivider shall dedicate easements of ten (10) feet in width for public utility, sanitary sewer, water and drainage purposes on each side of rear lot lines, alongside lot wherever necessary. Easements of different width may be required, based on the Public Works Director's determination.

**Drainage Facilities.** In accordance with Government Code Section 66483, the city, as appropriate and as permitted by law, shall require payment of fees for purposes of defraying the costs of constructing master planned drainage facilities if any part of the land division is located within a master planned drainage area. . Fees required pursuant to this section and associated with residential, commercial, industrial developments shall be paid consistent with the provisions of Section 66007 of the California Government Code.

***Bicycle Paths.*** When required as a condition for approval of a tentative map, the subdivider shall dedicate or make an irrevocable offer of dedication of land that is needed to provide bicycle paths for the use, safety, and benefit of the residents of the subdivision.

***Bridges and Major Thoroughfares.*** If a land division or any portion thereof lies within an area of benefit established in accordance with this Ordinance or any other city ordinance adopted in accordance with Section 66484 of the Subdivision Map Act, the subdivider shall pay to the city the apportioned fees applicable to that portion of the land division lying within such area of benefit, in accordance with the requirements of subparagraph d below.

***Considerations In Lieu of Fees.*** The City Council may allow any subdivider to furnish a consideration in lieu of payment of the fees mentioned in the preceding paragraph, if the Council finds that such consideration has a value not less than the fees that would otherwise be payable. The form of consideration in lieu of fees may include, but shall not be limited to, any of the following or a combination thereof:

Construction of all or part of a bridge project or major thoroughfare project, as the case may be, for which the area of benefit was established.

Dedication or conveyance of all or part of the site or right-of-way required for major construction of a bridge project or major thoroughfare project, as the case may be, for which the area of benefit was established.

***Value In Excess of Fees.*** If the City Council finds that the consideration in lieu of fees has a value in excess of the amount of fees that would be otherwise payable, the Council may enter into an agreement with the party furnishing such consideration for reimbursement of the amount of such excess from moneys, then in or which may later accrue to, the fund into which such party would have been required to pay fees but for such consideration in lieu of fees, and to reimburse such party from such fund in accordance with such agreement.

***Requirement to Construct Facilities.*** The city shall require a subdivider to construct any necessary bridge facilities, major thoroughfares, parts thereof, or contribute to bridge facility or major thoroughfare costs if the City Council finds that:

The subdivider's cost or contribution would not exceed the cost of a local facility in lieu of such bridges or major thoroughfares; or

A proceeding has been commenced for establishing an area of benefit for such bridge project or major thoroughfare project and has been abandoned by reason of majority protest, and that there is a reasonable probability that use of a local facility in lieu of such bridge would by reason of traffic, including but not limited to traffic which may be generated by such land division, constitute a hazard to public safety.

***Establishing Area of Benefit.*** An area of benefit as referred to in this section shall be established in the following manner:

The City Council shall hold a public hearing for each area of benefit to be established. Notice of such hearing shall be given in accordance with Government Code Section 65091. Such notice shall contain preliminary information related to the boundaries of the proposed area of benefit, the estimated cost of the bridge project or major thoroughfare project, as the case may be, the proposed allocation to the area of benefit, and the proposed method of fee appointment. Such notice shall also state the date, time and place of the public hearing, and that written protests may be filed as provided in this section.

Owners of property within the proposed area of benefit may file written protests with the City Clerk at any time prior to the date and time fixed for such public hearing. Any protest may be withdrawn by the owner of the land making the protest by a request in writing filed with the City Clerk at any time prior to conclusions of such public hearing.

If a written protest by the owners of more than one-half (.5) of the area of the property to be benefited by the improvement, against establishment of such area of benefit or against the proposed improvements or acquisitions, is not withdrawn prior to the conclusion of the hearing, then the proceedings shall be abandoned. In such event, the City Council shall not, for at least one (1) year from the date of such hearing, commence or carry on any proceedings for establishment of an area of benefit for the same improvements or acquisitions.

If a written protest by the owners of more than one-half (.5) of the area of the property to be benefited by the improvement, is not withdrawn prior to the conclusion of the hearing, against only a portion of the proposed improvement or acquisition, then the proceedings shall be abandoned with respect to the proposed improvement or acquisition that has been protested against. In such event, the City Council shall not, for at least one (1) year from the date of such hearing, commence or carry on any proceedings for the establishment of an area of benefit for the improvement or acquisition so protested against. Nothing in this subsection shall be deemed to prohibit the Council, within such one (1) year period, from commencing or carrying on new proceedings for the establishment of an area of benefit for the part of the improvement or acquisition protested, if it finds by the affirmative vote of at least four-fifths (4/5) of its members, that the owners of more than one-half (.5) of the area of the property to be benefited are in favor of going forward with such portion of the improvement or acquisition.

At such public hearing, the City Council shall determine whether to establish such area of benefit, and if so, shall adopt a resolution prescribing the boundaries of the area of benefit, stating the cost, whether actual or estimated, a fair method of allocation of costs to the area of benefit, and a fair apportionment of fees. A certified copy of such resolution shall be filed for record with the county recorder.

In case of a requirement for any bridge, the City Council shall find that, prior to said public hearing, the city has adopted at least thirty (30) days prior to the filing of any tentative map, a circulation element as part of the General Plan, which identifies railways, freeways, streams or canyons for which bridge crossings are required, and that the bridge or each bridge for which such area of benefit is established is one necessary to satisfy such bridge crossing requirement in such element or provisions of the general plan.

In case of a requirement for any major thoroughfare, the City Council shall find that, prior to said public hearing, the city has adopted at least thirty (30) days prior to the filing of any tentative map, a circulation element as part of the General Plan that identifies those major thoroughfares whose primary purpose is to carry through traffic and provide a network connecting to the state highway system, and that the major thoroughfare or section thereof for which such area of benefit is established is one so identified in such circulation element.

The resolution adopted by the City Council shall require that the apportioned fees shall be applicable to all property within the area of benefit and shall be payable as a condition of approval of any final map or any parcel map or a condition to issuing a building permit thereon, consistent with the provisions of Section 53077.5 of the Government Code.



The area of benefit may include land or improvements in addition to the land or improvements that are the subject of any map or building permit application considered at such hearing.

Where the area of benefit includes lands not subject to the payment of fees pursuant to this section, the City Council shall make provisions for payment of the share of improvement costs apportioned to such lands from other sources.

In the case of major thoroughfares, the method of fee apportionment shall not provide for higher fees on land that abuts the proposed improvement, except where the abutting property is provided direct usable access to the major thoroughfare.

In case of major thoroughfares, the payment of fees shall not be required unless the major thoroughfare is in addition to, or a reconstruction of, any existing major thoroughfares serving the area at the time of establishment of the zone of benefit.

In the case of a planned bridge facility, the payment of fees shall not be required unless the planned bridge facility is an original bridge serving the area of benefit or is an addition to an existing bridge facility serving such area at the time of establishment of the zone of benefit. No fees contributed shall be expended to reimburse the cost of construction of any bridge existing at the time of establishment of the zone of benefit.

*Planned Bridge Facility Fund.* A planned bridge facility fund shall be established for a bridge project within an area of benefit, or if the area of benefit is one in which more than one (1) bridge is required to be constructed, a fund shall be established covering all such bridge projects. Fees paid pursuant to this section on account of a bridge or bridges within an area of benefit shall be deposited into the fund for such area.

*Planned Major Thoroughfare Fund.* A planned major thoroughfare fund shall be established for each planned major thoroughfare project and each particular area of benefit which it benefits. Fees paid pursuant to this section on account of a major thoroughfare project within an area of benefit shall be deposited into the fund for such area.

*Expenditure of Bridge and Major Thoroughfare Facility Funds.* Moneys in such funds shall be expended solely for the construction of the improvement project serving the area to be benefited as follows:

To reimburse the city for costs advanced or incurred by it for construction of such improvement project or any portion thereof; and

To reimburse any subdivider for the agreed portion of his or her costs of construction of such improvement project, or portion thereof, in accordance with a reimbursement agreement entered into with the city, as mentioned in subparagraph b above.

In the event that monies in such funds are insufficient to accomplish all of the purposes that this section lists, such monies in the fund shall be apportioned to each such purpose on a pro rata basis.

*Project Completion.* After completion of all bridge facility projects for which a planned bridge facility fund has been established or all major thoroughfare projects for which a planned major thoroughfare fund has been established, or in the event of abandonment of any such project, and after reimbursement of the city and each subdivider entitled thereto under a reimbursement agreement, as mentioned in subparagraph b above, the City Council shall determine by resolution the amount of the surplus, if any, remaining in any such funds or as may accumulate in such funds from time to time. The City Council shall order any such surplus refunded as follows:

There shall be refunded to the current owners of property for which a fee was previously collected the balance of such monies in the same proportion which each individual fee collected bears to the total of all individual fees collected from the particular area of benefit. For the purposes of this paragraph, the term "property for which a fee was previously collected" shall be deemed to include land within any land division with respect to which such fees were paid as a condition to its approval and any building with respect to which such fees were paid as a condition to issuing a building permit therefor. For purposes of this paragraph, the term "fee collected" shall include, in the case of a subdivider who has entered into a reimbursement agreement with the city, the aggregate amount of cash fees and the value of the consideration in lieu of fees furnished by such subdivider.

Where property for which a fee was previously collected has subsequently been subdivided into more than one (1) lot, each current owner of a lot shall share in the refund payable to the owners of the property for which a fee was previously collected in the same proportion which the area of each individual lot bears to the total area of the property for which a fee was previously collected.

There shall be transferred to the city general fund any remaining portion of the surplus that has not been paid to or claimed by the persons entitled thereto within two (2) years from the date of adoption of the resolution declaring a surplus.

For the purposes of this paragraph, the term "fee collected" or any variation thereof, shall also be deemed to include the amount of fees that would have been payable by a subdivider but for furnishing consideration in lieu of fees.

***Advances and Voluntary Contributions.*** The City Council may authorize advancement of money from the city general fund or from the road fund to pay the cost of constructing any bridge project or major thoroughfare project and may reimburse such fund or funds for such advances from the planned bridge facility fund or the planned major thoroughfare fund established to finance the construction of such improvements.

Nothing in this section shall be deemed to preclude the city from providing funds for the construction of bridge facilities or major thoroughfares to defray costs not allocated to an area of benefit.

Nothing in this section shall be deemed to preclude the subdivider from volunteering to construct a bridge or major thoroughfare or part thereof, or to contribute to the cost thereof, in excess of the cost of a local facility, nor to preclude the city from participating in such construction or carrying out such construction using money so contributed.

***Transit Facilities.*** When required as a condition for approval of a tentative map, the subdivider shall dedicate or make an irrevocable offer of dedication of land within the subdivision for local transit facilities such as bus turnouts, benches, shelters, landing pads and similar items that directly benefit the residents of a subdivision.

***Railroad and Grade Crossings.*** The City Council or the Parcel Map Committee shall review proposed subdivision plans with respect to existing railroad crossings and proposed or likely grade separations or other such facilities and shall require such changes as may be necessary to ensure that the design and improvement of the subdivision does not interfere with such future grade separations or other measures. The subdivider shall dedicate or make an irrevocable offer for dedication of the rights-of-way required for any grade separation or similar improvement that the General Plan Circulation Element proposes.

**Solar Access Easements.** At such time as the city has adopted solar access standards, and when required as a condition for approval of a tentative map, the subdivider shall dedicate or make an irrevocable offer of dedication of easements for the purpose of assuring that each parcel or unit in the subdivision for which approval is sought has the ability to receive sunlight across adjacent parcels or units in the subdivision for any solar energy system. The dimensions and locations of such easements shall be in accord with any standards for solar access adopted by the City Council.

**Parkland.** As a condition of approval of a tentative map, the city shall require the subdivider to dedicate or make an irrevocable offer of dedication of land, to pay a fee in lieu thereof, or a combination of both, for neighborhood and community open space, park and recreational purposes. In order to conform to the policies of the General Plan and maintain existing standards for parks and recreation facilities, the park area required to be dedicated shall be equal to the ratio of the ultimate population of the subdivision to the current population of the city multiplied by the total park area within the city's planning area at the time of filing of the tentative but in no case shall be less than three (3) acres of park area per one thousand (1,000) persons nor more than five (5) acres per one thousand (1,000) persons who will live in the subdivision, calculated as follows:

The ultimate population of the subdivision is based upon the approved residential density and the average household size for the type of unit;

Total population of the city shall be as reported in the most recent available federal census;

Current park acreage shall be the amount of neighborhood and community park acreage identified in the General Plan or any more recent records, maps, or reports.

**Elementary School Sites.** As a condition of approval of a final subdivision map, a subdivider who develops or completes the development of one (1) or more subdivisions within one (1) or more school districts maintaining an elementary school may be required to dedicate to the school district or districts such lands as the district shall deem necessary for the purpose of constructing elementary schools necessary to assure the residents of the subdivision adequate elementary school service.

**Procedure.** The requirement of dedication shall be imposed at the time of approval of the tentative map. If within thirty (30) days after the requirement of dedication is imposed by the city the school district does not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall be automatically terminated. The required dedication may be made any time, before, concurrently with, or up to sixty (60) days after the filing of the final map on any portion of the subdivision.

**Payments to Subdivider.** The school district shall, if it accepts the dedication of land, repay the subdivider the original cost of the dedicated land, plus a sum equal to the total of the following:

Improvement Costs. The cost of any improvements to the dedicated land since acquisition by the subdivider;

Assessed Taxes. The taxes assessed against the dedicated land from the date of the school district's offer to enter into the binding commitment to accept the dedication;

Other Costs. Any other costs incurred by the subdivider to maintain the dedicated land, including interest costs incurred on any loan on the land.

**Exceptions.** The requirements for dedication shall not apply to a subdivider who has owned the land being subdivided for more than ten (10) years prior to the filing of the tentative map.

**Acceptance of Dedications.** At the time the city approves a final map or parcel map, the city shall also accept, accept subject to improvement, or reject, any offer of dedication. The Council or the City Engineer, on behalf of the City Council pursuant to Section 1806 (c) of the Streets and Highways Code, may accept said dedications. The City Clerk shall certify or state on the map the city's action.

**Offers of Dedication.** If at the time the final map is approved, any streets, paths, alleys, or storm drainage easements are rejected, the offer shall remain open and the Council or the City Engineer may, by resolution at any later date and without any further action by the subdivider, rescind the city's action and accept and open the streets, paths, alleys or storm drain easements for public use which acceptance shall be recorded in the office of the county recorder. Dedications and acceptance or rejection of parcels of land for elementary school sites, public utility and other easements on parcels of land not previously specified shall be in accordance with the provisions of the Map Act.

**Termination of Offers.** Offers of dedications may be terminated and abandoned in the same manner as prescribed for the summary vacation of streets by Part 3 (commencing with Section 8300) of Division 9 of the Streets and Highways Code.

**Recording Dedications.** The city shall record a certificate with the county recorder for any dedication in fee for public purpose or for making public improvements or constructing public facilities, other than for open space, parks, or schools. The certificate shall be attached to the map and shall contain all of the following:

The name and address of the subdivider dedicating the property.

A legal description of the real property being dedicated.

A statement that the city shall reconvey the property to the subdivider if the city makes a determination that the same public purpose for which the property was dedicated does not exist, or the property or any portion thereof is not needed for public utilities.

## **Reservations**

**General.** As a condition of approval of a tentative map, the subdivider shall reserve sites, appropriate in area and location, for parks, recreational facilities, fire stations, libraries or other public uses according to the standards and formula contained in this section.

### **Standards for Reservation.**

Such requirement is based upon an adopted specific plan or an adopted General Plan containing policies and standards for those uses, and the required reservations are in accordance with those policies and standards.

The ordinance has been in effect for a period of at least thirty (30) days prior to the filing of the tentative map.

The reserved area is of such size and shape as to permit the balance of the property within which the reservation is located to develop in an orderly and efficient manner.

The amount of land reserved will not make development of the remaining land held by the subdivider economically unfeasible. The reservation area shall conform to the adopted specific plan or General Plan and shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period; in such

event, the subdivider shall make those changes as are necessary to permit the reserved area to be developed for the intended purpose consistent with good subdividing practices.

**Procedure.** The city shall, at the time of approval of the final map or parcel map, enter into an agreement to acquire such reserved area within two (2) years after completion and acceptance of all improvements required as a condition of such map, unless such period of time is extended by mutual agreement.

**Payment.** The purchase price shall be the market value thereof at the time of the filing of the tentative map plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area.

**Termination.** If the city does not enter into a binding agreement, the reservation of such area shall automatically terminate.

## **607.02 Improvements**

**General Requirements.** The subdivider shall install improvements in accord with the general requirements set forth in this chapter; provided, however, the City Engineer or Public Works Director may require changes in typical sections and details if unusual conditions arise to warrant such changes.

**Standard Specifications.** All improvements shall conform to the requirements contained in the City of Porterville Standard Plans and Specifications, Standard Specifications for Public Works Construction, Caltrans Standard Specifications for street structural section components, and Work Area Traffic Control Handbook, as all of same now exist or are subsequently amended. Copies shall be maintained on file in the office of the City Clerk and the City Engineer or Public Works Director.

**Improvement Plans.** Construction of improvements shall not commence until calculations, plans, profiles, and specifications for such work have been submitted to and approved by the City Engineer or Public Works Director. Such items shall be approved prior to recording the final map. Construction of all improvements shall conform to the approved improvement plans and specifications and approved amendments thereto. After construction is completed, the subdivider's engineer shall show all changes made on the original set of plans and provide them to the city marked "as built plans."

**Improvement Construction Inspection and Supervision.** All improvements shall be inspected and approved by the City Engineer or Public Works Director or his authorized representative. The subdivider shall be responsible for the actions of his contractor. Twenty-four (24) hours minimum notice will be required prior to an inspection by city personnel.

**Plan Check and Inspection Fees.** Subdivider shall be required to pay a plan check and inspection fee which shall include all charges for engineering and inspection services and rendered by the city. The plan check and inspection fee shall be as indicated in the City Comprehensive Fee Schedule.

The plan check fee shall be paid prior to commencement of plan checking by the city. The inspection fee shall be paid prior to any construction work requiring inspection.

**Required Improvements Enumerated.** The subdivider shall improve, or agree to improve, all streets, highways, or ways in or adjacent to the subdivision. All improvements shall be installed to permanent line and grade in accordance with the approved improvement plans for that subdivision on file with the City Engineer or Public Works Director. Improvements which the subdivider shall make, or agree to make, at the cost of the subdivider, shall be as follows:

**Underground Utilities.** All utility distribution facilities, including but not limited to electric, communication, and cable television lines installed in and for the purpose of supplying service to any subdivision, shall be placed underground in accordance with the utility's rules and regulations on file with the California Public Utilities Commission. Equipment appurtenant to underground facilities, such as surface-mounted transformers, street light poles, pedestal mounted terminal boxes and meter cabinets and concealed ducts may be installed above the surface of the ground. The subdivider is responsible for complying with the requirements of this section and shall make the necessary arrangements with the utility companies involved for the installation of said facilities. All underground utilities, sanitary sewers, and storm drains installed in streets, service roads, alleys or highways shall be constructed in accordance with the standard specifications prior to the surfacing of such street, service road, alley or highway. Service connections for all underground utilities and sanitary sewers shall be placed in such length as will obviate the necessity for disturbing the street or alley improvements when service connections thereto are made.

**Streets.** All streets shall be graded and surfaced to cross sections and grades approved the City Engineer or Public Works Director.

**Structures.** Structures shall be installed as required for drainage, access and/or public safety. Such structures shall be placed to grades and shall be of a design approved by the City Engineer or Public Works Director.

**Grading and Drainage.** Site grading and drainage taking into consideration the drainage pattern of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved.

**Sidewalks, Curbs, Gutters and Driveway Approaches.** Curbs, gutters, sidewalks and driveway approaches shall be installed to grades approved by the City Engineer or Public Works Director.

**Sanitary Sewers.** Sanitary sewer facilities connecting with the existing city sewer system shall be installed to serve each lot and to grades, locations, design and size approved by the City Engineer or Public Works Director. No septic tanks or cesspools shall be permitted.

**Storm Drains.** Storm water sewers shall be installed as required by the City Engineer or Public Works Director.

**Water Supply.** Each unit or lot within the subdivision shall be served by an approved domestic water system.

**Fire Flow and Fire Hydrants.** As provided in the California Fire Code, an approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed. The required fire flow shall be determined by the Fire Chief.

The location, number, and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises to be protected as required and approved by the Fire Chief. All hydrants shall be accessible to the Fire Department by access roadways meeting California Fire Code requirements for "Access Roadways

for Fire Apparatus”. Such fire protection facilities including all surfaces access roads shall be installed and made serviceable by the subdivider prior to the time of construction.

When fire hydrants density, as determined by the hydrant spacing requirement, is not sufficient to provide the required fire flow, additional fire hydrants may be required by the Chief.

Design, locations, and layout of water mains and fire hydrants shall be approved by the City Engineer and the Fire Chief, and shall be installed by the subdivider.

**Subdivision Trees.** Subdivision trees and landscaping design shall be approved by the city and shall be planted at a time and in locations approved by the City Director of Parks and Leisure Services, all in general accord with the requirements of the Porterville Municipal Code.

At least one (1) tree shall be planted on each residential lot. Five (5) gallon trees shall be installed upon all lots abutting interior, local and collector street, and fifteen (15) gallon trees shall be planted upon parcels having frontage on arterial thoroughfares.

The subdivider shall be required to plant street trees at thirty-five (35) feet on center along all parkways. This includes median islands, and parkway strips located between the sidewalk and back of curb, within and/or bordering the subdivision.

**Street Signs.** Street signs shall be installed by the city at the subdivider’s expense. Any required barricades to prevent traffic access at dead-end streets shall be provided by the subdivider in accord with the standard specifications.

**Street Lights.** Street lights shall be installed by the subdivider at locations designated by the City Engineer.

**Railroad Crossings.** Provisions shall be made for any and all railroad crossings necessary to provide access to, or circulation with, the proposed subdivision, including the preparation of all documents necessary for application to the Public Utilities Commission of the State of California for the establishment and improvement of such crossing.

**Lot Corners.** The subdivider’s engineer shall set at all lot corners a marker consisting of a one (1) inch diameter iron pipe twenty-four (24) inches long, with the surveyor or engineer’s marker thereon.

**Benchmarks.** The subdivider’s engineer shall set at least two (2) bench marks in the subdivision tied to North American Vertical Datum of 1988.

**Temporary Drainage Reservoir lots.** Temporary drainage reservoir lots, when approved, shall be designed and constructed to the requirements of the City Engineer or Public Works Director and the Director of Parks and Leisure Services.

**Others.** Other improvements deemed necessary by the City Council for the public health, safety or welfare.

**Agreement for Installation of Improvements.** Prior to the approval by the City Council of the final map, the subdivider shall execute and file an agreement between the subdivider and the city, specifying a period of time, agreeable to the City Engineer or Public Works Director, which shall be not greater than one (1) year, within which he shall complete all improvement work to the satisfaction of the City Engineer or Public Works Director, and providing that if the subdivider shall fail to complete such work within such period, the city may complete the same and recover the full cost and expense thereof from the subdivider. The agreement shall also provide for inspection of all improvements by the City Engineer or Public Works Director or his authorized

representative and reimbursement to the city by the subdivider for the cost of such inspection. Such agreements may also provide:

For the construction of the improvements in units.

For an extension of time under conditions therein specified.

For the termination of the agreement upon the completion of proceedings under an assessment district act for the construction of improvements deemed by the City Engineer or Public Works Director to be at least the equivalent of the improvements specified in such agreement and required to be constructed by the subdivider.

For progress payments to the subdivider, or his order, from any deposit money which the subdivider may have made in lieu of providing a surety bond, as provided in this chapter; provided, however, that no such progress payment shall be made for more than ninety (90) percent of the value of any installment of work, and provided that each such installment of work shall be completed to the satisfaction of the City Engineer or Public Works Director.

The subdivider to arrange a preconstruction conference with the city, involving representative(s) of all contractors who are to work on the improvements, one (1) week prior to the initial start of construction.

The subdivider to give the city twenty-four (24) hours' notice to restarting work if no construction work has been done for two (2) or more prior work days.

**Construction of Improvements Absent Subdivision Agreement.** If the subdivider chooses to construct improvements absent a subdivision agreement, pertaining to the improvements to be constructed, as specified in Section 407.02(g), Agreement for Installation of Improvements, then the subdivider shall execute and file a preliminary subdivision agreement between the subdivider and the city. The preliminary subdivision agreement shall specify a period of time, not to exceed one (1) year, within which all improvements shall be completed, and providing that if the subdivider shall fail to complete such work within such period, the city may increase inspection fees to recover any additional inspection costs incurred by the city. Such agreements may also provide for:

The subdivider to arrange a preconstruction conference with the City, involving representative(s) of all contractors who are to work on the improvements, one (1) week prior to the initial start of construction.

The subdivider to give the City twenty-four (24) hours' notice to restarting work if no construction work has been done for two (2) or more prior work days.

### **Improvement Security**

**Security.** The subdivider shall file with the agreement required by the provisions of subsections (g) and (h) above, to assure his full and faithful performance thereof, a bond or security for such sum as the City Engineer deems sufficient to cover the cost of the improvements.

**Security, Form, and Amount.** Such security shall be in the manner, form, and kind provided by the Map Act and acceptable to the city attorney. The security shall be in the amount of one hundred (100) percent of the estimated cost of the improvements, conditioned upon the faithful performance of his agreement by the subdivider, and in the additional amount of one hundred (100) percent of such sum securing the payment by the subdivider to his contractor, his subcontractors, and to



persons renting equipment or furnishing labor or materials to them for improvements. The security provided shall guarantee maintenance and/or repair of all defects in required public improvements for a period of one (1) year following acceptance of said improvements by the city. In lieu of a one hundred (100) percent performance bond and one hundred (100) percent labor and materials bond, surety may be assured by the filing of a letter of credit, cash deposit, or deposit of negotiable bonds, which creates a trust fund in an amount equal to one hundred and ten (110) percent of the cost of the work estimated by the City Engineer or Public Works Director. Said trust fund shall be maintained in a financial institution subject to regulation by the state and federal government with the trust fund limited to the following conditions:

Ten (10) percent of the cost, representing a labor and materials deposit, to be retained for thirty-five (35) days after the filing of the notice of completion.

Funds may be discharged from the balance of the surety account from time to time as work is completed, up to ninety (90) percent of value of work completed, with authorization of the City Engineer until all work is completed and the notice of completion is filed; at which time the remaining funds shall be released thirty-five (35) days thereafter.

Prior to final acceptance by the city of improvements, the subdivider shall provide the city with a one (1) year maintenance bond in the amount of five (5) percent of the estimated cost of improvements.

**Completion of Work by City.** In the event the subdivider shall fail to complete all improvement work in accordance with the provisions of this Series and the city shall have completed the same, or if the subdivider shall fail to reimburse the city for the cost of incidental expenses or to cover the cost of replacement and the repair of existing streets or other improvements damaged in the development of the subdivision or requiring repair or replacement during the one (1) year guarantee period, the city shall demand performance of the agreement by the subdivider to do such work and reimburse itself for the cost of work agreed to be performed by the subdivider. If the amount of the surety bond or cash deposit exceeds all costs and expenses incurred by the city, the city shall release the remainder of such bond or certification, less the cost and expense incurred by the city. The subdivider shall be liable to the city for any costs additional to those secured in an action to be brought therefore by the city.

### **Supplemental Improvements**

**Required.** The subdivider may be required to install improvements for the benefit of the subdivision which may contain supplemental size, capacity or number for the benefit of property not within the subdivision as a condition precedent to the approval of a subdivision or parcel map, and thereafter to dedicate such improvements to the public. Supplemental size, capacity or number shall mean that size, capacity or number in excess of the minimum standard city requirements.

**Improvement Security.** When constructing off-site improvements, the subdivider shall file a bond or security in accordance with subsection (i) above for such sum as the City Engineer deems sufficient to cover the cost of the improvements to assure his full and faithful performance thereof.

**Reimbursement Agreement.** The city shall enter into an agreement for reimbursement to the subdivider. However, the subdivider shall be reimbursed only for that portion of the cost of such improvements equal to the difference between the amount it would cost the subdivider to install improvements to serve the subdivision only, and the actual cost of oversize improvements or in the case of Master Plan facilities, the subdivider is entitled to one hundred (100) percent of the reimburse cost.

**Non-Master Plan Reimbursement Procedures.** The subdivider shall submit a written request, along with supporting documentation to the City Engineer within 45 days of completion of the improvements. To pay the cost of such reimbursement, the City Council may at its discretion:

Immediately reimburse the subdivider for the entire cost of oversizing and thereafter levy a charge upon the real property benefitted thereby; or

Collect a reasonable use charge for the account of the subdividers from persons not within the subdivision using the oversized improvements.

**Master Plan Reimbursement Procedures.** Upon the expiration of thirty (30) days from the date of the notice of completion and upon full occupancy of the development or phased development, money shall be disbursed from the master plan facilities construction fund to pay for or to reimburse others for the cost of all the work referred to in said notice of completion; said money disbursed shall be the actual value of the work completed, as determined by the City Engineer. The developer shall submit all documentation necessary to support final payment within ninety (90) days of full occupancy of the development or phased development. Failure to do so shall void developer's right to request reimbursements.

### **Utility Fees and Off-Site Charges**

The subdivider shall pay utility fees for sewer, water and storm drainage as may be required by applicable Council resolution or ordinance.

Engineering plan checking, inspection fees, acreage fees and off-site charges, i.e., street signs, subdivision trees, etc., shall be paid prior to approval of the subdivision agreement by the City Council.

## **407.03 Design and Construction Standards**

### **Streets and Highways**

The street and highway design shall conform both in width and alignment with any general plan circulation element, precise street plans and other precise plans adopted by the City Council, and right-of-way for any such street or highway indicated on the General Plan or precise plans shall be dedicated to the city by the subdivider.

Streets and highways not otherwise designated on the Circulation Element of the General Plan shall not be less than those set forth in this section, except where it can be shown by the subdivider that the topography of the land is such as to justify narrower width. Increased widths may be required for bicycle lanes and, when determined necessary, by the City Council in the public interest. Approval or determination of street classification shall be made by the City Council.

Major arterial rights-of-way shall not be less than one hundred sixteen (116) feet in width.

Minor arterial rights-of-way shall not be less than ninety-four (94) feet in width.

Collectors without on-street parking rights-of-way shall not be less than fifty-three (54) feet in width.

Collectors with median and without on-street parking rights-of-way shall not be less than sixty-five (68) feet in width.

Collectors with on-street parking rights-of-way shall not be less than sixty-seven (70) feet in width.

Local residential rights-of-way shall not be less than forty-seven (50) feet in width.

Local commercial street rights-of-way shall not be less than sixty (62) feet in width.

Cul-de-sac or other dead-end street serving less than ten (10) homes shall not be less than forty-seven (50) feet in width.

**Relationship to Existing Streets.** The street system in the proposed subdivision shall relate functionally to the existing streets in the area adjoining the subdivision and be designed to maximize access points to existing local and collector streets.

**Center Lines.** The center lines of all streets, wherever practicable, shall be the continuations of the center lines of existing streets, or shall be offset at least one hundred fifty (150) feet.

**Intersections.** Each street intersection shall be as near to a right angle as is practicable, and no intersection of streets at angles less than sixty (60) degrees shall be approved, unless necessitated by topographical conditions as determined by the City Engineer or Public Works Director.

**Corner Cut-Offs.** At street intersections, the block corners shall have a corner cut-off sufficient to accommodate a City Standard Street Intersection Return, inclusive of a wheelchair ramp.

**Cul-de-Sac or Dead-End Streets.** Cul-de-sac or dead-end street shall be no more than six hundred (600) feet in length and shall have a turnaround having a minimum radius of 47 feet, measured to the property line, and minimum of forty (40) feet to curb face unless the City Engineer determines that such turnaround is not necessary.

Culs-de-sac and dead end streets shall be prohibited in R districts except where necessary to give access to or permit satisfactory future development of adjoining land. If culs-de-sac and dead end streets cannot be avoided, bicycle and pedestrian connections shall be provided from the cul-de-sac or dead end street to nearby public areas and city streets.

Culs-de-sac and dead end streets shall be avoided in all other districts. If culs-de-sac and dead end streets cannot be avoided, bicycle and pedestrian connections shall be provided from the cul-de-sac or dead end street to nearby public areas and main streets.

**Curve Radius.** The center line curve radius on all streets shall be designed in accordance with acceptable safe engineering practices. In no case shall the curve radius for an arterial be less than five hundred (500) feet. Center line curve radius on all other streets shall not be less than two hundred (200) feet.

**Frontage Streets.** When any lots front or side on any arterial, collector, expressway or freeway, the subdivider may be required to dedicate and improve a frontage street to provide ingress to and egress from such lots. Residential properties shall not take access to/from arterial or collector streets.

**Private Roads and Alleys.** Private roads and alleys shall not be permitted unless a Conditional Use Permit is approved by the City Council and, if approved, all private roads or alleys shall be constructed to city standards. Private roads and alleys shall also comply with Section 408.01(e) Warranty and Reserves.

**Grades of Streets.** Streets shall not be less than 0.2 percent and not greater than seven (7) percent, unless because of topographical conditions or other exceptional conditions the City Engineer determines that a grade less than 0.2 percent, or in excess of seven (7) percent, is necessary.

**Fire Hydrants.** The position of any street within twenty (20) feet of a fire hydrant shall not have a grade in excess of seven (7) percent to allow for the positioning of a fire suppression unit.

**Access on Arterials.** Arterial streets shall not be used to provide direct access to individual single-family residential lots. When the rear or side of any lot borders an arterial, the subdivider may be

required to execute and deliver to the city an instrument prohibiting the right of vehicular ingress and egress from said arterial to said lot.

**Access on Collectors.** The use of a collector as primary direct access to individual single-family residential lots shall not be allowed. When the rear or side of any lot borders a collector, the subdivider may be required to execute and deliver to the city an instrument prohibiting the right of vehicular ingress and egress from said collector to said lot.

## **Alleys**

The City Council, for any one (1) of the following reasons, may require alleys (if alleys are required, they shall be constructed to city standards):

Unusual size, shape or topographical character of the property to be subdivided.

The relationship to existing or proposed commercial, industrial or high density residential development or adjacent active railroad right-of-way.

The special nature of the design or density of a residential subdivision where dwellings are grouped in such a manner as to require access from other than the street frontage.

The need to maintain continuity of existing alleys where the property to be subdivided is located immediately between existing residential blocks where alleys are provided.

Residential alleys shall have a minimum dedicated width of twenty (20) feet.

Alleys shall be provided where needed to serve existing or proposed commercial or industrial areas, and shall have a minimum dedicated width of thirty (30) feet, with adequate provisions for ingress and egress.

A twenty (20) foot corner diagonal right-of-way cutoff, measured along the property lines from the point of intersection, will be required where two (2) alleys intersect. An ADA compliant accessibility ramp shall be constructed pursuant to the city design standards.

Alleys shall be so laid out and aligned as to provide reasonable access for utilities and other services.

Dead-end alleys shall be prohibited.

## **Pedestrian Ways**

Pedestrian ways ten (10) feet or more in width may be required:

Through the middle of blocks that are more than six hundred (600) feet in length;

To connect culs-de-sac;

To provide access to playgrounds, parks, schools, shopping centers, or similar community facilities; and/or

To provide access to trails or bikeways shown in the General Plan.

The subdivider shall install paving, landscaping, and fences as approved by the City Council or Parcel Map Committee unless otherwise waived.

**Bikeways.** Bikeways shall be required in all locations shown in the General Plan or as approved by the City Council or Parcel Map Committee. Bikeway width, paving, landscaping, fencing, and signs shall be as approved by the City Council or Parcel Map Committee.

## **Street Names**

All street names shall be approved by the City Council. Duplication of existing names shall not be allowed, unless the streets are approximately in alignment with existing streets and not so far removed as to be confusing.

Names of through streets in a north-south alignment shall be followed by the designation “street,” and the names of through streets in an east-west alignment shall be followed by the designation “avenue.”

Cul-de-sac streets in a north-south alignment shall be followed by the designations of either “place,” “way” or “drive,” and cul-de-sac streets in an east-west alignment shall be followed by the designations of either “lane,” “circle” or “court.”

## **Blocks**

**Block Length.** Blocks shall not exceed six hundred (600) feet in length, unless existing adjacent property alignment, topographic, or traffic conditions justify a variation. Blocks longer than six hundred (600) feet in length shall provide mid-block pedestrian crossings so that there is no more than six hundred (600) feet of continuous block without a pedestrian crossing. Blocks in the HZ Overlay zone are exempt from the block length limitations and requirement for mid-block crossings.

**Block Width.** The width of each block shall be sufficient for an ultimate layout of two (2) tiers of lots, therein of a size required by the provisions of this chapter, unless the conditions justify or make necessary a variation from this requirement.

## **Lots**

**Lot Width.** Each residential lot or parcel shall have frontage width of not less than that required by this Ordinance except as approved by the City Council as provided for in Section 400.05, Authority to Vary Regulations.

**Lot Depth.** Lot depths shall not exceed two and one-half (2.5) times the proposed lot width except where existing topography makes such dimensions infeasible.

**Lot Area.** The area of all lots shall comply with the requirements of this Ordinance relative to each particular zoning district.

**Lot Frontage.** Lots shall have a single frontage on a street; double frontage lots or lots without street frontage will not be permitted except where, in the opinion of the City Council, topographic or unusual physical conditions justify a deviation from this rule.

**Flag Lot.** Residential flag lots may be permitted with a Parcel Map, if it meets the standard requirements for lot width and lot depth.

**Side Lines.** The side lines of lots shall, wherever practicable, be required to run at right angles or radially to the street upon which the lot faces.

**Lot Numbering.** Lot numbers shall begin with the numeral "1", and shall continue consecutively through all of the units of the tract with no omissions or duplications, and no block numbers shall be used.

**Division of Lots.** No lot shall be divided by a county, city, school, or any other taxing district boundary lines.

***Suitability of Lots.*** All lots shall be suitable for the purpose for which they are intended to be used. Land subject to flooding or deemed by the Parcel Map Committee or City Council to be non-buildable shall be indicated on the final map.

***Land Remnants.*** All remnants of below-minimum size left over after the subdivision of a larger tract must be added to adjacent lots rather than allowed to remain as unusable parcels.

### **Access Limitation Strips**

A one (1) foot access limitation strip shall be provided at the dead end of a stubbed street or at the edge of a partial width street, and shall be offered for dedication to the city for future street purposes.

Access limitation strips shall be designated on the final map of the subdivisions and shall be specifically referred to in dedication and acceptance certificates.

**Landscaping and Lighting Maintenance Districts.** Each subdivision shall be subject to the creation of a Landscaping and Lighting Maintenance District in compliance with the Landscaping and Lighting Act of 1972 (Streets and Highways Code §22500 et. Seq.) to address the extension of improvements such as but not limited to lighting, common landscape areas, including pocket parks, perimeter walls, drainage systems beneficial to specific subdivision, drainage reservoirs, and open space areas, and the maintenance of such facilities through appropriate mechanisms as approved by the City Attorney. If a Landscaping and Lighting Maintenance District, Benefit Assessment District, or similar district is required, the following standards apply:

Prior to the approval of improvement plans for a development, the applicant shall submit the following information for the establishment of a landscaping and lighting maintenance district, the extension of the subject improvements into the assessment area, and the maintenance of the improvements once constructed:

A petition on a form provided by the city requesting to have the subdivision placed in a district at the time the final map is approved by the city.

Completed and approved landscaping and lighting improvement plans, and legal description.

The district shall be established, or the annexation into an existing district concluded, and improvements completed and accepted concurrently with the other improvements in the subdivision.

Exclusive of assessments for a district, the applicant shall pay all service fees and maintain all new district improvements in a safe and healthy manner for the greater of a ninety (90) day plant establishment period following acceptance of the subdivision improvements, or until assessment begins for the district.

**Waiver of Right to Protest District Formation.** Prior to final map approval, each subdivider shall record a document waiving their right to protest a new assessment or an assessment increase equal to or less than a CPI adjustment for a city-wide Landscaping and Lighting Maintenance District or other maintenance district when at least fifty-one (51) percent of the city is already in such district under the provisions of Government Code Section 53753.

**Grading and Erosion Control.** Every map approved pursuant to this Series shall be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to off-site property, set forth in the California Building Code of the most

recently adopted edition. Steep terrain and other topographical features may limit the abilities of a subdivider to perform mass grading operations. At the discretion of the City Engineer or Public Works Director, individual grading plans for each individual lot may be submitted with the building permit in lieu of a mass grading plan normally submitted with the improvement plans.

### **Protection of Natural Features and Trees**

**Natural Features.** Significant rock outcroppings and other unusual land forms shall be shown and identified on the tentative map and on improvement and landscape plans. Such features shall be preserved as required by the Parcel Map Committee or City Council.

#### **Trees.**

All existing trees six (6) inches in diameter or over shall be shown on the tentative map with a notation as to the size, species and dripline. Trees that are part of an agricultural crop may be shown as the outer extent of the planting with a notation as to the species and average tree size and dripline.

Existing trees six (6) inches or over in diameter may be required to be preserved. In cases where tree preservation is required, all grading and necessary tree trimming shall be conducted in accordance with an arborist's recommendations for tree preservation.

Trees within a proposed public right-of-way shall be removed only for good cause to protect the public safety or to allow the installation of adequate public facilities as may be approved by the City Engineer/Public Works Director and the Zoning Administrator.

**Storm Water Management Plan.** Every map approved pursuant to this Series shall be conditioned to comply with the requirements of the City's Storm Water Management Plan, which includes measures that control construction site run-off and post-construction run-off.

### **Watercourses**

In accordance with Sections 66478.1 through 66478.10 inclusive of the Subdivision Map Act, if the land division will front upon a public waterway, river, or stream, as defined in Section 66478.4(c), access routes and easements along the bank shall be provided as follows:

The land division shall provide, or have available, reasonable public access by fee or easement from a public highway to that portion of the bank of such river or stream bordering or lying within the proposed land division, as determined by the Parcel Map Committee or City Council in accordance with Section 66478.5 of the California Government Code;

The land division shall provide for a dedication of a public easement along a portion of the bank of such river or stream bordering or lying within the proposed land division, as determined by the City Council in accordance with Section 66478.5 of the California Government Code; and

The Parcel Map Committee or City Council shall determine the governmental entity to which such access route or easement shall be dedicated, and all dedications shall be in accordance with Section 66478.6 of the California Government Code.

In accordance with Section 66478.12 of the California Government Code, if the land division will front upon any lake or reservoir that is owned in part or entirely by any public agency, including but not limited to the United States, State of California, or the City of Porterville, the land division shall be provided with or have available reasonable access by fee or easement from public highways to the water of the lake or reservoir upon which the land division borders either within the land division or a reasonable distance from the land division, as determined by the City Council

or the Parcel Map Committee, as appropriate, in accordance with said statute. The Parcel Map Committee or City Council shall determine the governmental entity to which such dedication shall be made.

If a land division is traversed by a river, stream, or creek, the subdivider shall leave such river, stream, or creek in its natural condition whenever practical. Sufficient right-of-way shall be dedicated to the city or other public entity and improved for flood control purposes as necessary to accommodate flows of water that would be generated by a flood of one hundred (100) year frequency. In the event that a land division is to front upon a river, stream, or creek, the provisions of this paragraph shall apply to that portion of the bank thereof bordering or lying within the proposed land division. The Parcel Map Committee or City Council shall determine the governmental entity to which such dedication shall be made.

The City Council may disapprove a tentative map because of flood hazard and inundation, or require protective improvements to be constructed as a condition precedent to approval of the map.

### **Drainage Reservoirs**

Temporary drainage reservoirs will only be allowed in areas where it has been determined by the City Engineer or Public Works Director that it is not practical to implement the intent of the latest adopted version of the Storm Drain Master Plan. Landscape and irrigation systems shall be installed as approved by the Director of Parks and Leisure Services. Maintenance of these facilities shall be part of the maintenance district created for the benefit of the subdivision.

Temporary drainage reservoirs may be approved until such time as Storm Drain Master facilities are available for connection and shall be dedicated to the city as an easement.

Drainage Reservoirs designated in the Storm Drain Master Plan shall be considered permanent facilities and title of the land shall be held by the city in fee. Property acquisitions shall be in the form of a dedication or purchased in accordance with the City's Storm Drain Master Plan and City's Property and Right-of-Way Acquisitions Policy and Procedures Manual. Landscaping and irrigation systems shall be installed as approved by the Director of Parks and Leisure Services.



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## Common Interest Developments (Condominiums)

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### Sections:

|        |                                                   |
|--------|---------------------------------------------------|
| 408.01 | New Residential Condominiums                      |
| 408.02 | Residential Condominium Conversions               |
| 408.03 | New Commercial and Industrial Condominiums        |
| 408.04 | Commercial and Industrial Condominium Conversions |

### 408.01 New Residential Condominiums

**Purpose.** The ownership of residential condominiums is distinguished by a sharing of responsibility that is not common to most other types of residential development. As a result, the purpose of this Series is to establish criteria for the construction of new residential condominiums to prevent problems inherent in community ownership that might be detrimental to the health, safety, and welfare of residents of such projects and the community at large.

**Applicability.** The regulations set forth in this Series shall apply to the construction of new residential condominiums.

**Conditional Use Permit and Maps Required.** A conditional use permit and tentative map approved by the City Council is required for all residential condominium applications.

**Application and Fees.** The applicant of a proposed condominium project shall submit the required number of copies of the Conditional Use Permit application and tentative maps to the Zoning Administrator, together with the requested filing. In addition to the required permit and map submittals, the applicant shall submit:

**Development Plan.** Schematic development plans with dimensions, consisting of at least a site plan, parking plan, typical floor plan, and building elevations showing natural and proposed grades;

**Landscaping Plan.** A preliminary landscaping plan of the project indicating the types and sizes of landscaping materials and permanent irrigation facilities;

**Department of Real Estate Application.** A copy of the project application submitted to the State of California's Department of Real Estate for a subdivision public report;

**Conditions, Covenants, and Restrictions.** The proposed conditions, covenants, and restrictions (CC&Rs); and

**Additional Information.** Any other information the Zoning Administrator finds necessary to evaluate the project.

### Warranty and Reserves

**Warranty for Improvements.** The subdivider shall provide to the Homeowners' Association and/or purchaser a one (1) year warranty on all physical improvements required under this Ordinance.

**Long Term Reserves.** Prior to approval of the final map, or parcel map if no final map is required, the subdivider shall provide evidence to the city that a long-term reserve fund for replacement has been established in the name of the homeowners' association. Such fund shall equal two (2) times the estimated monthly homeowner's assessment for each dwelling unit.

**Covenants, Conditions, and Restrictions.** Project covenants, codes, and restrictions (CC&Rs) shall be developed, and shall be reviewed and approved by the City Attorney and Zoning Administrator prior to approval of the Final or Parcel Map. In addition to the following provisions, the CC&Rs shall reference by incorporation the approved Conditions of Approval, and shall be recorded in conjunction with the Final or Parcel Map.

**Conveyance of Private Open Space.** The surface area and appurtenant air space of Private Open Space areas, including but not limited to the patio, deck, balcony, solarium, or atrium and any integral portion of that space that may exceed the minimum area requirements, shall be described and conveyed in the grant deed as an integral part of the unit.

**Assignment and Use of Required Parking Spaces.** Required parking spaces shall be permanently and irrevocably specifically assigned to particular units within the project. To the maximum practicable extent, the spaces assigned to each unit shall be contiguous. In no case shall the private storage area of one (1) unit overhang or take its access from the required parking space of another unit. All studio and one (1) bedroom units shall be assigned one (1) parking space and may rent additional spaces from the Homeowners' Association. An occupant of a unit with two (2) or more bedrooms may rent one (1) parking space back to the Homeowners' Association. All parking spaces, except those specifically designated for recreational vehicles, shall be used solely for the purpose of parking motor vehicles as defined by the California Vehicle Code, and shall not be used for trailers, unmounted campers, boats, or similar recreational vehicles.

**Maintenance of Common Area.** Provision shall be made both for annual assessments of the owners for maintenance and special assessments for capital improvements. The amount of the regular annual assessment and the procedure for its change shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair, or replacement of a capital improvement upon the Common Area shall be specified. Both annual and special assessments may be collected on a monthly basis. The remedies which the Homeowners' Association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment. Assignment of the maintenance responsibilities of all improvements and utility systems for each unit shall be specified.

**Utility Easements over Private Streets and Other Areas.** Required public utility easements shall be referenced and any required access routes necessary to assure that firefighting equipment can reach and operate efficiently in all areas.

**Access for Construction, Maintenance, or Repairs.** Each Owner and the Homeowners' Association shall have an easement for entry upon any privately owned unit, where necessary, in connection with construction, maintenance, or repair for the benefit of the Common Area or the owners of the units in common.

**Right to Terminate Management and Maintenance Contracts.** Unless otherwise prohibited by law, or any local, state, or federal regulation, reference shall be made to the Homeowners' Association's right to terminate the contract of any person or organization engaged by the developer to perform management or maintenance duties three (3) months after the Homeowners' Association assumes control of the project, or at that time renegotiate any such contracts.

**CC&R Amendments.** A statement that the CC&Rs shall not be amended, modified, or changed without first obtaining the written consent of the city.

## 408.02 Residential Condominium Conversions

**Purpose.** The purpose of this Series is to establish criteria for the conversion of existing multiple-family rental housing to condominiums and to reduce the impact of such conversions on residents in rental housing who may be required to relocate due to the conversion.

**Applicability.** The regulations set forth in this Series shall apply to the conversion of existing multiple-family rental housing to condominiums. This Series shall not apply to a “limited-equity housing cooperative” as defined in Section 11003.4 of the California Business and Professional Code.

**Conditional Use Permit and Maps Required.** A conditional use permit and tentative map approved by the City Council is required for all residential condominium conversion applications.

**Application and Fees.** The applicant of a proposed condominium conversion project shall submit the required number of copies of the Conditional Use Permit application and tentative maps to the Zoning Administrator, together with the requested filing and inspection fees. In addition to the required permit and map submittals, the applicant shall submit:

**Physical Elements Report.** A report prepared by a registered engineer or architect or licensed qualified contractor describing the physical elements of all structures and facilities. The report shall include, but not be limited to, the following:

**Structural Condition of Elements.** A report detailing the structural condition of all elements of the property, including foundations, electrical, plumbing, utilities, walls, roofs, ceilings, windows, recreational facilities, sound transmission of each building, mechanical equipment, parking facilities and appliances. The report shall state, to the best knowledge or estimate of the applicant, when such element was built; the condition of each element; when said element was replaced; the approximate date upon which said element will require replacement; the cost of replacing said element; and any variation of the physical condition of said element from the current zoning and from the Building Code in effect on the date that the last building permit was issued for the subject structure. The report shall identify any defective or unsafe elements and set forth the proposed corrective measures to be employed.

**Pest Control.** A report from a licensed structural pest control operator, on each structure and each unit within the structure.

**Soil Conditions.** A report on soil and geological conditions regarding soil deposits, faults, and groundwater in the vicinity of the project and a statement regarding any known evidence of soils problems relating to the structures. Reference shall be made to any previous soils reports for the site and a copy submitted with said report.

**Repairs and Improvements.** A statement of repairs and improvements to be made by the subdivider necessary to refurbish and restore the project to achieve a high degree of appearance and safety.

**Covenants, Conditions and Restrictions.** The proposed covenants, conditions and restrictions (CC&Rs).

**Notice of Intent to Convert.** Signed copies from each tenant of Notice of Intent to Convert, as specified in subsection (g) below. The subdivider shall submit evidence that a letter of notification was sent to each tenant for whom a signed copy of said notice is not submitted. This requirement shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

**Additional Information.** Any other information the Zoning Administrator finds necessary to evaluate the project.

### **Filing and Processing**

**Acceptance of Reports.** The final form of the Physical Elements Report and other documents shall be as approved by the city. The reports in their acceptable form shall remain on file with the Community Development Department for review by any interested persons. The report shall be referenced in the staff report and presented to City Council. **Submittal of Budget.** Prior to final map approval, the subdivider shall provide the city with a copy of the proposed budget for maintenance and operation of common facilities, including needed reserves. The budget shall show estimated monthly costs to the owner of each unit, projected over a five (5) year period, or such time as is required by the Department of Real Estate. Such budget shall be prepared or reviewed and analyzed by a professional management firm, experienced with management of condominium complexes. The management firm shall submit a statement of professional qualifications.

**Copy to Buyers.** The subdivider shall provide each purchaser with a copy of all submittals (in their final, acceptable form) required by subsection (d) above prior to said purchaser executing any purchase agreement or other contract to purchase a unit in the project, and said developer shall give the purchaser sufficient time to review said information. Copies of the submittals shall be made available at all times at the sales office and shall be posted at various locations, as approved by the city, at the project site. Copies shall be provided to the homeowners' association upon its formation.

**Final Information Submitted.** No later than six (6) months from the date the subdivider closes escrow on the first sale of a unit, the subdivider shall submit the following information to the Community Development Department:

Name, address and phone number of Homeowners' Association;

Actual sale price of units;

Actual Homeowners' Association fee;

Number of prior tenants who purchased units; and

Number of units purchased with intent to be used as rentals.

**Development Standards.** All condominium conversions must conform to the Porterville Municipal Code in effect at the time of tentative map approval except as otherwise provided in this Series. The Building Official shall perform an assessment of building conditions prior to tentative map approval. A report of building code violations shall accompany the tentative map staff report and presented to the City Council, as the case may be. A physical inspection of every unit shall be required prior to final map approval or tentative map approval if no final map is required.

**Modification of Development Standards.** The base district development standard requirements of Series 200, Base Districts, may be modified by the City Council based on findings that the quality of life accommodated by the project will not be compromised and that residents will benefit from other amenities that are located in close proximity to the project site.

**Warranty for Improvements.** The subdivider shall provide to the Homeowners' Association and/or purchaser a one (1) year warranty on all physical improvements required under this section.

**Long Term Reserves.** Prior to approval of the final map, or parcel map if no final map is required, the subdivider shall provide evidence to the city that a long-term reserve fund for replacement has

been established in the name of the homeowners' association. Such fund shall equal two (2) times the estimated monthly homeowner's assessment for each dwelling unit.

**Tenant Provisions.** Notices to tenants shall be provided as required in Section 66427.1 of the Subdivision Map Act. All written notices to tenants required by this section shall be deemed satisfied if such notices comply with the legal requirements for service by mail. In addition, at least three (3) days before any hearing or action on a proposed tentative map for a conversion, the Community Development Department shall provide a copy of the staff report to the subdivider and to each tenant of the property.

**Notice of Intent.** A notice of intent to convert shall be delivered by the Subdivider to each tenant at least sixty (60) days prior to filing of the tentative map. The form of the notice shall be in the form outlined in Section 66452.9 of the Subdivision Map Act and approved by the Zoning Administrator.

**Notice of Public Report.** Each tenant shall receive ten (10) days' written notice that an application for a public report will be or has been submitted to the Department of Real Estate and that such report will be available on request.

**Notice of Final Map Approval.** Each tenant shall receive written notification within 10 days of approval of a final map for the proposed conversion.

**Tenant's Right to Purchase.** Any present tenant shall be given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than ninety (90) days from the date of issuance of the subdivision public report unless the tenant gives prior written notice of his or her intention not to exercise the right. Evidence of receipt by each tenant shall be submitted prior to approval of the final map.

**Vacation of Units.** Each tenant not in default under the obligations of the rental agreement or lease under which he/she occupies his/her unit shall be given one hundred eighty (180) days' written notice of intention to convert his or her unit prior to termination of tenancy. The subdivider shall notify each tenant immediately prior to the time of final map approval of the anticipated date required to vacate the unit. Evidence of receipt by each tenant shall be submitted prior to approval of the final map.

**No Increase in Rents.** The rents charged tenants at the time when a completed tentative map application was accepted by the Community Development Department shall not be increased for two (2) years from that acceptance time, or until the unit is sold or the subdivision is denied, withdrawn or reverted to acreage. The increase in rent on a unit which has been vacated after receipt of the application by the Community Development Department shall not be subject to control.

**Notice to New Tenants.** At least thirty (30) days prior to the filing of the tentative map, the subdivider shall give notice of the filing of the map to each person applying after such date for rental of a unit immediately prior to acceptance of any rent or deposit. The notice shall be in the form outlined in Section 66452.8(b) of the Subdivision Map Act and shall advise the prospective tenant that notice will be provided at least one hundred eighty (180) days prior to the actual conversion. If the subdivider fails to give notice in accordance with this section, he or she shall pay to each prospective tenant who becomes a tenant and who was entitled to such notice and who does not purchase his or her unit, an amount equal to two (2) times monthly rent for moving expenses.

**Covenants, Conditions, and Restrictions.** Project covenants, conditions, and restrictions (CC&Rs) shall be developed, and shall be reviewed and approved by the City Attorney and Zoning Administrator prior to approval of the Final or Parcel Map. In addition to the following provisions, the CC&Rs shall reference by incorporation the approved Conditions of Approval, and shall be recorded in conjunction with the Final or Parcel Map.

**Conveyance of Private Open Space.** The surface area and appurtenant air space of Private Open Space areas, including but not limited to the patio, deck, balcony, solarium, or atrium and any integral portion of that space that may exceed the minimum area requirements, shall be described and conveyed in the grant deed as an integral part of the unit.

**Assignment and Use of Required Parking Spaces.** Required parking spaces shall be permanently and irrevocably specifically assigned to particular units within the project. To the maximum practicable extent, the spaces assigned to each unit shall be contiguous. In no case shall the private storage area of one (1) unit overhang or take its access from the required parking space of another unit. All studio and one (1) bedroom units shall be assigned one (1) parking space and may rent additional spaces from the Homeowners' Association. An occupant of a unit with two (2) or more bedrooms may rent one (1) parking space back to the Homeowners' Association. All parking spaces, except those specifically designated for recreational vehicles, shall be used solely for the purpose of parking motor vehicles as defined by the California Vehicle Code, and shall not be used for trailers, unmounted campers, boats, or similar recreational vehicles.

**Maintenance of Common Area.** Provision shall be made both for annual assessments of the owners for maintenance and special assessments for capital improvements. The amount of the regular annual assessment and the procedure for its change shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair, or replacement of a capital improvement upon the Common Area shall be specified. Both annual and special assessments may be collected on a monthly basis. The remedies which the Homeowners' Association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment. Assignment of the maintenance responsibilities of all improvements and utility systems for each unit shall be specified.

**Utility Easements over Private Streets and Other Areas.** Required public utility easements shall be referenced and any required access routes necessary to assure that firefighting equipment can reach and operate efficiently in all areas.

**Access for Construction, Maintenance, or Repairs.** Each Owner and the Homeowners' Association shall have the right to enter upon any privately owned unit, where necessary, in connection with construction, maintenance, or repair for the benefit of the Common Area or the owners of the units in common.

**Right to Terminate Management and Maintenance Contracts.** Unless otherwise prohibited by law, or any local, state, or federal regulation, reference shall be made to the Homeowners' Association's right to terminate the contract of any person or organization engaged by the developer to perform management or maintenance duties three (3) months after the Homeowners' Association assumes control of the project, or at that time renegotiate any such contracts.

**CC&R Amendments.** A statement that the CC&Rs shall not be amended, modified, or changed without first obtaining the written consent of the city.

**Required Findings.** In addition to any other findings that this Subdivision Ordinance requires, the City Council shall not approve a final map for conversion unless it finds that each tenant has been

given and received notice in compliance with the requirements of Section 66427.1 of the Subdivision Map Act.

### **408.03 New Commercial and Industrial Condominiums**

**Purpose.** The ownership of commercial and industrial condominiums is distinguished by a sharing of responsibility that is not common to most other types of development. As a result, the purpose of this Series is to establish criteria for the construction of new commercial and industrial condominiums to prevent problems inherent in community ownership that might be detrimental to the health, safety, and welfare of residents of such projects and the community at large.

**Applicability.** The regulations set forth in this Series shall apply to the creation of new commercial and industrial condominiums.

If a commercial or industrial condominium is proposed in combination with a residential condominium, the requirements of this section and Section 408.01, New Residential Condominiums, shall be read together, with the relevant requirements applying to the portions of the project.

**Conditional Use Permit and Maps Required.** A conditional use permit and tentative map approved by the City Council is required for all commercial and industrial condominium applications.

**Application and Fees.** The applicant of a proposed commercial or industrial condominium project shall submit the required number of copies of the Conditional Use Permit application and tentative maps to the Zoning Administrator, together with the requested filing fee. In addition to the required permit and map submittals, the applicant shall submit:

**Development Plan.** A development plan of the project including location and sizes of structures, exterior elevations, parking layout, and access areas;

**Landscaping Plan.** A preliminary landscaping plan of the project indicating the types and sizes of landscaping materials and permanent irrigation facilities;

**Reserve Fund Study.** A reserve study showing the amount which must be set aside as long-term reserves for capital and maintenance replacement.

**Conditions, Covenants, and Restrictions.** The proposed conditions, covenants, and restrictions (CC&Rs); and

**Additional Information.** Any other information the Zoning Administrator find necessary to evaluate the project.

**Development Standards.** In addition to the development standards contained in the Municipal Code that permit commercial and industrial condominiums, the following development standards shall apply:

#### ***Sound Transmission.***

***Shock Mounting of Mechanical Equipment.*** All permanent mechanical equipment, such as motors, compressors, pumps, and compactors, which is determined by the Building Official to be a source of structural vibration or structure-borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the Building Official.



**Noise Standards.** Common walls and floors between dwelling and tenant units shall comply with the California Building Code provisions governing noise resistance for newly constructed common wall and floors.

**Trash and Recycling Collection Areas.** Trash and recycling collection areas shall be provided within two hundred fifty (250) feet of the units they are designed to serve, and shall comply with the City of Porterville specifications for trash enclosures.

**Utilities.** All units shall have separate gas and electric meters and provisions for individual shut-off of all utility valves, including water.

**Warranty for Improvements.** The subdivider shall provide to the Condominium Association and/or purchaser a one (1) year warranty on all physical improvements required under this section.

**Long Term Reserves.** Prior to approval of the final map, or parcel map if no final map is required, the subdivider shall provide evidence to the city that a long-term reserve fund for replacement has been established in the name of the condominium association. Such fund be based on a reserve study showing the amount which must be set aside monthly for the reserve account.

**Covenants, Conditions, and Restrictions.** Project covenants, conditions, and restrictions (CC&Rs) shall be developed, and shall be reviewed and approved by the City Attorney and Zoning Administrator prior to approval of the Final or Parcel Map. In addition to the following provisions, the CC&Rs shall reference by incorporation the approved Conditions of Approval, and shall be recorded in conjunction with the Final or Parcel Map.

**Maintenance of Common Area.** Provision shall be made both for annual assessments of the owners for maintenance and special assessments for capital improvements. The amount of the regular annual assessment and the procedure for its change shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair, or replacement of a capital improvement upon the Common Area shall be specified. Both annual and special assessments may be collected on a monthly basis. The remedies which the Condominium Association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment. Assignment of the maintenance responsibilities of all improvements and utility systems for each unit shall be specified.

**Utility Easements over Private Streets and Other Areas.** Required public utility easements shall be referenced and any required access routes necessary to assure that firefighting equipment can reach and operate efficiently in all areas.

**Access for Construction, Maintenance, or Repairs.** Each Owner and the Condominium Association shall have the right to enter upon any privately owned unit, where necessary, in connection with construction, maintenance, or repair for the benefit of the Common Area or the owners of the units in common.

**Right to Terminate Management and Maintenance Contracts.** Unless otherwise prohibited by law, or any local, state, or federal regulation, reference shall be made to the Condominium Association's right to terminate the contract of any person or organization engaged by the developer to perform management or maintenance duties three (3) months after the Condominium Association assumes control of the project, or at that time renegotiate any such contracts.

**CC&R Amendments.** A statement that the CC&Rs shall not be amended, modified, or changed without first obtaining the written consent of the city.

## 408.04 Commercial and Industrial Condominium Conversions

**Purpose.** The ownership of commercial and industrial condominiums is distinguished by a sharing of responsibility that is not common to most other types of development. As a result, the purpose of this section is to establish criteria for the conversion of existing buildings to commercial or industrial condominiums to prevent problems inherent in community ownership that might be detrimental to the health, safety, and welfare of residents of such projects and the community at large.

**Applicability.** The regulations set forth in this section shall apply to the conversion of existing buildings into commercial or industrial condominiums.

If a commercial or industrial condominium conversion is proposed in combination with a residential condominium, the requirements of this section and Section 408.03, New Commercial and Industrial Condominiums, shall be read together, with the relevant requirements applying to the portions of the project.

**Conditional Use Permit and Maps Required.** A conditional use permit and tentative map approved by the City Council is required for all commercial and industrial condominium conversion applications.

**Application and Fees.** The applicant of a proposed commercial or industrial condominium conversion project shall submit the required number of copies of the Conditional Use Permit application and tentative maps to the Zoning Administrator, together with the requested filing fee. In addition to the required permit and map submittals, the applicant shall submit:

**Physical Elements Report.** A report prepared by a registered engineer or architect or licensed qualified contractor describing the physical elements of all structures and facilities. The report shall include, but not be limited to, the following:

*Structural Condition of Elements.* A report detailing the structural condition of all elements of the property, including foundations, electrical, plumbing, utilities, walls, roofs, ceilings, windows, recreational facilities, sound transmission of each building, mechanical equipment, parking facilities and appliances. The report shall state, to the best knowledge or estimate of the applicant, when such element was built; the condition of each element; when said element was replaced; the approximate date upon which said element will require replacement; the cost of replacing said element; and any variation of the physical condition of said element from the current zoning and from the California Building Code in effect on the date that the last building permit was issued for the subject structure. The report shall identify any defective or unsafe elements and set forth the proposed corrective measures to be employed.

*Pest Control.* A report from a licensed structural pest control operator, on each structure and each unit within the structure.

*Soil Conditions.* A report on soil and geological conditions regarding soil deposits, faults, and groundwater in the vicinity of the project and a statement regarding any known evidence of soils problems relating to the structures. Reference shall be made to any previous soils reports for the site and a copy submitted with said report.

*Repairs and Improvements.* A statement of repairs and improvements to be made by the subdivider necessary to refurbish and restore the project to achieve a high degree of appearance and safety.

**Notice to Tenants.** Evidence of written notice provided to each tenant explaining that the owner intends to apply to the city for a condominium conversion. The notice to tenants must be sent at least one hundred and eighty days (180) before the application is submitted to the city, and further notice must be given to any tenant who occupies the building after the original notice was sent.

**Plot Plan.** A plot plan of the project including location and sizes of structures, square footage of each building and unit, exterior elevations, parking layout, and access areas;

**Budget.** A proposed budget for maintenance and operation of common facilities, including needed reserves. The budget shall show estimated monthly costs to the owner of each unit, projected over a five (5) year period. Such budget shall be prepared or reviewed and analyzed by a professional management firm, experienced with management of similar condominium complexes. The management firm shall submit a statement of professional qualifications.

**Conditions, Covenants, and Restrictions.** The proposed conditions, covenants, and restrictions (CC&Rs); and

**Additional Information.** Any other information the Zoning Administrator find necessary to evaluate the project.

### **Filing and Processing**

**Acceptance of Reports.** The final form of the Physical Elements Report and other documents shall be as approved by the city. The reports in their acceptable form shall remain on file with the Community Development Department for review by any interested persons. The report shall be referenced in the staff report and presented to City Council.

**Copy to Buyers.** The subdivider shall provide each purchaser with a copy of all submittals (in their final, acceptable form) required by Section 408.04(d), Application and Fees, prior to said purchaser executing any purchase agreement or other contract to purchase a unit in the project, and said developer shall give the purchaser sufficient time to review said information. Copies of the submittals shall be made available at all times at the sales office and shall be posted at various locations, as approved by the city, at the project site. Copies shall be provided to the condominium association upon its formation.

**Development Standards.** All condominium conversions must conform to the Porterville Municipal Code in effect at the time of tentative map approval except as otherwise provided in this section. The Building Official shall perform an assessment of building conditions prior to tentative map approval. A report of building code violations shall accompany the tentative map staff report and presented to the City Council. A physical inspection of every unit shall be required prior to final map approval or tentative map approval if no final map is required. In addition to the requirements required in other sections of the Municipal Code, the conversion shall comply with the following requirements:

### **Sound Transmission**

**Shock Mounting of Mechanical Equipment.** All permanent mechanical equipment, such as motors, compressors, pumps, and compactors, which is determined by the Building Official to be a source of structural vibration or structure-borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the Building Official.

**Noise Standards.** The structure shall conform to all interior and exterior sound transmission standards of the Municipal Code. Common walls and floors between dwelling and tenant

units/spaces shall comply with the California Building Code provisions governing noise resistance for newly constructed common wall and floors. In such cases where present standards cannot reasonably be met, the applicant may be required to notify potential buyers of the noise deficiency currently existing within these units.

***Trash and Recycling Collection Areas.*** Trash and recycling collection areas shall be provided within two hundred fifty (250) feet of the units they are designed to serve, and shall comply with the City of Porterville specifications for trash enclosures.

***Utilities.*** All units shall have separate gas and electric meters and provisions for individual shut-off of all utility valves, including water.

***Warranty for Improvements.*** The subdivider shall provide to the Condominium Association and/or purchaser a one (1) year warranty on all physical improvements required under this section.

***Long Term Reserves.*** Prior to approval of the final map, or parcel map if no final map is required, the subdivider shall provide evidence to the city that a long-term reserve fund for replacement has been established in the name of the condominium association. Such fund be based on a reserve study showing the amount which must be set aside monthly for the reserve account.

***Covenants, Conditions, and Restrictions.*** Project covenants, condition, and restrictions (CC&Rs) shall be developed, and shall be reviewed and approved by the City Attorney and Zoning Administrator prior to approval of the Final or Parcel Map. In addition to the following provisions, the CC&Rs shall reference by incorporation the approved Conditions of Approval, and shall be recorded in conjunction with the Final or Parcel Map.

***Maintenance of Common Area.*** Provision shall be made both for annual assessments of the owners for maintenance and special assessments for capital improvements. The amount of the regular annual assessment and the procedure for its change shall be specified. The manner in which special assessments may be levied for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair, or replacement of a capital improvement upon the Common Area shall be specified. Both annual and special assessments may be collected on a monthly basis. The remedies which the Condominium Association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment. Assignment of the maintenance responsibilities of all improvements and utility systems for each unit shall be specified.

***Utility Easements over Private Streets and Other Areas.*** Required public utility easements shall be referenced and any required access routes necessary to assure that firefighting equipment can reach and operate efficiently in all areas.

***Access for Construction, Maintenance, or Repairs.*** Each Owner and the Condominium Association shall have the right to enter upon any privately owned unit, where necessary, in connection with construction, maintenance, or repair for the benefit of the Common Area or the owners of the units in common.

***Right to Terminate Management and Maintenance Contracts.*** Unless otherwise prohibited by law, or any local, state, or federal regulation, reference shall be made to the Condominium Association's right to terminate the contract of any person or organization engaged by the developer to perform management or maintenance duties three (3) months after the Condominium Association assumes control of the project, or at that time renegotiate any such contracts.

***CC&R Amendments.*** A statement that the CC&Rs shall not be amended, modified, or changed without first obtaining the written consent of the city.

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## Amendments and Enforcement

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### Sections:

- 409.01          Correction and Amendments of Maps
- 409.02          Enforcement and Judicial Review

### **409.01          Correction and Amendment of Maps**

**Applicability.** The city may approve corrections and amendments to the following maps:

#### ***Tentative Maps***

*Minor Changes.* Minor changes in an approved tentative map may be approved by the Zoning Administrator and City Engineer upon application by the subdivider provided that:

No lots, units or building sites or structures are added;

Changes are consistent with the intent and spirit of the original tentative map approval; and

There are no resulting violations of the Municipal Code.

*Substantive Changes.* Amendments of an approved tentative map for a subdivision that, in the opinion of the Zoning Administrator and City Engineer are not minor, shall be presented to the City Council for approval subject to the procedures for processing a tentative map set forth in Chapter 402, Tentative Maps. The Zoning Administrator and City Engineer may approve substantive changes to an approved tentative parcel map in the same manner set forth in Chapter 405, Parcel Maps.

*Effect of Amendments.* Any approved amendment shall not alter the expiration date of the tentative map.

***Final Map/Parcel Map.*** Amendments to a final map or parcel map may be made in any of the following instances without providing public notice:

To correct an error in any course or distance shown on the map.

To show any course or distance that was omitted from the map.

To correct an error in the description of the real property shown on the map.

To indicate monuments set after the death, disability, replacement or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.

To show the proper location of any monument that has been changed in location, or character, or that was originally shown at the wrong location or incorrectly as to its character.

To correct any additional information filed or recorded as part of the final map in accordance with Section 66434.2 of the Subdivision Map Act, if the correction does not impose any additional burden on the present owners of the property and does not alter any right, title, or interest in the property reflected on the recorded map.

To correct any other type of map error or omission as approved by the City Engineer that does not affect any property right. Errors and omissions may include, but not be limited to, lots and numbers, acreage, street names and identification of adjacent record maps. Error does not include changes in courses or distances from which an error is not ascertainable from the data shown on the final map.

To make modifications when there are changes that make any or all of the conditions of the map no longer appropriate or necessary and:

The modifications do not impose any additional burden on the owners of the property;

The modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and

The city finds that the map as modified does not meet the findings in Section 400.04, Grounds for Denial.

**Form and Contents.** Amendments to final maps/and parcel maps may be made with a certificate of correction or an amending map. The amending map or certificate of correction shall be prepared by a Registered Civil Engineer or Licensed Land Surveyor. The form and contents of the amending maps shall conform to the applicable requirements of this Series. The amending map shall set forth in detail the corrections made and show the names of the owners of the property affected by the correction or omission as of the date of the filing or recording of the original recorded map.

### **Review and Approval**

**General Review.** The amending map or certificate of correction shall be submitted to the City Engineer for review and approval, accompanied by the required fee. The City Engineer shall examine the amending map or certificate of correction and, if the only changes are those set forth in subsection (a)(2) above, the City Engineer shall certify to this fact on the amending map or certificate of correction.

**Certificate of Correction.** The City Engineer shall have twenty (20) days to examine the certificate of correction for compliance with subsections (a) (b) above, endorse a statement on it of his or her examination and certification, and present it to the County Recorder for recordation. If the City Engineer determines that the certificate of correction fails to comply with this section, the City Engineer shall return the certificate to the applicant with a written statement of the changes necessary. The City Engineer shall have ten (10) days after resubmission and approval of the amended certificate of correction to present it to the County Recorder for recordation.

**Filing with the County Recorder.** The amending map or certificate of correction certified by the City Engineer shall be filed or recorded in the office of the Tulare County Recorder in which the original map was filed. Upon such filing or recordation, the County Recorder shall index the names of the fee owners and the appropriate subdivision designation shown on the amending map or certificate of correction in the general index and map index, respectively. The amending map or certificate of correction shall set forth in detail the corrections made and show the names of the fee owners of the real property affected by the correction or omission on the date of the filing or recording of the original recorded map. The original map shall be deemed to have been conclusively so corrected and shall impart constructive notice of all the corrections in the same manner as though upon the original map. Upon recordation of a certificate of correction, the Tulare County Recorder shall within 60 days of recording transmit a certified copy to the county surveyor or county engineer who shall maintain an index of recorded certificates of correction.

## 409.02 Enforcement and Judicial Review

**Purpose.** This section establishes procedures the City will use to enforce the requirements of this Series, including compliance with any conditions of approval imposed to protect public health, safety, and welfare and promote development in accordance with the General Plan.

### Prohibition

***No Sale or Lease Until Final Maps or Parcel Maps Are in Full Compliance.*** No person shall sell, lease, or finance any parcel or parcels of real property, or commence construction of any building for sale, lease or financing except for model homes, or allow occupancy thereof, for which a final map or parcel map is required by this Series or the Subdivision Map Act, until a map, in full compliance with the provisions of this Series and the Subdivision Map Act, has been filed with the Tulare County Recorder.

***No Conveyances Made by Parcel Number Until Final Maps or Parcel Maps are Filed.*** Conveyances of any part of a division of real property for which a final map or parcel map is required shall not be made by parcel number, letter or other designation, unless and until the final map or parcel map has been filed for record with the Tulare County Recorder.

### Exceptions

This section does not apply to any parcel or parcels of a subdivision offered for sale or lease, contracted for sale or lease, or sold or leased in compliance with or exempt from any law regulating the design and improvement of subdivisions in effect at the time the subdivision was established.

400.01.1.1.4 Paragraphs (1) and (2) above shall not prohibit an offer or contract to sell, lease, or finance real property or to construct improvements thereon where the sale, lease or financing, or the commencement of construction, is expressly conditioned upon the approval and filing of a final or parcel map. This section shall not, in any way, modify or affect the provisions of Section 11018.2 of the Business and Professions Code. For purposes of this section, the limitation period for commencing an action, either civil or criminal, against the subdivider or owner of record at the time of a violation of this Series or the Subdivision Map Act, shall be tolled for any time period during which there is no constructive notice of the violation, because the owner of record, at the time of the violation or at any time thereafter, failed to record a deed, lease, or financing document with the County Recorder.

### Remedies

***Voidable Sale.*** Any deed of conveyance, sale or contract to sell real property that has been divided, or that has resulted from a division, in violation of the provisions of this Series or the Subdivision Map Act, is voidable at the sole option of the grantee, buyer or person contracting to purchase, any heir, personal representative, or trustee in insolvency or bankruptcy within one (1) year after the date of discovery of the violation. The deed of conveyance, sale, or contract to sell is binding upon any successor in interest of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor or person contracting to sell, or his or her assignee, heir or devisee.

***Action in Superior Court.*** Any grantee, or successor in interest, of real property that has been divided, or that has resulted from a division, in violation of the provisions of this Series or the Subdivision Map Act may, within one (1) year of the date of discovery of such violation, bring an



action in the superior court to recover any damages suffered by reason of the division of property. The action may be brought against the person who divided the property in violation and against any successors in interest who have actual or constructive knowledge of such division of property.

**Exceptions**

*Certificate of Compliance.* The provisions of this section shall not apply to the conveyance of any parcel of real property identified in a certificate of compliance filed in accordance with subsection (e) below, or identified in a recorded final map, from and after the date of recording.

*Other Provisions of Law.* The provisions of this section shall not limit or affect in any way the rights of a grantee or successor in interest under any other provision of law.

**Effect on City Permits and Approvals**

***No Issuance of Permit or Approval.*** The city shall not issue a permit or grant any approval necessary to develop any real property that has been divided, or that has resulted from a division, in violation of the provisions of this Series or the Subdivision Map Act if it finds that development of the real property is contrary to the public health or the public safety. The authority to deny a permit or approval shall apply whether the applicant was the owner of the real property at the time of the violation or whether the applicant is the current owner of the real property, with or without actual or constructive knowledge of the violation at the time of the acquisition of interest in the real property.

***Imposing Additional Conditions.*** If the city issues a permit or grants approval for the development of any real property illegally subdivided, it may impose only those conditions that would have been applicable to the division of the property at the time the applicant acquired his or her interest in the property, and that had been established at such time by this Series. If the applicant was the owner of record at the time of the initial violation, the city may impose conditions applicable to a current division of the property. If a conditional certificate of compliance has been filed for record in accordance with subsection (e) below, only those conditions stipulated in that certificate shall be applicable.

***The issuance of a permit or grant of approval*** for development of real property, or with respect to improvements that have been completed prior to the time a permit or grant of approval for development was required by the Municipal Codes in effect at the time of the improvement, or with respect to improvements that have been completed in reliance upon a permit or grant of approval for development, shall constitute “real property which has been approved for development,” for purposes of the Subdivision Map Act, and upon request by the person owning the real property or a vendee of such persons pursuant to a contract of sale, the local agency shall issue a certificate of compliance for the affected real property.

**Certificate of Compliance.** Any person owning real property or in contract of sale of the real property may request the Zoning Administrator to determine whether such property complies with the provisions of this Series and the Subdivision Map Act. A recorded final map or parcel map shall constitute a certificate of compliance with respect to the parcels of real property described.

**Form and Contents.** An application for a determination of compliance shall be submitted to the Community Development Department together with a plat map, required fee, and such information the city deems necessary, including, but not limited to:

The name or names of owners of the parcel.

The assessor parcel number or numbers of the parcel.

The number of parcels for which the certificate of compliance or conditional certificate of compliance is being issued and recorded.

The legal description of the parcel or parcels for which the certificate of compliance or conditional certificate of compliance is being issued and recorded.

A notice stating: “This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.”

Any conditions to be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property, as specified in the conditional certificate of compliance.

***Determination of Compliance.*** If the Zoning Administrator determines that the real property complies with this Series and the Subdivision Map Act, the Zoning Administrator shall forward a certificate of compliance to be filed for record with the County Recorder. The certificate of compliance shall identify the real property and shall state that the division of land complies with this Series and the Subdivision Map Act.

***Determination of Non-Compliance.*** If the Zoning Administrator determines that the real property does not comply with the provisions of this Series or the Subdivision Map Act, the Zoning Administrator shall issue a conditional certificate of compliance by imposing any conditions that would have been applicable to the division of land at the time the applicant acquired his or her interest and that had been established at that time by this Series and the Subdivision Map Act.

***Recording the Certificate.*** Upon making a determination and establishing the conditions, the Zoning Administrator shall file a conditional certificate of compliance for record with the County Recorder. The certificate shall serve as notice to the property owner who has applied for the certificate, a grantee of the property owner, or any subsequent transferee or assignee of the property, that the fulfillment and implementation of the conditions shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property. Compliance with these conditions shall not be required until a permit or other grant of approval for development of the property is issued.

## **Notice of Violation**

***Notice of Intention.*** If the Zoning Administrator has knowledge that real property has been divided in violation of the provisions of this Series or the Subdivision Map Act, a notice of intention to record a notice of violation shall be mailed by certified mail to the current owner of record. The notice shall describe the property in detail, name the owner, describe the violation, and state that the owner will be given opportunity to present evidence. The notice shall specify the date, time and place for a meeting at which the owner may present evidence to the Zoning Administrator why a notice of violation should not be recorded.

***Determination by the Zoning Administrator.*** The meeting shall be held no sooner than thirty (30) days and no later than sixty (60) days from the date of mailing. If, within fifteen (15) days of receipt of the notice, the owner fails to notify the Zoning Administrator objecting to the recording of the notice of violation, the Zoning Administrator shall record it. If, after the owner presents evidence,

the Zoning Administrator determines that the property has in fact been illegally divided, the Zoning Administrator shall record the notice of violation. If, after the owner presents evidence, the Zoning Administrator determines that there has been no violation, the Zoning Administrator shall mail a clearance letter to the owner.

**Notice of Violation.** The notice of violation, when recorded, shall be constructive notice of the violation to all successors in interest in the property.

**Penalties.** A violation of this Series by a person who is the subdivider or an owner of record, at the time of the violation, of property involved in the violation is punishable by imprisonment in the county jail not exceeding one (1) year or in the state prison, by a fine not exceeding \$10,000, or by both fine and imprisonment. Every other violation of this Series is a misdemeanor.

**Judicial Action.** Any action or proceeding to attack, review, set aside, void or annul the decision of the City Engineer, Zoning Administrator, or City Council concerning a subdivision, or of any of the proceedings, acts or determinations taken, done or made prior to such decision, or to determine the reasonableness, legality or validity of any condition attached thereto, shall not be maintained by any person unless the action or proceeding is commenced and service of summons effected within ninety (90) days after the date of the decision. Thereafter, all persons are barred from any such action or proceeding or any defense of invalidity or unreasonableness of the decision or of the proceedings, acts or determinations. Any such proceeding shall take precedence over all matters of the calendar of the court except criminal, probate, eminent domain and forcible entry and unlawful detainer proceedings.

**Other Legal Action.** This Series does not bar any legal, equitable or summary remedy to which the city or other public agency, or any person, firm or corporation may otherwise be entitled, and the city or other public agency, or any person, firm or corporation may file a suit in the superior court of Tulare County, to restrain or enjoin any attempted or proposed subdivision for sale, lease or financing in violation of this Series or the Subdivision Map Act.

# Series 700: General Terms

## Chapter 700 List of Terms and Definitions

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### Sections:

|        |               |
|--------|---------------|
| 700.01 | List of Terms |
| 700.02 | Definitions   |

### 700.01 List of Terms

|                                       |                                      |
|---------------------------------------|--------------------------------------|
| Abutting or Adjoining                 | ARC Districts                        |
| Accessory Building                    | (Agriculture/Rural/Conservation      |
| Accessory Structure                   | Districts)                           |
| Accessory Use                         | Area, Gross                          |
| Acre, Gross                           | Balcony                              |
| Acre, Net                             | Base District                        |
| Adjacent                              | Bedroom                              |
| Affordable Housing Terms              | Bicycle Parking, Long-term           |
| <i>Additional Incentive</i>           | Bicycle Parking, Short-term          |
| <i>Affordable Rent</i>                | Block                                |
| <i>Affordable Sales Price</i>         | Blockface                            |
| <i>Density Bonus</i>                  | Building                             |
| <i>Density Bonus Units</i>            | Building Footprint                   |
| <i>Economically Feasible</i>          | Building Front                       |
| <i>Housing Cost</i>                   | Building Height                      |
| <i>Lower Income Household</i>         | Building, Accessory                  |
| <i>Maximum Residential Density</i>    | Building, Main                       |
| <i>Moderate Income Household</i>      | C Districts (Commercial Districts)   |
| <i>Regulatory Agreement</i>           | California Building Code (CBC)       |
| <i>Senior Citizen</i>                 | California Environmental Quality Act |
| <i>Senior Citizen Housing</i>         | (CEQA)                               |
| <i>Development</i>                    | Carport                              |
| <i>Target Unit</i>                    | City                                 |
| <i>Very Low Income Household</i>      | City Council                         |
| Aggrieved Person                      | City Engineer                        |
| Alley                                 | Code Enforcement Officer             |
| Alteration                            | Commercial Vehicle                   |
| Americans with Disabilities Act (ADA) | Compatible                           |
| Animal-Related Terms                  | Condition of Use                     |
| <i>Household Pet</i>                  | Conditionally Permitted              |
| <i>Livestock</i>                      | Construction                         |

Conversion  
County  
Crew Quarters  
D Districts (Downtown Districts)  
Deck  
Demolition  
Density  
Development  
Development Agreement  
Development Ordinance  
District  
Double Frontage Lot  
Drive-Through Facilities  
Driveway  
Dwelling Unit  
Easement  
Effective Date  
Emergency  
Environmental Impact Report (EIR)  
Façade  
Family  
Fence  
Feasible  
Floor Area  
Floor Area Ratio  
Foot-candle  
Footprint  
Freeway  
Frontage, Street (Frontage, Lot)  
Garage  
General Plan  
Glare  
Gross Leasable Area  
Ground Floor  
Habitable Area  
Hazardous Materials  
Heat  
Height  
Home Occupation  
Household  
Illegal Use  
In-Lieu Fees  
Institute for Transportation Engineers (ITE)  
Intensity of Use  
International Building Code

Intersection, Street  
Kitchen  
Land Division Terms  
*Abut*  
*Access, Approved*  
*Adjoin*  
*Applicant*  
*Arterial*  
*Block*  
*Centerline*  
*Collector Street*  
*Community Apartment Project*  
*Condominium*  
*Condominium Project*  
*Conversion*  
*Cul-de-sac*  
*Design*  
*Final Map*  
*Flood or Flooding*  
*Frontage Road*  
*Improvements*  
*Industrial Street*  
*Local Street*  
*Lot Line Adjustment*  
*Map Act*  
*Merger*  
*Minor Street*  
*Parcel*  
*Parcel Map*  
*Preliminary Map*  
*Private Street*  
*Public Improvement*  
*Remainder*  
*Standard Plans and Specifications*  
*Stock Cooperative*  
*Subdivider*  
*Subdivision*  
*Subdivision Design*  
*Tentative Map*  
*Tentative Parcel Map*  
*Vesting Tentative Map*  
Landscaping  
Landscaping Terms  
*Automatic Controller*  
*Backflow Prevention Device*  
*Anti-drain or check Valve*

|                              |                                          |
|------------------------------|------------------------------------------|
| <i>Controller</i>            | <i>Noise</i>                             |
| <i>Emitter</i>               | <i>Noise Level Reduction (NLR)</i>       |
| <i>Hydrozone</i>             | Nonconforming Use and Development        |
| <i>Irrigation Efficiency</i> | Terms                                    |
| <i>Operating Pressure</i>    | <i>Abandoned</i>                         |
| <i>Overspray</i>             | <i>Illegal Nonconforming Building or</i> |
| <i>Runoff</i>                | <i>Use</i>                               |
| Lighting Terms               | <i>Nonconforming Building or</i>         |
| <i>Foot-candle</i>           | <i>Structure</i>                         |
| <i>Light Fixture</i>         | <i>Nonconforming Lot</i>                 |
| <i>Light Fixture Cutoff</i>  | <i>Nonconforming Sign</i>                |
| Full cutoff                  | <i>Nonconforming Use</i>                 |
| Cutoff                       | Nuisance                                 |
| Semi-cutoff                  | Occupancy, Change In                     |
| Non-cutoff                   | On-Site Loading Facilities               |
| <i>Shielded Fixture</i>      | On-Site                                  |
| Living Room                  | Open Space Types                         |
| Long-Term Parking            | <i>Private Open Space</i>                |
| Lot                          | <i>Common Open Space</i>                 |
| Lot Area                     | <i>Usable Open Space</i>                 |
| Lot Coverage                 | Opposite                                 |
| Lot Depth                    | Outdoor Storage                          |
| Lot Frontage                 | Owner                                    |
| Lot Line                     | Parking Area                             |
| Lot Line Types               | Permit                                   |
| <i>Front Lot Line</i>        | Permitted Use                            |
| <i>Interior Lot Line</i>     | Person                                   |
| <i>Rear Lot Line</i>         | Persons with Disabilities                |
| <i>Side Lot Line</i>         | Porch                                    |
| <i>Street Side Lot Line</i>  | Pre-existing                             |
| Lot Types                    | Project                                  |
| <i>Lot, Corner</i>           | Public Works Director                    |
| <i>Lot, Flag</i>             | Qualified Applicant                      |
| <i>Lot, Interior</i>         | Queuing Area                             |
| <i>Lot, Key</i>              | R District (Residential District)        |
| <i>Lot, Reversed Corner</i>  | Recreational Vehicle                     |
| <i>Lot, Through</i>          | Redevelopment Agency                     |
| Lot Width                    | Rescission                               |
| Maintenance and Repair       | Right-of-Way                             |
| Manufactured Home            | Sexually Oriented Business Terms (see    |
| Medical Marijuana Dispensary | Section 301.17, Sexually Oriented        |
| Mobile Home                  | Businesses)                              |
| Noise Terms                  | Screening                                |
| <i>Ambient Noise Level</i>   | Setback                                  |
| <i>Decibel</i>               | Sidewalk                                 |
| <i>Mobile Noise Source</i>   | Sign-Related Terms                       |

|                                       |                                           |
|---------------------------------------|-------------------------------------------|
| <i>Abandoned Sign</i>                 | <i>Temporary Sign</i>                     |
| <i>Animated Sign</i>                  | <i>Vehicle Display Sign</i>               |
| <i>Area of Sign</i>                   | <i>Vehicle for Sale Sign</i>              |
| <i>Awning Sign</i>                    | <i>Wall Sign</i>                          |
| <i>Balloon</i>                        | <i>Window Sign</i>                        |
| <i>Banner</i>                         | Site                                      |
| <i>Building Frontage</i>              | Specific Plan                             |
| <i>Building-Mounted Sign</i>          | State                                     |
| <i>Can Sign (Box Sign)</i>            | Story                                     |
| <i>Canopy</i>                         | Strip Mall                                |
| <i>Center Identification Sign</i>     | Street                                    |
| <i>Changeable Copy Sign</i>           | Structural Alteration                     |
| <i>Channel Letters</i>                | Structure                                 |
| <i>Construction Sign</i>              | <i>Accessory Structure</i>                |
| <i>Directional Sign</i>               | <i>Permanent Structure</i>                |
| <i>Electronic Message Center Sign</i> | <i>Primary Structure (Main Structure)</i> |
| <i>Fence Sign</i>                     | <i>Temporary Structure</i>                |
| <i>Flag</i>                           | Swimming Pool                             |
| <i>Freestanding Sign</i>              | Tandem Parking                            |
| <i>Height</i>                         | Telecommunication Terms                   |
| <i>Identifiable Area</i>              | <i>Antenna</i>                            |
| <i>Identification Sign</i>            | <i>Amateur Radio Antenna</i>              |
| <i>Illegal Sign</i>                   | <i>Camouflage</i>                         |
| <i>Illuminated Sign</i>               | <i>Co-location</i>                        |
| <i>Inflatable Sign</i>                | <i>Communication Tower</i>                |
| <i>Logo</i>                           | <i>Ground Mounted</i>                     |
| <i>Marquee Sign</i>                   | <i>Monopole</i>                           |
| <i>Mansard</i>                        | <i>Wireless Telecommunications</i>        |
| <i>Master Sign Program</i>            | <i>Facility</i>                           |
| <i>Monument Sign</i>                  | Temporary Uses                            |
| <i>New Subdivision</i>                | <i>Garage Sales</i>                       |
| <i>Neon Sign</i>                      | <i>Model Homes</i>                        |
| <i>Off-site Advertising Sign</i>      | <i>Outdoor Sales, Temporary and</i>       |
| <i>Off-site Directional Sign</i>      | <i>Seasonal</i>                           |
| <i>Parapet</i>                        | Unit                                      |
| <i>Pennant</i>                        | Use                                       |
| <i>Pole Sign</i>                      | Use, Primary                              |
| <i>Political Sign</i>                 | Use, Accessory                            |
| <i>Portable Sign</i>                  | Use, Sensitive                            |
| <i>Projecting Sign</i>                | Variance                                  |
| <i>Real Estate Sign</i>               | Vibration                                 |
| <i>Roof Sign</i>                      | Visible                                   |
| <i>Sign</i>                           | Weekday                                   |
| <i>Sign Area</i>                      | Yard                                      |
| <i>Sign Copy</i>                      | <i>Front Yard</i>                         |
| <i>Sign Face</i>                      | <i>Interior Side Yard</i>                 |

*Street Side Yard*  
*Rear Yard*

Zoning Administrator  
Zoning District

## **700.02 Definitions**

**Abutting or Adjoining.** Having a common border, boundary, or lot line. Lots or parcels of land that touch at corners only shall not be deemed adjoining.

**Accessory Building.** *See Building, Accessory.*

**Accessory Structure.** *See Structure, Accessory.*

**Accessory Use.** *See Use, Accessory.*

**Acre, Gross.** A measure of total land area of a lot or site, including areas to be dedicated for public rights-of-way, streets, schools, or other dedications.

**Acre, Net.** A measure of land area of a lot or site remaining after dedication of all areas for public rights-of-way, streets, schools, or other dedications.

**Adjacent.** Directly abutting, having a boundary or property line(s) in common or bordering directly, or contiguous to.

**Affordable Housing Terms.** The following terms are related to Chapter 302, Affordable Housing Density Bonus and Other Incentives.

***Additional Incentive.*** A benefit offered by the City to facilitate construction of eligible projects as defined by the provisions of Chapter 302. Benefits may include, but are not limited to, priority processing, fee deferments and waivers, the modification of site development standards or zoning code requirements, or any other regulatory incentive which would result in identifiable cost avoidance or reductions that are offered in addition to a density bonus.

***Affordable Rent.*** Monthly housing expenses, including a reasonable allowance for utilities, for rental target units reserved for very low, lower or moderate income households, not exceeding the following calculations:

- (1) *Very Low Income:* Fifty (50) percent of the area median income for the county, adjusted for household size, multiplied by thirty (30) percent and divided by twelve (12); and
- (2) *Lower Income:* Sixty (60) percent of the area median income for the county, adjusted for household size, multiplied by thirty (30) percent and divided by twelve (12).



**Affordable Sales Price.** A sales price at which lower or very low income households can qualify for the purchase of target units, calculated on the basis of underwriting standards of mortgage financing available for development.

**Density Bonus.** A minimum increase in the number of dwelling units authorized for a particular parcel of land of at least twenty-five (25) percent over the otherwise maximum residential density.

**Density Bonus Units.** Residential units granted pursuant to the provisions of Chapter 302, Affordable Housing Density Bonus and Other Incentives, which exceed the otherwise maximum residential density for the development site.

**Economically Feasible.** Economically feasible means when a housing project can be built with a reasonable rate of return. The housing developer's financial ability to build the project shall not be a factor.

**Household Type.** Type of household classified according to whether the occupants of the housing units are very low income, lower income, or senior citizens.

**Housing Cost.** The sum of actual or projected monthly payments for all of the following associated with for-sale target units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowners' association fees, and a reasonable allowance for utilities.

**Lower Income Household.** A household whose gross income is as established by Health and Safety Code Section 50079.5.

**Maximum Residential Density.** The maximum number of residential units allowed by the General Plan range specified on the land use map of the City's General Plan.

**Moderate Income Household.** A household whose gross income is as established by Health and Safety Code Section 50093.

**Regulatory Agreement.** A legally binding agreement between a developer and the City to ensure that the requirements of Chapter 302, Affordable Housing Density Bonus and Other Incentives are satisfied. The agreement, among other things, shall establish: the number of target units, their size, location, terms, and conditions of affordability, and production schedule.

**Senior Citizen.** Persons who are:

- (1) At least sixty-two (62) years of age; or
- (2) At least fifty-five (55) years of age in a senior citizen housing development, as defined by state and federal law.

**Senior Citizen Housing Development.** Residential development of one (1) of the following types:

- (1) Assisted housing units for senior citizens; or
- (2) Housing intended for, and solely occupied by, persons at least sixty-two (62) years of age; or
- (3) Housing consisting of at least one hundred fifty (150) units in which eighty (80) percent of the units have at least one (1) person aged fifty-five (55) or older and which provide special facilities and services designed for seniors. Eligibility for a density bonus or other incentive for senior citizen units must be in conformity with state and federal laws governing senior housing projects.

**Target Unit.** A dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low, lower or moderate income, or senior citizen households.

**Very Low Income Household.** A household whose gross income is as established by Health and Safety Code Section 50105.

**Aggrieved Person.** Any person who, in person or through a representative, appeared at a City public hearing in conjunction with a decision or action appealed or who, by other appropriate means prior to a hearing, informed the local government of the nature of his or her concerns or who, for good cause, was unable to do either.

**Alley.** A public way permanently reserved primarily for secondary vehicular service access to the rear or side of properties otherwise abutting on a street.

**Alteration.** Any change, addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs. *See also "Structural Alterations" for modifications to any of the supporting members of a structure.*

**Americans with Disabilities Act (ADA).** United States Public Law 101-336, 104 Stat. 327 (July 26, 1990), codified at 42 U.S.C. Section 12101 et seq.

**ARC Districts (Agriculture/Rural/Conservation Districts).** One (1) or more of the following districts: AC Agriculture/Conservation or RR Rural Residential.

**Area, Gross.** The horizontal area within the boundaries of a lot or site including any area for future streets, parks, and other dedications.

**Balcony.** A platform that projects from the wall of a building thirty (30) inches or more above grade.

**Base District.** A zoning district that includes use, height, bulk, space, and development standards for the regulation of development in a particular area.

**Bedroom.** Any room located within a dwelling unit that is used primarily for sleeping purposes by its residents and that contains at least seventy (70) square feet of floor area. Rooms designated as a “den”, “library”, “study”, “loft” or other extra room that satisfies this definition and is not a kitchen, living room, or bath will be considered a bedroom.

**Bicycle Parking, Long-term.** Bicycle parking that is designed to serve employees, students, residents, commuters, and others who generally stay at a site for four (4) hours or longer.

**Bicycle Parking, Short-term.** Bicycle parking that is designed to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of less than four (4) hours.

**Block.** The frontage along one (1) side of a street between the two (2) nearest intersecting streets.

**Blockface.** All property between two (2) intersections that fronts upon a street or abuts a public right-of-way.

**Building.** Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials.

**Building Footprint.** *See Footprint.*

**Building Front.** That portion of the main building which affords public entry. In the case of a building with more than one (1) public entry, the entrance with the assigned address shall be considered the main public entry.

**Building Height.** *See Height.*

**Building, Accessory.** A subordinate building, the use of which is incidental to that of the main building on the same lot.

**Building, Main.** A building in which is conducted the principal use of the lot on which it is situated.

**C Districts (Commercial Districts).** One (1) or more of the following districts: CN Neighborhood Commercial, CR Retail Center, CG General and Service Commercial or CMX Commercial Mixed-Use.

**California Building Code.** The latest edition of the California Building Code, as adopted by and in effect in the City.

**California Environmental Quality Act (CEQA).** State law, pursuant to California Public Resources Code Section 21000 et. seq. or any successor statute, that requires public agencies to document and consider the environmental effects of a proposed action before a decision.

**Carport.** An accessory structure that is roofed but permanently open on at least two (2) sides and maintained for the storage of motor vehicles.

**City.** The City of Porterville.

**City Council.** The City Council of the City of Porterville.

**City Engineer.** The City Engineer of the City of Porterville.

**Code Enforcement Officer.** A Code Enforcement Officer is defined under Chapter 2, Article IV, of the City of Porterville Municipal Code.

**Commercial Vehicle.** Any vehicle currently registered as such with the state Department of Motor Vehicles or equivalent out-of-state or federal agency and is used primarily in the conduct of a business as opposed to private family or individual use.

**Compatible.** That which is harmonious with and will not adversely affect surrounding buildings and/or uses.

**Condition of Use.** A development standard determined to be necessary to permit the harmonious classification of a use as listed in a district and therefore a prerequisite to place, or for application to place, such use as classified.

**Conditionally Permitted.** Permitted subject to approval of a Conditional Use Permit or Site Plan Review.

**Construction.** Construction, erection, enlargement, alteration, conversion or movement of any building, structures, or land together with any scientific surveys associated therewith.

**Conversion.** A change of a residential dwelling, including a mobile home lot in a mobile home park, as defined in Section 18214 of the Health and Safety Code, or a residential hotel, as defined in paragraph (1) of subdivision (b) of Section 50519 of the Health and Safety Code, to a condominium, cooperative, or similar form of ownership; or a change of a residential dwelling, including a mobile home lot in a mobile home park, or a residential hotel to a nonresidential use.

**County.** The County of Tulare.

**Crew Members.** People that make up the crew of an aircraft, including the pilot, co-pilots, flight engineers, observers, control officers, essential maintenance personnel, and personnel that support the operation of the aircraft's activity such as paramedics, nurses, and incidental passengers that travel to or from the site of the aircraft in the aircraft in flight.

**Crew Quarters.** Temporary or permanent facilities that house crew members of an aircraft on a temporary basis.

**D Districts (Downtown Districts).** One (1) or more of the following districts: DR-N Downtown Retail – North of Olive Avenue, DR-S Downtown Retail – South of Olive Avenue, DR-D Downtown Retail – D Street Corridor, D-MX Downtown Mixed-Use, D-PO Downtown Professional Office, D-CG Downtown General and Service Commercial, D-PS Downtown Public and Semi Public, DRM-2 Downtown Medium Density Residential, and DRM-3 Downtown High Density Residential.

**Deck.** A platform, either freestanding or attached to a building, that is supported by pillars or posts. See also "Balcony."

**Demolition.** The intentional destruction and removal of any structure or portion thereof, including a residential dwelling, including a mobile home, as defined in Section 18008 of the Health and Safety Code, or a mobile home lot in a mobile home park, as defined in paragraph (1) of subdivision (b) of Section 50519 of the Health and Safety Code, which has not been declared to be a public nuisance under Division 13 (commencing with Section 17000) of the Health and Safety Code or any local ordinance enacted pursuant to those provisions.

**Density.** The number of dwelling units per unit of land area.

**Development.** Any manmade change to improved or unimproved real estate, including but not limited to the division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

**Development Agreement.** A contract duly executed and legally binding between the City of Porterville and a developer(s) that delineates the terms and conditions agreed upon by two (2) or more parties.

**Development Ordinance.** The Development Ordinance of the City of Porterville, as amended.

**District.** See *Zoning District*.

**Double Frontage Lot.** See *Lot, Through*.

**Drive-Through Facilities.** Facilities designed to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle, typically associated with banks, eating, and drinking establishments, pharmacies, and other commercial uses.

**Driveway.** An accessway composed of concrete or asphalt that provides vehicular access between a public street or legal right-of-way, controlled by the City of Porterville, and the parking or loading facilities located on an adjacent property.

**Dwelling Unit.** A room or suite of rooms including one (1) and only one (1) kitchen, and designed or occupied as separate living quarters for one (1) family. *See also Family.*

**Easement.** A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest which one (1) party has in the land of another.

**Effective Date.** The date on which a permit or other approval becomes enforceable or otherwise takes effective, rather than the date it was signed or circulated.

**Emergency.** A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property or essential public services.

**Environmental Impact Report (EIR).** An Environmental Impact Report as required under the California Environmental Quality Act, Public Resources Code Section 21000 et. seq.

**Facade.** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

**Family.** One (1) or more persons living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities. Members of a "family" need not be related by blood but are distinguished from a group occupying a hotel, club, fraternity or sorority house.

**Fence.** An artificially-constructed barrier of any material or combination of materials erected to enclose or screen an area of land.

**Feasible.** Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

**Floor Area.** The total floor area in a building (including basements, mezzanines, interior balconies, and upper stories or levels in a multistory building) unless otherwise stipulated; e.g., "ground" floor area.

**Floor Area Ratio (FAR).** The ratio of the total floor area of all buildings on a lot to the lot area.

**Foot-candle.** *See Lighting Terms.*

**Footprint.** The horizontal area, as seen in plan view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves.

**Freeway.** A divided arterial highway designated for through traffic having grade separate intersections and full control of access; State Routes 190 and 65.

**Frontage, Street (Frontage, Lot).** That portion of a lot or parcel of land that borders a public street. "Street frontage" shall be measured along the common lot line separating said lot or parcel of land from the public street, highway, or parkway.

**Garage.** A building or portion of a building that is enclosed and roofed and designed for the storage of motor vehicles.

**General Plan.** The Porterville 2030 General Plan.

**Glare.** The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort or loss of visual performance and ability.

**Gross Leasable Area.** The total floor area for which a tenant pays rent and that is designed for the tenant's occupancy and exclusive use, including any basements and mezzanines.

**Ground Floor.** The first floor of a building other than a cellar or basement.

**Habitable Area.** (Also habitable floor area.) As defined by the most current adopted Building Code. Generally, a space in a building for living, sleeping, eating, or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces.

**Hazardous Materials.** Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**Heat.** Thermal energy of a radioactive, conductive, or convective nature.

**Height.** The vertical distance from the highest point of any structure to the ground level directly below. *See also Section 103.05, Measuring Height.*

**Home Occupation.** Any occupation conducted by a resident, entirely within a dwelling, where the use is accessory to the residential use of the structure, and does not change the residential character of the neighborhood. *See Chapter 301, Standards for Specific Uses and Activities.*

**Household.** A family living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit.

**Illegal Use.** Any use of land or building that does not have the currently required permits and was originally constructed and/or established without permits required for the use at the time it was brought into existence.

**In-lieu Fees.** A cash payment required as a substitute for a dedication and/or improvement of land by an owner or developer of property.

**Intensity of Use.** The impacts a particular use or the use in combination with other uses has on its surroundings or on its demand for services and natural resources. Measures of intensity include but are not limited to requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.

**Intersection, Street.** The area common to two (2) or more intersecting streets.

**Kitchen.** Any room or space within a building intended to be used for the cooking or preparation of food.

**Land Division Terms.** The following terms are related to Series 400, Land Divisions.

**Abut.** To physically touch, border upon, or share a common corner or property line. For the purposes of Series 400, Land Divisions, abutting properties shall include those properties separated by any road, street, or highway except for a limited access major highway, canal, or railroad.

**Access, Approved.** A means of vehicular access that conforms to all of the requirements of Series 400, Land Divisions, and has been approved by the City Council or its designee.

**Adjoin.** To physically touch, be contiguous to, or be situated next to but not including properties separated by any road, street, or highway.

**Applicant.** The subdivider or agent thereof.

**Arterial.** A street designated by the circulation element of the General Plan to serve high-volume inter- and intra-city traffic, and to act as a distributor between freeways, other arterials, and major traffic generators.

**Block.** An area of land within a subdivision entirely bounded by any streets (other than alleys), freeways, railroad rights-of-way, natural barriers, or the exterior boundaries of the subdivision.



**Centerline.** A line designated by official survey to be the center of a future or existing fully developed easement, street, road, or highway, which may or may not coincide with the construction centerline.

**Collector Street.** A street designated by the circulation element of the General Plan to collect and distribute traffic between local streets and arterials.

**Community Apartment Project.** A project in which an undivided interest in the land is coupled with the right of exclusive occupancy of any apartment located thereon.

**Condominium.** A property conforming to the definition set forth in Section 783 of the Civil Code of the State of California.

**Condominium Project.** A development consisting of condominiums.

**Conversion.** The creation of separate ownership of existing real property together with a separate interest in space of a building.

**Cul-de-sac.** A local street open at only one (1) end, which has a turnaround for vehicles at the closed end.

**Design.** Any of the following:

- Street alignments, grades and widths, sidewalks, curbs and gutters;
- Drainage and sanitary facilities and utilities, including alignments and grades thereof;
- Location and size of all required easements and rights-of-way;
- Fire roads and firebreaks;
- Lot size and configuration;
- Traffic access;
- Grading;
- Land to be dedicated for park or recreational purposes; and
- Other specific physical requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the General Plan or any applicable specific plan.

**Final Map.** A map showing a subdivision of five (5) or more lots, prepared for filing with the Tulare County Recorder in accordance with the provisions of the Subdivision Map Act and Series 400, Land Divisions, if deemed in substantial compliance with a previously approved tentative subdivision map and with any conditions to such approval.

**Flood or Flooding.** Any general inundation of normally dry land from the overflow of tidal waters or from the unusual and rapid accumulation of runoff of surface waters from any source.

**Frontage Road.** A street adjacent and auxiliary to a freeway or arterial, and separated by a divider strip, which street provides access to abutting property.

**Improvements.** Any street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof. Improvements also refers to any other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approval by the local agency, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the General Plan or any applicable specific plan.

**Industrial Street.** A street that serves an industrial area and connects said area to the major street system.

**Local Street.** A street which provides direct access to abutting properties, primarily in residential districts with more than four hundred (400) average daily vehicle trips pursuant to the latest edition of the Institute of Transportation Engineers - Trip Generation Manual.

**Lot Line Adjustment.** A shift or rotation of an existing lot line or other adjustment where a greater or lesser number of parcels than originally existed is not created, as approved in accordance with Section 406.03, Lot Line Adjustments.

**Map Act.** The Subdivision Map Act of the State of California Government Code.

**Merger.** The joining of two (2) or more contiguous parcels of land under one (1) ownership into one (1) parcel.

**Minor Street.** A street that provides direct access to abutting properties, primarily in residential districts with four hundred (400) or fewer average daily vehicle trips pursuant to the latest edition of the Institute of Transportation Engineers - Trip Generation Manual.

**Parcel.** A legally subdivided plot of land shown on a map of record. Also referred to as "lot."

**Parcel Map.** A map prepared in accordance with the provisions of this chapter, designed to be placed on record in the office of the Tulare County Recorder, and providing for the division of land which meets the exceptions set forth in Section 66426 of the Map Act.

**Preliminary Map.** A map to be submitted to the Zoning Administrator prior to the filing of a tentative map, to show the general characteristics of the proposed subdivision and any other data necessary to enable the Project Review Committee to review the proposed subdivision design.

**Private Street.** Any street, roadway, accessway or similar, lying in whole or in part within a subdivision which is privately owned and maintained and provides access to a development.

**Public Improvement.** A street work, utilities, and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs.

**Remainder.** That portion of an existing parcel which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdivision but shall be shown on the required map as part of the area surrounding the subdivision.

**Standard Plans and Specifications.** All the standard plans and specifications prepared by the City Engineer and approved by resolution of the City Council.

**Stock Cooperative.** A development in which a corporation is formed primarily for the purpose of holding title to, either in fee simple or for a term of years, improved real property, and all or substantially all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development.

**Subdivider.** As defined in Section 66423 of the Map Act.

**Subdivision.** The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered contiguous units, even if it is separated by roads, streets, utility easement, or railroad rights-of-way. This definition shall specifically include Condominiums, Community Apartment Projects, or Stock Cooperative conversions.

**Subdivision Design.** The overall layout of the proposed subdivision including, but not limited to, the arrangement of streets and intersections, the layout and size of lots, the widths and locations of easements and rights of way for utilities, drainage structures, sewers, the nature and location of public or semi-public facilities, programs for the preservation of natural features, and the installation of public improvements.

***Tentative Map.*** A map made for the purpose of showing the design and improvements of a proposed subdivision and the existing conditions in and around it.

***Tentative Parcel Map.*** A map made for the purpose of showing the design and improvements of a proposed subdivision creating four (4) or fewer parcels or more than four (4) parcels as provided for in the State Subdivision Map Act and Series 400, Land Divisions, and the existing conditions in and around it.

***Vesting Tentative Map.*** A tentative map for a subdivision that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Chapter 403, Vesting Tentative Map, and is thereafter processed in accordance with the provisions hereof.

**Landscaping.** The planting, configuration and maintenance of trees, ground cover, shrubbery and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

### **Landscaping Terms**

***Automatic Controller.*** A mechanical or solid state timer, capable of operating valve stations to set the days and length of time of a water application.

***Backflow Prevention Device.*** A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

***Anti-Drain or Check Valve.*** A valve located under a sprinkler head or other location in the irrigation system to hold water in the system to prevent minimizes drainage from sprinkler heads when the system is off.

***Controller.*** An automatic timing device used to remotely control valves to set an irrigation schedule.

***Emitter.*** A drip irrigation fitting emission device that delivers water slowly from the system to the soil.

***Hydrozone.*** A portion of the landscaped area having plants with similar water needs

***Irrigation Efficiency.*** The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices.

**Operating Pressure.** The pressure at which an irrigation system is designed by the manufacturer to operate.

**Overspray.** The water which is delivered beyond the landscaped area and causes overland flow during irrigation events onto non-targeted areas such as, pavements, walks and structures.

**Runoff.** Water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area.

## Lighting Terms

**Foot-candle.** A quantitative unit of measure for luminance. One (1) foot-candle is equal to the amount of light generated by one (1) candle shining on one (1) square foot surface located one (1) foot away. Equal to one (1) lumen uniformly distributed over an area of one (1) square foot.

**Light Fixture.** The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

**Light Fixture Cutoff.** Light fixtures are classified as full cutoff, cutoff, semi-cutoff, or non-cutoff according to the most recent adopted criteria of the Illuminating Engineering Society of North America (IESNA). The four (4) IESNA classifications are defined as follows (IESNA 2000):

*Full Cutoff.* The luminous intensity (in candelas) at or above an angle of ninety degrees (90°) above nadir is zero (0), and the luminous intensity (in candelas) at or above a vertical angle of eighty degrees (80°) above nadir does not numerically exceed ten (10) percent of the luminous flux (in lumens) of the lamp or lamps in the luminaire.

*Cutoff.* The luminous intensity (in candelas) at or above an angle of ninety degrees (90°) above nadir does not numerically exceed two and one-half (2.5) percent of the luminous flux (in lumens) of the lamp or lamps in the luminary, and the luminous intensity (in candelas) at or above a vertical angle of eighty degrees (80°) above nadir does not numerically exceed ten (10) percent of the luminous flux (in lumens) of the lamp or lamps in the luminary.

*Semi-Cutoff.* The luminous intensity (in candelas) at or above an angle of ninety degrees (90°) above nadir does not numerically exceed five (5) percent of the luminous flux (in lumens) of the lamp or lamps in the luminary, and the luminous intensity (in candelas) at or above a vertical angle of eighty degrees (80°) above nadir does not numerically exceed twenty (20) percent of the luminous flux (in lumens) of the lamp or lamps in the luminary.

**Non-Cutoff.** There is no candela limitation in the zone above maximum candela.

**Shielded Fixture.** Outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

**Living Room.** The principal room in a dwelling unit designed for general living purposes rather than for sleeping.

**Long-Term Parking.** A situation in which a vehicle is not normally moved during the period of an employee's work shift, as opposed to customer or visitor parking.

**Lot.** A parcel, tract, or area of land whose boundaries have been established by a legal instrument such as a recorded deed or a recorded map, and which is recognized as a separate legal entity for purposes of transfer of title, except public easements or rights-of-way.

**Lot Area.** The total area circumscribed by the boundaries of a lot, excluding any street rights-of-way.

**Lot Coverage.** The portion of a lot that is covered by structures, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks or landings. *See also Section 103.10, Determining Lot Coverage.*

**Lot Depth.** The distance from the midpoint of the front property line of a lot to the midpoint of the rear property line, or to the most distant point on any other lot line where there is no rear lot line. *See also Section 103.06, Measuring Lot Width and Depth.*

**Lot Frontage.** *See Frontage, Street.*

**Lot Line.** Any boundary of a lot.

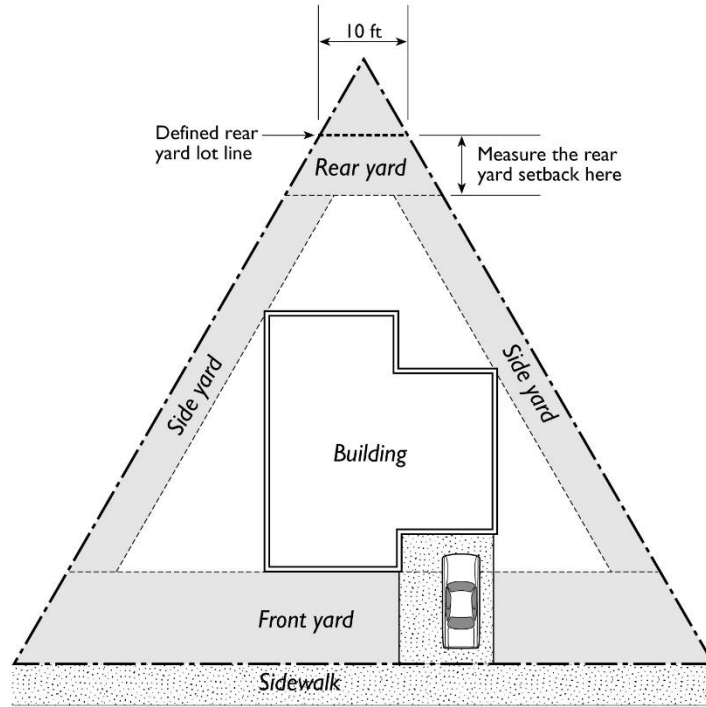
#### **Lot Line Types**

**Front Lot Line.** The lot line that abuts a street or public right-of-way. For corner lots, the shortest side fronting a public street is considered the front lot line regardless of which street is used for vehicle or pedestrian access, or street address.

**Interior Lot Line.** Any lot line that is not adjacent to a street.

**Rear Lot Line.** The lot line that is opposite and most distant from the front lot line. Where no lot line is within forty-five (45) degrees of being parallel to the front lot line, a line ten (10) feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for the purpose of establishing the minimum rear yard.

**Figure 700.02(A): Rear Lot Line For Purpose Of Determining Setback**



**Side Lot Line.** Any lot line that is not a front or rear lot line.

**Street Side Lot Line.** A side lot line of a corner lot that is adjacent to a street.

### Lot Types

**Lot, Corner.** A lot or parcel situated at the intersection of two (2) or more streets that have an angle intersection measured within said lot or parcel of not more than one hundred thirty-five (135) degrees.

**Lot, Flag.** A lot with access to a street by means of a strip of land having less than the required site width but not less than twenty-five (25) feet of frontage. The length of a strip shall be measured from the frontage line to the nearest point of intersection with that lot line parallel or most nearly parallel to the frontage line. The area of an access strip shall not be included in determining the site area of the developable lot.

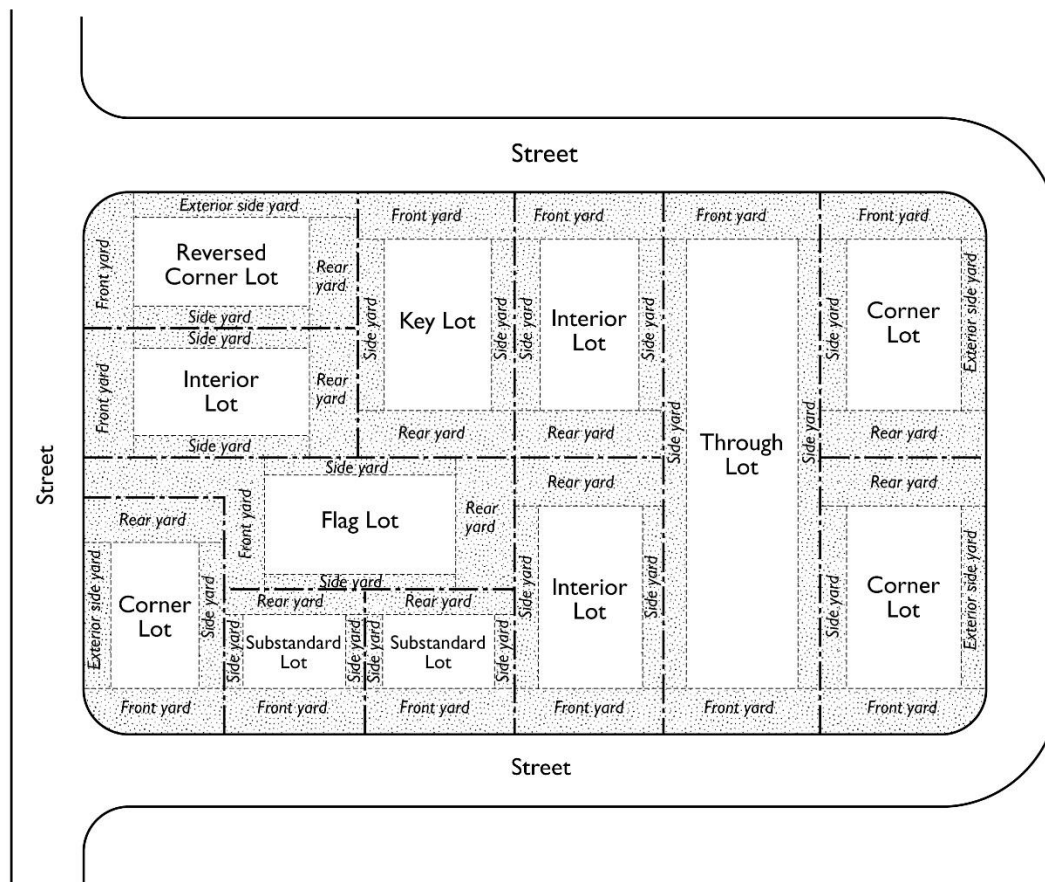
**Lot, Interior.** A lot or parcel of land other than a corner or flag lot.

**Lot, Key.** An interior lot adjoining the rear lot line of a reversed corner lot.

**Lot, Reversed Corner.** A corner lot, the street side lot line of which is substantially a continuation of the front line of a lot or parcel of land which adjoins the rear lot line of said lot.

**Lot, Through.** A lot having frontage on two (2) parallel or approximately parallel streets.

**Figure 700.02(B): Lot And Yard Types**



**Lot Width.** The distance between the side lot lines, measured at a right angle to the lot depth at the midpoint of the lot depth line. *See also Section 103.06, Measuring Lot Width and Depth.*

**Maintenance and Repair.** The repair or replacement of nonbearing walls, fixtures, wiring, roof or plumbing that restores the character, scope, size or design of a structure to its previously existing, authorized, and undamaged condition.

**Manufactured Home.** A structure constructed on or after June 15, 1976 in compliance with state standards in effect at the time of construction, is transportable in one (1) or more sections, is built on a permanent chassis and designed to be used as a single-family



dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. "Manufactured home" includes any structure that meets all the requirements of this paragraph and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974.

**Medical Marijuana Dispensary.** Any facility or location where medical marijuana is made available to and/or distributed by or to one (1) or more of the following: a primary caregiver, a qualified patient, or a person with an identification card, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "medical marijuana dispensary" shall not include the following uses, as long as the location of such uses are otherwise regulated by this Code or Applicable Law: a clinic licensed pursuant to Chapter 1 or Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq.

**Mobile Home.** A structure constructed prior to June 15, 1976 in compliance with state standards in effect at the time of construction, is transportable in one (1) or more sections, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems. "Mobilehome" does not include a commercial modular, as defined in Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, a multifamily manufactured home, as defined in Section 18008.7, or a recreational vehicle, as defined in Section 18010 of the Health and Safety Code.

## Noise Terms

**Ambient Noise Level.** The composite of noise from all sources excluding an alleged offensive noise. In this context, the ambient noise level represents the normal or existing level of environmental noise at a given location for a specified time of day or night.

**Decibel.** A unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.

**Mobile Noise Source.** Any noise source other than a fixed noise source.

**Noise.** Any sound that annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

**Noise Level Reduction (NLR).** The difference in decibels of noise level from the outside of a building to the interior of a building, generally resulting from various construction methods and the materials used in walls, windows, ceilings, doors, and vents of a building.

## **Nonconforming Use and Development Terms**

**Abandoned.** A use that has ceased or a structure that has been vacated for a time period as specified in this ordinance. Abandonment does not include temporary or short-term interruptions to a use or occupancy of a structure during periods of remodeling, maintaining, or otherwise improving or rearranging a facility.

**Illegal Nonconforming Building or Use.** A building or use that does not conform to one (1) or more of the provisions of the Development Ordinance and did not lawfully exist on the effective date of applicable sections of the Development Ordinance.

**Nonconforming Building or Structure.** Any building or structure that was lawfully established and in compliance with all applicable ordinances and laws at the time the ordinance codified in the Development Ordinance or any amendment thereto became effective, but which, due to the application of the Development Ordinance or any amendment thereto, no longer complies with all the applicable regulation and standards of development in the zone in which it is located.

**Nonconforming Lot.** A lot, the area, dimensions, or location of which was lawful prior to the effective date of the Development Ordinance, or any amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**Nonconforming Sign.** A sign that lawfully existed prior to but which fails by reason of such adoption or amendment to conform to all of the standards and regulation of the Development Ordinance.

**Nonconforming Use.** A use of a structure or land that was lawfully established and maintained, but which does not conform with currently applicable use regulations for the district in which it is located by reason of adoption or amendment of the Development Ordinance or amendment thereto or by reason of annexation of territory to the city.

**Nuisance.** Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use and enjoyment of property, or a violation of this Development Ordinance.

**Occupancy, Change In.** A discontinuance of an existing use and the substitution therefore of a use of a different kind or class.

**On-Site Loading Facilities.** A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

**On-Site.** Located on the lot that is the subject of discussion.

### **Open Space Types**

**Private Open Space.** Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

**Common Open Space.** Areas for outdoor living and recreation that are intended for the use of residents and guests of more than one (1) dwelling unit.

**Usable Open Space.** Outdoor areas that provide for outdoor living and/or recreation for the use of residents.

**Opposite.** Across from or across the street from.

**Outdoor Storage.** The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours, except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current building permit issued by the City.

**Owner.** Any person owning property, as shown on the last equalized assessment roll for city taxes or the lessee, tenant or other person having control or possession of the property.

**Parking Area.** A lot, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of vehicles.

**Permit.** Any Zoning Certificate, Conditional Use Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development and/or use of property as required by any public agency.

**Permitted Use.** Any use allowed in a zoning district without a requirement for approval of a Conditional Use Permit, but subject to any restrictions applicable to that zoning district.

**Person.** Any individual, firm, association, organization, partnership, business trust, company, or corporation.

**Persons with Disabilities.** Persons who have a medical, physical, or mental condition, disorder or disability as defined in California Government Code Section 12926, that limits one (1) or more major life activities.

**Porch.** A roofed structure, usually open at the sides, projecting from the face of a building and used to protect the entrance.

**Pre-existing.** In existence prior to the effective date of this Chapter.

**Project.** Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance. This term also refers to any action that qualifies as a “project” as defined by the California Environmental Quality Act.

**Public Works Director.** The director of Porterville’s Public Works Department.

**Qualified Applicant.** The property owner, the owner’s agent, or any person, corporation, partnership or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has an enforceable proprietary interest in such land.

**Queuing Area.** The distance from the point of sale to the public right of way, for vehicles or customers waiting in vehicles for service at drive-through facilities, pump stations, auto service bays, or similar uses.

**R District (Residential District).** One (1) or more of the following districts: RS-1 Very Low Density Residential, RS-2 Low Density Residential, RM-1 Low-Medium Density Residential, RM-2 Medium Density Residential, or RM-3 High Density Residential.

**Recreational Vehicle.** A motor home, travel trailer, truck camper, or camping trailer with or without motor power designed for human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

- (1) It contains less than three hundred twenty (320) square feet of internal living room area, excluding built-in equipment, including but not limited to wardrobe, closets, cabinets, kitchen units, or fixtures, and a bath or toilet room;
- (2) It contains four hundred (400) square feet or less of gross area measured at maximum horizontal projections;
- (3) It is built on a single chassis; and
- (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit issued by the appropriate state agency.

**Redevelopment Agency/Successor Agency.** The Redevelopment Agency/Successor Agency of the City of Porterville.

**Rescission.** The City's unilateral unmaking of an approval for a legally sufficient reason, such as applicant's material breach of a condition.

**Right-of-Way.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other similar use.

**Screening.** Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

**Setback.** The area between a property line and a building or structure which must be kept clear or open. *See also Section 103.04, Measuring Distances, and Section 103.12, Measuring Setbacks (Yards).*

**Sexually Oriented Business Terms.** See Section 301.17, Sexually Oriented Businesses.

**Sidewalk.** A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

**Sign-Related Terms.** The following terms are related to Chapter 305, Signs.

***Abandoned Sign.*** A sign remaining in place or not maintained for a period of 90 days which no longer advertises or identifies an ongoing business, product, or service available on the business premise where the sign is located.

***Animated Sign.*** A sign that uses movement or change of lighting to depict action or create a special effect or scene.

***Area of Sign.*** The area included within the outer dimensions of a sign face display area including all portions not part of the necessary supporting structure; a double-faced sign whose faces are parallel or no more than 30 degrees apart shall be deemed to be a single sign for the purposes of determining sign area. In the case of a sign placed on a wall or other structure surface, the area shall be computed by enclosing the sign within sets of parallel lines.

***Awning Sign.*** A sign painted or otherwise affixed permanently to the exterior surface of an awning. For purposes of this Division, awning means shelter projecting from and supported by the exterior wall of a building and constructed of a rigid frame covered by a flexible skin (e.g., as fabric, synthetic material, or thin sheet metal).

***Balloon.*** An inflatable, airtight bag that can be strung together in multiple numbers to attract attention to a business location. A balloon shall not be considered an inflatable sign.

**Banner.** A temporary sign made of fabric or any nonrigid material with no enclosing framework.

**Building Frontage.** Building frontage shall be considered the wall of a building that faces and is roughly parallel with a public street, excluding an alley.

**Building-Mounted Sign.** Any sign mounted or erected on or against any building or façade, including all wall signs, awning and canopy signs and projecting signs.

**Can Sign (Box Sign).** A sign on the outside face of a metal box with or without internal illumination.

**Canopy.** A rigid multi-sided structure covered with fabric, metal, or other material and supported by columns or posts embedded in the ground, or cantilevered out from the main structure.

**Changeable Copy Sign.** A sign whose informational content can be changed or altered manually.

**Channel Letters.** Three-dimensional individual letters or figures, with an open back or front, illuminated or nonilluminated, that are affixed to a building or to a freestanding sign structure.

**Construction Sign.** A temporary sign describing in words and/or drawings a planned future development project on a property.

**Directional Sign.** An on-site sign designed to direct or guide pedestrian or vehicular traffic and which is nonadvertising in nature, except for a logo and directional information, (e.g., handicapped parking, one (1) way, exit, and entrance).

**Electronic Message Center Sign.** A sign whose informational content can be changed or altered by electric, electro-mechanical, electronic, or any other artificial energy means.

**Fence Sign.** A sign attached to or painted onto any freestanding wall or fence.

**Flag.** A loose fabric or membrane secured to a pole or rod, which flutters and moves with air or wind movement.

**Freestanding Sign.** A sign that is permanently supported upon the ground by poles or braces and is not attached to any building or other structure.

**Height.** The vertical distance measured from the lowest ground level directly beneath the sign to the highest point at the top of the sign. The

ground level shall be either the natural grade or finished grade, whichever is lowest.

**Identifiable Area.** Residential, commercial, or industrial site containing a minimum of two (2) acres with an integrated site and design plan creating a single unified development with one (1) or more uses.

**Identification Sign.** A permanent sign used to identify a residential area, shopping district, industrial district, or any area which fulfills the definition of an identifiable area.

**Illegal Sign.** A sign that does not meet the requirements of this Division or that does not have legal nonconforming status.

**Illuminated Sign.** A sign with an artificial source of light incorporated internally or externally for the purpose of illuminating the sign.

**Inflatable Sign.** A form of inflatable device (e.g., shaped as an animal, blimp, or other object) that is displayed, printed, or painted on the surface of an inflatable background, and is primarily installed outside a building to attract attention to or to advertise a business, a business location, a service, a product, or an event. An inflatable sign shall not be considered a balloon.

**Interior Illumination.** Lighting whose source is contained within the sign.

**Logo.** A specially designed graphic symbol of a business establishment, a company, or any other legal private or public entity.

**Marquee Sign.** A sign advertising an event, performance, service, seminar, conference, or show, and displayed on a permanent roof-like structure or canopy made of rigid materials supported by and extending from the facade of a building.

**Mansard.** A wall which has a slope equal to or greater than two (2) vertical feet for each horizontal foot and has been designed to look like a roof.

**Master Sign Program.** A coordinated program of signage designed to encourage consistency in signage for developments with multiple tenants or for developments with a single tenant proposing multiple signs.

**Monument Sign.** A low-profile freestanding sign erected upon or supported solely by a planter, pedestal base, or similar ground structure approximately the same dimension as the height of the sign and which is designed to incorporate the architectural theme and building material of the building on the premises.

**Neon Sign.** A sign with tubing that is internally illuminated by neon or other electrically charged gas.

**New Subdivision.** An area of land that has a final subdivision map recorded on it, but that is not yet completely built out.

**Off-site Advertising Sign.** A sign structure or billboard, whether freestanding or mounted on an existing building, built for the purpose of advertising an establishment, product or service that is not available on the property upon which the sign is located at the time the sign structure was erected.

**Off-site Directional Sign.** A sign offering directional information to a business, location or place located in an area different from where the sign is located.

**Parapet.** That portion of the building wall that extends above the roof of the building.

**Pennant.** A device made of flexible materials, (e.g., cloth, paper, or plastic) that may or may not contain copy, and which is installed for the purpose of attracting attention.

**Political Sign.** A temporary sign installed that advertises a political candidate, a political party, or a political issue.

**Portable Sign.** A sign not permanently attached to, mounted upon, or affixed to a building, structure, or the ground. Portable signs include A-frame signs, sandwich board signs, and signs on wheels.

**Projecting Sign.** A sign, the sign surface of which is not parallel to the face of the supporting wall and which is supported wholly by the wall. This definition shall include V- or wing-type signs.

**Real Estate Sign.** A temporary sign indicating that the premises on which the sign is located is for sale, lease, or rent. These signs typically include rider signs that describe amenities such as swimming pools and spas, open house signs, subdivision signs, and off-site directional signs.

**Roof Sign.** A sign erected, constructed, and attached to and/or maintained upon or above any roof or portion of a roof of any building, including a mansard roof. For the purposes of this Division, a mansard roof is any roof or parapet wall with roofing material for siding that slopes from thirty (30) degrees to ninety (90) degrees and does not have a ridgeline.

**Sign.** Any letters, figure, visual symbol, logo, object, or display, or any combination thereof, designed or used to identify, attract attention to, advertise, or communicate information. Signs include display surfaces together with such facilities as are utilized in supporting, maintaining, and illuminating the display surfaces.



**Sign Area.** See *Area of Sign*.

**Sign Copy.** Any words, letters, logos, numbers, figures, design, or other symbolic representation incorporated into a sign.

**Sign Face.** The surface or surfaces used for the display of a sign message as seen from any one (1) direction.

**Temporary Sign.** A sign that is designed or intended to be temporarily mounted or displayed and that is not intended for permanent or long-term use.

**Vehicle Display Sign.** A sign mounted, attached, affixed or painted upon any surface of a motor vehicle, trailer or similar conveyance parked on public or private property for the purpose of advertising a business or a business location within the City or outside the City.

**Vehicle for Sale Sign.** A sign painted or affixed onto vehicles for sale that are kept in vehicle display areas of new and used motor vehicle dealership lots.

**Wall Sign.** A sign painted or installed on or attached to a wall and which is parallel to the building facade. This definition includes painted, channel letters, and can signs.

**Window Sign.** A sign painted or installed on a glass window or door or located within twelve (12) inches from inside the window in a manner that it can be viewed from the exterior of a structure.

**Site.** A lot, or group of contiguous lots, that is proposed for development in accordance with the provisions of this ordinance and is in a single ownership or under unified control.

**Specific Plan.** A plan for a defined area that is consistent with the General Plan and with the provisions of the California Government Code, Section 65450 et seq.

**State.** The State of California.

**Story.** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above.

**Strip Mall.** An attached row of stores or service outlets, configured in a straight line, with on-site parking usually located between the street and the stores, typically with multiple driveways. Open canopies may connect the store fronts, but a strip mall does not have enclosed walkways linking the stores.

**Street.** A public or private right-of-way whose function is to carry vehicular traffic or provide vehicular access to abutting property.

**Structural Alteration.** Any change of the supporting members of a building, such as bearing walls, columns, beams or girders, floor joists, ceiling joists, or roof rafters.

## **Structure**

**Accessory Structure.** A subordinate structure, the use of which is incidental to that of the main structure on the same lot.

**Permanent Structure.** Anything constructed or erected which requires a fixed location on the ground, or is attached to a building or other structure having fixed location on the ground.

**Primary Structure (Main Structure).** A structure housing the principal use of a site or functioning as the principal use.

**Temporary Structure.** A structure without any foundation or footings and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

**Swimming Pool.** A pool, pond, lake, or open tank capable of containing water to a depth greater than one and one-half (1.5) feet at any point.

**Tandem Parking.** An arrangement of parking spaces such that one (1) or more spaces must be driven across in order to access another space or spaces.

**Telecommunication Terms.** The following terms are related to Section 301.20, Telecommunications Facilities.

**Antenna.** Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or receiving of electromagnetic radio frequency waves.

**Amateur Radio Antenna.** Any antenna used to receive or transmit radio signals on the amateur radio bandwidth, as designated by federal regulations.

**Camouflage.** To disguise a wireless facility by incorporating it into the architectural design of a building or structure or by utilizing design and siting techniques that disguise the wireless facility as a structure or object other than a wireless facility, which is either already present in the area or blends in with the existing environment. Examples of camouflage techniques include, but are not limited to, trees, clock towers, bell steeples, light poles and flag poles. The use of mono-pines shall not be considered appropriate camouflage unless integrated into the surrounding landscape with the use of live trees, new or existing structures or other design features.

**Co-location.** The location of two (2) or more wireless communication facilities on a single support structure or otherwise sharing a common location. For the purposes of this chapter, collocation shall also include the location of wireless

communication facilities with other facilities such as water tanks, light standards, and other utility facilities and structures.

**Communication Tower.** Any structure that is used to transmit or receive electromagnetic radio frequency waves or that supports such a device.

**Ground-Mounted.** A facility that is fully or partially supported by a platform, framework, pole, or other structural system that is affixed to or placed directly on or in the ground.

**Monopole.** A facility that consists of a single pole structure erected on the ground to support wireless communication antennas and connecting appurtenances.

**Wireless Telecommunication Facility.** A facility containing communication towers and/or antennas and any related equipment for the purpose of transmitting or receiving electromagnetic radio frequency waves.

**Temporary Uses.** The following terms are related to Section 301.21, Temporary Uses.

**Garage Sales.** The sale or offering for sale to the general public of over five (5) items of personal property on a portion of a lot in a residentially zoned district, whether inside or outside any building.

**Model Homes.** A dwelling built in a subdivision development to allow potential home buyers to view a sample finished product before other homes in the development are completed.

**Outdoor Sales, Temporary and Seasonal.** The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

**Unit.** See *Dwelling Unit*.

**Use.** The purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered, or enlarged for which either a site or a structure is or may be occupied or maintained.

**Use, Primary.** A primary or dominant use established, or proposed to be established, on a lot.

**Use, Accessory.** A use that is customarily associated with, and is incidental and subordinate to, the principal use and located on the same lot as the principal use.

**Use, Sensitive.** Any cemetery/religious institution; school; public building regularly frequented by children; public park; or boys' and girls' club, or similar youth organizations.

**Variance.** Permission to depart from the literal requirements of this Ordinance.

**Vibration.** A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.

**Visible.** Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

**Weekday.** Any day, Monday through Friday, that is not a federal, state, or local holiday.

**Yard.** In Residential Districts, including D-MX and CMX, an open space on a lot that is unoccupied and unobstructed from the ground upward, except as otherwise permitted by this Development Ordinance.

**Front Yard.** A yard extending across the front of a lot for the full width of the lot between the side lot lines, measured inward from the front lot line. The depth of a front yard shall be the minimum setback to the residence, excluding unenclosed porches; where the residence is not built to the minimum setback, the standard shall be 20 feet a distance specified by this Development Ordinance for the district in which it is located and.

**Interior Side Yard.** A yard extending along an interior side of a lot from the front lot line to the rear lot line, and to a depth specified by this Development Ordinance for the district in which it is located and measured inward from the interior side lot line.

**Street Side Yard.** A yard extending along the street side of a corner lot from the front lot line to the rear lot line, and to a depth specified by this Development Ordinance for the district in which it is located and measured inward from the street side lot line.

**Rear Yard.** A yard extending across the rear of a lot for its full width between side lot lines, and to a depth specified by this Development Ordinance for the district in which it is located. If a lot has no rear lot line, a line 10 feet in length within the lot, parallel to and at the maximum possible distance from the front lot line, will be deemed the rear lot line for the purpose of establishing the minimum rear yard.

**Zoning Administrator.** The Community Development Director of the City of Porterville, or designee.

**Zoning District.** A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

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## Chapter 701    Use Classifications

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### Sections:

|        |                           |
|--------|---------------------------|
| 701.01 | Purpose and Applicability |
| 701.02 | Land Use Classifications  |

### 701.01            Purpose and Applicability

Use classifications describe one (1) or more uses of land having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Zoning Administrator shall determine whether a specific use shall be deemed to be within one (1) or more use classifications or not within any classification in this chapter. The Zoning Administrator may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

### 701.02            Land Use Classifications

**Aircraft Sales, Services, and Storage.** Uses related to the rental, sales and leasing, storage, repair, and washing of aircraft.

**Airports.** Facilities for the takeoff and landing of airplanes, including runways, aircraft storage buildings, public terminal buildings and parking, and support activities such as airport operations, crew quarters, and air traffic control.

### Animal Care, Sales and Services

***Kennels.*** Facilities for keeping, boarding, training, breeding or maintaining for commercial purposes, four (4) or more dogs, cats, or other household pets not owned by the kennel owner or operator. This classification excludes pet shops and animal hospitals that provide twenty-four (24) hour accommodation of animals receiving medical or grooming services.

***Pet Stores.*** Retail sales of animals and/or services, including grooming, for animals on a commercial basis. This classification excludes dog walking and similar pet care services not carried out at a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services.

***Veterinary Services, Small.*** Medical care for small animals on a commercial basis. This classification allows twenty-four (24) hour accommodation of animals receiving medical or grooming services but does not include kennels.

***Veterinary Services, Large.*** Medical care for large animals which generally includes agricultural animals, on a commercial basis. This classification allows twenty-four (24)

hour accommodation of animals receiving medical or grooming services.

**Animal Raising.** The raising, grazing, or feeding of animals for animal products, animal increase, or value increase, and dairying as an accessory use on farms with dairy cattle.

**Artists' Studios.** Work space for artists and artisans, including individuals practicing one (1) of the fine arts or performing arts, or skilled in an applied art or craft. Incidental retail sales of items produced on the premises is required.

### **Automobile/Vehicle Sales and Services**

**Automobile/Vehicle Rentals.** Rental of automobiles, including storage and incidental maintenance.

**Automobile/Vehicle Sales and Leasing.** Sales or leasing of automobiles, boats, motorcycles, trucks, and motor homes, including storage and incidental maintenance.

**Automobile/Vehicle Repair, Major.** Repair of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, and transmission shops, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

**Automobile/Vehicle Service and Repair, Minor.** The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, auto glass services, tire sales and installation, muffler shops and upholstery shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing engine repair, body and fender work, vehicle painting, or towing. It also excludes repair of heavy trucks or construction vehicles.

**Automobile/Vehicle Washing.** Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.

**Emergency Ambulance Services.** The location of emergency ambulance service vehicles.

**Large Vehicle and Equipment Sales, Service and Rental.** Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for construction, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities. Sales of new or used automobiles or trucks are excluded from this classification.

**Service Station.** Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/or providing food

services.

***Towing and Impound.*** Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services. (For automobile/dismantling, see Salvage Yards)

## **Banks and Financial Institutions**

***Banks and Credit Unions.*** Financial institutions providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excluding check-cashing businesses.

***Check Cashing Businesses.*** Establishments that, for compensation, engage in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification also includes the business of deferred deposits, whereby the check casher refrains from depositing a personal check written by a customer until a specific date pursuant to a written agreement as provided in Civil Code 1789.33. Check Cashing Businesses do not include state or federally chartered banks, savings associations, credit unions, or industrial loan companies. They also do not include retail sellers engaged primarily in the business of selling consumer goods, such as consumables to retail buyers, that cash checks or issue money order incidental to their main purpose or business.

***Bed and Breakfast.*** A small lodging establishment that offers overnight accommodation and inclusive breakfast, where the host lives at the establishment.

***Building Materials and Services.*** Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Contractors' Yards and hardware stores less than ten thousand (10,000) square feet in floor area (see Retail Sales).

***Business Services.*** Establishments that primarily provide goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, and model building, but excluding vehicle rentals, bulk items, or print shops.

***Cemetery.*** Establishments primarily engaged in operating sites or structures reserved for the interment of human or animal remains, including mausoleums, burial places, and memorial gardens.

***Clubs and Lodges.*** Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls and social clubs.



**Colleges and Trade Schools, Public or Private.** Institutions of higher education providing curricula of a general, religious or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes business and computer schools, management training, technical and trade schools, but excludes personal instructional services such as music lessons.

**Construction and Material Yards.** Storage of construction materials or equipment on a site other than a construction site.

**Commercial Entertainment and Recreation.** Provision of participant or spectator entertainment to the general public.

***Cinema/Theaters.*** Facilities for indoor display of films, motion pictures, or dramatic, musical, or live performances. This classification may include incidental food and beverage services to patrons.

***Downtown Entertainment.*** This classification includes facilities such as amusement and theme parks, amphitheaters, facilities with more than ten thousand (10,000) square feet in building area, including fitness centers, gymnasiums, handball, racquetball, ice or roller skating rinks, swimming or wave pools, miniature golf courses, bowling alleys, or archery or indoor shooting ranges. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

***Large-scale.*** This classification includes large outdoor facilities such as amusement and theme parks, casinos, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, driving ranges, golf courses, and facilities with fifty thousand (50,000) square feet or more in building area, including fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges; riding stables; campgrounds; stables, etc. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

***Small-scale.*** This classification includes indoor facilities that occupy less than fifty thousand (50,000) square feet of building area, such as billiard parlors, card rooms, health clubs, fitness centers, gymnasiums, handball, racquetball; ice or roller skating rinks; swimming or wave pools; miniature golf courses, bowling alleys, dance halls, small tennis club facilities, poolrooms, indoor shooting ranges, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

**Community Center.** Any noncommercial facility established primarily for the benefit and service of the population of the community in which it is located. Examples include youth centers and senior centers.

### **Communication Facilities**

***Antenna and Transmission Towers.*** Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support one (1) or more reception/transmission systems. Examples of transmission towers include, but shall not be limited to, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.

***Broadcasting Facility.*** Includes radio or television stations. Transmission towers must comply with Series 301.20 Telecommunication Facilities.

***Call Centers.*** Includes customer support, direct sales, order processing, customer service, surveys, research, credit management, help desk, reservations, billing and accounting, sales and telemarketing. These services are either provided internally by the company for its own use or provided externally by an outsourcing agency which provide these services for several companies.

***Recording Studio.*** Facility for sound recording which can consist of a studio or live room and control room, where sound is recorded and manipulated.

**Correctional Facility.** A building such as a jail or prison used for the confinement of persons held while awaiting trial or for the confinement of persons convicted of offenses.

**Crop Cultivation.** The cultivation of tree, vine, field, forage, and other plant crops intended to provide food or fibers. The classification excludes wholesale or retail nurseries. (see Nurseries and Garden Centers)

***Crop Cultivation, Commercial.*** Results in quantities of crops greater than what could be reasonably consumed in personal use and/or crops that are produced with the intent to sell commercially.

***Crop Cultivation, Non-commercial.*** Includes orchards and flower and vegetable gardens for personal use.

**Cottage Food Operations.** A private home food operation where low-risk food products are prepared or packaged for sale to consumers which complies with California Government Code Section 51035.

**Cultural Institutions.** Public or non-profit institutions engaged primarily in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance,

and events; buildings of an educational, charitable or philanthropic nature; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens.

**Day Care Centers.** Establishments providing non-medical care for persons on a less than 24-hour basis other than Family Day Care Home. This classification includes nursery schools, preschools, and day care facilities for children or adults, and any other day care facility licensed by the State of California.

**Eating, Drinking, and Smoking Establishments.** Businesses primarily engaged in serving prepared food, beverages, and/or tobacco for consumption on or off the premises.

**Bars/Night Clubs/Lounges.** Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This classification includes establishments that provide dancing or entertainment.

**Coffee Shops/Cafes.** Establishments that serve nonalcoholic beverages, such as coffee, juices or sodas for consumption on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies or popcorn.

**Restaurants.** Establishments where meals are served to customers. This classification includes full-service restaurants with table service as well as establishments providing limited table service, such as fast-food restaurants, carryout sandwich shops, limited service pizza parlors and delivery shops, and delicatessen restaurants. This classification excludes establishments that provide dancing or entertainment (see Bars/Night Clubs/Lounges).

**Tobacco Bars.** Any business establishment which in whole or in part is dedicated to or includes as part of the business, the smoking of tobacco or other substances. This classification includes cigar lounges, hookah bars/cafes, tobacco cafes/bars, and smoking parlors but does not include medical marijuana dispensaries.

**Elderly and Long-term Care.** Establishment that provide twenty-four (24) hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the, including but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

**Family Day Care Home.** A home that regularly provides care, protection, and supervision for fourteen (14) or fewer children, in the provider's own home, for periods of less than twenty-four (24) hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home as follows.

**Large.** A home that provides family day care for seven (7) to fourteen (14) children, including children under the age of 10 years who reside at the home (Health and Safety Code Section 1596.78(b)). A large family day care home may provide care for more than 12 children and up to and including fourteen (14)

children, if all of the following conditions are met (Health and Safety Code Section 1597.465):

1. At least one (1) child is enrolled in and attending kindergarten or elementary school and a second child is at least six (6) years of age.
2. No more than three (3) infants are cared for during any time when more than twelve (12) children are being cared for.
3. The licensee notifies a parent that the facility is caring for two (2) additional school-age children and that there may be up to thirteen (13) or fourteen (14) children in the home at one (1) time.
4. The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

**Small.** A home that provides family day care for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home (Health and Safety Code Section 1596.78(c)). A small family day care home may provide care for more than six (6) and up to eight (8) children, without an additional adult attendant, if all of the following conditions are met (Health and Safety Code Section 1597.44):

1. At least one (1) child is enrolled in and attending kindergarten or elementary school and a second child is at least six (6) years of age.
2. No more than two (2) infants are cared for during any time when more than six (6) children are cared for.
3. The licensee notifies each parent that the facility is caring for two (2) additional school-age children and that there may be up to seven (7) or eight (8) children in the home at one (1) time.
4. The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented.

**Food and Beverage Retail Sales.** Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, convenient markets, groceries, liquor stores, and retail bakeries.

**Freight/Truck Terminals and Warehouses.** Facilities for local or worldwide freight, courier, local messenger, and postal services by truck or rail.

**Funeral Parlors and Mortuaries.** An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the human dead and conducting memorial services. Typical uses include a crematory, columbarium, mausoleum, or mortuary.

**Government Offices.** Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and

similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment (See Utilities, Major).

**Group Residential.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, private residential clubs, and residential hotels intended for long-term occupancy (thirty (30) days or more) but excludes Hotels and Motels, Residential Care, Limited or General.

**Handicraft/Custom Manufacturing.** Manufacture of crafts, art, sculpture, stained glass, jewelry, apparel, and similar items using hand tools and small mechanical devices.

**Heliports.** Facilities for the takeoff and landing of helicopters, as a primary use. Heliports typically contain one (1) or more helipads and may have limited facilities such as fuel, lighting, a windsock, or even hangars.

**Hotels and Motels.** Establishments offering lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This classification includes motor lodges, motels, hostels, extended-stay hotels, and tourist courts, but does not include rooming houses, boarding houses, or private residential clubs.

**Industry, General.** Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as biomass energy conversion; food and beverage processing; textile mills; production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive, ship, aircraft, and heavy equipment manufacturing.

**Industry, Limited.** Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes operations such as manufacturing finished parts or products primarily from previously prepared materials; commercial laundries and dry cleaning plants; mobile home manufacturing; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.

**Instructional Services.** Establishments that offer specialized programs in personal growth and development such as music, vocal, fitness and dancing instruction.

**Light Fleet-Based Services.** Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three (3) or more vehicles with rated capacities less than ten thousand (10,000) lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (See Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with two (2) or fewer fleet vehicles on-site (See Business Services).

**Maintenance and Repair Services.** The on-site maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Automotive Sales and Services) and personal apparel (See Personal Services).

**Massage Establishments.** Healing arts

**Medical Facilities.** These classifications exclude veterinary and animal hospitals (see Animal Care, Sales, and Services) and medical marijuana dispensaries.

**Hospitals.** State-licensed facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons.

**Medical Clinic.** This classification includes facilities for multiple physicians, medical groups, inpatient or outpatient treatment, including substance-abuse programs as well as training, research, and administrative services for patients and employees.

**Professional/Medical.** This classification is for the single practitioner; to include offices where medical and dental services are provided by physicians, dentists, chiropractors, optometrists, and similar medical professionals, including, where affiliated with a medical practitioner, massage therapy.

**Mining and Quarrying.** The extraction of nonmetallic minerals, including dredging and sand and gravel pit operations. This classification includes surface mining operations.

**Mobile Home Parks.** Mobile housing in a planned development with common area amenities. Spaces for mobile homes may be rented, leased or owned through a subdivision, cooperative, condominium or other form of resident ownership.

**Multi-Family Residential.** Two (2) or more dwelling units on a lot. Types of multiple family dwellings include duplexes, garden apartments, senior housing developments, and multi-story apartment buildings.

**Nurseries and Garden Centers.** Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in package

form only. This classification includes wholesale and retail nurseries offering plants for sale.

## **Offices**

**General Offices.** Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, and legal offices, excluding banks, and savings and loan associations (see Banks and Financial Institutions).

**Walk-In Clientele.** Offices of firms or organizations providing services to the public that rely on heavy pedestrian activity and constant visits by clients, including real estate offices, landlord-tenant services, credit counseling, and financial tax services.

**Park and Recreation Facilities, Public.** Parks, playgrounds, fairgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, botanical gardens, as well as related food concessions or community centers within the facilities.

**Parking, Public or Private.** Surface lots and structures for use of occupants, employees, or patrons on the subject site or offering parking to the public for a fee when such use is not incidental to another activity.

**Personal Services.** Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, massage therapy, tattoo parlors, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies.

**Public Safety Facilities.** Facilities providing public-safety and emergency services, including police and fire protection and emergency medical services, with incidental storage, and maintenance facilities.

**Recycling Facility.** A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. A certified recycling facility or certified processor means a recycling facility certified by the California Beverage Container Recycling and Litter Reduction Act. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. This use type does not include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations and are classified as utilities.

**Reverse Vending Machine.** An automated mechanical device that accepts, sorts and processes recyclable materials and issues a cash refund or a redeemable credit slip.

**Recycling Collection Facility.** A use that serves as a neighborhood drop off point for the temporary storage of recyclable materials but where the processing and sorting of such items is not conducted on-site.

**Recycling Processing Facility.** Facilities that receive, sort, store and/or process recyclable materials.

**Religious Facilities.** A facility for religious worship and incidental religious education and offices, including churches, temples, and other facilities used primarily for religious services or activities. This classification excludes private schools for primary or secondary education, as defined in this section, which also may be available for temporary use by the general public or civic, cultural, or educational organizations.

**Residential Care Facilities, General.** Facilities that require a State license or are State licensed and provide twenty-four (24) hour primarily non-medical care and supervision, or skilled nursing services, for more than six (6) persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, skilled nursing facilities, and convalescent facilities. This category excludes transitional housing, foster family homes, community service facilities, and any facilities supervised by or under contract with the State Department of Corrections.

**Residential Care Facilities, Limited.** Facilities that require a State license or are State licensed and provide twenty-four (24) hour non-medical care and supervision for six (6) or fewer persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living, excluding the licensee or members of the licensee's family or persons employed as facility staff. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices.

**Retail Sales.** The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, furniture stores, pet supply stores, small hardware stores (with ten thousand (10,000) square feet or less of floor area), and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper,



carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. This classification includes secondhand and wholesale stores. This classification excludes medical marijuana dispensaries.

**Swap Meet.** Any indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, farmers markets, or other similarly named or labeled activities; but the term does not include the usual supermarket or department store retail operations.

**Salvage and Wrecking.** Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

**Schools, Public or Private.** Facilities for primary or secondary education, including public schools, charter schools, and private institutions having curricula comparable to that required in the public schools of the State of California.

**Sexually Oriented Business.** An establishment or concern that, as a regular and substantial course of conduct, offers, sells or distributes adult-oriented merchandise, or that offers to its patrons materials, products, merchandise, services, entertainment or performances that have sexual arousal, sexual gratification, and/or sexual stimulation as their dominant theme, or are characterized by an emphasis on specified sexual activities or specified anatomical areas and are not customarily open to the general public because they exclude minors by virtue of their age. This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, chiropractors, psychologist, social workers, marriage and family counselors, osteopaths, and persons holding licenses or certificates under applicable State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate. Includes Sexually Oriented Businesses defined in Section 301.17(b), Definitions.

**Single Family Dwelling.** A dwelling unit designed for occupancy by one (1) household, and located on a separate lot from any other unit (except accessory living quarters, where permitted). This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

**Detached.** A single-family dwelling unit that is not attached to any other dwelling unit.

**Attached.** A single-family dwelling unit, located singly on a lot, but attached through common vertical walls to one (1) or more dwellings on abutting lots. An attached

single-family dwelling unit is sometimes referred to as a “townhome.”

**Single Room Occupancy.** A residential facility where individual secure rooms, which may or may not include cooking facilities, are rented to one (1) or two (2) person households for a weekly or monthly period of time. This use type is distinct from a Hotel or Motel, which is a commercial use.

**Social Service Facilities.** Any noncommercial facility, such as homeless shelters, and emergency shelters, that may also provide meals, showers, and/or laundry facilities. Specialized programs and services related to the needs of the residents may also be provided. This classification excludes transitional housing facilities that provide living accommodations for a longer term.

**Transitional and Supportive Housing.** As defined in Section 50675.2 and 50675.14, respectively, of the Health and Safety Code

**Transportation Passenger Terminals.** Facilities for passenger transportation operations. This classification includes rail stations, bus terminals, and scenic and sightseeing facilities, but does not include airports or heliports.

**Utilities, Major.** Generating plants, electric substations, solid waste collection, including transfer stations and materials recovery (recycling processing) facilities, solid waste treatment and disposal, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

**Utilities, Minor.** Facilities accessory to an established use involving only minor structures, such as electrical distribution lines, solar panels and underground water and sewer lines.

**Utilities, Renewable Energy Facility.** Facilities including solar, wind or other facility utilizing renewable energy.

**Warehousing and Storage.** Storage and distribution facilities without sales to the public on-site or direct public access.

**Chemical, Mineral, and Explosives Storage.** Storage of hazardous materials including but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, fireworks, and explosives.

**Indoor Warehousing and Storage.** The storage of general merchandise or refrigerated goods within enclosed buildings. Establishments in this classification provide facilities to store commercial goods, but do not sell the goods they handle. They may provide a range of services related to the distribution of goods, including labeling, breaking bulk, inventory control and management, order entry and fulfillment, price marking and ticketing, and transportation arrangement. However, they always provide warehousing or storage in addition to any logistics services.

***Personal Storage.*** Facilities offering storage for individual use, including mini-warehouses and mini-storage.

**Wholesaling and Distribution.** Indoor storage and sale of goods to other firms for resale; storage of goods for transfer to retail outlets of the same firm; or storage and sale of materials and supplies used in production or operation, including janitorial and restaurant supplies. Wholesalers are primarily engaged in business-to-business sales, but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise, and are not designed to solicit walk-in traffic.

## **CHAPTER 8 - PEDDLERS, SOLICITORS AND CANVASSERS**

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### **8-18: SEVERABILITY:**

### **8-1: LEGISLATIVE FINDINGS:**

The city council of the city of Porterville finds that the city has had past problems with door to door sales that are conducted in a manner detrimental to its community members' safety. This includes, but is not limited to, such sales occurring late at night, posing a threat to the safety of those that are solicited as well as those that engage in peddling and soliciting activities as defined below. Additionally such sales are at times misrepresented as being made by or on the behalf of charitable nonprofit organizations, and these provisions will help deter such fraudulent conduct by requiring additional accountability from those engaged in door to door sales. The public safety and convenience necessitates the exercise of police power through the enactment and enforcement of the provisions proposed. However, these provisions are not intended to limit any persons from exercising their constitutional right to solicit funds, picket, protest, proselytize, or engage in other constitutionally protected activity. (Ord. 1662 § 1, 3-1-2005)

### **8-2: DEFINITION:**

"Peddler", "solicitor", and/or "canvasser" (hereinafter referred to collectively in this chapter as "peddlers") includes "peddlers" as defined pursuant to section 15-1 of this code and "solicitors or canvassers" as defined pursuant to section 15-1 of this code, and means any person who goes from house to house, or from place to place in the city selling or taking orders for, or offering to sell or take orders for goods, wares and merchandise for present or future delivery, or for services to be performed immediately or in the future, whether or not such person has, carries or exposes a sample of such goods, wares and merchandise, or not and whether or not he is collecting advance payments on such sales or not. (Ord. 1662 § 1, 3-1-2005)

### **8-3: PERMIT REQUIRED:**

It is unlawful for any person to act as a peddler within the city without having first obtained a permit

issued pursuant to this chapter. This permit is required in addition to any licenses required under [chapter 15](#) of this code. The employees, agents, solicitors or representatives or any firm, irrespective of the form of organization, may be covered under a single business license under [chapter 15](#) of this code (if allowed under that chapter); however each individual shall be required to obtain a permit pursuant to section 8-4 of this chapter unless exempt pursuant to section 8-12 of this chapter or under any other provision of law. (Ord. 1662 § 1, 3-1-2005)

#### **8-4: APPLICATION FOR PERMIT:**

Applicants for a permit under this chapter shall file with the finance officer an application in writing on a form to be prescribed by the finance officer. (Ord. 1662 § 1, 3-1-2005)

#### **8-5: CONTENTS OF APPLICATION:**

The application shall contain the following information:

- A. The permanent home address and full local address of the peddler or solicitor;
- B. The name and address of the person, firm or corporation by whom the peddler/solicitor is employed;
- C. The length of service of each peddler/solicitor with such employer;
- D. The place of residence and nature of the employment of the peddler/solicitor with such employer during the last preceding year;
- E. The nature or character of the goods, wares, merchandise or services to be offered by the peddler/solicitor;
- F. A personal description of the peddler/solicitor; including height, weight, eye color and hair color;
- G. The length of time for which the right to do business is desired;
- H. The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time such application is filed, and the proposed method of delivery;
- I. Photographs pursuant to section 8-8 of this chapter;
- J. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor, or violation of any municipal ordinance, the date of such crime or violation, the nature of the offense, and the punishment or penalty assessed therefor;
- K. The time of day and/or evening during which the solicitation/sales activities will be taking place;
- L. Any applicable state or federal permitting licensing information, when such a permit or license is required for the type of business or activity. (Ord. 1662 § 1, 3-1-2005)

#### **8-6: OTHER INFORMATION:**

Such information shall be accompanied by such credentials and other evidence of good moral character and identity of each peddler/solicitor as may be reasonably required by the finance officer. (Ord. 1662 § 1, 3-1-2005)

#### **8-7: APPLICATION FEES:**

- A. The application fee, replacement application, and identification card fees shall be set by resolution.
- B. Fees and investigations as used in this section refer solely to individuals and not to firms. (Ord. 1662 § 1, 3-1-2005)

#### **8-8: PHOTOGRAPHS REQUIRED:**

Each application for a permit as required by this chapter must be accompanied by two (2) prints of a recent photograph of the peddler/solicitor, which photographs shall not exceed two inches (2")

square in size and shall be full front views of the face and head only of such peddler/solicitor. (Ord. 1662 § 1, 3-1-2005)

#### **8-9: FINGERPRINTS REQUIRED:**

At the time of making the application for a permit, each peddler/solicitor shall present himself/herself at the office of the chief of police of the city for the purpose of being fingerprinted and supplying routine information required on the fingerprinting forms provided, without expense, by the city, including the physical characteristics of each person, identifying marks or scars, age, name, address and signature. Such fingerprint records are to be taken in triplicate and each individual so presenting himself/herself is advised that the city reserves the right to retain one of such fingerprint records in its files for permanent safekeeping, and to send one such fingerprint record to the federal bureau of investigation of the department of justice at Washington, D.C., and to the criminal investigation department of the California department of justice at Sacramento, California, for the purpose of filing. No fingerprint records will be returned in the event the permit applied for is not issued or is subsequently suspended or revoked. (Ord. 1662 § 1, 3-1-2005)

#### **8-10: INVESTIGATION; CHARACTER AND BUSINESS RESPONSIBILITY:**

The original copy of the application shall promptly be referred to the chief of police, who shall promptly make an investigation of the applicant's character and business responsibility. If the applicant's character or business responsibility is found to be unsatisfactory, the chief of police shall endorse on such application the police chief's disapproval and the reason therefor and return the application to the finance officer. The finance officer shall notify the applicant that the application is disapproved and that no permit will be issued. If the chief of police finds that the applicant's character and business responsibility are satisfactory, the police chief shall approve the application and return it to the finance officer, who shall promptly issue the permit and identification card. The city may refuse to issue a permit to an applicant that has previously violated any provision of this chapter or [chapter 15](#) of this code. (Ord. 1662 § 1, 3-1-2005)

#### **8-11: PERMIT AND IDENTIFICATION CARD TO BE CARRIED ON PERSON:**

Each peddler/solicitor issued a permit and identification card must be in possession of the permit and identification card at all times when engaged in the business so permitted within the city. The peddler/solicitor must produce and show the permit and identification card on the demand of any person solicited or of any police officer or official of the city. No person issued a permit or an identification card shall alter, remove or obliterate any entry made upon such permit or card, or deface such permit or card in any way. Each permit and card shall be personal and not assignable or transferable, nor shall any permit or card be used by any person other than the permittee or the person for whom the identification card is issued. The peddler/solicitor must wear the permit so that it is visible at all times. (Ord. 1662 § 1, 3-1-2005)

#### **8-12: EXEMPTION; TEMPORARY NONPROFIT FUNDRAISING:**

The prescribed permit requirements shall not apply to nonprofit organizations which conduct occasional house to house retail sales of packaged wares when the individuals are soliciting on behalf of such organizations, so long as prior to engaging in the activity, the organization submits an application to the finance department, indicating the dates, time period and length of the temporary fundraising activity, and evidence of the organization's not for profit or charitable status. The organizations and individuals shall be subject to all other conditions of this chapter, including, but not limited to, the applicable conditions set forth in section 8-13 of this chapter. (Ord. 1662 § 1, 3-1-2005)

## **8-13: CONDITIONS AND REGULATIONS:**

The following conditions and regulations shall also apply in addition to those set forth in other parts of this chapter or elsewhere in this code:

- A. Shouting; Calling Wares: No person acting under authority of any permit issued under this chapter shall shout or call the person's wares in a loud, boisterous or unseemly manner, or to the disturbance of residents in the city.
- B. Identification By Comparing Signature With That On Permit: Every peddler/solicitor, upon the request of any police officer or official of the city, shall sign the peddler/solicitor's name for comparison with the signature upon the permit or card or the signature upon the permit application.
- C. Order To Be Written In Duplicate: Any person acting under authority of any permit issued under this chapter who solicits orders for future delivery shall write each order at least in duplicate, plainly stating the quantity of each article or commodity ordered, the price to be paid therefor, the total amount ordered and the amount to be paid on or after delivery. One copy of such order shall be given to the customer.
- D. Identification Required Upon Request: Every peddler/solicitor shall, upon request of any person solicited, provide his/her name, business address and telephone number and the name, business address and telephone number of the person, organization, or entity on whose behalf solicitation is being made.
- E. Time: The time of day and/or evening during which the activities will occur shall be set at the time of application for the permit, and under no circumstances will such activities occur before seven o'clock (7:00) A.M. or after nine o'clock (9:00) P.M. (Ord. 1662 § 1, 3-1-2005)

## **8-14: ENFORCEMENT:**

- A. A permit issued under this chapter may be suspended or revoked by the chief of police for any of the following causes:
  - 1. Fraud, misrepresentation or false statement contained in the application for permit;
  - 2. Fraud, misrepresentation or false statement made in the course of carrying on the business as peddler/solicitor;
  - 3. Any violation of this chapter;
  - 4. Conviction of any crime or misdemeanor involving moral turpitude;
  - 5. Conducting the business of soliciting or of canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

This section shall be self-executing and the suspension or revocation shall be effective immediately. The city clerk shall give notice of the suspension or revocation of the permit and sufficient notice shall be given if mailed or delivered to the permittee at the permittee's last known local address.

- B. The city may refuse to issue a permit to an applicant that has previously violated any provision of this chapter or [chapter 15](#) of this code.
- C. Any person subject to the permit requirements of this chapter who conducts the activities described in this chapter without first having obtained the prescribed permit required under this chapter, in a case where the city decides to issue such a permit, may be required to pay a fee for such permit equal to up to double the amount of the fee for said permit.

- D. Activities conducted in violation of any of the provisions of this chapter shall constitute and be punishable as an infraction.
- E. Activities conducted in violation of any of the provisions of this chapter shall constitute a nuisance and shall be subject to civil enforcement, including, but not limited to, injunctive relief.
- F. Violators of this and any other chapter of this code shall also be subject to any other applicable enforcement provisions set forth in this code.
- G. All applicable remedies set forth in this code are deemed to be cumulative. (Ord. 1662 § 1, 3-1-2005)

#### **8-15: APPEALS TO CITY COUNCIL:**

In the event that any applicant or permittee desires to appeal from any order, revocation or other ruling of the finance officer, the chief of police or any other official of the city, made under the provisions of this chapter, such applicant or any other person aggrieved shall file written notice of such appeal with the city clerk and such matters shall be heard at the next regular meeting of the city council, at which time the city council shall hear and receive evidence, written and oral upon all matters involved. The decision of the city council shall be final upon all parties concerned. (Ord. 1662 § 1, 3-1-2005)

#### **8-16: PEDDLING/SOLICITING UNLAWFUL WHERE SIGNPOSTED:**

It is unlawful for any person described in section 8-2 of this chapter to perform or attempt to perform the acts described in such section by ringing the doorbell or knocking at the door or otherwise calling attention to the person's presence of or at any residence whereon a sign bearing the words "No Peddlers", "No Solicitors" or words of similar import is painted or affixed so as to be exposed to public view, and no person, described in section 8-2 of this chapter shall perform or attempt to perform any of the acts described in such section in any building, structure or place of business wherein a sign prohibiting the activities, is painted or affixed so as to be exposed to public view. (Ord. 1662 § 1, 3-1-2005)

#### **8-17: DISTRIBUTION OF HANDBILLS; EXCLUDED:**

Nothing in this chapter shall prohibit persons from distributing handbills door to door within the city without a permit, nor shall this chapter prohibit individuals from engaging in anonymous religious or political speech. However, such activities shall be prohibited if a sign has been posted by the property or business owner or manager that clearly prohibits such activities, and such activities can be legally prohibited at the site under those circumstances. (Ord. 1662 § 1, 3-1-2005)

#### **8-18: SEVERABILITY:**

It is declared to be the intention of the city council that the subsections, paragraphs, sentences, clauses, and phrases of this chapter are distinct and severable and, in the event that any subsections, paragraphs, clauses and/or phrases are declared to be unconstitutional, invalid, or unenforceable by any court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining subsections, paragraphs, clauses, or phrases of this chapter. (Ord. 1662 § 1, 3-1-2005)



## CHAPTER 15 – GENERAL PROVISIONS

### Excerpts relevant to Itinerant Vendors or Solicitors

#### **15-1: DEFINITIONS:**

ITINERANT VENDOR OR ITINERANT MERCHANT: All persons, both principal and agent, who engage in a temporary or transient business in the city, selling or offering to sell goods, wares or merchandise or any other thing of value, with the intention of conducting such business for a period of less than ninety (90) days, and who for the purpose of such business hires, leases or occupies any room, doorway, vacant lot, building or other place, for the exhibition for sale of goods, wares, merchandise or other thing of value. If any such place, occupied or used for such business, is rented or leased for a period of less than ninety (90) days, such fact shall be presumptive evidence that the business carried on therein is a transient business; and any person so engaged shall not be relieved from the provisions of this section or from payment of the license taxes herein provided for such business, by reason of any temporary association with local dealer, trader, merchant or auctioneer.

The provisions of this definition shall not apply to commercial travelers or selling agents, selling their goods exclusively to merchants, dealers or traders, whether selling for present or future delivery, by sample or otherwise, nor to peddlers, as the same is defined in this chapter. Further, the provisions of this definition shall not apply to persons selling fruit, vegetables, eggs, butter or other farm or ranch products of their own farm or dairy, exclusively, nor shall it apply to food products defined as "cottage foods" pursuant to the Health And Safety Code, live plants or plant cuttings, or homemade arts or crafts when such items are offered for sale by the preparer at a coordinated farmers' market or similar event approved through the city.

#### **15-8: LICENSE ISSUANCE:**

C. Street Vendors/Peddlers Business License: The following information will be collected prior to the issuance of a street vendor/peddler license:

1. A description of the type of food/merchandise to be sold.
2. A description of the type of conveyance or vehicle and proposed locations.
3. Evidence of Tulare County health department certificate.
4. Evidence of general liability insurance, automobile liability, and workers compensation (when applicable).
  - a. General liability insurance, including public liability, property damage insurance, and products liability, the form of which shall be subject to the approval of the city risk manager, indemnifying the city from any liability whatsoever arising out of the carrying on of any business authorized by such permit. Such insurance shall name the city, its officers, employees, agents and volunteers as additional insured, shall provide for cross liability between insured and provide that the applicant's insurance is primary to any insurance coverage administered or owned by the city. The amounts of insurance coverage shall be in the form of a one hundred thousand dollar (\$100,000.00) umbrella policy aggregate per incident;
  - b. Workers' compensation insurance as required by state statutes, when operators are employees and not owners; and
  - c. Automobile liability coverage as required by state statutes.
5. Evidence of payment of the city's business license fee of twenty five dollars (\$25.00) semiannually per vehicle, cart or any other type of conveyance.

6. Photo identification cards to be carried by vendor.
7. Evidence of state sales tax identification number or certificate of state sales tax exemption.
8. Evidence of sound registration statement approval by city police department in accordance with section 3-12 of this code for those street vendors with sound systems.
9. This requirement shall not apply to caterers licensed under section 15-23, gross receipts, classification B, of this code. (Ord. 1324, 12-18-1984; Ord. 1531 § A2, 6-18-1996)

## **15-20: REGULATIONS:**

### **C. Junk Dealers And/Or Collectors:**

1. **Permit Required:** Before any person shall engage in the city in the business of buying or selling old rope, brass, copper, tin, lead, rags, slush, empty bottles, paper, bagging, or other junk whether at a fixed place of business or as an itinerant peddler, he shall make application to the city council for a permit to engage in such business. Such application shall be referred to the chief of police, who shall make an investigation concerning the character of the applicant, and within seven (7) days shall report thereon to the city council. Upon receiving such report, the city council shall grant or deny the applicant a permit to engage in such business, and such permit shall be granted unless it shall appear from such report of the chief of police that the applicant is not a person of good moral character, or has not a good character in respect to honesty and integrity; provided, however, that no such permit shall be granted unless the city council find that such applicant, or if the applicant be a corporation, the manager thereof, has been a resident of the city for not less than ninety (90) days prior to such application.
2. **Registration Of Purchases:** Every person maintaining or operating a junk shop or junkyard shall keep at his place of business a substantial well bound book, and shall promptly enter therein an exact description of all personal property purchased by him or it, the date of purchase, name and residence or place of business of the person from whom purchased, and all particular or prominent marks of identification that may be found on such property. Such book shall be kept neat and clean, and all entries made therein shall be neatly and legibly written in ink. Such book shall at all times during the ordinary hours of business be open to the inspection of the chief of police, or any other city officer.
3. **Required Holding Period:** All junk purchased by owners or keepers of junk shops or junkyards shall be held for a period of at least nine (9) days before the same shall be sold.
4. **Pawning And Pledging Prohibited:** No owner or keeper of a junk shop or junkyard shall receive any personal property by way of pledge or pawn, nor shall any owner or keeper of a junk shop or junkyard engage in the business of pawnbroking on the same premises wherein a junk shop or junkyard is located.
5. **Hours Of Business:** No junk peddler shall purchase or collect any junk in the city between the hours of six o'clock (6:00) P.M. and six o'clock (6:00) A.M.
6. **Revocation Of Permit:** The city council may revoke the junk dealer permit granted to any person upon failure of such person to conduct and carry on such business in accordance with the provisions of this subsection; and such permit may likewise be revoked, if in the conduct of such business, any law of the state, county or city be violated.
7. **Places Of Business:** It shall be unlawful for any owner, tenant or lessee of any premises in the city, or the owner, tenant or lessee of any trailer house, trailer, truck, automobile, motor vehicle or other vehicle to keep, place or maintain thereon, or to permit the keeping, placing or maintaining thereon,

of any trailer house, trailer, truck, automobile, motor vehicle or other vehicle which is used or which is to be used for a dental or chemical laboratory or for the display or selling of merchandise therein, or to use or permit the use of any trailer house, trailer, truck, automobile, motor vehicle or other vehicle on any premises in the city for business, religious, educational, retail, commissary, shop, storage, office purposes or for other type of commercial retail purpose.



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Consideration of Calling for November 8, 2016 General Election; Requesting Consolidation of Elections; and Setting Specified Services

**SOURCE:** Administrative Services

**COMMENT:** As the City Council is aware, the City's next general election is set to take place on November 8, 2016. During this election, an unprecedented four (4) Council seats will be open: one 2-year term seat and three 4-year term seats. As staff prepares for meeting election calendar deadlines, it is now time for the Council to make certain determinations for the election protocols. The areas in question are as follows:

A. Consolidation – If County Services are to be utilized for the following:

1. Prepare, print and mail to the qualified electors of the City sample ballots and voter pamphlets.
2. Provide Vote by Mail ballots for said General Municipal Election for use by the qualified electors who may be entitled to such ballots in the manner provided by law.
3. Order the consolidation of precincts, appoint precinct boards, designate polling places and instruct election officers concerning their duties.
4. Conduct and canvass the returns of the election and certify the votes cast to the City Council as set forth in Election Code Sec. 10262.
5. Receive and process Vote by Mail ballot voter applications.
6. Prepare, print and deliver supplies to the polling places, including the official ballots and a receipt for said supplies.
7. Recount votes, if requested, in accordance with state law.
8. Conduct the above election duties in accordance with the Voting Rights Act of 1975.
9. Perform all other pertinent services required to be performed for said election, except as otherwise agreed, other than the requirements of the Fair Political Practices Commission; said FPPC requirements to be performed by the City Clerk.

With the City opting to consolidate its elections with the County for the past 14 years, City Clerk staff and County Elections staff have formed a solid working relationship. The agreement for services provides for shared responsibilities, with the City retaining certain services to allow for local candidate filings and nomination verifications; as well as the local publication of election notices. It is staff's belief that this model provides for both efficiency and convenience for local candidates.

B. Candidates' Statements:

Another determination to be considered by the Council pertains to Candidates Statements as follows:

1. If they are to be allowed.
2. If the candidate will have to pay the pro rata cost of printing and distributing the candidates' statements of 200 words or less (cost of mailing not included). This cost is estimated to be approximately \$1,400 per candidate.
3. If other mailing of election material is to be permitted.

C. The designation for the Central Counting of Ballots:

1. It is recommended that the Council designate the Tulare County Election Department, 5951 South Mooney Boulevard, Visalia, California as the location for the Central Counting of Ballots.

Staff has budgeted \$60,000 for this election, which is an increase of approximately \$16,000 from the prior election of June 3, 2014. The anticipated increase is attributed to the expected increase in the number of registered voters due to the presidential election. For Council's information, the number of registered voters in Porterville as of June 3, 2015 was 14,519.

RECOMMENDATION:

That the City Council:

1. Adopt the draft Resolution calling the Election for November 8, 2016; requesting and consenting to the consolidation of the election; and setting specifications of the election order;
2. Adopt the draft resolution requesting that the Board of Supervisors permit the Registrar of Voters to render specified services to the City for the November 8, 2016, Election;
3. Allow candidates' statements of 200 words or less with no additional mailings and determine whether the candidate or the City shall be responsible for the estimated \$1,400 per candidate cost for same;
4. Authorize that the County Election Department, 5951 South Mooney Boulevard, Visalia, California, be designated as the Central Counting Place for the November 8, 2016, General Municipal Election; and
5. Authorize payment to the Tulare County Registrar of Voters upon the completion of the requested services.

ATTACHMENTS:

1. Draft Resolution Requesting Services
2. Draft Resolution Calling for Election, et al.

Appropriated/Funded: MB

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager



RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PORTERVILLE REQUESTING THE TULARE COUNTY BOARD OF  
SUPERVISORS PERMIT THE COUNTY REGISTRAR OF VOTERS TO RENDER  
SPECIFIED SERVICES TO THE CITY OF PORTERVILLE

WHEREAS, pursuant to the Elections Code, the governing body of any city may, by Resolution, request the Board of Supervisors of the County to permit the County Elections Official to render specified services to the city related to the conduct of an election; and

WHEREAS, the City of Porterville has ordered an election be held within the boundaries of the City on November 8, 2016.

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

The Board of Supervisors of Tulare County is hereby requested to permit the County Registrar of Voters to render services to the City of Porterville relating to the conduct of the November 8, 2016 Municipal Election as follows:

- a. Prepare, print and mail to the qualified electors of the City sample ballots and voter pamphlets.
- b. Provide Vote by Mail ballots for said General Municipal Election for use by the qualified electors who may be entitled to such ballots in the manner provided by law.
- c. Order the consolidation of precincts, appoint precinct boards, designate polling places and instruct election officers concerning their duties.
- d. Conduct and canvass the returns of the election and certify the votes cast to the City Council as set forth in Election Code Sec. 10262.
- e. Receive and process Vote by Mail ballot voter applications.
- f. Prepare, print and deliver supplies to the polling places, including the official ballots and a receipt for said supplies.
- g. Recount votes, if requested, in accordance with state law.
- h. Conduct the above election duties in accordance with the Voting Rights Act of 1975.
- i. Perform all other pertinent services required to be performed for said election, except as otherwise agreed, other than the requirements of the Fair Political Practices Commission; said FPPC requirements to be performed by the City Clerk.

The City Clerk is hereby authorized and directed to transmit certified copies of this Resolution to the Board of Supervisors and to the County Registrar of Voters.

PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of June, 2016.

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Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

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By: Patrice Hildreth, Chief Deputy City Clerk



RESOLUTION NO. \_\_\_\_-2016

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PORTERVILLE CALLING THE GENERAL MUNICIPAL ELECTION OF  
NOVEMBER 8, 2016; REQUESTING AND CONSENTING TO THE CONSOLIDATION OF  
ELECTIONS; AND SETTING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the City Council of the City of Porterville has ordered a Municipal Election to be held on Tuesday, November 8, 2016, to fill certain municipal offices; and

WHEREAS, other elections may be held in whole or in part of the territory of the City of Porterville and it is to the advantage of the City to consolidate pursuant to Elections Code Section 10400; and

WHEREAS, Elections Code Section 10242 provides that the governing board shall determine the hours of opening and closing the polls; and

WHEREAS, Elections Code Section 10002 requires the City to reimburse the County in full for the services performed upon presentation of a bill for services to the City by the County Elections Official; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens, the governing body must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and

WHEREAS, Elections Code Section 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City.

NOW, THEREFORE, IT IS ORDERED that an election be held in accordance with the following specifications:

SPECIFICATIONS OF THE ELECTION ORDER

1. The Election shall be held on Tuesday, the 8<sup>th</sup> day of November, 2016. The purpose of the election is to choose successors for the following offices:  
  
Three (3) Members of the City Council  
(Full Term of Four Years)  
  
One (1) Member of the City Council  
(Term of Two Years)
2. This City Council hereby requests and consents to the consolidation of this election with other elections which may be held in whole or in part of the territory of the City, as provided in Elections Code 10400.

3. The City hereby designates the hours of the polls are to be kept open shall be from 7:00 a.m. to 8:00 p.m.
4. The City will reimburse the County of Tulare for the actual cost incurred in conducting the election upon receipt of a bill for services as determined by the Elections Official.
5. The City Council has determined that the Candidate will pay for the Candidate's Statement. The Candidate's Statement will be limited to 200 words.
6. The City directs that a certified copy of this Resolution be forwarded to the Registrar of Voters, and the Board of Supervisors of Tulare County.

PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of June, 2016.

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Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

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By: Patrice Hildreth, Chief Deputy City Clerk



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Consideration of Appointment to the Transactions and Use Tax (Measure H) Oversight Committee

**SOURCE:** Administrative Services

**COMMENT:** As the City Council is aware, the Transactions and Use Tax Oversight Committee was established as a part of Measure H, the public safety one-half cent sales tax measure approved by Porterville voters in November of 2005. The charge of the committee is to review the revenue and expenditures of the three Measure H budgets in Fire, Police, and Literacy, and to report its findings to the City Council. The Committee is comprised of ten members of the public, each serving staggered four-year terms. To be eligible for appointment, individuals must either be a Porterville resident, business owner, or business operator.

Five of the ten Committee Members' terms expired on May 31, 2016. Of those five members, staff has confirmed that four of them, Gail Lemmen, Salvador Estrada, Khris Saleh, and Janet Meister are not seeking re-appointment. At the time of agenda development, staff was unable to connect with the fifth Member with an expiring term, Margaret Stinson, but will continue efforts in this regard.

In addition to those four confirmed vacancies, the Committee has another vacancy with a term expiring in May of 2018 due to the past resignation of Committee Member Bill Nebeker.

Staff has received one Request for Appointment submitted by Mr. Titus Moore, which is provided herein for Council's consideration. With regard to the remaining vacancies, staff has publicized these opportunities with the local media, as well as on the City's website, and will continue outreach efforts.

**RECOMMENDATION:** That the City Council appoint Titus Moore to the Transactions and Use Tax (Measure H) Oversight Committee to a term ending in May of 2020; and direct staff to continue outreach efforts to fill the remaining vacancies.

**ATTACHMENTS:** 1. Request for Appointment\_Moore

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

# CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

RECEIVED  
MAY 18 2016  
CITY OF PORTERVILLE  
ADMINISTRATIVE SERVICES

Please complete all blanks.

Name: Titus Moore  
(Please Print)

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

☐ Reappointment; or IF NEW, please provide :

Street Address: 1425 Highland Dr.  
Porterville, CA 93257

Mailing Address: (same)

Name of Business: Bank of the sierra  
☐ Own ☐ Operate

Business Address: 90 N. Main St.  
Porterville, CA 93257

Telephone: Home 559-359-4983  
Work 559-791-3121  
FAX \_\_\_\_\_  
E-mail tmoore@bankofthesierra.com

City of Porterville resident:

☒ Yes  
☐ No

Registered Voter:

☒ Yes  
☐ No

Qualifications: \_\_\_\_\_

\* B.S. in Business Administration with an emphasis in Finance.

\* Commercial Loan Officer with Bank of the Sierra.

Duties include the review of and opinion on Commercial Financial  
Statements.

☒ Resume attached

☐ Letter of request attached

Submitted By: (TITUS MOORE) 5-18-16  
Date

Received by: PATRICE HILDRETH

Forwarded to: City Clerk ☒ Date: 5-18-16

City Council ☐ Date: \_\_\_\_\_

City Manager ☐ Date: \_\_\_\_\_

Applicable Dept. ☐ Date: \_\_\_\_\_

Tentative Council Mtg Date: 6-7-16

# Titus W. Moore

1711 W. Henderson Apt.93, Porterville, CA 93257 tituswmoore@hotmail.com

559-359-4983

## Education

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August 2009 – May 2014

California State University, Fresno  
Business Administration, option in finance

## Professional Experience

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June 2014 – Present

Bank of the Sierra, Porterville CA

### Commercial Loan Officer, Credit Analyst

- Facilitate negotiation of loan structure, compile loan packages.
- Meeting with prospective customers, monitor and maintain customer relationships.
- Analyze applicant financial information.
- Assess & advise on applicant credit worthiness concerning risk factors of the applicant, economy, & industry.

Jan 2010 – Sep 2014

Elephant Bar And Grill , Fresno CA

### Marketing Manager, Bartender, Server, Expo, Busser

- Increase overall sales with a focus on late night Bar sales
- Ambassador of customer service, ensure every customer has a positive experience whenever they enter the establishment.

May 2012 - August 2012

New York Life Insurance, Fresno CA

### Intern

- Life, accident and health insurance license (CA) # 0H89146

## Extracurricular

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August 2009 – May 2014

Sigma Chi Fraternity, California State University Fresno

### Vice President (Spring 2012), Secretary (Fall 2011), Treasurer (Spring 2011)

- Manage Internal operations and Executive board
- Create efficient standardized participation spreadsheet
- Annual budget of \$100,000, reduce debt by 20%, 95% collection rate

August 2012 – August 2013

Vintage Days, California State University Fresno

### Development Committee

- Sign sponsors in exchange for exact value advertising
-



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Extended Emergency Regulation for Urban Water Conservation

**SOURCE:** Public Works

**COMMENT:** On May 18, 2016, the State Water Resources Control Board adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized self-certification approach which mandates that urban water suppliers act to ensure at least a three-year supply of water to their customers under drought conditions.

Recognizing persistent, yet less severe, drought conditions throughout California, the newly adopted emergency regulation will replace the February 2, 2016, emergency water conservation regulation that set specific water conservation benchmarks at the state level for each urban water supplier. This newly adopted regulation, which will be in effect through January 2017, requires locally developed conservation standards based upon each agency's specific circumstances.

These standards require local water agencies to ensure a three-year supply assuming three more dry years comparable to the years the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years will be required to meet a conservation standard equal to the amount of shortage.

Under the February 2, 2016, emergency regulation the City of Porterville received a revised conservation standard of 28% with an additional 2% reduction for climate adjustment, making the City's conservation standard 26%. After reviewing the Water Boards Self-Certification criteria for the City of Porterville, it is staff's recommendation to maintain the current imposed standard of 26%. The continuation of the current standard keeps a standardized message the City has worked to develop in public outreach, provides resiliency and capacity to ensure three years of supply under drought conditions, meets the minimum 20% conservation standard defined in the City's Urban Water Management Plan, and assists the City toward meeting the requirements of the Sustainable Groundwater Management Act (SGMA).

The State Water Board will also continue to require monthly reporting to track what agencies plan to do and how they perform throughout the year. During the extended regulation, agency reporting will continue to monitor performance of urban water conservation, with a preparedness to return back with a 25% state mandate early next year if necessary.



The regulation will require urban water suppliers to continue their monthly conservation reporting. The adopted regulation will also keep specific prohibitions relating to certain water uses. Those prohibitions include:

- Watering down a sidewalk/driveway with a hose instead of using a broom or brush.
- Over watering a landscape resulting in water running off the landscape, over a sidewalk, and into the gutter.
- Prohibitions directed to the hospitality industry also remain in place.
- Prohibitions against homeowners' associations taking action against homeowners during a declared drought remain as well.

The adopted regulation is the result of feedback from urban water suppliers, public workshops on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

Compliance with individual water supplier conservation requirements is based on cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. Under the new reporting structure, water districts will continue to report water use, but their conservation standard will be based on any shortfall in projected supply over three drought years.

RECOMMENDATION: That City Council approve maintaining the current water conservation standard of 26% which will ensure at least a three-year supply of water under drought conditions.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Consideration of Fiscal Year 2016-2017 Proposed Budget and Setting Date of Public Hearing

**SOURCE:** City Manager's Office

**COMMENT:** Consistent with the City Charter, the City Manager has submitted for the City Council's consideration a proposed Budget for the 2016-2017 Fiscal Year. Section 51 of the City Charter provides that the City Manager shall provide not later than thirty (30) days before the end of the City's fiscal year, an estimate of expenditures and revenues of the City departments for the ensuing year.

The budget message presented with the draft document is attached, which emphasizes the significant projects and factors involved with the Budget's development, and recommends periodic review of budget targets and the revision of expenditures to meet those targets (if necessary).

Generally, the overall reduction in Fund balances proposed will result from using monies accumulated for capital expenditure being used to implement projects.

The City Charter provides that "after duly considering the estimate and making such corrections or modifications thereto as shall seem advisable to it, the Council shall by resolution adopt a general budget and such resolution shall operate as an appropriation of funds to the amounts and for the purposes set forth in the budget so adopted." All spending authority from the current 2015-2016 Fiscal Year budget expires after June 30, 2016. Therefore, a new budget must be adopted which allows payroll to be paid and routine expenditures to be incurred effective July 1, 2016. The Charter is not specific as to the duration of the adoption, thus accordingly, consistent with past Council discussion, the Council may authorize a budget adoption period less than the full fiscal year.

**RECOMMENDATION:** That the City Council:

1. Consider the proposed 2016-2017 Fiscal Year Budget, include any modifications so directed by the Council; and
2. Schedule a Public Hearing on the proposed Budget for Tuesday, June 21, 2016.

**ATTACHMENTS:**

1. Budget Message
2. 2016-17 Proposed Budget - Fund Summaries
3. 2016-17 Proposed Capital Projects

4. 2016-17 Proposed Equipment Replacement Schedule
5. 2016-17 Proposed Budget - Fund Detail

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

**FY 2016-17 Preliminary Budget**  
**June 7, 2016**

**Honorable Mayor, Vice Mayor and Members of Council:**

Still not a decade removed from the beginning of the “Great Recession” in 2008, the City has endured extraordinary budgetary challenges. Positively, both the current and potentially next fiscal year are forecasted to be less economically challenging than the prior seven years have collectively been. Although, it should be noted that if the current drought conditions continue into the 2017 calendar year, it is uncertain what local economic impacts may take effect. Given current improved economic conditions, the State’s budgetary condition appears to have stabilized, with no negative impacts by the State expected upon the City budget as has been experienced in recent years (“borrowing” of Property Tax, elimination of Redevelopment, redirection of Vehicle License Fee funds, redirection of Off-Highway Vehicle funds, etc.). However, transportation funding continues to be a significant legislative issue in Sacramento, as the State’s Special Session for Transportation Funding Committee has not met since October 2015, and no proposed transportation funding legislation has found traction for adoption to address the ever-increasing infrastructure needs and the declining dedicated tax revenues (\$754 million decrease estimated for the 2016-17 fiscal year).

Although it would appear that the national, state, and local economies have stabilized, only incremental improvement is anticipated over the next couple of years, with a moderate economic downturn being forecast in the 2018-19 fiscal year. Locally, with assistance of a \$60 million State grant, the County will begin construction this summer of the new South County Detention Center, anticipated to become operational in 2018 with approximately 100 sworn personnel employed to serve the 510-bed facility. GreenPower Motor Company is also expected to begin construction of their manufacturing facility this summer, with bus production anticipated to begin in early spring 2017. The Henderson Avenue mixed-use project began development of the residential component last year, with additional residential units and the first phase of the commercial component expected to begin construction this summer, including new national-brand tenants Tractor Supply Company and Steak ‘n Shake.

There continues to be significant interest by national-brand retailers to locate in Porterville, either on the Henderson Avenue, Olive Avenue or Highway 190 commercial corridors. The opening of Kohl’s in the Porterville Marketplace precipitated the expected companion retail development (Famous Footwear, Marshall’s, Me-N-Ed’s Pizzeria, Panera, PetSmart, Rue21, etc.), with Ulta Beauty the latest addition to the Marketplace. Four additional commercial development projects are being planned for on the Henderson Avenue corridor within the next one to two years. The Town & Country Shopping Center on Olive Avenue is almost completely tenanted, including the locations this past year of Anvil BBQ, Planet Fitness, and Tony’s Pizza. Although the Superior Court resoundingly ruled in favor of the City and the Council’s approval of the Riverwalk Phase II (Super Walmart) EIR, the opponents filed an Appeal to the decision,

and the Appellate Court ruled 2-1 against the City, requiring that a limited greenhouse gas emissions analysis be performed – the analysis has been performed and will be considered by the City Council. Although there continues to be incremental development activity with the opening of Jaffa Mediterranean Grill, further development of the Jaye Street Crossings and Riverwalk retail centers will likely be concurrent with Walmart's future development. Downtown has also seen increased development interest, with the opening of The Vault Bar & Grill, the return of Stafford's Chocolates, and the construction of Nanlangka Teppanyaki on Main Street, as well as Grocery Outlet and Dollar Tree opening in the Smith's Town Square Shopping Center. In addition, the Porterville Cornerstone Project at the former Porterville Hotel site is anticipated to draw development interest. New permits issued for new residential construction are anticipated to remain comparatively sluggish, with approximately a quarter of the permits anticipated to be issued (30) that were issued in 2008 (110).

Perhaps no better indicator of the economic downturn and recent stabilization has been the City's General Fund. With Property, Sales & Use, and Utility Users Taxes historically combining to constitute over sixty-five percent (65%) of General Fund revenues, the City had experienced a collective \$2.4 million decrease since 2008, with General Fund revenues dropping from approximately \$24.1 million in the 2007-08 fiscal year to \$23.9 million estimated in the current 2015-16 fiscal year. As tax revenues have been moderately improving, staff has conservatively estimated General Fund revenues for the coming fiscal year at approximately \$24.5 million, which represents a modest 2.60% increase over the current fiscal year.

Conversely to General Fund revenues, expenditures have increased almost \$2.7 million since 2008, increasing from approximately \$19.5 million in the 2007-08 fiscal year to approximately \$24.3 million in the current 2015-16 fiscal year. Expenditures for the coming 2016-17 fiscal year are currently budgeted at \$26.2 million, which represents an approximate 7.9% increase over the current fiscal year, resulting in an estimated \$1.67 million budget shortfall. A budget-balancing solution employed for the past couple of years has been to curtail Departmental spending to either 94% or 95% of budgeted expenditures, which this next year would "save" approximately \$1.3 million (95%).

Based on estimates for the fiscal year 2014-15 ending, the City's Budget Stabilization Reserve Fund was fully-funded (15% of annual budgeted operating expenditures; \$3.58 million) and the Catastrophic/Emergency Reserve Fund (10% of annual budgeted operating expenditures; \$2.4 million) was funded at \$500,000.

As the Council is aware, with the State's budgetary situation stabilized, a significant budgetary threat looming for the City is the expected double-digit CalPERS employer contribution rate increases recently adopted by the CalPERS Board of Directors, deferred from taking effect July 1, 2016. Based on current payroll, such an increase would likely exceed \$1 million in increased expense to the General Fund. In the coming fiscal year, the City will be experiencing an increase in the employer contribution rate from 33.306% to 36.055% (2.75% increase) for Public Safety Tier 1 "Classic" employees, and an increase from 26.074% to 28.294% (2.22% increase) for

Miscellaneous Tier 1 “Classic” employees, for every \$1.00 of payroll, with a budgetary impact of approximately \$350,000.

### RISK MANAGEMENT

Staff has been concerned by the performance of the Risk Management Fund, and most specifically the Health & Life component of the Fund, with past multi-year deficits of at least \$1 million. To address this continuing shortfall, staff worked with its employee associations on Health Plan modifications for cost-savings, increased employer and employee contributions to the Fund, as well as increased retired employee contributions, which have resulted in a more positive Fund outlook.

### MEASURE H

The new Public Safety Station completed construction and became operational earlier this calendar year, with final construction costs of approximately \$4.87 million which was entirely within the Fund Reserve, with an estimated Fund Reserve balance of approximately \$550,000 (15% of annual budgeted operating expenditures). Given the new facility and already recognized improved response times, combined with the hiring of three (3) additional Fire Department personnel this past year from Measure H (as well as the assignment of non-shift Fire Officers to shift operational assignments), the Fire Department was successfully reclassified from a Class 3 to a Class 2 Fire Department by the Insurance Services Office (ISO).

Over the past three fiscal years, through a FEMA “SAFER” Grant that provided up to \$30,000 annually, the Fire Department has been able to employ up to thirty (30) Reserve Firefighters per year. The grant will expire at the end of the current fiscal year, which the Fire Department proposes to continue the hire of fifteen (15) Reserve Firefighters (\$15,000) through existing Measure H appropriation. The availability of a prepared and trained Reserve Firefighters will assist in the Department’s endeavor to be reclassified by ISO as a Class 1 Fire Department in its next review in 2018.

### STREET PROJECTS

The beginning of the Jaye Street Bridge Widening Project is the primary project anticipated this coming fiscal year. The estimated total project cost is approximately \$5.7 million, of which the City’s match is 11.47% (\$651,246), which is funded through Certificates of Participation (COP) and Local Transportation Funds (LTF). The project is anticipated to be completed in two construction phases due to the seasonal flow requirements of the Tule River, although, the project could possibly be completed in a single phase should the current drought conditions continue.

Significant previously-appropriated street projects that are anticipated to progress next fiscal year include: 1) Henderson Avenue Reconstruction – Jaye Street to Indiana Street (\$1.2 million); 2) Lime Street Reconstruction – Henderson Avenue to former railroad ROW (\$1.12 million); 3) Downtown Parking Lots Sidewalk ADA Improvements

(\$625,372); 4) Downtown Pedestrian Walkway – Garden Avenue (\$589,000); 5) Lighted Crosswalks – Arterials & Collectors (\$512,500); 6) Putnam Avenue and “D” Street Traffic Signal (\$483,000); and 7) Date Avenue Reconstruction – Jaye Street to “H” Street (\$216,569).

It is projected for the coming fiscal year that the City will have approximately \$2 million in Measure R “Local” funds for micro-surfacing projects. Consistent with the City’s Pavement Condition Index (PCI), as well as previously-appropriated projects, staff recommends the micro-surfacing of Plano Street, between Highway 190 and Henderson Avenue, as well as Main Street between Morton and Olive Avenues. Should the micro-surfacing of Main Street be determined not to be the most efficient repair treatment, then other project options will be presented to the City Council.

Significant staff time will be spent in continued facilitation with Caltrans on the implementation of the Highway 190 Corridor Study and the immediate term interchange and intersection improvements, with TCAG Measure R “Regional” funds as the source of funding.

#### WATER PROJECTS

Significant staff time is being devoted to the East Porterville Water Connection Project, in coordination with State and County representatives, including the equipping and connection of the new well (Well #35) near the Tule River, south of Olive Avenue. As part of the Akin Water Company Services Agreement, the development of Well #33 has begun, located north of Henderson Avenue near the Friant-Kern Canal, with approximately \$1.4 million in funding to be provided by the Department of Water Resources. Staff is also in coordination with State representatives on funding of another well (Well #34) in support of the Beverly/Grand Water Company consolidation project. A significant proposed project is the coating and repair of the 3-million gallon Scenic Heights reservoir, estimated at approximately \$2.13 million.

#### SEWER PROJECTS

With the fourth of the five Island Annexation Sewer Extension Projects under construction, it is anticipated that more than \$7 million in sewer extension projects will have been constructed during the 2012-13 through 2016-17 fiscal years, with the objective of connecting to City sewer the approximate 5,000 former County residents that were subject to annexation in 2006. A proposed replacement project in preparation for upcoming street reconstruction is on Henderson Avenue, between Lime Street and Plano Street, estimated at \$470,000.

#### “OTHER” MAJOR CAPITAL PROJECTS

Transit zero-emission electric bus project (\$11.68 million), construction of the Blower & Dewatering and Odor Controls Projects at the Wastewater Treatment Facility (\$2.2 million), construction of Tule River Parkway – Phase III (\$2.17 million), and construction

of Veterans Park Trail – Phase I (\$300,000) are additional major capital projects anticipated this coming fiscal year.

In summary, the Preliminary Budget proposed for the upcoming 2016-17 fiscal year represents the significant activities planned to improve our community, even during a continued improving yet challenged economic environment. Toward ensuring that the City's planned revenues and spending remain in balance, it is recommended that the Council continue its regular quarterly budget review.

**Sincerely,**

**John D. Lollis**  
**City Manager**



# **PROPOSED ANNUAL BUDGET**

## **FUND SUMMARIES**



**FISCAL YEAR  
2016-2017**

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017  
GENERAL FUND SUMMARY**

|                                             |                   | 2015-2016         |                   |                    |
|---------------------------------------------|-------------------|-------------------|-------------------|--------------------|
|                                             | 2014-2015         | Original          | Revised           | 2016-2017          |
|                                             | Actual            | Estimate          | Estimate          | Estimate           |
| <b>Revenues from:</b>                       |                   |                   |                   |                    |
| Property Taxes                              | \$ 7,325,308      | \$ 6,940,354      | \$ 6,547,532      | \$ 5,990,000       |
| Sales and Use Taxes                         | 4,266,605         | 4,630,149         | 5,490,424         | 5,850,109          |
| Utility Users Taxes                         | 3,882,942         | 4,100,000         | 3,952,000         | 4,000,000          |
| Other Taxes                                 | 2,784,467         | 2,606,134         | 2,716,134         | 2,731,134          |
| Permits                                     | 526,774           | 403,000           | 403,000           | 492,600            |
| Other agencies                              | 388,168           | 94,000            | 167,615           | 202,351            |
| Invested assets                             | 319,624           | 388,404           | 388,404           | 440,506            |
| Fines                                       | 65,446            | 71,500            | 71,500            | 56,500             |
| Charges for services                        | 3,885,373         | 4,219,663         | 4,219,663         | 4,582,569          |
| Other revenues                              | 254,462           | 70,000            | 70,000            | 65,000             |
| <b>Total operating revenues</b>             | <b>23,699,169</b> | <b>23,523,204</b> | <b>24,026,272</b> | <b>24,410,769</b>  |
| <b>Appropriations for:</b>                  |                   |                   |                   |                    |
| Legislation                                 | 365,877           | 444,125           | 444,125           | 479,219            |
| Administration                              | 760,241           | 719,572           | 730,912           | 836,507            |
| City Attorney                               | 221,915           | 225,000           | 225,000           | 225,000            |
| Finance                                     | 1,490,236         | 1,596,827         | 1,572,930         | 1,714,135          |
| Police Services                             | 8,313,408         | 9,052,865         | 8,893,363         | 9,711,074          |
| Fire Services                               | 3,492,755         | 3,876,905         | 3,819,381         | 4,039,522          |
| Community/Economic Development              | 632,113           | 821,392           | 812,464           | 949,603            |
| Public Works                                | 2,286,141         | 2,440,906         | 2,406,091         | 2,649,707          |
| Parks and Leisure Services                  | 4,540,665         | 5,053,570         | 5,372,542         | 5,665,024          |
| Parks and Leisure Services - grant prog     | 21,427            | 20,000            | 24,519            | 24,519             |
| <b>Total departmental expenditures</b>      | <b>22,124,778</b> | <b>24,251,162</b> | <b>24,301,326</b> | <b>26,294,310</b>  |
| <b>Revenue over (under) expenditures</b>    | <b>1,574,391</b>  | <b>(727,958)</b>  | <b>(275,054)</b>  | <b>(1,883,541)</b> |
| <b>Other financing sources (uses):</b>      |                   |                   |                   |                    |
| <b>Transfers:</b>                           |                   |                   |                   |                    |
| Special Gas Tax                             | 852,124           | 908,889           | 908,889           | 956,373            |
| Community Development Block Grant           | 104,602           | 102,055           | 102,055           | 102,056            |
| Traffic Safety Fund                         | 200,490           | 200,200           | 200,200           | 165,500            |
| Transportation Development                  | 150,000           | 105,000           | 105,000           | 150,000            |
| Park Development                            | 66,261            | 39,750            | 39,750            | 44,670             |
| Building Construction Fund                  | 7,830             | 4,000             | 4,000             | 7,000              |
| Zalud Estate support                        | (10,000)          | (10,000)          | (10,000)          | (10,000)           |
| Golf Support                                | (69,000)          | (69,000)          | (69,000)          | (69,000)           |
| Other Transfers                             | (16,151)          | (1,327)           | (29,381)          | (1,327)            |
| Net transfers                               | 1,286,156         | 1,279,567         | 1,251,513         | 1,345,272          |
| Capital grants / donations                  | 47,733            | 178,367           | 700,786           | 300,000            |
| Restricted Fund Balance                     | -                 | 896,597           | -                 | 420,907            |
| Special Purpose Reserve                     | 29,638            | 100,000           | 100,000           | 100,000            |
| Interfund Loan                              | 2,400,000         | -                 | -                 | -                  |
| Capital Outlay                              | (2,913,459)       | (1,247,666)       | (500,000)         | (748,907)          |
| Debt Service                                | (1,233,296)       | (1,149,297)       | (1,149,297)       | (1,501,416)        |
| <b>Total other financing sources (uses)</b> | <b>(383,228)</b>  | <b>57,568</b>     | <b>403,002</b>    | <b>(84,144)</b>    |
| <b>Net Resources / (Appropriations)</b>     | <b>1,191,163</b>  | <b>(670,390)</b>  | <b>127,948</b>    | <b>(1,967,685)</b> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GENERAL FUND REVENUE ESTIMATES**

|                                     |                     | 2015-2016            |                     |                       |
|-------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                     | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Property taxes                      |                     |                      |                     |                       |
| Secured                             | \$ 2,366,575        | \$ 2,350,000         | \$ 2,350,000        | \$ 2,450,000          |
| Unsecured                           | 142,126             | 140,000              | 140,000             | 140,000               |
| In lieu for VLF                     | 3,460,781           | 3,400,000            | 3,629,610           | 3,400,000             |
| In lieu for local sales and use tax | 1,355,826           | 1,050,354            | 427,922             | -                     |
| Total                               | 7,325,308           | 6,940,354            | 6,547,532           | 5,990,000             |
| Other taxes                         |                     |                      |                     |                       |
| Sales & use tax                     | 4,266,605           | 4,630,149            | 5,490,424           | 5,850,109             |
| Utility Users tax                   | 3,882,942           | 4,100,000            | 3,952,000           | 4,000,000             |
| Transient occupancy tax             | 446,771             | 370,000              | 465,000             | 475,000               |
| Property transfer tax               | 72,317              | 60,000               | 60,000              | 65,000                |
| Franchises                          | 607,748             | 550,000              | 550,000             | 550,000               |
| Municipal franchises                | 1,001,134           | 1,001,134            | 1,001,134           | 1,001,134             |
| Sales tax-Public Safety             | 216,513             | 200,000              | 200,000             | 200,000               |
| Business license tax                | 439,984             | 425,000              | 440,000             | 440,000               |
| Total                               | 10,934,014          | 11,336,283           | 12,158,558          | 12,581,243            |
| Permits                             |                     |                      |                     |                       |
| Building permits                    | 233,446             | 200,000              | 200,000             | 230,000               |
| Plumbing permits                    | 149,224             | 125,000              | 125,000             | 125,000               |
| Electrical permits                  | 125,072             | 60,000               | 60,000              | 120,000               |
| Other permits                       | 19,032              | 18,000               | 18,000              | 17,600                |
| Total                               | 526,774             | 403,000              | 403,000             | 492,600               |
| Revenue from Other Agencies         |                     |                      |                     |                       |
| Motor vehicle tax                   | 22,825              | 22,000               | 22,000              | 22,000                |
| Homeowners tax exemption            | 26,935              | 27,000               | 27,000              | 25,000                |
| Miscellaneous grants                | 13,036              | -                    | 8,401               | -                     |
| State & Federal operating grants    | 83,019              | 20,000               | 85,214              | 130,351               |
| State Reimbursements                | 242,353             | 25,000               | 25,000              | 25,000                |
| Total                               | 388,168             | 94,000               | 167,615             | 202,351               |
| Use of money & property             |                     |                      |                     |                       |
| Investment income                   | 147,797             | 100,000              | 100,000             | 150,000               |
| Rental income                       | 171,827             | 288,404              | 288,404             | 290,506               |
| Total                               | 319,624             | 388,404              | 388,404             | 440,506               |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GENERAL FUND REVENUE ESTIMATES**

|                               |                      | 2015-2016            |                      |                       |
|-------------------------------|----------------------|----------------------|----------------------|-----------------------|
|                               | 2014-2015<br>Actual  | Original<br>Estimate | Revised<br>Estimate  | 2016-2017<br>Estimate |
| Fines & forfeitures           |                      |                      |                      |                       |
| Parking fines                 | 14,770               | 13,000               | 13,000               | 14,000                |
| Vehicle code fines            | 2,847                | 3,500                | 3,500                | 2,500                 |
| Other fines                   | 47,829               | 55,000               | 55,000               | 40,000                |
| Total                         | 65,446               | 71,500               | 71,500               | 56,500                |
| Charges for services          |                      |                      |                      |                       |
| Planning & zoning fees        | 48,491               | 35,000               | 35,000               | 30,000                |
| Engineering & inspection fees | 74,050               | 70,000               | 70,000               | 50,000                |
| Police services               | 398,611              | 400,000              | 400,000              | 317,000               |
| Fire services                 | 36,652               | 48,000               | 48,000               | 45,000                |
| Library services              | 43,029               | 42,000               | 42,000               | 43,000                |
| Recreation facility rentals   | 111,880              | 106,000              | 106,000              | 87,000                |
| Recreation program revenues   | 1,440,157            | 1,722,245            | 1,722,245            | 2,211,134             |
| Senior program revenues       | 10,742               | 12,000               | 12,000               | 11,500                |
| Swimming fees                 | 79,466               | 72,600               | 72,600               | 76,100                |
| Interfund services            | 1,626,806            | 1,700,000            | 1,700,000            | 1,700,000             |
| Other service charges         | 15,489               | 11,818               | 11,818               | 11,835                |
| Total                         | 3,885,373            | 4,219,663            | 4,219,663            | 4,582,569             |
| Other revenues                | 254,462              | 70,000               | 70,000               | 65,000                |
| <b>TOTAL GENERAL FUND</b>     | <b>\$ 23,699,169</b> | <b>\$ 23,523,204</b> | <b>\$ 24,026,272</b> | <b>\$ 24,410,769</b>  |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GENERAL FUND EXPENDITURE ESTIMATES**

|                                 | 2014-2015  | 2015-2016            |                     | 2016-2017  |
|---------------------------------|------------|----------------------|---------------------|------------|
|                                 | Actual     | Original<br>Estimate | Revised<br>Estimate | Estimate   |
| <b>LEGISLATIVE</b>              |            |                      |                     |            |
| City Council                    | \$ 136,066 | \$ 127,917           | \$ 127,917          | \$ 162,917 |
| - Special Purpose Reserve       | 29,638     | 100,000              | 100,000             | 100,000    |
| Community Promotion             | 200,173    | 216,208              | 216,208             | 216,302    |
| Total                           | 365,877    | 444,125              | 444,125             | 479,219    |
| <b>ADMINISTRATIVE</b>           |            |                      |                     |            |
| City Manager                    | 248,508    | 279,970              | 283,570             | 306,049    |
| City Clerk                      | 212,293    | 169,473              | 172,713             | 242,560    |
| Human Resources                 | 299,440    | 270,129              | 274,629             | 287,898    |
| Total                           | 760,241    | 719,572              | 730,912             | 836,507    |
| <b>CITY ATTORNEY</b>            | 221,915    | 225,000              | 225,000             | 225,000    |
| <b>FINANCE</b>                  |            |                      |                     |            |
| General Accounting              | 482,705    | 479,804              | 474,576             | 522,700    |
| Information Technology Services | 385,731    | 410,708              | 402,315             | 437,890    |
| General Services                | 324,367    | 372,239              | 363,254             | 374,974    |
| Utility Billing                 | 297,433    | 334,076              | 332,784             | 378,571    |
| Total                           | 1,490,236  | 1,596,827            | 1,572,930           | 1,714,135  |
| <b>POLICE SERVICES</b>          | 8,313,408  | 9,052,865            | 8,893,363           | 9,711,074  |
| <b>FIRE SERVICE</b>             | 3,492,755  | 3,876,905            | 3,819,381           | 4,039,522  |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GENERAL FUND EXPENDITURE ESTIMATES**

|                                     | 2014-2015            | 2015-2016            |                      | 2016-2017            |
|-------------------------------------|----------------------|----------------------|----------------------|----------------------|
|                                     | Actual               | Original Estimate    | Revised Estimate     | Estimate             |
| <b>COMMUNITY DEVELOPMENT</b>        |                      |                      |                      |                      |
| Planning                            | 382,182              | 521,532              | 518,108              | 600,456              |
| Economic Development                | 249,931              | 299,860              | 294,356              | 349,147              |
| Total                               | 632,113              | 821,392              | 812,464              | 949,603              |
| <b>PUBLIC WORKS</b>                 |                      |                      |                      |                      |
| Engineering                         | 943,534              | 1,025,502            | 1,024,419            | 1,161,258            |
| Street Maintenance                  | 346,603              | 424,545              | 417,047              | 448,795              |
| Traffic Control                     | 386,791              | 366,188              | 358,694              | 381,647              |
| Street Lighting                     | 505,521              | 484,344              | 469,814              | 507,578              |
| Storm Drain Maintenance             | 57,600               | 93,119               | 90,325               | 102,987              |
| Parking Lot Maintenance             | 46,092               | 47,208               | 45,792               | 47,442               |
| Total                               | 2,286,141            | 2,440,906            | 2,406,091            | 2,649,707            |
| <b>PARKS &amp; LEISURE SERVICES</b> |                      |                      |                      |                      |
| Parks Maintenance                   | 1,785,429            | 1,963,530            | 1,958,917            | 2,061,701            |
| Community Centers                   | 118,524              | 123,107              | 119,414              | 132,718              |
| Leisure Services                    | 1,708,703            | 1,963,620            | 2,303,963            | 2,439,897            |
| Swimming Pool                       | 144,883              | 157,119              | 152,405              | 147,833              |
| Youth Center                        | 104,602              | 102,055              | 98,993               | 102,056              |
| Library                             | 678,524              | 744,139              | 738,849              | 780,819              |
| Subtotal                            | 4,540,665            | 5,053,570            | 5,372,542            | 5,665,024            |
| Grant-funded Parks programs         | 21,427               | 20,000               | 24,519               | 24,519               |
| Total                               | 4,562,092            | 5,073,570            | 5,397,061            | 5,689,543            |
| <b>TOTAL GENERAL FUND</b>           | <b>\$ 22,124,778</b> | <b>\$ 24,251,162</b> | <b>\$ 24,301,326</b> | <b>\$ 26,294,310</b> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**PUBLIC SAFETY SALES TAX (MEASURE H) FUND**

|                                      | 2014-2015<br>Actual | 2015-2016            |                     | 2016-2017<br>Estimate |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      |                     | Original<br>Estimate | Revised<br>Estimate |                       |
| Available balance, beginning of year | \$ 4,338,723        | \$ 1,299,382         | \$ 1,277,446        | \$ 551,645            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Sales tax - Measure H                | 3,112,998           | 3,356,126            | 3,434,985           | 3,509,946             |
| Interest income                      | 24,851              | 5,000                | 8,000               | 5,000                 |
| Police services                      | 3,523               | 2,500                | 2,500               | 2,500                 |
| Total                                | 3,141,372           | 3,363,626            | 3,445,485           | 3,517,446             |
| Transfer from:                       |                     |                      |                     |                       |
| General fund                         | 11,821              | -                    | -                   | -                     |
| Total revenues and transfers         | 3,153,193           | 3,363,626            | 3,445,485           | 3,517,446             |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Police services                      | 1,365,205           | 1,463,664            | 1,485,264           | 1,662,952             |
| Fire services                        | 840,583             | 1,330,723            | 1,083,747           | 1,449,450             |
| Public Safety Station                | -                   | -                    | 15,000              | 30,000                |
| Library & literacy                   | 413,131             | 493,677              | 417,275             | 527,357               |
| Total                                | 2,618,919           | 3,288,064            | 3,001,286           | 3,669,759             |
| Capital projects                     |                     |                      |                     |                       |
| Public Safety Station - construction | 3,595,551           | 1,823,000            | 1,100,000           | -                     |
| Library literacy center development  | -                   | 100,000              | 70,000              | 30,000                |
| Total                                | 3,595,551           | 1,923,000            | 1,170,000           | 30,000                |
| Available balance, end of year       | \$ 1,277,446        | \$ (548,056)         | \$ 551,645          | \$ 369,332            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SPECIAL GAS TAX FUND**

|                                      |              | 2015-2016    |              |              |
|--------------------------------------|--------------|--------------|--------------|--------------|
|                                      | 2014-2015    | Original     | Revised      | 2016-2017    |
|                                      | Actual       | Estimate     | Estimate     | Estimate     |
| Available balance, beginning of year | \$ 2,178,139 | \$ 2,451,864 | \$ 2,159,710 | \$ 1,519,080 |
| Add:                                 |              |              |              |              |
| Revenues from:                       |              |              |              |              |
| State Gas Tax, Section 2105          | 301,689      | 318,210      | 338,355      | 348,833      |
| State Gas Tax, Section 2107          | 386,107      | 435,052      | 469,322      | 484,410      |
| State Gas Tax, Section 2107.5        | 7,500        | 7,500        | 7,500        | 7,500        |
| State Gas Tax, Section 2106          | 172,865      | 168,856      | 169,755      | 175,068      |
| State Gas Tax, Section 2103          | 515,598      | 252,284      | 263,818      | 135,452      |
| Grants                               | 537,908      | 763,000      | 559,536      | 1,279,855    |
| Interest income                      | 26,552       | 20,000       | 20,000       | 18,000       |
| Total                                | 1,948,219    | 1,964,902    | 1,828,286    | 2,449,118    |
| Less:                                |              |              |              |              |
| Appropriations for:                  |              |              |              |              |
| Capital projects                     | 1,114,524    | 2,228,497    | 1,554,627    | 2,069,218    |
| Total                                | 1,114,524    | 2,228,497    | 1,554,627    | 2,069,218    |
| Transfers to General Fund for:       |              |              |              |              |
| Street Maintenance                   | 346,603      | 424,545      | 429,945      | 448,795      |
| Street Lighting                      | 505,521      | 484,344      | 484,344      | 507,578      |
| Total                                | 852,124      | 908,889      | 914,289      | 956,373      |
| Available balance, end of year       | \$ 2,159,710 | \$ 1,279,380 | \$ 1,519,080 | \$ 942,607   |



**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**LOCAL TRANSPORTATION FUNDS (LTF) FUND**

|                                            |                     | 2015-2016            |                     |                       |
|--------------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                            | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year       | \$ 3,163,465        | \$ 4,943,648         | \$ 5,991,485        | \$ 7,007,859          |
| Add:                                       |                     |                      |                     |                       |
| Revenues from:                             |                     |                      |                     |                       |
| State Gas Tax, Section 325                 | 1,786,423           | 300,000              | 729,617             | 300,000               |
| Sales Tax - Measure R - Local              | 964,426             | 800,000              | 900,000             | 900,000               |
| Sales Tax - Measure R - Regional           | 604,797             | 218,818              | 81,000              | 200,000               |
| Sales Tax - Measure R - Alternative        | 3,636,711           | 677,000              | 89,000              | 428,385               |
| Grants                                     | 1,912,010           | 584,000              | 224,000             | 2,271,615             |
| Interest income                            | 48,815              | 35,000               | 60,000              | 50,000                |
| Total                                      | 8,953,182           | 2,614,818            | 2,083,617           | 4,150,000             |
| Less:                                      |                     |                      |                     |                       |
| Appropriations for:                        |                     |                      |                     |                       |
| Capital projects - LTF                     | 657,689             | 4,215,994            | 313,243             | 4,758,024             |
| Capital projects - grants                  | 860,013             | 584,000              | 224,000             | 2,271,615             |
| Capital projects - Measure R - Local       | 365,952             | 800,000              | 360,000             | 2,000,000             |
| Capital projects - Measure R - Regional    | 604,797             | 218,818              | 81,000              | 200,000               |
| Capital projects - Measure R - Alternative | 3,636,711           | 736,000              | 89,000              | 428,385               |
| Total                                      | 6,125,162           | 6,554,812            | 1,067,243           | 9,658,024             |
| Available balance, end of year             | \$ 5,991,485        | \$ 1,003,654         | \$ 7,007,859        | \$ 1,499,835          |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**TRAFFIC SAFETY FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ <u>34,232</u>    | \$ <u>-</u>          | \$ <u>-</u>         | \$ <u>-</u>           |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest Income                      | 823                 | 200                  | 300                 | 500                   |
| Vehicle Code Fines                   | <u>165,435</u>      | <u>200,000</u>       | <u>165,000</u>      | <u>165,000</u>        |
| Total                                | <u>166,258</u>      | <u>200,200</u>       | <u>165,300</u>      | <u>165,500</u>        |
| Less:                                |                     |                      |                     |                       |
| Transfers to General Fund for:       |                     |                      |                     |                       |
| Street Maintenance                   | <u>200,490</u>      | <u>200,200</u>       | <u>165,300</u>      | <u>165,500</u>        |
| Total                                | <u>200,490</u>      | <u>200,200</u>       | <u>165,300</u>      | <u>165,500</u>        |
| Available balance, end of year       | \$ <u><u>-</u></u>  | \$ <u><u>-</u></u>   | \$ <u><u>-</u></u>  | \$ <u><u>-</u></u>    |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**ZALUD ESTATE FUND**

|                                      |                         | 2015-2016               |                         |                         |
|--------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
|                                      | 2014-2015<br>Actual     | Original<br>Estimate    | Revised<br>Estimate     | 2016-2017<br>Estimate   |
| Available balance, beginning of year | \$ <u>84,325</u>        | \$ <u>78,031</u>        | \$ <u>79,427</u>        | \$ <u>72,158</u>        |
| Add:                                 |                         |                         |                         |                         |
| Revenues from:                       |                         |                         |                         |                         |
| Interest income                      | 783                     | 500                     | 600                     | 800                     |
| User fees                            | 5,558                   | 4,500                   | 4,600                   | 4,500                   |
| Other income                         | <u>53</u>               | <u>1,000</u>            | <u>285</u>              | <u>500</u>              |
| Total                                | 6,394                   | 6,000                   | 5,485                   | 5,800                   |
| Transfers from:                      |                         |                         |                         |                         |
| General Fund                         | <u>10,000</u>           | <u>10,000</u>           | <u>10,000</u>           | <u>10,000</u>           |
| Total Revenues and Transfers         | <u>16,394</u>           | <u>16,000</u>           | <u>15,485</u>           | <u>15,800</u>           |
| Less:                                |                         |                         |                         |                         |
| Appropriations for:                  |                         |                         |                         |                         |
| Operations                           | <u>21,292</u>           | <u>22,855</u>           | <u>22,754</u>           | <u>22,255</u>           |
| Total                                | <u>21,292</u>           | <u>22,855</u>           | <u>22,754</u>           | <u>22,255</u>           |
| Available balance, end of year       | \$ <u><u>79,427</u></u> | \$ <u><u>71,176</u></u> | \$ <u><u>72,158</u></u> | \$ <u><u>65,703</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**COMMUNITY DEVELOPMENT BLOCK GRANT FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 1,562,807        | \$ 656,324           | \$ 906,110          | \$ 733,864            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| State grants                         | 171,314             | 260,000              | 229,500             | 145,634               |
| Federal grants                       | 662,132             | 663,697              | 663,697             | 634,391               |
| Interest income                      | 24,148              | 20,000               | 25,000              | 20,000                |
| Other                                | 2,067               | 285,500              | 1,041               | 500                   |
| Total                                | 859,661             | 1,229,197            | 919,238             | 800,525               |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Operations                           | 588,208             | 162,739              | 141,484             | 174,367               |
| Capital projects                     | 403,311             | 644,447              | 602,218             | 625,480               |
| Subtotal                             | 991,519             | 807,186              | 743,702             | 799,847               |
| Debt service                         | 420,237             | 347,887              | 245,727             | 272,465               |
| Total                                | 1,411,756           | 1,155,073            | 989,429             | 1,072,312             |
| Transfer to:                         |                     |                      |                     |                       |
| General Fund for Youth Center        | 104,602             | 102,055              | 102,055             | 102,055               |
| Total Appropriations and Transfers   | 1,516,358           | 1,257,128            | 1,091,484           | 1,174,367             |
| Available balance, end of year       | \$ 906,110          | \$ 628,393           | \$ 733,864          | \$ 360,022            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**TRANSIT FUND**

|                                      |                            | 2015-2016            |                     |                       |
|--------------------------------------|----------------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual        | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ <u>(227,197)</u>        | \$ <u>-</u>          | \$ <u>(222,005)</u> | \$ <u>-</u>           |
| Add:                                 |                            |                      |                     |                       |
| Revenues from:                       |                            |                      |                     |                       |
| Gas Tax:                             |                            |                      |                     |                       |
| LTF                                  | 283,514                    | 1,765,715            | 1,461,979           | 1,753,950             |
| STAF                                 | 483,703                    | 600,000              | 776,477             | 390,126               |
| Sales tax, Measure R                 | 120,250                    | 105,000              | 133,333             | 133,333               |
| Farebox                              | 531,394                    | 550,000              | 550,000             | 550,000               |
| State and Federal Grants             | 2,170,577                  | 5,977,654            | 4,413,628           | 15,933,743            |
| Other income                         | <u>94,313</u>              | <u>96,281</u>        | <u>96,951</u>       | <u>92,000</u>         |
| Total                                | <u>3,683,751</u>           | <u>9,094,650</u>     | <u>7,432,368</u>    | <u>18,853,152</u>     |
| Less:                                |                            |                      |                     |                       |
| Appropriations for:                  |                            |                      |                     |                       |
| Capital outlay                       | 1,044,515                  | 5,772,987            | 3,500,000           | 15,138,317            |
| Operations                           | <u>2,634,044</u>           | <u>3,321,663</u>     | <u>3,710,363</u>    | <u>3,714,835</u>      |
| Total                                | <u>3,678,559</u>           | <u>9,094,650</u>     | <u>7,210,363</u>    | <u>18,853,152</u>     |
| Available balance, end of year       | \$ <u><u>(222,005)</u></u> | \$ <u><u>-</u></u>   | \$ <u><u>-</u></u>  | \$ <u><u>-</u></u>    |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SPECIAL SAFETY GRANTS**

|                                      |                          | 2015-2016                |                          |                         |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------|
|                                      | 2014-2015<br>Actual      | Original<br>Estimate     | Revised<br>Estimate      | 2016-2017<br>Estimate   |
| Available balance, beginning of year | \$ <u>169,223</u>        | \$ <u>168,512</u>        | \$ <u>218,192</u>        | \$ <u>155,856</u>       |
| Add:                                 |                          |                          |                          |                         |
| Revenues from:                       |                          |                          |                          |                         |
| State grants                         | 268,604                  | 206,789                  | 206,789                  | 150,000                 |
| Federal grants                       | 42,187                   | 20,000                   | 38,225                   | 18,870                  |
| Police services                      | 59,104                   | 28,000                   | 44,145                   | 45,000                  |
| Other income                         | <u>3,229</u>             | <u>2,000</u>             | <u>3,005</u>             | <u>2,000</u>            |
| Total                                | <u>373,124</u>           | <u>256,789</u>           | <u>292,164</u>           | <u>215,870</u>          |
| Less:                                |                          |                          |                          |                         |
| Appropriations for:                  |                          |                          |                          |                         |
| Police services                      | 248,117                  | 263,298                  | 320,000                  | 315,308                 |
| Fire services                        | 74,120                   | -                        | 33,000                   | 3,870                   |
| Children Zone (HCZ model)            | <u>1,918</u>             | <u>5,822</u>             | <u>1,500</u>             | <u>3,900</u>            |
| Total                                | <u>324,155</u>           | <u>269,120</u>           | <u>354,500</u>           | <u>323,078</u>          |
| Available balance, end of year       | \$ <u><u>218,192</u></u> | \$ <u><u>156,181</u></u> | \$ <u><u>155,856</u></u> | \$ <u><u>48,648</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SEWER OPERATING FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 1,439,553        | \$ 2,401,777         | \$ 954,952          | \$ 657,769            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Property assessments                 | 121,992             | 126,780              | 126,780             | 130,000               |
| Interest income                      | 29,599              | 25,000               | 25,000              | 25,000                |
| Rental income                        | 150,072             | 112,596              | 112,596             | 112,596               |
| Sewer user fees                      | 6,133,056           | 6,068,000            | 6,068,000           | 6,052,000             |
| Tank dumping charges                 | 48,508              | 60,000               | 40,000              | 40,000                |
| Laboratory fees                      | 368,679             | 357,500              | 395,000             | 395,000               |
| Other revenues                       | 102,155             | 110,000              | 102,500             | 110,000               |
| Total Revenues                       | 6,954,061           | 6,859,876            | 6,869,876           | 6,864,596             |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Collection system expenses           | 1,988,254           | 2,003,894            | 1,929,823           | 2,001,798             |
| Treatment plant expense              | 3,296,577           | 3,821,022            | 3,439,211           | 3,998,293             |
| Industrial monitoring                | 73,451              | 90,237               | 76,705              | 91,775                |
| Laboratory                           | 372,112             | 395,462              | 373,336             | 409,577               |
| Subtotal                             | 5,730,394           | 6,310,615            | 5,819,075           | 6,501,443             |
| Debt service principal               | 708,268             | 747,984              | 747,984             | 792,841               |
| Total Appropriations                 | 6,438,662           | 7,058,599            | 6,567,059           | 7,294,284             |
| Less:                                |                     |                      |                     |                       |
| Transfers to:                        |                     |                      |                     |                       |
| Sewer revolving fund                 | 500,000             | 500,000              | 300,000             | -                     |
| Wastewater Treatment Capital Reserve | 500,000             | 500,000              | 300,000             | -                     |
| Total Transfers                      | 1,000,000           | 1,000,000            | 600,000             | -                     |
| Available balance, end of year       | \$ 954,952          | \$ 1,203,054         | \$ 657,769          | \$ 228,081            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SOLID WASTE FUND**

|                                      |                            | 2015-2016                  |                            |                            |
|--------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
|                                      | 2014-2015<br>Actual        | Original<br>Estimate       | Revised<br>Estimate        | 2016-2017<br>Estimate      |
| Available balance, beginning of year | \$ <u>1,842,378</u>        | \$ <u>1,976,019</u>        | \$ <u>1,981,627</u>        | \$ <u>1,942,062</u>        |
| Add:                                 |                            |                            |                            |                            |
| Revenues from:                       |                            |                            |                            |                            |
| Interest income                      | 16,996                     | 20,000                     | 20,000                     | 15,000                     |
| Residential charges                  | 2,922,758                  | 2,933,000                  | 2,933,000                  | 2,980,000                  |
| Commercial charges                   | 2,147,907                  | 2,140,000                  | 2,140,000                  | 2,220,000                  |
| Roll-Off charges                     | 631,851                    | 580,000                    | 580,000                    | 580,000                    |
| Recycling charges                    | 11,682                     | -                          | -                          | -                          |
| Other revenues                       | <u>85,133</u>              | <u>90,000</u>              | <u>266,032</u>             | <u>105,000</u>             |
| Total                                | <u>5,816,327</u>           | <u>5,763,000</u>           | <u>5,939,032</u>           | <u>5,900,000</u>           |
| Less:                                |                            |                            |                            |                            |
| Appropriations for:                  |                            |                            |                            |                            |
| Refuse collection                    | 3,821,685                  | 3,791,786                  | 3,931,736                  | 4,168,499                  |
| Green waste program                  | 705,541                    | 952,003                    | 865,938                    | 996,103                    |
| Street sweeping                      | 195,798                    | 220,166                    | 218,550                    | 273,416                    |
| Curbside recycling                   | 126,731                    | 291,646                    | 206,330                    | 335,062                    |
| Waste recycling                      | 247,199                    | 348,109                    | 171,493                    | 340,445                    |
| Graffiti removal                     | <u>80,124</u>              | <u>106,552</u>             | <u>84,550</u>              | <u>92,715</u>              |
| Total                                | <u>5,177,078</u>           | <u>5,710,262</u>           | <u>5,478,597</u>           | <u>6,206,240</u>           |
| Less:                                |                            |                            |                            |                            |
| Transfers to:                        |                            |                            |                            |                            |
| Solid Waste Capital Reserve Fund     | <u>500,000</u>             | <u>500,000</u>             | <u>500,000</u>             | <u>500,000</u>             |
| Total Transfers                      | <u>500,000</u>             | <u>500,000</u>             | <u>500,000</u>             | <u>500,000</u>             |
| Available balance, end of year       | \$ <u><u>1,981,627</u></u> | \$ <u><u>1,528,757</u></u> | \$ <u><u>1,942,062</u></u> | \$ <u><u>1,135,822</u></u> |



**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**AIRPORT OPERATING FUND**

|                                      |                            | 2015-2016                    |                             |                              |
|--------------------------------------|----------------------------|------------------------------|-----------------------------|------------------------------|
|                                      | 2014-2015<br><u>Actual</u> | <u>Original<br/>Estimate</u> | <u>Revised<br/>Estimate</u> | 2016-2017<br><u>Estimate</u> |
| Available balance, beginning of year | \$ <u>1,065,144</u>        | \$ <u>1,124,968</u>          | \$ <u>1,146,265</u>         | \$ <u>1,286,722</u>          |
| Add:                                 |                            |                              |                             |                              |
| Revenues from:                       |                            |                              |                             |                              |
| Interest income                      | 11,883                     | 8,000                        | 12,812                      | 10,000                       |
| State grants                         | 10,000                     | 10,000                       | 10,000                      | 10,000                       |
| Rental income                        | 148,100                    | 153,983                      | 145,444                     | 148,600                      |
| Concessions                          | 8,188                      | 8,188                        | 7,506                       | 8,200                        |
| Fueling operations                   | 1,146,329                  | 1,280,000                    | 1,187,000                   | 1,200,000                    |
| Service fees                         | 33,887                     | 39,420                       | 37,793                      | 33,400                       |
| Other revenues                       | <u>11,498</u>              | <u>10,600</u>                | <u>10,163</u>               | <u>10,500</u>                |
| Total                                | <u>1,369,885</u>           | <u>1,510,191</u>             | <u>1,410,718</u>            | <u>1,420,700</u>             |
| Less:                                |                            |                              |                             |                              |
| Appropriations for:                  |                            |                              |                             |                              |
| Operations                           | 1,274,506                  | 1,338,310                    | 1,234,058                   | 1,373,407                    |
| Debt service                         | 14,258                     | 14,545                       | 14,545                      | 14,798                       |
| Capital outlay                       | <u>-</u>                   | <u>15,000</u>                | <u>21,658</u>               | <u>-</u>                     |
| Total                                | <u>1,288,764</u>           | <u>1,367,855</u>             | <u>1,270,261</u>            | <u>1,388,205</u>             |
| Available balance, end of year       | \$ <u><u>1,146,265</u></u> | \$ <u><u>1,267,304</u></u>   | \$ <u><u>1,286,722</u></u>  | \$ <u><u>1,319,217</u></u>   |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GOLF COURSE FUND**

|                                      |              | 2015-2016    |              |                |
|--------------------------------------|--------------|--------------|--------------|----------------|
|                                      | 2014-2015    | Original     | Revised      | 2016-2017      |
|                                      | Actual       | Estimate     | Estimate     | Estimate       |
| Available balance, beginning of year | \$ (799,280) | \$ (873,281) | \$ (864,755) | \$ (947,286)   |
| Add:                                 |              |              |              |                |
| Revenues from:                       |              |              |              |                |
| Daily green fees                     | 99,980       | 94,000       | 94,000       | 94,000         |
| Membership Fees                      | 45,690       | 44,000       | 44,000       | 44,000         |
| Cart rentals                         | 60,268       | 54,000       | 60,000       | 55,000         |
| Other revenues                       | 2,032        | 2,100        | 2,070        | 2,000          |
| Total                                | 207,970      | 194,100      | 200,070      | 195,000        |
| Transfers from:                      |              |              |              |                |
| General Fund                         | 69,000       | 69,000       | 69,000       | 69,000         |
| Total Revenues and Transfers         | 276,970      | 263,100      | 269,070      | 264,000        |
| Less:                                |              |              |              |                |
| Appropriations for:                  |              |              |              |                |
| Operations                           | 342,445      | 360,846      | 351,601      | 380,775        |
| Total                                | 342,445      | 360,846      | 351,601      | 380,775        |
| Available balance, end of year       | \$ (864,755) | \$ (971,027) | \$ (947,286) | \$ (1,064,061) |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**WATER OPERATING FUND**

|                                      |              | 2015-2016    |              |              |
|--------------------------------------|--------------|--------------|--------------|--------------|
|                                      | 2014-2015    | Original     | Revised      | 2016-2017    |
|                                      | Actual       | Estimate     | Estimate     | Estimate     |
| Available balance, beginning of year | \$ 358,705   | \$ (283,568) | \$ (312,119) | \$ (65,030)  |
| Add:                                 |              |              |              |              |
| Revenues from:                       |              |              |              |              |
| Interest income                      | 10,300       | 15,000       | 11,000       | 15,000       |
| Water sales                          | 4,359,260    | 5,400,993    | 5,260,000    | 5,380,980    |
| Service fees                         | 167,111      | 140,000      | 145,000      | 165,000      |
| Other revenues                       | 106,452      | 95,000       | 111,860      | 117,000      |
| Total                                | 4,643,123    | 5,650,993    | 5,527,860    | 5,677,980    |
| Less:                                |              |              |              |              |
| Appropriations for:                  |              |              |              |              |
| Operations                           | 3,927,883    | 3,926,000    | 3,806,036    | 4,042,873    |
| Meter Reading                        | 276,244      | 266,513      | 296,922      | 291,873      |
| Water Quality Assurance              | 392,754      | 556,681      | 430,566      | 605,513      |
| Hydrant Testing                      | 12,032       | 29,458       | 100          | 29,458       |
| Subtotal                             | 4,608,913    | 4,778,652    | 4,533,624    | 4,969,717    |
| Debt service principal               | 705,034      | 747,147      | 747,147      | 784,527      |
| Total                                | 5,313,947    | 5,525,799    | 5,280,771    | 5,754,244    |
| Available balance, end of year       | \$ (312,119) | \$ (158,374) | \$ (65,030)  | \$ (141,294) |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GENERAL GOVERNMENT - DEBT SERVICE FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 1,814,270        | \$ 1,744,853         | \$ 1,177,760        | \$ 1,049,165          |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | (1,239)             | 5,000                | 8                   | -                     |
| Interdepartmental service charges    | 513,695             | 503,280              | 470,000             | 480,000               |
| Total                                | 512,456             | 508,280              | 470,008             | 480,000               |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Administrative expense               | 2,200               | 2,500                | 3,250               | 3,250                 |
| Debt issuance costs                  | 578,966             | -                    | -                   | -                     |
| Debt redemption                      | 23,035,216          | 1,684,019            | 1,684,019           | 2,024,716             |
| Total                                | 23,616,382          | 1,686,519            | 1,687,269           | 2,027,966             |
| Other financing sources (uses):      |                     |                      |                     |                       |
| Net proceeds from refunding          | 21,234,120          | -                    | -                   | -                     |
| Transfers from General Fund          | 1,233,296           | 1,088,344            | 1,088,666           | 1,432,666             |
| Total                                | 22,467,416          | 1,088,344            | 1,088,666           | 1,432,666             |
| Available balance, end of year       | \$ 1,177,760        | \$ 1,654,958         | \$ 1,049,165        | \$ 933,865            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**RISK MANAGEMENT**

|                                      |                          | 2015-2016                  |                          |                          |
|--------------------------------------|--------------------------|----------------------------|--------------------------|--------------------------|
|                                      | 2014-2015<br>Actual      | Original<br>Estimate       | Revised<br>Estimate      | 2016-2017<br>Estimate    |
| Available balance, beginning of year | \$ <u>1,230,119</u>      | \$ <u>450,101</u>          | \$ <u>636,539</u>        | \$ <u>290,431</u>        |
| Add:                                 |                          |                            |                          |                          |
| Revenues from:                       |                          |                            |                          |                          |
| Interest income                      | 5,031                    | 3,000                      | 150                      | 1,000                    |
| Liability Program                    | 514,916                  | 514,916                    | 514,916                  | 514,916                  |
| Health and Life                      | 3,111,147                | 3,500,000                  | 4,110,000                | 4,680,000                |
| Unemployment                         | 90,677                   | 88,000                     | 94,000                   | 90,000                   |
| Worker's Comp                        | 940,985                  | 900,000                    | 970,000                  | 900,000                  |
| Automobile/Property                  | 161,656                  | 157,000                    | 158,480                  | 156,432                  |
| Other revenues                       | <u>434</u>               | <u>250</u>                 | <u>600</u>               | <u>350</u>               |
| Total Revenues                       | <u>4,824,846</u>         | <u>5,163,166</u>           | <u>5,848,146</u>         | <u>6,342,698</u>         |
| Less:                                |                          |                            |                          |                          |
| Appropriations for:                  |                          |                            |                          |                          |
| Liability Program                    | 551,134                  | 594,722                    | 794,488                  | 639,491                  |
| Health and Life                      | 3,937,698                | 4,000,000                  | 4,200,000                | 3,917,031                |
| Unemployment                         | 34,047                   | 35,000                     | 43,171                   | 40,000                   |
| Worker's Comp                        | 469,636                  | 1,265,828                  | 646,510                  | 874,127                  |
| Automobile/Property                  | 212,547                  | 222,061                    | 243,059                  | 257,531                  |
| Employment Practices                 | 59,519                   | 152,881                    | 87,656                   | 153,160                  |
| Administration                       | <u>153,845</u>           | <u>176,592</u>             | <u>179,370</u>           | <u>194,655</u>           |
| Subtotal                             | 5,418,426                | 6,447,084                  | 6,194,254                | 6,075,995                |
| Capital Projects                     | <u>-</u>                 | <u>75,000</u>              | <u>-</u>                 | <u>25,000</u>            |
| Total Expenditures                   | <u>5,418,426</u>         | <u>6,522,084</u>           | <u>6,194,254</u>         | <u>6,100,995</u>         |
| Available balance, end of year       | \$ <u><u>636,539</u></u> | \$ <u><u>(908,817)</u></u> | \$ <u><u>290,431</u></u> | \$ <u><u>532,134</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**EQUIPMENT MAINTENANCE FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 174,450          | \$ 497,440           | \$ 306,918          | \$ 416,655            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 4,064               | 2,500                | 5,000               | 4,000                 |
| Rental income                        | 16,563              | 20,000               | 16,500              | 18,000                |
| Fuel sales                           | 1,227,708           | 1,358,000            | 1,150,000           | 1,230,000             |
| Interdepartmental service charges    | 471,108             | 475,000              | 475,000             | 485,000               |
| Other service charges                | 1,310,655           | 1,297,000            | 1,276,000           | 1,373,000             |
| Total                                | 3,030,098           | 3,152,500            | 2,922,500           | 3,110,000             |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment maintenance                | 2,897,630           | 3,134,475            | 2,812,763           | 3,116,140             |
| Total                                | 2,897,630           | 3,134,475            | 2,812,763           | 3,116,140             |
| Available balance, end of year       | \$ 306,918          | \$ 515,465           | \$ 416,655          | \$ 410,515            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**LANDSCAPE MAINTENANCE DISTRICTS FUND**

|                                      |                            | 2015-2016                    |                             |                              |
|--------------------------------------|----------------------------|------------------------------|-----------------------------|------------------------------|
|                                      | 2014-2015<br><u>Actual</u> | <u>Original<br/>Estimate</u> | <u>Revised<br/>Estimate</u> | 2016-2017<br><u>Estimate</u> |
| Available balance, beginning of year | \$ <u>639,763</u>          | \$ <u>516,776</u>            | \$ <u>518,470</u>           | \$ <u>489,342</u>            |
| Add:                                 |                            |                              |                             |                              |
| Revenues from:                       |                            |                              |                             |                              |
| Property assessments                 | <u>79,057</u>              | <u>95,500</u>                | <u>92,635</u>               | <u>92,500</u>                |
| Total                                | <u>79,057</u>              | <u>95,500</u>                | <u>92,635</u>               | <u>92,500</u>                |
| Less:                                |                            |                              |                             |                              |
| Appropriations for:                  |                            |                              |                             |                              |
| Maintenance and repair               | <u>200,350</u>             | <u>173,255</u>               | <u>121,763</u>              | <u>174,405</u>               |
| Total                                | <u>200,350</u>             | <u>173,255</u>               | <u>121,763</u>              | <u>174,405</u>               |
| Available balance, end of year       | \$ <u><u>518,470</u></u>   | \$ <u><u>439,021</u></u>     | \$ <u><u>489,342</u></u>    | \$ <u><u>407,437</u></u>     |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**WATER REPLACEMENT FUND**

|                                      |                            | 2015-2016                    |                             |                              |
|--------------------------------------|----------------------------|------------------------------|-----------------------------|------------------------------|
|                                      | 2014-2015<br><u>Actual</u> | <u>Original<br/>Estimate</u> | <u>Revised<br/>Estimate</u> | 2016-2017<br><u>Estimate</u> |
| Available balance, beginning of year | \$ 4,309,511               | \$ 5,092,094                 | \$ 5,200,688                | \$ 5,492,130                 |
| Add:                                 |                            |                              |                             |                              |
| Revenues from:                       |                            |                              |                             |                              |
| Federal & State grants               | -                          | 4,100,000                    | -                           | 2,730,000                    |
| Interest income                      | 48,258                     | 50,000                       | 55,000                      | 75,000                       |
| Service fees                         | 58,694                     | 20,000                       | 40,000                      | 40,000                       |
| Development fees                     | 194,902                    | 75,000                       | 230,000                     | 150,000                      |
| Interdepartmental service charges    | 145,080                    | 146,034                      | 150,000                     | 174,114                      |
| Depreciation reserve                 | 155,162                    | 155,162                      | -                           | 155,162                      |
| Other revenue                        | -                          | -                            | 15,339                      | -                            |
| Financing revenue                    | 702,688                    | 820,000                      | 914,779                     | -                            |
| Total                                | <u>1,304,784</u>           | <u>5,366,196</u>             | <u>1,405,118</u>            | <u>3,324,276</u>             |
| Less:                                |                            |                              |                             |                              |
| Appropriations for:                  |                            |                              |                             |                              |
| Equipment replacement                | 219,772                    | 615,000                      | 113,676                     | 526,000                      |
| Capital projects                     | 111,697                    | 2,220,508                    | 156,990                     | 4,625,418                    |
| Capital projects - CIEDB             | 82,138                     | 820,000                      | 843,010                     | -                            |
| Capital projects - grants            | -                          | 4,100,000                    | -                           | 2,730,000                    |
| Total                                | <u>413,607</u>             | <u>7,755,508</u>             | <u>1,113,676</u>            | <u>7,881,418</u>             |
| Available balance, end of year       | 5,200,688                  | 2,702,782                    | 5,492,130                   | 934,988                      |
| Less:                                |                            |                              |                             |                              |
| Equipment replacement fund           | <u>1,577,835</u>           | <u>1,081,000</u>             | <u>1,700,000</u>            | <u>1,500,000</u>             |
| Available for capital projects       | \$ <u>3,622,853</u>        | \$ <u>1,621,782</u>          | \$ <u>3,792,130</u>         | \$ <u>(565,012)</u>          |



**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SOLID WASTE CAPITAL RESERVE FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 2,770,322        | \$ 3,103,383         | \$ 3,096,264        | \$ 3,562,164          |
| Add:                                 |                     |                      |                     |                       |
| Revenues                             |                     |                      |                     |                       |
| Federal grants                       | -                   | 1,220,544            | 1,220,544           | 1,290,278             |
| Interest income                      | 30,199              | 25,000               | 33,000              | 35,000                |
| Interdepartmental service charges    | 321,147             | 617,138              | 587,664             | 923,270               |
| Total                                | 351,346             | 1,862,682            | 1,841,208           | 2,248,548             |
| Add:                                 |                     |                      |                     |                       |
| Transfer from:                       |                     |                      |                     |                       |
| Solid Waste Fund                     | 500,000             | 500,000              | 500,000             | 500,000               |
| Total                                | 500,000             | 500,000              | 500,000             | 500,000               |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment                            | 525,404             | 1,925,544            | 1,575,308           | 1,808,278             |
| CNG facility expansion               | -                   | -                    | 300,000             | -                     |
| Total                                | 525,404             | 1,925,544            | 1,875,308           | 1,808,278             |
| Available balance, end of year       | 3,096,264           | 3,540,521            | 3,562,164           | 4,502,434             |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**SEWER REVOLVING FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 4,087,918        | \$ 5,151,827         | \$ 4,314,705        | \$ 4,918,206          |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 44,374              | 40,000               | 50,000              | 50,000                |
| Service fees                         | 27,617              | 30,000               | 20,000              | 30,000                |
| Development fees                     | 47,372              | 25,000               | 84,000              | 40,000                |
| Interdepartmental service charges    | 118,330             | 138,218              | 139,287             | 140,426               |
| Depreciation reserve                 | 45,000              | 45,000               | 45,000              | 45,000                |
| COP refinancing                      | 679,811             | 2,925,900            | 1,000,000           | 1,925,900             |
| Total                                | 962,504             | 3,204,118            | 1,338,287           | 2,231,326             |
| Add:                                 |                     |                      |                     |                       |
| Transfer from:                       |                     |                      |                     |                       |
| Sewer operating fund                 | 500,000             | 500,000              | 300,000             | -                     |
| Total                                | 500,000             | 500,000              | 300,000             | -                     |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment replacement                | 564,956             | 5,000                | 34,786              | 5,000                 |
| Capital projects                     | 670,761             | 1,696,928            | 225,000             | 1,372,019             |
| Capital projects - COP refinancing   | -                   | 2,925,900            | 775,000             | 1,925,900             |
| Total                                | 1,235,717           | 4,627,828            | 1,034,786           | 3,302,919             |
| Available balance, end of year       | 4,314,705           | 4,228,117            | 4,918,206           | 3,846,613             |
| Less:                                |                     |                      |                     |                       |
| Equipment replacement fund           | 470,832             | 645,000              | 575,000             | 710,000               |
| Available for capital projects       | \$ 3,843,873        | \$ 3,583,117         | \$ 4,343,206        | \$ 3,136,613          |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**TRANSPORTATION DEVELOPMENT FUND**

|                                      |                            | 2015-2016                   |                            |                              |
|--------------------------------------|----------------------------|-----------------------------|----------------------------|------------------------------|
|                                      | 2014-2015<br><u>Actual</u> | Original<br><u>Estimate</u> | Revised<br><u>Estimate</u> | 2016-2017<br><u>Estimate</u> |
| Available balance, beginning of year | \$ <u>1,011,566</u>        | \$ <u>1,011,566</u>         | \$ <u>956,564</u>          | \$ <u>1,051,564</u>          |
| Add:                                 |                            |                             |                            |                              |
| Revenues from:                       |                            |                             |                            |                              |
| Interest income                      | 9,983                      | 5,000                       | 10,000                     | 10,000                       |
| Development fees                     | <u>85,015</u>              | <u>100,000</u>              | <u>190,000</u>             | <u>150,000</u>               |
| Total                                | <u>94,998</u>              | <u>105,000</u>              | <u>200,000</u>             | <u>160,000</u>               |
| Less:                                |                            |                             |                            |                              |
| Appropriations for:                  |                            |                             |                            |                              |
| Capital projects                     | <u>-</u>                   | <u>91,750</u>               | <u>-</u>                   | <u>91,750</u>                |
| Less:                                |                            |                             |                            |                              |
| Transfers to:                        |                            |                             |                            |                              |
| General Fund                         | <u>150,000</u>             | <u>105,000</u>              | <u>105,000</u>             | <u>150,000</u>               |
| Available balance, end of year       | \$ <u><u>956,564</u></u>   | \$ <u><u>919,816</u></u>    | \$ <u><u>1,051,564</u></u> | \$ <u><u>969,814</u></u>     |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**PARK DEVELOPMENT FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ -                | \$ -                 | \$ -                | \$ -                  |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 86                  | 50                   | 50                  | 50                    |
| Development fees                     | <u>71,477</u>       | <u>45,000</u>        | <u>45,000</u>       | <u>50,000</u>         |
| Total                                | <u>71,563</u>       | <u>45,050</u>        | <u>45,050</u>       | <u>50,050</u>         |
| Less:                                |                     |                      |                     |                       |
| Transfers to General Fund:           |                     |                      |                     |                       |
| Debt Service                         | 66,261              | 39,750               | 39,750              | 44,670                |
| Transfers to Airport Fund:           |                     |                      |                     |                       |
| Sports Complex Lease                 | <u>5,302</u>        | <u>5,300</u>         | <u>5,300</u>        | <u>5,380</u>          |
| Total                                | <u>71,563</u>       | <u>45,050</u>        | <u>45,050</u>       | <u>50,050</u>         |
| Available balance, end of year       | \$ <u>-</u>         | \$ <u>-</u>          | \$ <u>-</u>         | \$ <u>-</u>           |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**WASTEWATER TREATMENT FACILITY CAPITAL RESERVE**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 8,297,768        | \$ 8,681,529         | \$ 7,906,402        | \$ 5,034,490          |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 89,330              | 100,000              | 75,000              | 80,000                |
| Development fees                     | 301,258             | 300,000              | 575,000             | 300,000               |
| Interdepartmental service charges    | 53,088              | 53,088               | 53,088              | 80,364                |
| Other revenues                       | -                   | -                    | -                   | -                     |
| Depreciation reserve                 | 125,000             | 125,000              | 125,000             | 125,000               |
| Total                                | 568,676             | 578,088              | 828,088             | 585,364               |
| Add:                                 |                     |                      |                     |                       |
| Transfer from:                       |                     |                      |                     |                       |
| Sewer operating fund                 | 500,000             | 500,000              | 300,000             | -                     |
| Total                                | 500,000             | 500,000              | 300,000             | -                     |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment replacement                | 15,052              | -                    | -                   | 5,000                 |
| Capital projects                     | 1,444,990           | 8,671,524            | 4,000,000           | 5,120,247             |
| Total                                | 1,460,042           | 8,671,524            | 4,000,000           | 5,125,247             |
| Available balance, end of year       | 7,906,402           | 1,088,093            | 5,034,490           | 494,607               |
| Less:                                |                     |                      |                     |                       |
| Equipment replacement fund           | 320,609             | 498,000              | 378,000             | 453,364               |
| Available for capital projects       | \$ 7,585,793        | \$ 590,093           | \$ 4,656,490        | \$ 41,243             |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**STORM DRAIN DEVELOPMENT FUND**

|                                      |                            | 2015-2016               |                            |                          |
|--------------------------------------|----------------------------|-------------------------|----------------------------|--------------------------|
|                                      | 2014-2015                  | Original                | Revised                    | 2016-2017                |
|                                      | <u>Actual</u>              | <u>Estimate</u>         | <u>Estimate</u>            | <u>Estimate</u>          |
| Available balance, beginning of year | \$ <u>2,245,472</u>        | \$ <u>2,253,972</u>     | \$ <u>1,699,359</u>        | \$ <u>1,750,805</u>      |
| Add:                                 |                            |                         |                            |                          |
| Revenues from:                       |                            |                         |                            |                          |
| Interest income                      | 21,889                     | 20,000                  | 18,000                     | 15,000                   |
| Development fees                     | <u>73,182</u>              | <u>100,000</u>          | <u>100,000</u>             | <u>100,000</u>           |
| Total                                | <u>95,071</u>              | <u>120,000</u>          | <u>118,000</u>             | <u>115,000</u>           |
| Less:                                |                            |                         |                            |                          |
| Appropriations for:                  |                            |                         |                            |                          |
| Capital projects                     | <u>641,184</u>             | <u>2,360,082</u>        | <u>66,554</u>              | <u>1,692,389</u>         |
| Total                                | <u>641,184</u>             | <u>2,360,082</u>        | <u>66,554</u>              | <u>1,692,389</u>         |
| Available balance, end of year       | \$ <u><u>1,699,359</u></u> | \$ <u><u>13,890</u></u> | \$ <u><u>1,750,805</u></u> | \$ <u><u>173,416</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**BUILDING CONSTRUCTION FUND**

|                                      |                          | 2015-2016                |                          |                          |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
|                                      | 2014-2015<br>Actual      | Original<br>Estimate     | Revised<br>Estimate      | 2016-2017<br>Estimate    |
| Available balance, beginning of year | \$ <u>692,451</u>        | \$ <u>679,061</u>        | \$ <u>679,061</u>        | \$ <u>670,443</u>        |
| Add:                                 |                          |                          |                          |                          |
| Revenues from:                       |                          |                          |                          |                          |
| Interest income                      | 7,093                    | 4,000                    | 7,000                    | 7,000                    |
| Other revenue                        | <u>1,809</u>             | <u>-</u>                 | <u>1,882</u>             | <u>1,500</u>             |
| Total                                | <u>8,902</u>             | <u>4,000</u>             | <u>8,882</u>             | <u>8,500</u>             |
| Less:                                |                          |                          |                          |                          |
| Appropriations for:                  |                          |                          |                          |                          |
| Capital Projects                     | 13,390                   | 500,000                  | 10,500                   | -                        |
| Transfers to General Fund            | <u>7,830</u>             | <u>4,000</u>             | <u>7,000</u>             | <u>7,000</u>             |
| Total                                | <u>21,220</u>            | <u>504,000</u>           | <u>17,500</u>            | <u>7,000</u>             |
| Available balance, end of year       | \$ <u><u>680,133</u></u> | \$ <u><u>179,061</u></u> | \$ <u><u>670,443</u></u> | \$ <u><u>671,943</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**AIRPORT REPLACEMENT AND DEVELOPMENT FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 489,293          | \$ 488,641           | \$ 544,544          | \$ 559,313            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 5,413               | 3,000                | 3,000               | 5,000                 |
| State grants                         | 3,121               | 28,438               | -                   | 1,888                 |
| Federal grants                       | 61,894              | 561,893              | 32,782              | 30,893                |
| Interdepartmental service charges    | 24,186              | 24,186               | 24,186              | 24,186                |
| Other revenues                       | 1,000               | -                    | 627                 | -                     |
| Total                                | 95,614              | 617,517              | 60,595              | 61,967                |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment                            | -                   | -                    | -                   | 164,500               |
| Special aviation                     | 40,363              | -                    | 8,500               | 16,000                |
| Capital projects                     | -                   | 689,326              | 37,326              | 74,326                |
| Total                                | 40,363              | 689,326              | 45,826              | 90,326                |
| Available balance, end of year       | 544,544             | 416,832              | 559,313             | 530,954               |
| Less:                                |                     |                      |                     |                       |
| Equipment replacement fund           | 182,096             | 208,000              | 208,000             | 83,048                |
| Available for capital projects       | \$ 362,448          | \$ 208,832           | \$ 351,313          | \$ 447,906            |



**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**GOLF COURSE REPLACEMENT FUND**

|                                      |                     | 2015-2016            |                     |                       |
|--------------------------------------|---------------------|----------------------|---------------------|-----------------------|
|                                      | 2014-2015<br>Actual | Original<br>Estimate | Revised<br>Estimate | 2016-2017<br>Estimate |
| Available balance, beginning of year | \$ 157,067          | \$ 124,669           | \$ 122,350          | \$ 160,938            |
| Add:                                 |                     |                      |                     |                       |
| Revenues from:                       |                     |                      |                     |                       |
| Interest income                      | 1,376               | 1,000                | 1,400               | 1,000                 |
| Interdepartmental service charges    | 33,823              | 37,188               | 37,188              | 37,188                |
| Other revenues                       | 1,012               | -                    | -                   | -                     |
| Total                                | 36,211              | 38,188               | 38,588              | 38,188                |
| Less:                                |                     |                      |                     |                       |
| Appropriations for:                  |                     |                      |                     |                       |
| Equipment replacement                | 70,928              | -                    | -                   | 82,000                |
| Total                                | 70,928              | -                    | -                   | 82,000                |
| Available balance, end of year       | \$ 122,350          | \$ 162,857           | \$ 160,938          | \$ 117,126            |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**EQUIPMENT MAINTENANCE REPLACEMENT FUND**

|                                      |                          | 2015-2016                |                          |                          |
|--------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
|                                      | 2014-2015                | Original                 | Revised                  | 2016-2017                |
|                                      | Actual                   | Estimate                 | Estimate                 | Estimate                 |
| Available balance, beginning of year | \$ <u>441,814</u>        | \$ <u>562,904</u>        | \$ <u>564,805</u>        | \$ <u>640,349</u>        |
| Add:                                 |                          |                          |                          |                          |
| Revenues from:                       |                          |                          |                          |                          |
| Interest income                      | 5,757                    | 2,500                    | 6,300                    | 6,300                    |
| Interdepartmental service charges    | <u>132,903</u>           | <u>133,062</u>           | <u>133,062</u>           | <u>133,062</u>           |
| Total                                | <u>138,660</u>           | <u>135,562</u>           | <u>139,362</u>           | <u>139,362</u>           |
| Less:                                |                          |                          |                          |                          |
| Appropriations for:                  |                          |                          |                          |                          |
| Equipment replacement                | <u>15,669</u>            | <u>98,000</u>            | <u>63,818</u>            | <u>62,500</u>            |
| Total                                | <u>15,669</u>            | <u>98,000</u>            | <u>63,818</u>            | <u>62,500</u>            |
| Available balance, end of year       | \$ <u><u>564,805</u></u> | \$ <u><u>600,466</u></u> | \$ <u><u>640,349</u></u> | \$ <u><u>717,211</u></u> |

**CITY OF PORTERVILLE  
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2016-2017**

**GENERAL FUND EQUIPMENT REPLACEMENT**

|                                      |                            | 2015-2016                  |                            |                            |
|--------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
|                                      | 2014-2015<br>Actual        | Original<br>Estimate       | Revised<br>Estimate        | 2016-2017<br>Estimate      |
| Available balance, beginning of year | \$ <u>6,573,514</u>        | \$ <u>4,265,584</u>        | \$ <u>4,267,615</u>        | \$ <u>4,662,637</u>        |
| Add:                                 |                            |                            |                            |                            |
| Revenues from:                       |                            |                            |                            |                            |
| Federal and state grants             | 63,992                     | -                          | -                          | -                          |
| Interest income                      | 43,346                     | 45,000                     | 45,000                     | 45,000                     |
| Interdepartmental service charges    | 753,358                    | 800,000                    | 800,000                    | 800,000                    |
| Other revenues                       | <u>31,153</u>              | <u>15,000</u>              | <u>49,253</u>              | <u>15,000</u>              |
| Total                                | <u>891,849</u>             | <u>860,000</u>             | <u>894,253</u>             | <u>860,000</u>             |
| Add:                                 |                            |                            |                            |                            |
| Transfer from other funds            | <u>50,930</u>              | <u>60,953</u>              | <u>60,953</u>              | <u>72,000</u>              |
| Less:                                |                            |                            |                            |                            |
| Appropriations for:                  |                            |                            |                            |                            |
| Debt redemption                      | 158                        | 184                        | 184                        | 140                        |
| Equipment replacement                | <u>848,520</u>             | <u>868,000</u>             | <u>560,000</u>             | <u>1,050,000</u>           |
| Total                                | <u>848,678</u>             | <u>868,184</u>             | <u>560,184</u>             | <u>1,050,140</u>           |
| Less:                                |                            |                            |                            |                            |
| Interfund loan                       | <u>2,400,000</u>           | <u>-</u>                   | <u>-</u>                   | <u>-</u>                   |
| Available balance, end of year       | \$ <u><u>4,267,615</u></u> | \$ <u><u>4,318,353</u></u> | \$ <u><u>4,662,637</u></u> | \$ <u><u>4,544,497</u></u> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016 - 2017**

**CAPITAL PROJECTS**

| PROJECT                                            | ACCOUNT<br>NUMBER | REQUIRED<br>AMOUNTS | FUNDING SOURCE                     |
|----------------------------------------------------|-------------------|---------------------|------------------------------------|
| <b><u>GENERAL GOVERNMENT</u></b>                   |                   |                     |                                    |
| Body cameras                                       |                   | \$ 60,000           | Unfunded                           |
| Circulation element - transportation update        | 89-9026           | 150,000             | LTF                                |
| Comprehensive impact fee study                     |                   | 100,000             | Impact fees (various)              |
| FS #2 roof repair                                  |                   | 20,000              | Equipment replacement fund         |
| Kiwanis handicap ramp                              | 89-9028           | 20,000              | General Fund carryover             |
| PD training facility ADA bathroom and parking      | 89-9010           | 30,000              | Asset forfeiture fund              |
| PD training facility road improvements             |                   | 100,000             | Unfunded                           |
| Porterville Hotel                                  | 89-9006           | 371,979             | RDA bond proceeds/WHF/GF carryover |
| Retail development strategy                        |                   | 25,000              | GF carryover                       |
| Tule River JPA administration                      | 89-9046           | 8,000               | General Fund                       |
| Tule River/Porter Slough clearing                  | 89-9038           | 20,000              | General Fund                       |
| Weed abatement - City ROW (UPR)                    | 89-9404           | 25,000              | LTF                                |
| TOTAL                                              |                   | \$ 929,979          |                                    |
| <b><u>STREETS &amp; SIGNALS</u></b>                |                   |                     |                                    |
| Airport toxic remediation site maintenance         | 89-9107           | \$ 18,500           | STP                                |
| ADA transition plan                                | 89-9029           | 100,000             | TCAG grant                         |
| City Hall ADA parking spaces w/ sidewalk ramps     | 89-9464           | 30,000              | LTF                                |
| Date Ave widening - 'H' to Jaye                    | 89-9197           | 216,569             | LTF                                |
| Downtown parking lot improvements:                 |                   |                     |                                    |
| Putnam & Second, NWC                               |                   | 172,810             | LTF                                |
| Mill & Second, SWC                                 |                   | 180,290             | LTF                                |
| Putnam & Hockett, NEC                              |                   | 154,770             | LTF                                |
| Olive & Second, NWC                                |                   | 117,502             | LTF                                |
| Garden Ave walkway (Main to Fig)                   | 89-9166           | 655,500             | LTF / Meas R-Alt / ATP grant       |
| Gibbons Ave street reconstruction                  | 89-9190           | 102,678             | LTF                                |
| Granite Hills High School streets record of survey | 89-9145           | 9,218               | STP                                |
| Henderson Ave - Jaye to Indiana (cold foam)        | 89-9121           | 1,190,000           | LTF                                |
| Hillside development - standards & specifications  | 89-9124           | 77,000              | LTF                                |
| Indiana Bridge                                     | 89-9125           | 37,000              | General Fund carryover             |
| Jaye Street Bridge                                 | 85-9703           | 5,677,819           | Highway Bridge Prog / LTF / COP    |
| Lighted crosswalks - collector & arterial          | 89-9113           | 512,500             | Special gas tax / ATP grant        |
| Lime St reconstruction                             | 89-9158           | 1,115,000           | LTF                                |
| Micro surfacing and rehab                          | 89-9167           | 2,000,000           | Measure R Local                    |
| Miscellaneous alleys                               | 89-9103           | 50,000              | STP                                |
| Miscellaneous City-owned curb, gutter and sidewalk | 89-9104           | 75,000              | STP                                |
| Miscellaneous curb and gutter                      | 89-9155           | 75,000              | STP                                |
| Newcomb Bridge                                     | 89-9178           | 24,500              | LTF                                |
| Newcomb @ Olive traffic signal                     |                   | 81,000              | STP / HSIP                         |
| Overlay program                                    | 89-9101           | 550,000             | STP                                |
| Pavement mgt program implementation & maintenance  | 89-9127           | 125,000             | Special gas tax                    |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016 - 2017**

**CAPITAL PROJECTS**

| PROJECT                                          | ACCOUNT<br>NUMBER | REQUIRED<br>AMOUNTS | FUNDING SOURCE             |
|--------------------------------------------------|-------------------|---------------------|----------------------------|
| Plano Bridge - revegetation plan & monitoring    | 89-9135           | 10,000              | LTF                        |
| Putnam and D St traffic signal                   | 89-9159           | 483,000             | HSIP / STP                 |
| Rock crushing and screening                      |                   | 35,000              | STP                        |
| SR 190 corridor improvements                     | 89-9160           | 200,000             | Measure R - Regional       |
| Scenic Heights guard rail repair                 | 89-9134           | 30,000              | LTF                        |
| Signs and signals upgrade                        | 89-9111           | 50,000              | STP                        |
| Street intersection safety evaluation            |                   | 5,000               | STP                        |
| Vandalia median island                           | 89-9141           | 67,841              | LTF                        |
| Westfield / Matthew - Burton traffic mitigation  |                   | 45,875              | Transportation impact fees |
| Westfield / Westwood - Burton traffic mitigation |                   | 45,875              | Transportation impact fees |
| TOTAL                                            |                   | \$ 14,320,247       |                            |

**STORM DRAIN**

|                                                    |         |              |                |
|----------------------------------------------------|---------|--------------|----------------|
| Drainage reservoir #14 expansion                   | 89-9266 | \$ 119,926   | Developer Fees |
| Drainage reservoir #49                             | 89-9271 | 250,000      | Developer Fees |
| Flood plain management                             | 89-9261 | 17,500       | Developer Fees |
| Main Street - Westfield pipe (Pond 15 to Pond 19)  | 89-9275 | 200,000      | Developer Fees |
| Master plan payback                                | 89-9208 | 144,000      | Developer Fees |
| Master plan update                                 | 89-9258 | 199,963      | Developer Fees |
| Mulberry / Second storm drain                      |         | 25,000       | Developer Fees |
| Municipal Separate Storm Sewer System (MS4) permit | 89-9274 | 35,000       | Developer Fees |
| N Grand storm drain - SR 65 crossing               | 89-9267 | 400,000      | Developer Fees |
| Tomah Ave - Porter Rd to Wisconsin                 | 89-9265 | 66,000       | Developer Fees |
| Zalud Park storm drain upgrade                     | 89-9229 | 235,000      | Developer Fees |
| TOTAL                                              |         | \$ 1,692,389 |                |

**PARKS AND LEISURE SERVICES**

|                                                  |         |              |                             |
|--------------------------------------------------|---------|--------------|-----------------------------|
| Library literacy center development              | 89-9495 | \$ 85,093    | Measure H / GF carryover    |
| Library restroom remodel                         | 89-9460 | 87,500       | GF carryover                |
| Program accessibility - ADA self evaluation plan | 89-9029 | 25,000       | Risk Management Fund        |
| Putnam property improvements (Henry House)       | 89-9499 | 150,000      | GF - insurance proceeds     |
| Sports complex lighting                          | 89-9452 | 61,821       | CEQA mitigation             |
| Tule River Parkway, Phase III                    | 89-9439 | 2,165,000    | CMAQ / Measure R - Alt      |
| Veteran's Park trail - Phase I                   |         | 300,000      | Housing related parks grant |
| TOTAL                                            |         | \$ 2,874,414 |                             |

**CITY OF PORTERVILLE  
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2016 - 2017**

**CAPITAL PROJECTS**

| PROJECT                                                       | ACCOUNT<br>NUMBER | REQUIRED<br>AMOUNTS | FUNDING SOURCE          |
|---------------------------------------------------------------|-------------------|---------------------|-------------------------|
| <b><u>SEWER</u></b>                                           |                   |                     |                         |
| Annexation sewer project - Area 1 (456A & 457)                | 89-9662           | \$ 912,400          | Sewer revenue bonds     |
| Annexation sewer project - Area 5 (456B & 456C)               | 89-9663           | 913,500             | Sewer revenue bonds     |
| Annexation sewer project - Area 6 (455A)                      | 89-9661           | 100,000             | Sewer revenue bonds     |
| Henderson Ave - Lime to Plano                                 |                   | 470,000             | Sewer revolving fund    |
| Lift station upgrade                                          | 89-9645           | 100,000             | Sewer revolving fund    |
| Lift station #7 upgrade (airport industrial development)      | 89-9603           | 73,000              | Sewer revolving fund    |
| Lift station #11 - capacity analysis (Matthew reconstruction) | 89-9633           | 15,000              | Developer Fees          |
| Master plan payback                                           | 89-9604           | 324,633             | Developer Fees          |
| Master plan update                                            | 89-9660           | 197,386             | Developer Fees          |
| Newcomb - North of Mulberry pump upgrade (LS#3)               | 89-9634           | 50,000              | Developer Fees          |
| Newcomb - W North Grand pump upgrade (LS#4)                   | 89-9653           | 35,000              | Developer Fees          |
| Putnam / Railroad to Plano sewer replacement                  | 89-9697           | 107,000             | Sewer revolving fund    |
| TOTAL                                                         |                   | \$ <u>3,297,919</u> |                         |
| <b><u>WATER</u></b>                                           |                   |                     |                         |
| Cottage St and Union Ave meter project                        | 89-9719           | \$ 100,000          | Water replacement fund  |
| Deficient fire flow                                           | 89-9783           | 100,000             | Water replacement fund  |
| Ground water recharge - reservoir #'s 58 & 59                 | 89-9720           | 117,901             | Water replacement fund  |
| Master plan payback                                           | 89-9768           | 400,517             | Developer Fees          |
| Master plan update                                            | 89-9703           | 196,000             | Developer Fees          |
| Miscellaneous E Porterville water infrastructure              | 89-9730           | 50,000              | DWR                     |
| Morton - Indiana to Palm - pipe                               |                   | 178,000             | Developer Fees          |
| Rehabilitate wells                                            | 89-9736           | 100,000             | Water replacement fund  |
| Rocky Hill 3MG tank cathodic protection                       | 89-9791           | 50,000              | Water replacement fund  |
| Scenic Heights tank coating and repair                        | 89-9790           | 2,130,000           | Water replacement fund  |
| Scenic Heights tank overflow                                  | 89-9790           | 150,000             | Water replacement fund  |
| Scranton Ave water main relocation                            | 89-9797           | 235,000             | Developer Fees          |
| Success Reservoir enlargement project                         |                   | 15,000              | Water replacement fund  |
| SGMA compliance                                               |                   | 700,000             | Water replacement fund  |
| Urban water management plan                                   | 89-9769           | 50,000              | Water replacement fund  |
| Water infrastructure review                                   | 89-9798           | 28,000              | Water replacement fund  |
| Water meter radio read (test project)                         | 89-9760           | 75,000              | Water replacement fund  |
| Water well #33 (Akin)                                         | 89-9748           | 1,380,000           | Dept of Water Resources |
| Water well #35 (E Porterville)                                |                   | 1,300,000           | OES / USDA              |
| TOTAL                                                         |                   | \$ <u>7,355,418</u> |                         |

**CITY OF PORTERVILLE  
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2016 - 2017**

**CAPITAL PROJECTS**

| PROJECT                                           | ACCOUNT<br>NUMBER | REQUIRED<br>AMOUNTS  | FUNDING SOURCE                 |
|---------------------------------------------------|-------------------|----------------------|--------------------------------|
| <b><u>WASTEWATER TREATMENT FACILITY</u></b>       |                   |                      |                                |
| Alternative energy project (solar power)          | 89-9670           | \$ 150,000           | WWTF reserve fund              |
| Blower building floor coating/noise attenuation   |                   | 125,000              | WWTF reserve fund              |
| Boiler #2                                         |                   | 1,000,000            | WWTF reserve fund              |
| Canopy for vehicles                               | 89-9626           | 24,928               | WWTF reserve fund              |
| Digester cleaning, coating and piping replacement | 89-9642           | 111,475              | WWTF reserve fund              |
| Manhole 10A inspection / repair                   | 89-9667           | 99,760               | WWTF reserve fund              |
| Odor control project                              | 89-9658           | 1,200,000            | WWTF reserve fund              |
| Plant #1 evaluation and repairs                   |                   | 400,000              | WWTF reserve fund              |
| Scada upgrade                                     | 89-9650           | 30,000               | WWTF reserve fund              |
| Septic station retrofit                           | 89-9648           | 331,120              | WWTF reserve fund              |
| Sludge / grit staging area                        |                   | 300,000              | WWTF reserve fund              |
| Tertiary treatment plant                          | 89-9672           | 500,000              | WWTF reserve fund              |
| WAS pump replacement                              |                   | 300,000              | WWTF reserve fund              |
| Wastegas flare replacement                        |                   | 150,000              | WWTF reserve fund              |
| Wastewater needs assessment and master plan       | 89-9654           | 99,964               | WWTF reserve fund              |
| TOTAL                                             |                   | \$ <u>4,822,247</u>  |                                |
| <b><u>TRANSIT</u></b>                             |                   |                      |                                |
| Automatic passenger counter system                | 89-9308           | \$ 138,785           | Prop 1B                        |
| Bus maintenance and admin facility                | 89-9098           | 1,000,000            | FTA grant / LTF                |
| Bus stop shelters                                 | 89-9309           | 200,000              | FTA grant / LTF                |
| Bus turnouts / downtown shuttle service           |                   | 100,000              | FTA grant / LTF                |
| Facility security system - phase 2                | 89-9043           | 200,000              | FTA grant / LTF                |
| ITS electronic fareboxes (for electric buses)     |                   | 300,000              | FTA grant / LTF                |
| Mobile fare payment system                        | 89-9307           | 522,892              | FTA grant / Prop 1B / LTF      |
| Multi-modal corridor rail ROW improvements        |                   | 60,000               | FTA grant / LTF                |
| Non-revenue vehicles                              |                   | 160,000              | FTA grant / LTF                |
| Signal pre-emption                                | 89-9305           | 180,948              | FTA grant / LTF                |
| Vehicle security system                           |                   | 75,000               | FTA grant / LTF                |
| Zero-emission buses (10) and chargers (11)        |                   | 9,975,692            | FTA / Air District / ARB / LTF |
| Zero-emission infrastructure                      |                   | 1,700,000            | FTA grant / LTF                |
| TOTAL                                             |                   | \$ <u>14,613,317</u> |                                |

**CITY OF PORTERVILLE  
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**CAPITAL PROJECTS**

| PROJECT                           | ACCOUNT<br>NUMBER | REQUIRED<br>AMOUNTS  | FUNDING SOURCE                        |
|-----------------------------------|-------------------|----------------------|---------------------------------------|
| <b><u>AIRPORT</u></b>             |                   |                      |                                       |
| Airport layout plan narrative     | 89-9961           | \$ 34,326            | FAA / State grants / Airport Dev Fund |
| Parking ramp                      |                   | 20,000               | Proceeds from land release            |
| Restaurant - ADA bathrooms        |                   | 5,000                | Proceeds from land release            |
| Slurry seal - parking lots        |                   | 15,000               | Proceeds from land release            |
|                                   |                   | <u>\$ 74,326</u>     |                                       |
| <b><u>MISCELLANEOUS</u></b>       |                   |                      |                                       |
| CNG sideloader refuse trucks (3)  | 81-3095-72        | \$ 905,370           | CMAQ/Solid Waste reserve fund         |
| CNG frontloader refuse trucks (2) | 81-3095-72        | 552,080              | CMAQ/Solid Waste reserve fund         |
| Dump truck                        | 86-3095-72        | 298,000              | WWTF reserve fund                     |
| PD generator                      | 03-3095-73        | 60,000               | Equipment Replacement fund            |
|                                   |                   | <u>\$ 1,815,450</u>  |                                       |
| <b>TOTAL CAPITAL PROJECTS</b>     |                   | <u>\$ 51,795,706</u> |                                       |



## CAPITAL IMPROVEMENT STRATEGIES - FUNDING SUMMARY FISCAL YEAR 16/17

| FUNDING SOURCE                                                             | 16/17       |
|----------------------------------------------------------------------------|-------------|
| General Fund Reserve (GF)                                                  | \$28,000    |
| General Fund Reserve - Re-appropriated (Reapp GF)                          | \$0         |
| General Fund Carryover - Re-appropriated (Reapp GF CO)                     | \$262,486   |
| General Fund - Donations (GF Donations)                                    | \$0         |
| Active Transportation Program Grant (ATP)                                  | \$644,500   |
| Air District                                                               | \$1,819,270 |
| Air Resources Board (ARB)                                                  | \$9,516,422 |
| Airport Development Fund (ADF)                                             | \$1,545     |
| Airport Land Release Proceeds (LRP)                                        | \$40,000    |
| Airport Operation Fund (AOF)                                               | \$0         |
| Asset Forfeitures                                                          | \$30,000    |
| Building Construction Fund (BCF)                                           | \$0         |
| Building Construction Fund - Re-appropriated (Reapp BCF)                   | \$0         |
| California Division of Aeronautics (CA Div of Aero)                        | \$1,888     |
| California Infrastructure & Economic Development Water (CIEDB)             | \$0         |
| CEQA Mitigation                                                            | \$61,821    |
| Certificates of Participation (COP)                                        | \$540,237   |
| Certificates of Participation Refinance (COP Refinance)                    | \$0         |
| Community Development Block Grant (CDBG)                                   | \$0         |
| Community Development Block Grant - Re-appropriated (Reapp CDBG)           | \$0         |
| Congestion Mitigation and Air Quality Funds (CMAQ)                         | \$3,229,893 |
| Department of Water Resources (DWR)                                        | \$1,430,000 |
| Environmental Enhancement Mitigation (EEM)                                 | \$0         |
| Equipment Replacement Fund (ERF)                                           | \$80,000    |
| Federal Aviation Admin. Airport Improvement Program Grant (FAA/AIP)        | \$30,893    |
| Federal Transit Auth 5307 (FTA 5307)                                       | \$2,043,965 |
| Federal Transit Auth 5307 State of Good Repair (FTA 5307 SGR)              | \$0         |
| Federal Transit Auth 5307, 5309 State of Good Repair (FTA 5307, 5309 SGR)  | \$0         |
| Federal Transit Auth 5339 (FTA 5339)                                       | \$0         |
| Federal Transit Auth 5311 (FTA 5311)                                       | \$0         |
| Federal Transit Auth 5316 (FTA 5316)                                       | \$0         |
| Highway Bridge Program (HBP)                                               | \$4,264,018 |
| Highway Safety Improvement Program (HSIP)                                  | \$367,355   |
| Housing Related Parks Grant (HRPG)                                         | \$300,000   |
| Local Transportation Funds (LTF)                                           | \$2,022,936 |
| Local Transportation Funds - Re-appropriated (Reapp LTF)                   | \$2,735,088 |
| Local Transportation Funds - Transit (LTF Transit)                         | \$584,000   |
| Local Transportation Funds - Transit - Re-appropriated (Reapp LTF Transit) | \$266,992   |
| Measure H                                                                  | \$0         |
| Measure H - Re-appropriated (Reapp Meas. H)                                | \$30,000    |
| Measure R - Alternative Transportation (Measure R AT)                      | \$428,385   |
| Measure R - AT Re-appropriated (Reapp Meas. R AT)                          | \$0         |
| Measure R - Local (Measure R Local)                                        | \$2,000,000 |
| Measure R - Local Re-appropriated (Reapp Meas. R Local)                    | \$0         |

### General Fund Reserve (Annual Projects):

|                                    |                 |
|------------------------------------|-----------------|
| Tule River JPA Administration      | \$8,000         |
| Tule River/Porter Slough- Clean Up | \$20,000        |
|                                    | <b>\$28,000</b> |

### Re-appropriated General Fund Carry Over:

|                                     |                  |
|-------------------------------------|------------------|
| Indiana Bridge Alignment Plan       | \$37,000         |
| Library Literacy Center Development | \$55,093         |
| Library Restroom Remodel            | \$87,500         |
| Kiwanis                             | \$20,000         |
| Porterville Cornerstone Project     | \$37,893         |
|                                     | <b>\$237,486</b> |

### Unfunded Former RDA Properties - Acquisition:

|                                         |                  |
|-----------------------------------------|------------------|
| (Pending Approval of Governor's Budget) |                  |
| Garden/Second (SEC) Parking Lot         | \$143,000        |
| Olive/Second (NEC) Parking Lot          | \$97,000         |
| Thurman/Second (NWC) Parking Lot        | \$93,000         |
| Morton/Fourth (SEC) Parking Lot         | \$102,000        |
| 293 N. Hockett - Vacant Lot             | \$25,000         |
| 287 N. Hockett - Stout Building         | \$185,000        |
|                                         | <b>\$645,000</b> |

## CAPITAL IMPROVEMENT STRATEGIES - FUNDING SUMMARY FISCAL YEAR 16/17

| FUNDING SOURCE                                                             | 16/17               |
|----------------------------------------------------------------------------|---------------------|
| Measure R - Regional (Measure R Reg)                                       | \$0                 |
| Measure R - Regional Re-appropriated (Reapp Meas. R Reg)                   | \$200,000           |
| Office of Emergency Services (OES)                                         | \$975,000           |
| Prop 1B                                                                    | \$382,668           |
| Prop 1B - Transit                                                          | \$0                 |
| Property Taxes Administration Fees (PTAF)                                  | \$0                 |
| RDA Bond Proceeds (Bond Proceeds)                                          | \$125,000           |
| Risk Management (RM)                                                       | \$25,000            |
| Risk Management Re-appropriated (Reapp RM)                                 | \$0                 |
| Risk Management Insurance (RM Insurance)                                   | \$150,000           |
| Sewer Bond Refinance (Sewer Bond Refi)                                     | \$1,925,900         |
| Sewer Developer Fees (Sewer DF)                                            | \$522,019           |
| Sewer Developer Fees - Re-appropriated (Reapp Sewer DF)                    | \$100,000           |
| Sewer Revolving Fund (SRF)                                                 | \$100,000           |
| Sewer Revolving Fund - Re-appropriated (Reapp SRF)                         | \$650,000           |
| Sewer/Water/St. Dr./WWTF/TIF/Parks Impact Fees - Re-appropriated           | \$100,000           |
| Solid Waste Reserve (SW Reserve)                                           | \$167,172           |
| Special Gas Tax (SGT)                                                      | \$105,000           |
| Special Gas Tax - Re-appropriated (Reapp SGT)                              | \$120,000           |
| Storm Drain - Developer Fees (Storm Dr DF)                                 | \$654,963           |
| Storm Drain - Developer Fees - Re-appropriated (Reapp Storm Dr DF)         | \$1,019,926         |
| Storm Drain Reserve (Storm Drain Res)                                      | \$0                 |
| Storm Drain Reserve - Re-appropriated (Reapp Storm Dr Res)                 | \$17,500            |
| Surface Transportation Program (STP)                                       | \$1,023,850         |
| Surface Transportation Program - Re-appropriated (Reapp STP)               | \$40,513            |
| Tulare Council of Associated Governments (TCAG) Grant                      | \$100,000           |
| Traffic Impact Fees - Re-appropriated (Reapp TIF)                          | \$91,750            |
| Transportation Enhancement Grant (TE Grant)                                | \$0                 |
| United States Department of Agriculture (USDA)                             | \$325,000           |
| Wastewater Treatment Facility Impact Fees (WWTFIF)                         | \$0                 |
| Wastewater Treatment Facility Impact Fees - Re-appropriated (Reapp WWTFIF) | \$0                 |
| Wastewater Treatment Facility Reserve (WWTFR)                              | \$2,486,000         |
| Wastewater Treatment Facility Reserve - Re-appropriated (Reapp WWTFR)      | \$2,634,247         |
| Water - Developer Fees (Water DF)                                          | \$831,517           |
| Water - Developer Fees - Re-appropriated (Reapp Water DF)                  | \$178,000           |
| Water Replacement Fund (WRF)                                               | \$2,965,000         |
| Water Replacement Fund - Re-appropriated (Reapp WRF)                       | \$650,901           |
| Work Force Housing Grant (WFH)                                             | \$209,086           |
| Unfunded Projects                                                          | \$160,000           |
| <b>TOTALS</b>                                                              | <b>\$51,795,706</b> |
|                                                                            |                     |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS |               |           |           |           |           |           |           |           |           |           | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------------------|
| PROJECT DESCRIPTION                                                     | 16/17         | 17/18     | 18/19     | 19/20     | 20/21     | 21/22     | 22/23     | 23/24     | 24/25     | 25/26     | 16/17                  |
| Increase ENR (estimate):                                                |               | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     |                        |
| <b>ANNUAL STREET PROGRAMS:</b>                                          |               |           |           |           |           |           |           |           |           |           |                        |
| Airport Toxic Remediation Site Maint.                                   | \$18,500      |           |           |           |           |           |           |           |           |           | STP                    |
| Alleys                                                                  | \$50,000      |           |           |           |           |           |           |           |           |           | STP                    |
| Curb & Gutter (Miscellaneous)                                           | \$75,000      |           |           |           |           |           |           |           |           |           | STP                    |
| Curb, Gutter & Sidewalk (City-owned)                                    | \$75,000      |           |           |           |           |           |           |           |           |           | STP                    |
| GHHS Streets Record of Survey                                           | \$9,218 *     |           |           |           |           |           |           |           |           |           | Reapp STP              |
| Rock Crushing and Screening                                             | \$35,000      |           |           |           |           |           |           |           |           |           | STP                    |
| Street Intersection Safety Evaluations                                  | \$5,000       | \$5,000   | \$5,000   | \$5,000   | \$5,000   | \$5,000   | \$5,000   | \$5,000   | \$5,000   | \$5,000   | STP                    |
| <b>COLD FOAM</b>                                                        |               |           |           |           |           |           |           |           |           |           |                        |
| Henderson Avenue - Jaye St. to Indiana St.                              | \$1,190,000 * |           |           |           |           |           |           |           |           |           | Reapp LTF              |
| <b>MICROSURFACING &amp; REHAB PROJECTS</b>                              |               |           |           |           |           |           |           |           |           |           |                        |
| <b>Date Avenue</b>                                                      |               |           |           |           |           |           |           |           |           |           |                        |
| UPSFR to Park Street (1080')                                            |               | \$48,000  |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Henderson Avenue</b>                                                 |               |           |           |           |           |           |           |           |           |           |                        |
| Main Street to Second Street (1440')                                    |               | \$92,000  |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Indiana Street</b>                                                   |               |           |           |           |           |           |           |           |           |           |                        |
| Vandalia Ave to Springville Ave (1080')                                 |               | \$67,000  |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Main Street</b>                                                      |               |           |           |           |           |           |           |           |           |           |                        |
| Morton to Olive Ave (2640')                                             | \$1,000,000   |           |           |           |           |           |           |           |           |           | Measure R Local        |
| Date Ave to 1/4 mile South of College Ave (5280')                       |               | \$345,000 |           |           |           |           |           |           |           |           | Unfunded               |
| <b>Mathew Street</b>                                                    |               |           |           |           |           |           |           |           |           |           |                        |
| Westfield Ave to Castle Ave (2800')                                     |               | \$115,000 |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Newcomb Street</b>                                                   |               |           |           |           |           |           |           |           |           |           |                        |
| Westfield Ave to Castle Ave (2640')                                     |               | \$216,000 |           |           |           |           |           |           |           |           | Unfunded               |
| Scranton Ave to 600 feet North of Scranton Ave (1320')                  |               | \$35,000  |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Plano Street</b>                                                     |               |           |           |           |           |           |           |           |           |           |                        |
| Westfield Ave to 1/4 mile N of Westfield Ave                            |               | \$43,000  |           |           |           |           |           |           |           |           | Measure R Local        |
| SR 190 to Henderson Ave. (limits may vary)                              | \$1,000,000   |           |           |           |           |           |           |           |           |           | Measure R Local        |
| <b>Scranton Avenue</b>                                                  |               |           |           |           |           |           |           |           |           |           |                        |
| Indiana St to SR 65                                                     |               |           | \$40,000  |           |           |           |           |           |           |           | Unfunded               |
| <b>Springville Avenue</b>                                               |               |           |           |           |           |           |           |           |           |           |                        |
| Jaye Street to E Street (1700')                                         |               |           | \$110,000 |           |           |           |           |           |           |           | Unfunded               |
| <b>Villa Street</b>                                                     |               |           |           |           |           |           |           |           |           |           |                        |
| Theta Avenue to Mulberry Avenue (750')                                  |               |           | \$35,000  |           |           |           |           |           |           |           | Unfunded               |
| <b>Westfield Avenue</b>                                                 |               |           |           |           |           |           |           |           |           |           |                        |
| Westwood St to Mathew St (2640')                                        |               |           | \$108,000 |           |           |           |           |           |           |           | Unfunded               |
| SR 65 to Indiana Street (1080')                                         |               |           | \$56,000  |           |           |           |           |           |           |           | Unfunded               |
| <b>Westwood Street</b>                                                  |               |           |           |           |           |           |           |           |           |           |                        |
| Scranton Ave to 1/4 mile N of Scranton (1320')                          |               |           | \$68,000  |           |           |           |           |           |           |           | Unfunded               |
| <b>Total</b>                                                            | \$2,000,000   | \$961,000 | \$417,000 |           |           |           |           |           |           |           |                        |
| <b>MILLING &amp; STREET REHAB</b>                                       |               |           |           |           |           |           |           |           |           |           |                        |
| Cold Milling Machine (Purchase)                                         |               | \$291,000 |           |           |           |           |           |           |           |           | Unfunded               |
| Asphalt/Concrete (Material)                                             |               | \$150,000 |           |           |           |           |           |           |           |           | Unfunded               |
| Overlay Program                                                         | \$550,000     | \$567,875 | \$586,331 | \$605,387 | \$625,062 | \$645,376 | \$666,351 | \$688,007 | \$710,368 | \$733,455 | STP                    |
| Pavement Management Program Implementation & Maintenance                | \$120,000 *   |           |           |           |           |           |           |           |           |           | Reapp SGT              |
|                                                                         | \$5,000       | \$30,000  | \$30,975  | \$31,982  | \$33,021  | \$34,094  | \$35,202  | \$36,346  | \$37,528  | \$38,747  | SGT                    |
| Sign & Signal - Upgrade                                                 | \$50,000      |           |           |           |           |           |           |           |           |           | STP                    |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS |                    |           |           |           |           |           |           |           |             |              | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-------------|--------------|------------------------|
| PROJECT DESCRIPTION                                                     | 16/17              | 17/18     | 18/19     | 19/20     | 20/21     | 21/22     | 22/23     | 23/24     | 24/25       | 25/26        | 16/17                  |
| Increase ENR (estimate):                                                |                    | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%       | 3.25%        |                        |
| <b>ANNUAL STORM DRAIN PROGRAMS &amp; MASTER PLAN PAYBACK:</b>           |                    |           |           |           |           |           |           |           |             |              |                        |
| Master Plan Payback                                                     | \$144,000          | \$149,000 | \$154,000 | \$160,000 | \$166,000 | \$172,000 | \$178,000 | \$184,000 | \$190,000   | \$197,000    | Storm Dr DF            |
| <b>ANNUAL SEWER PROGRAMS &amp; MASTER PLAN PAYBACK:</b>                 |                    |           |           |           |           |           |           |           |             |              |                        |
| Master Plan Payback                                                     | \$324,633          | \$335,184 | \$347,000 | \$359,000 | \$371,000 | \$384,000 | \$397,000 | \$410,000 | \$424,000   | \$438,000    | Sewer DF               |
| <b>SEWER REPLACEMENT PROGRAM:</b>                                       |                    |           |           |           |           |           |           |           |             |              |                        |
| Phase III - Putnam/RR to Plano                                          | \$107,000 *        |           |           |           |           |           |           |           |             |              | Reapp SRF              |
| Phase IV - Baker/Murry                                                  |                    | \$46,000  |           |           |           |           |           |           |             |              | SRF                    |
| Phase V - Murry/Harrison to Putnam                                      |                    |           | \$118,000 |           |           |           |           |           |             |              | SRF                    |
| Phase VI - Roche/Alley/Henrahan                                         |                    |           |           | \$85,000  |           |           |           |           |             |              | SRF                    |
| <b>ANNUAL WATER PROGRAMS &amp; MASTER PLAN PAYBACK:</b>                 |                    |           |           |           |           |           |           |           |             |              |                        |
| Rehabilitate Wells                                                      | \$100,000          |           |           |           |           |           |           |           |             |              | WRF                    |
| Well Exploration                                                        |                    |           |           |           |           |           |           |           |             |              | Water DF               |
| Master Plan Payback                                                     | \$400,517          | \$400,000 | \$413,000 | \$426,423 | \$440,281 | \$454,590 | \$469,365 | \$484,619 | \$500,369   | \$516,631    | Water DF               |
| Deficient Fire Flow                                                     | \$100,000          |           |           |           |           |           |           |           |             |              | WRF                    |
| Water Infrastructure Review                                             | \$28,000 *         |           |           |           |           |           |           |           |             |              | Reapp WRF              |
| <b>BRIDGES:</b>                                                         |                    |           |           |           |           |           |           |           |             |              |                        |
| <b>Indiana Bridge</b>                                                   |                    |           |           |           |           |           |           |           |             |              |                        |
| Alignment Plan                                                          | \$37,000 *         |           |           |           |           |           |           |           |             |              | Reapp GF CO            |
| Design, Environmental & Land Acquisition                                |                    |           |           |           |           |           |           |           | \$1,100,000 |              | Unfunded               |
| South Connection                                                        |                    |           |           |           |           |           |           |           | \$176,000   |              | Unfunded               |
| North Connection                                                        |                    |           |           |           |           |           |           |           | \$100,000   |              | Unfunded               |
| Construction Cross Tule River                                           |                    |           |           |           |           |           |           |           | \$7,500,000 |              | Unfunded               |
| <b>Jaye Street Bridge Project</b>                                       |                    |           |           |           |           |           |           |           |             |              |                        |
| Design (Total cost \$856,000 - Fed share 80%)                           | \$94,255           |           |           |           |           |           |           |           |             |              | HBP                    |
| Design (City Share - 20%)                                               | \$23,564           |           |           |           |           |           |           |           |             |              | LTF                    |
| Construction (Total cost \$4,760,000)                                   | \$3,569,530        |           |           |           |           |           |           |           |             |              | HBP                    |
| Construction - City (11.47% Match)                                      | \$462,470          |           |           |           |           |           |           |           |             |              | COP                    |
| Construction - City - Non-participating                                 | \$728,000          |           |           |           |           |           |           |           |             |              | LTF                    |
| Construction Management (Total cost \$800,000)                          | \$600,233          |           |           |           |           |           |           |           |             |              | HBP                    |
| Construction Management - City (11.47% Match)                           | \$77,767           |           |           |           |           |           |           |           |             |              | COP                    |
| Construction Mgmt - City - Non-participating                            | \$122,000          |           |           |           |           |           |           |           |             |              | LTF                    |
| <b>Total</b>                                                            | <b>\$5,677,819</b> |           |           |           |           |           |           |           |             |              |                        |
| <b>Newcomb Bridge - Tule River to Hwy 190 Connection</b>                |                    |           |           |           |           |           |           |           |             |              |                        |
| Alignment Plan                                                          | \$24,500 *         |           |           |           |           |           |           |           |             |              | Reapp LTF              |
| Design, Environmental & Land Acquisition                                |                    |           |           |           |           |           |           |           |             | \$1,100,000  | Unfunded               |
| Bridge Construction                                                     |                    |           |           |           |           |           |           |           |             | \$7,500,000  | Unfunded               |
| Newcomb - The River/SR 190 (4 lanes)                                    |                    |           |           |           |           |           |           |           |             | \$661,000    | Unfunded               |
| Overpass @ SR 190                                                       |                    |           |           |           |           |           |           |           |             | \$10,000,000 | Unfunded               |
| <b>Plano Bridge Widening Project</b>                                    |                    |           |           |           |           |           |           |           |             |              |                        |
| Revegetation Plan & Monitoring                                          | \$10,000           | \$10,000  | \$10,000  | \$10,000  | \$10,000  |           |           |           |             |              | LTF                    |
| <b>Westwood Bridge</b>                                                  |                    |           |           |           |           |           |           |           |             |              |                        |
| Design, Environmental & Land Acquisition                                |                    |           |           |           |           |           |           |           |             | \$1,100,000  | Unfunded               |
| Bridge Construction Cross Tule River                                    |                    |           |           |           |           |           |           |           |             | \$10,000,000 | Unfunded               |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS                                 |           |           |             |          |             |          |          |          |          |          | FUNDING<br>FISCAL YEAR                                     |
|---------------------------------------------------------------------------------------------------------|-----------|-----------|-------------|----------|-------------|----------|----------|----------|----------|----------|------------------------------------------------------------|
| PROJECT DESCRIPTION                                                                                     | 16/17     | 17/18     | 18/19       | 19/20    | 20/21       | 21/22    | 22/23    | 23/24    | 24/25    | 25/26    | 16/17                                                      |
| Increase ENR (estimate):                                                                                |           | 3.25%     | 3.25%       | 3.25%    | 3.25%       | 3.25%    | 3.25%    | 3.25%    | 3.25%    | 3.25%    |                                                            |
| SLOUGH CROSSINGS: (Cross-reference associated Street Projects)                                          |           |           |             |          |             |          |          |          |          |          |                                                            |
| Putnam Avenue Slough Crossing - East of Jaye Street at Putnam and Kessing, across from SVMC parking lot |           |           |             |          |             |          |          |          |          |          |                                                            |
| Construction of bridge with roundabout                                                                  |           |           |             |          | \$2,655,900 |          |          |          |          |          | HBP                                                        |
| Construction - City (11.47% Match)                                                                      |           |           |             |          | \$344,100   |          |          |          |          |          | LTF                                                        |
| Villa Street Slough Crossing - North of Putnam Avenue                                                   |           |           |             |          |             |          |          |          |          |          |                                                            |
| Construction of bridge                                                                                  |           |           |             |          | \$727,717   |          |          |          |          |          | HBP                                                        |
| Construction of bridge - City Match 11.47%                                                              |           |           |             |          | \$94,283    |          |          |          |          |          | LTF                                                        |
| Westwood Street Slough Crossing - North of Henderson Avenue                                             |           |           |             |          |             |          |          |          |          |          |                                                            |
| Construction of bridge                                                                                  |           |           |             |          | \$1,327,950 |          |          |          |          |          | HBP                                                        |
| Construction of bridge - City Match 11.47%                                                              |           |           |             |          | \$172,050   |          |          |          |          |          | LTF                                                        |
| STUDIES:                                                                                                |           |           |             |          |             |          |          |          |          |          |                                                            |
| 2008 Circulation Element - Transportation Update                                                        | \$150,000 | *         |             |          |             |          |          |          |          |          | Reapp LTF                                                  |
|                                                                                                         |           |           |             |          |             |          |          |          |          |          | Reapp Sewer/Water<br>St.Dr./WWTF/TIF/<br>Parks Impact Fees |
| Comprehensive Impact Fee Study (AB 1600)                                                                | \$100,000 | *         |             |          |             |          |          |          |          |          |                                                            |
| Master Plan Update - Sewer                                                                              | \$197,386 |           |             |          |             |          |          | \$63,000 |          |          | Sewer DF                                                   |
| Master Plan Update - Storm Drain                                                                        | \$199,963 |           |             |          |             |          |          | \$63,000 |          |          | Storm Dr DF                                                |
| MS4 - Storm Drain Permit Fee                                                                            | \$35,000  | \$36,138  | \$37,312    | \$38,525 | \$39,777    | \$41,069 | \$42,404 | \$43,782 | \$45,205 | \$46,674 | Storm Dr DF                                                |
| Master Plan Update - Water                                                                              | \$196,000 |           |             |          |             |          |          | \$63,000 |          |          | Water DF                                                   |
| Urban Water Management Plan - 2015 Update                                                               | \$50,000  |           |             |          |             |          |          |          |          |          | WRF                                                        |
| STREET, STORM DRAIN, SEWER, AND WATER PROJECTS:                                                         |           |           |             |          |             |          |          |          |          |          |                                                            |
| ADA Transition Plan                                                                                     |           |           |             |          |             |          |          |          |          |          |                                                            |
| Field Data Collection                                                                                   | \$100,000 |           |             |          |             |          |          |          |          |          | TCAG Grant                                                 |
| Parking w Ramp @ Veteran's Park- Kiwanis bldg                                                           | \$20,000  | *         |             |          |             |          |          |          |          |          | Reapp GF CO                                                |
| Airport Industrial Development                                                                          |           |           |             |          |             |          |          |          |          |          |                                                            |
| Storm Drain No. 30 & Piping                                                                             |           | \$321,940 |             |          |             |          |          |          |          |          | Reapp Storm Dr DF                                          |
| Storm Drain No. 30 (Construction)                                                                       |           |           | \$4,000,000 |          |             |          |          |          |          |          | Unfunded                                                   |
| Upgrade Lift Station #7                                                                                 | \$73,000  | *         |             |          |             |          |          |          |          |          | Reapp SRF                                                  |
| City Hall ADA Parking Spaces (2) w/sidewalk ramps                                                       | \$30,000  |           |             |          |             |          |          |          |          |          | LTF                                                        |
| Cottage Street and Union Ave. Meter Project                                                             | \$100,000 | *         |             |          |             |          |          |          |          |          | Reapp WRF                                                  |
| Date Avenue Widening - "H" to Jaye                                                                      |           |           |             |          |             |          |          |          |          |          |                                                            |
| Topo, Design (CEQA included)                                                                            | \$16,569  | *         |             |          |             |          |          |          |          |          | Reapp LTF                                                  |
| ROW Acquisition                                                                                         | \$200,000 |           |             |          |             |          |          |          |          |          | LTF                                                        |
| Construction                                                                                            |           | \$150,000 |             |          |             |          |          |          |          |          | Unfunded                                                   |
| DOWNTOWN PARKING LOT IMPROVEMENTS (Perimeter Concrete and Lights)                                       |           |           |             |          |             |          |          |          |          |          |                                                            |
| Putnam & Second NWC                                                                                     | \$172,810 |           |             |          |             |          |          |          |          |          | LTF                                                        |
| Mill & Second SWC                                                                                       | \$180,290 |           |             |          |             |          |          |          |          |          | LTF                                                        |
| Putnam & Hockett NEC                                                                                    | \$154,770 |           |             |          |             |          |          |          |          |          | LTF                                                        |
| Olive & Second NWC                                                                                      | \$117,502 |           |             |          |             |          |          |          |          |          | LTF                                                        |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS                               |             |             |             |          |           |       |       |       |       |             | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|----------|-----------|-------|-------|-------|-------|-------------|------------------------|
| PROJECT DESCRIPTION                                                                                   | 16/17       | 17/18       | 18/19       | 19/20    | 20/21     | 21/22 | 22/23 | 23/24 | 24/25 | 25/26       | 16/17                  |
| Increase ENR (estimate):                                                                              |             | 3.25%       | 3.25%       | 3.25%    | 3.25%     | 3.25% | 3.25% | 3.25% | 3.25% | 3.25%       |                        |
| <b>DRAINAGE RESERVOIR PROJECTS:</b>                                                                   |             |             |             |          |           |       |       |       |       |             |                        |
| <b>Drainage Reservoir No. 14 Expansion - (east of Plano St., north of Grand Ave &amp; Leggett St)</b> |             |             |             |          |           |       |       |       |       |             |                        |
| Design, Environmental & Land Acquisition                                                              | \$44,926 *  |             |             |          |           |       |       |       |       |             | Reapp Storm Dr DF      |
| Construction                                                                                          | \$75,000 *  |             |             |          |           |       |       |       |       |             | Reapp Storm Dr DF      |
| <b>Drainage Reservoir No. 15 (Master Plan Facility Villa Street, north of Westfield Avenue)</b>       |             |             |             |          |           |       |       |       |       |             |                        |
| Acquisition & Environmental                                                                           |             | \$100,000   |             |          |           |       |       |       |       |             | Storm Dr DF            |
| <b>Drainage Reservoir No. 18 (Master Plan Facility SW Cor. SR 65 &amp; W. North Grand)</b>            |             |             |             |          |           |       |       |       |       |             |                        |
| Construction/Reimbursement                                                                            |             | \$475,000   |             |          |           |       |       |       |       |             | Storm Dr DF            |
| <b>Drainage Reservoir No. 47 (Master Plan Facility Hillcrest Street, north of Henderson Avenue)</b>   |             |             |             |          |           |       |       |       |       |             |                        |
| Acquisition                                                                                           |             | \$94,000    |             |          |           |       |       |       |       |             | Storm Dr DF            |
| Construction & Reimbursement                                                                          |             |             |             |          | \$700,000 |       |       |       |       |             | Unfunded               |
| <b>Drainage Reservoir No. 49 (Master Plan Facility Olive Avenue, east of GHHS)</b>                    |             |             |             |          |           |       |       |       |       |             |                        |
| Acquisition                                                                                           | \$250,000 * |             |             |          |           |       |       |       |       |             | Reapp Storm Dr DF      |
| Construction & Reimbursement                                                                          |             | \$458,000   |             |          |           |       |       |       |       |             | Unfunded               |
| <b>East Porterville Water Infrastructure</b>                                                          |             |             |             |          |           |       |       |       |       |             |                        |
| Well No. 35 - Includes Piping ( E. Porterville)                                                       | \$975,000   |             |             |          |           |       |       |       |       |             | OES                    |
|                                                                                                       | \$325,000   |             |             |          |           |       |       |       |       |             | USDA                   |
| Well No. 36 - Includes Piping                                                                         |             | \$2,400,000 |             |          |           |       |       |       |       |             | DWR                    |
| Well No. 37 - Includes Piping                                                                         |             | \$2,400,000 |             |          |           |       |       |       |       |             | DWR                    |
| Miscellaneous EP Water Infrastructure                                                                 | \$50,000    |             |             |          |           |       |       |       |       |             | DWR                    |
| Floodplain Management                                                                                 | \$17,500 *  |             |             |          |           |       |       |       |       |             | Reapp Storm Dr Res     |
| Frontage Road - West North Grand to Linda Vista                                                       |             |             |             |          |           |       |       |       |       | \$1,000,000 | Unfunded               |
| Frontage Road - Pioneer to West North Grand                                                           |             |             |             |          |           |       |       |       |       | \$750,000   | Unfunded               |
| Generator                                                                                             |             | \$80,000    |             |          |           |       |       |       |       |             | Unfunded               |
| Generator                                                                                             |             |             | \$83,000    |          |           |       |       |       |       |             | Unfunded               |
| Generator                                                                                             |             |             |             | \$86,000 |           |       |       |       |       |             | Unfunded               |
| <b>Gibbons Avenue Street Reconstruction</b>                                                           |             |             |             |          |           |       |       |       |       |             |                        |
| Gibbons - Main to Indiana (Right of Way)                                                              | \$64,178 *  |             |             |          |           |       |       |       |       |             | Reapp LTF              |
| Gibbons - Environmental                                                                               | \$38,500    |             |             |          |           |       |       |       |       |             | LTF                    |
| Gibbons - Design and Construction                                                                     |             | \$525,000   |             |          |           |       |       |       |       |             | Unfunded               |
| Gibbons - Storm Drain - Jaye to Indiana                                                               |             | \$200,000   |             |          |           |       |       |       |       |             | Unfunded               |
| Gibbons - Storm Drain - Jaye to Main                                                                  |             |             | \$200,000   |          |           |       |       |       |       |             | Unfunded               |
| Gibbons - Main to Jaye                                                                                |             |             | \$1,000,000 |          |           |       |       |       |       |             | Unfunded               |
| <b>Grand Avenue</b>                                                                                   |             |             |             |          |           |       |       |       |       |             |                        |
| Grand - E to Porter Road - Zalud                                                                      |             | \$427,000   | \$441,000   |          |           |       |       |       |       |             | Unfunded               |
| Grand - Zalud to SR 65 Phase II - Storm Dr.                                                           |             | \$454,000   | \$469,000   |          |           |       |       |       |       |             | Unfunded               |
| Grand Ave. - Porter to G - Sewer                                                                      |             | \$443,000   | \$458,000   |          |           |       |       |       |       |             | Unfunded               |
| Grand Ave. Line - Water (Villa to Zalud Park)                                                         |             | \$221,000   |             |          |           |       |       |       |       |             | Unfunded               |
| Grand Ave, ext. - w/o Prospect to Prospect - Pipe                                                     |             |             |             |          | \$201,000 |       |       |       |       |             | Unfunded               |
| Grand Ave. - Treatment Plant to w/o Prospect - Pipe                                                   |             |             |             |          | \$141,000 |       |       |       |       |             | Unfunded               |
| Grand Ave. - Prospect St. to SR 65 - Pipe                                                             |             |             | \$341,000   |          |           |       |       |       |       |             | Unfunded               |
| <b>Ground Water Recharge</b>                                                                          |             |             |             |          |           |       |       |       |       |             |                        |
| Heritage Center Drainage Reservoir #58                                                                | \$97,901 *  |             |             |          |           |       |       |       |       |             | Reapp WRF              |
| Indiana - Roberts Drainage Reservoir #59                                                              | \$20,000 *  |             |             |          |           |       |       |       |       |             | Reapp WRF              |
| <b>Henderson Ave. Reconstruction</b>                                                                  |             |             |             |          |           |       |       |       |       |             |                        |
| Construction - Lime to Plano                                                                          |             | \$1,200,000 |             |          |           |       |       |       |       |             | Unfunded               |
| Henderson - Lime to Plano (Includes Design)                                                           | \$470,000 * |             |             |          |           |       |       |       |       |             | Reapp SRF              |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS                                                                                   |                    |           |          |             |             |          |          |          |           |          | FUNDING<br>FISCAL YEAR |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|----------|-------------|-------------|----------|----------|----------|-----------|----------|------------------------|
| PROJECT DESCRIPTION                                                                                                                                       | 16/17              | 17/18     | 18/19    | 19/20       | 20/21       | 21/22    | 22/23    | 23/24    | 24/25     | 25/26    | 16/17                  |
| Increase ENR (estimate):                                                                                                                                  |                    | 3.25%     | 3.25%    | 3.25%       | 3.25%       | 3.25%    | 3.25%    | 3.25%    | 3.25%     | 3.25%    |                        |
| Hillside Development - Standards & Specifications<br>(Hillside Development, Landscape and Irrigation and<br>Update Existing Standards and Specifications) | \$77,000 *         |           |          |             |             |          |          |          |           |          | Reapp LTF              |
|                                                                                                                                                           |                    | \$70,000  |          |             |             |          |          |          |           |          | Unfunded               |
| Hwy 190 - Jaye St. to E. St. - Pipe                                                                                                                       |                    | \$352,000 |          |             |             |          |          |          |           |          | Unfunded               |
| Hwy 190 - E. St. to Main St. - Pipe                                                                                                                       |                    | \$151,000 |          |             |             |          |          |          |           |          | Unfunded               |
| <b>Island Annexation Sewer Projects</b>                                                                                                                   |                    |           |          |             |             |          |          |          |           |          |                        |
| Area 1 (456A & 457)                                                                                                                                       |                    |           |          |             |             |          |          |          |           |          |                        |
| Poplar/Brown/Wisconsin/Jaye St                                                                                                                            | \$912,400 *        |           |          |             |             |          |          |          |           |          | Sewer Bond Refi        |
| Area 5 (456B & 456C)                                                                                                                                      |                    |           |          |             |             |          |          |          |           |          |                        |
| Olive/Center/Cloverleaf/Jaye St                                                                                                                           | \$913,500 *        |           |          |             |             |          |          |          |           |          | Sewer Bond Refi        |
| Area 6 (455A)                                                                                                                                             | \$100,000 *        |           |          |             |             |          |          |          |           |          | Sewer Bond Refi        |
| <b>Total</b>                                                                                                                                              | <b>\$1,925,900</b> |           |          |             |             |          |          |          |           |          |                        |
| Leggett - Morton to Henderson                                                                                                                             |                    |           |          | \$2,000,000 |             |          |          |          |           |          | Unfunded               |
| Lift Station Upgrade                                                                                                                                      | \$100,000          | \$75,000  | \$77,438 | \$79,954    | \$82,553    | \$85,236 | \$88,006 | \$90,866 | \$93,819  | \$96,868 | SRF                    |
| <b>Lighted Crosswalks - Collector &amp; Arterial</b>                                                                                                      |                    |           |          |             |             |          |          |          |           |          |                        |
| General                                                                                                                                                   | \$100,000          |           |          |             |             |          |          |          |           |          | SGT                    |
| <b>Olive Avenue Corridor</b>                                                                                                                              |                    |           |          |             |             |          |          |          |           |          |                        |
| Olive @ Dameron                                                                                                                                           | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| Olive @ Carmelita                                                                                                                                         | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| Olive @ H St                                                                                                                                              | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| Olive @ F St                                                                                                                                              | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| Olive @ 3rd / B St                                                                                                                                        | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| Olive @ Holcomb                                                                                                                                           | \$49,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| <b>Rails to Trails Pedestrian Trail</b>                                                                                                                   |                    |           |          |             |             |          |          |          |           |          |                        |
| RTT @ Harrison Street                                                                                                                                     | \$38,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| RTT @ Mill Street                                                                                                                                         | \$38,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| RTT @ Oak Street                                                                                                                                          | \$38,500           |           |          |             |             |          |          |          |           |          | ATP                    |
| <b>Morton Avenue Corridor</b>                                                                                                                             |                    |           |          |             |             |          |          |          |           |          |                        |
| Morton @ El Granito St                                                                                                                                    |                    | \$49,500  |          |             |             |          |          |          |           |          | ATP                    |
| Morton @ Hawaii St                                                                                                                                        |                    | \$49,500  |          |             |             |          |          |          |           |          | ATP                    |
| Morton @ Kessing St                                                                                                                                       |                    | \$49,500  |          |             |             |          |          |          |           |          | ATP                    |
| Morton @ Roche St                                                                                                                                         |                    | \$49,500  |          |             |             |          |          |          |           |          | ATP                    |
| <b>Lime Street</b>                                                                                                                                        |                    |           |          |             |             |          |          |          |           |          |                        |
| Henderson to RR (Construction)                                                                                                                            | \$1,100,000 *      |           |          |             |             |          |          |          |           |          | Reapp LTF              |
| RR to Reid (Construction)                                                                                                                                 |                    |           |          |             |             |          |          |          | \$500,000 |          | Unfunded               |
| Widen sidewalk for school bus turnout                                                                                                                     | \$15,000 *         |           |          |             |             |          |          |          |           |          | Reapp LTF              |
| Main - Henderson to 300 ft. North of Westfield                                                                                                            |                    |           |          |             | \$1,933,000 |          |          |          |           |          | Unfunded               |
| Main St. Project - Westfield Pipe from Pond 15 to 19<br>(Part of Main St. Project)                                                                        | \$200,000 *        |           |          |             |             |          |          |          |           |          | Reapp Storm Dr DF      |
| Main St. Cross SR 190 Casing (Poplar connection)                                                                                                          |                    | \$58,853  |          |             |             |          |          |          |           |          | Unfunded               |
| Main St. SR 190 to Vandalia Ave Pipe (Poplar conn)                                                                                                        |                    | \$85,698  |          |             |             |          |          |          |           |          | Unfunded               |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS |                  |             |             |             |             |             |           |           |       |       | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------|------------------|-------------|-------------|-------------|-------------|-------------|-----------|-----------|-------|-------|------------------------|
| PROJECT DESCRIPTION                                                     | 16/17            | 17/18       | 18/19       | 19/20       | 20/21       | 21/22       | 22/23     | 23/24     | 24/25 | 25/26 | 16/17                  |
| Increase ENR (estimate):                                                |                  | 3.25%       | 3.25%       | 3.25%       | 3.25%       | 3.25%       | 3.25%     | 3.25%     | 3.25% | 3.25% |                        |
| <b>Mathew Street Reconstruction Project</b>                             |                  |             |             |             |             |             |           |           |       |       |                        |
| Henderson to Monache Recons. (ROW)                                      |                  | \$25,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Henderson to Monache Recons. (Design)                                   |                  | \$50,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Henderson to Monache Recons. (Recon)                                    |                  | \$738,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Mulberry to Henderson - Pipe                                            |                  | \$74,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Capacity Analysis - Lift St. No. 11 Mulberry to Henderson               | \$15,000 *       |             |             |             |             |             |           |           |       |       | Reapp Sewer DF         |
| Mill Ave. - Hockett/"D"                                                 |                  | \$53,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Montgomery St Recon - Jaye to "H"                                       |                  | \$335,000   |             |             |             |             |           |           |       |       | Unfunded               |
| <b>Morton Avenue Rehabilitation/Reconstruction Project:</b>             |                  |             |             |             |             |             |           |           |       |       |                        |
| Division to Plano                                                       |                  |             | \$1,750,000 |             |             |             |           |           |       |       | Unfunded               |
| Jaye to Division                                                        |                  |             |             | \$1,400,000 |             |             |           |           |       |       | Unfunded               |
| Indiana to Jaye                                                         |                  |             |             |             | \$1,050,000 |             |           |           |       |       | Unfunded               |
| Prospect to Indiana                                                     |                  |             |             |             |             | \$1,050,000 |           |           |       |       | Unfunded               |
| Mathew to Prospect                                                      |                  |             |             |             |             |             | \$550,000 |           |       |       | Unfunded               |
| Westwood to Mathew                                                      |                  |             |             |             |             |             |           | \$500,000 |       |       | Unfunded               |
| Morton - Indiana to Palm - Pipe                                         | \$178,000 *      |             |             |             |             |             |           |           |       |       | Reapp Water DF         |
| Morton - Third to Plano - Pipe                                          |                  | \$69,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Morton - Mathew St. to Newcomb St. - Pipe                               |                  | \$361,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Morton - Mathew to Westwood Force Main                                  |                  | \$361,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Mulberry (Los Robles east)                                              |                  | \$91,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Mulberry - Second/Plano Reconstruction                                  |                  |             |             | \$569,000   |             |             |           |           |       |       | Unfunded               |
| Mulberry - Newcomb to Westwood                                          |                  | \$661,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Mulberry @ Second Storm Drain Connection                                | \$15,000 *       |             |             |             |             |             |           |           |       |       | Reapp Storm Dr DF      |
|                                                                         | \$10,000         |             |             |             |             |             |           |           |       |       | Storm Dr DF            |
| Newcomb - Henderson to North Grand                                      |                  | \$1,174,000 |             |             |             |             |           |           |       |       | Unfunded               |
| Newcomb - Henderson to Westfield - Pipe                                 |                  | \$157,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Newcomb - Henderson south to Grand Ave. - Pipe                          |                  |             | \$396,000   |             |             |             |           |           |       |       | Unfunded               |
| Newcomb - 'W North Grand Pump Upgrade (LS4)                             | \$35,000 *       |             |             |             |             |             |           |           |       |       | Reapp Sewer DF         |
| Newcomb - N of Mulberry - Pump Upgrade (LS3)                            | \$50,000 *       |             |             |             |             |             |           |           |       |       | Reapp Sewer DF         |
| North Grand Storm Drain SR 65 Crossing                                  | \$400,000        |             |             |             |             |             |           |           |       |       | Storm Dr DF            |
| Olive - D St. to E St. - Pipe                                           |                  |             |             |             |             | \$25,000    |           |           |       |       | Water DF               |
| Outfall pipeline to SR 65 Pond No. 24 (N of Linda Vista)                |                  |             |             |             | \$751,660   |             |           |           |       |       | Storm Dr DF            |
| <b>PEDESTRIAN WALKWAY PROJECTS:</b>                                     |                  |             |             |             |             |             |           |           |       |       |                        |
| <b>Garden Avenue - Main St to Fig Street</b>                            |                  |             |             |             |             |             |           |           |       |       |                        |
| Design                                                                  | \$3,000          |             |             |             |             |             |           |           |       |       | Measure R AT           |
| Construction (Grant)                                                    | \$232,000        |             |             |             |             |             |           |           |       |       | ATP                    |
| Construction (City Match programmed in Measure R SA)                    | \$35,000         |             |             |             |             |             |           |           |       |       | Measure R AT           |
| Construction (Non Participating Items Programmed Measure R SA)          | \$125,000        |             |             |             |             |             |           |           |       |       | Measure R AT           |
| Construction (City Share for Non Participating Items)                   | \$220,500        |             |             |             |             |             |           |           |       |       | LTF                    |
| Construction Management (Programmed in Measure R SA)                    | \$40,000         |             |             |             |             |             |           |           |       |       | Measure R AT           |
| <b>Total</b>                                                            | <b>\$655,500</b> |             |             |             |             |             |           |           |       |       |                        |
| Pioneer - Prospect to SR 65 - Pipe                                      |                  | \$120,000   |             |             |             |             |           |           |       |       | Unfunded               |
| Pioneer - Cross SR 65 - Casing                                          |                  | \$48,000    |             |             |             |             |           |           |       |       | Unfunded               |
| Plano - Henderson to Mulberry                                           |                  |             |             | \$569,000   |             |             |           |           |       |       | Unfunded               |



# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS                                                                                                              |             |             |             |              |           |           |           |           |              |             | FUNDING<br>FISCAL YEAR |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|--------------|-----------|-----------|-----------|-----------|--------------|-------------|------------------------|
| PROJECT DESCRIPTION                                                                                                                                                                  | 16/17       | 17/18       | 18/19       | 19/20        | 20/21     | 21/22     | 22/23     | 23/24     | 24/25        | 25/26       | 16/17                  |
| Increase ENR (estimate):                                                                                                                                                             |             | 3.25%       | 3.25%       | 3.25%        | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%        | 3.25%       |                        |
| Prospect - Olive to Morton                                                                                                                                                           |             |             | \$1,137,000 |              |           |           |           |           |              |             | Unfunded               |
| Prospect - Olive to Morton Water line                                                                                                                                                |             |             | \$225,000   |              |           |           |           |           |              |             | Unfunded               |
| Putnam - Plano to Fourth - Pipe                                                                                                                                                      |             | \$86,000    |             |              |           |           |           |           |              |             | Unfunded               |
| Putnam - Plano to Henry                                                                                                                                                              |             | \$86,000    |             |              |           |           |           |           |              |             | Unfunded               |
| Putnam - at Henry - PRV                                                                                                                                                              |             | \$23,000    |             |              |           |           |           |           |              |             | Unfunded               |
| <b>Riverwalk Marketplace Commercial Center Mitigation Projects - Phase II</b>                                                                                                        |             |             |             |              |           |           |           |           |              |             |                        |
| SR 65 & Scranton Ave. (Intersection widening including one east bound left turn lane, one westbound left turn lane, one north bound through lane and one south bound though lane)    |             | \$1,725,548 |             |              |           |           |           |           |              |             | Measure R Reg          |
| Rocky Hill - 3MG Tank Cathodic Protection                                                                                                                                            | \$50,000 *  |             |             |              |           |           |           |           |              |             | Reapp WRF              |
| Scenic Heights Guard Rail Repair                                                                                                                                                     | \$30,000 *  |             |             |              |           |           |           |           |              |             | Reapp LTF              |
| Scenic Heights 3MG Tank Coating & Repair                                                                                                                                             | \$130,000 * |             |             |              |           |           |           |           |              |             | Reapp WRF              |
|                                                                                                                                                                                      | \$2,000,000 |             |             |              |           |           |           |           |              |             | WRF                    |
| Scenic Heights 3MG Tank Overflow                                                                                                                                                     | \$150,000 * |             |             |              |           |           |           |           |              |             | Reapp WRF              |
| Scranton Ave. Water Main Relocation - SR 65 (Construction & Construction Management)                                                                                                 | \$235,000   |             |             |              |           |           |           |           |              |             | Water DF               |
| <b>SR 190 Corridor Improvements between SR 65 and Hillcrest Street (* Riverwalk Marketplace Commercial Center Mitigation Projects - Phase II)</b>                                    |             |             |             |              |           |           |           |           |              |             |                        |
| Project Approval Env Documentation (PA&ED)                                                                                                                                           | \$200,000   |             |             |              |           |           |           |           |              |             | Measure R Reg          |
| Construct westbound aux lane Jaye St to SR 65*                                                                                                                                       |             |             |             | \$950,000    |           |           |           |           |              |             | Measure R Reg          |
| Construct eastbound aux lane SR 65 to Jaye St*                                                                                                                                       |             |             |             |              |           |           |           |           | \$8,700,000  |             | Measure R Reg          |
| Construct signalized intersections at Main St ramp terminals*                                                                                                                        |             |             |             | \$900,000    |           |           |           |           |              |             | Measure R Reg          |
| Reconstruct Plano St/SR 190 Intersection to accommodate four lanes with dedicated dual left and right turn lanes on all approaches with a new traffic signal*                        |             |             |             | \$9,200,000  |           |           |           |           |              |             | Measure R Reg          |
| New SR 190 access @ Hillcrest St alignment. Construct four lane roadway from Worth Ave to Springville Ave, incl bridge @ Tule River. Intersection controlled by traffic signal/rdbt. |             |             |             |              |           |           |           |           | \$25,300,000 |             | Measure R Reg          |
| Construct Local Road connections as a result of the new access point at Hillcrest Street                                                                                             |             |             |             |              |           |           |           |           | \$1,000,000  |             | Measure R Reg          |
| Construct Roundabout or Signal at Westwood Street                                                                                                                                    |             |             |             | \$6,400,000  |           |           |           |           |              |             | Measure R Reg          |
| Poplar Road (North) - Connects to Main St.                                                                                                                                           |             |             |             |              |           |           |           |           | \$1,200,000  |             | Measure R Reg          |
| Poplar Road (North) - Intertie East of Plano                                                                                                                                         |             |             |             |              |           |           |           |           | \$200,000    |             | Measure R Reg          |
| <b>Total</b>                                                                                                                                                                         |             |             |             | \$17,450,000 |           |           |           |           | \$36,400,000 |             |                        |
| <b>Success Reservoir Enlargement Project</b>                                                                                                                                         |             |             |             |              |           |           |           |           |              |             |                        |
| City - ACOE Coordination                                                                                                                                                             | \$15,000    | \$15,000    | \$15,000    |              |           |           |           |           |              |             | WRF                    |
| Design                                                                                                                                                                               |             |             |             | \$50,000     |           |           |           |           |              |             | WRF                    |
| Construction                                                                                                                                                                         |             |             |             |              | \$700,000 | \$700,000 | \$700,000 | \$700,000 | \$700,000    | \$700,000   | WRF                    |
| <b>Sustainable Groundwater Management Act (SGMA) Compliance</b>                                                                                                                      |             |             |             |              |           |           |           |           |              |             |                        |
| Establish GS Agency/Plan                                                                                                                                                             | \$100,000   | \$100,000   | \$100,000   | \$100,000    | \$100,000 |           |           |           |              |             | WRF                    |
| GSP Implementation, O&M                                                                                                                                                              | \$600,000   | \$600,000   | \$600,000   | \$600,000    | \$600,000 | \$700,000 | \$700,000 | \$700,000 | \$700,000    | \$700,000   | WRF                    |
| Teapot Dome - Western edge of UDB to Newcomb                                                                                                                                         |             |             |             |              |           |           |           |           |              | \$1,850,000 | Unfunded               |
| Teapot Dome - Newcomb St. to SR 65                                                                                                                                                   |             |             |             |              |           |           |           |           |              | \$1,400,000 | Unfunded               |
| Tomah Ave - Porter Rd to Wisconsin                                                                                                                                                   | \$66,000    |             |             |              |           |           |           |           |              |             | Storm Dr DF            |
| Tule River/Porter Slough - Clean Up                                                                                                                                                  | \$20,000    | \$20,650    | \$21,321    | \$22,014     | \$22,730  | \$23,468  | \$24,231  | \$25,018  | \$25,832     | \$26,671    | GF                     |
| Tule River - JPA Administration                                                                                                                                                      | \$8,000     | \$8,570     | \$8,848     | \$9,136      | \$9,433   | \$9,739   | \$10,056  | \$10,383  | \$10,720     | \$11,068    | GF                     |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS                                             |             |             |             |             |             |       |       |       |       |       | FUNDING<br>FISCAL YEAR |
|---------------------------------------------------------------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------|-------|-------|-------|-------|------------------------|
| PROJECT DESCRIPTION                                                                                                 | 16/17       | 17/18       | 18/19       | 19/20       | 20/21       | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | 16/17                  |
| Increase ENR (estimate):                                                                                            |             | 3.25%       | 3.25%       | 3.25%       | 3.25%       | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% |                        |
| <b>Union Avenue Reconstruction Indiana Street to Jaye Street</b>                                                    |             |             |             |             |             |       |       |       |       |       |                        |
| Environmental/Design/ROW acquisition                                                                                |             |             | \$50,000    |             |             |       |       |       |       |       | Unfunded               |
| Construction                                                                                                        |             |             | \$1,500,000 |             |             |       |       |       |       |       | Unfunded               |
| Vandalia Ave. - Main St. to Plano St. - Pipe                                                                        |             | \$361,000   |             |             |             |       |       |       |       |       | Sewer DF               |
| Vandalia Median Island Project (Jaye St.)                                                                           | \$67,841 *  |             |             |             |             |       |       |       |       |       | Reapp LTF              |
| <b>Villa Olive to Henderson - Reconstruction (Cross-reference Slough Bridge project)</b>                            |             |             |             |             |             |       |       |       |       |       |                        |
| Environmental                                                                                                       |             | \$40,000    |             |             |             |       |       |       |       |       | HBP                    |
| Environmental (City's Match 20%)                                                                                    |             | \$10,000    |             |             |             |       |       |       |       |       | LTF                    |
| Design                                                                                                              |             | \$160,000   |             |             |             |       |       |       |       |       | HBP                    |
| Design (City's Match 20%)                                                                                           |             | \$40,000    |             |             |             |       |       |       |       |       | LTF                    |
| Right of Way - Const. Easements                                                                                     |             |             | \$24,000    |             |             |       |       |       |       |       | HBP                    |
| Right of Way - Const. Easements (City's March 20%)                                                                  |             |             | \$6,000     |             |             |       |       |       |       |       | LTF                    |
| Construction                                                                                                        |             |             |             |             | \$1,062,360 |       |       |       |       |       | HBP                    |
| Construction (City's Match 11.47%)                                                                                  |             |             |             |             | \$137,640   |       |       |       |       |       | LTF                    |
| Water Meter Radio Read (Test Project)                                                                               | \$75,000 *  |             |             |             |             |       |       |       |       |       | Reapp WRF              |
| Well No. 33 - Includes Piping (Akins)                                                                               | \$1,380,000 |             |             |             |             |       |       |       |       |       | DWR                    |
| Well No. 34 - Includes Piping (Beverly/Grand)                                                                       |             | \$1,400,000 |             |             |             |       |       |       |       |       | DWR                    |
| Westfield - Hillcrest to Plano                                                                                      |             |             |             | \$1,212,000 |             |       |       |       |       |       | Unfunded               |
| <b>Westwood St. - Shoulder Stabilization Project - Henderson Ave. to Westfield Including Porter Slough Crossing</b> |             |             |             |             |             |       |       |       |       |       |                        |
| Environmental                                                                                                       |             | \$60,000    |             |             |             |       |       |       |       |       | HBP                    |
| Environmental (City's Match 20%)                                                                                    |             | \$15,000    |             |             |             |       |       |       |       |       | COP Refinance          |
| Design                                                                                                              |             | \$240,000   |             |             |             |       |       |       |       |       | HBP                    |
| Design (City's Match 20%)                                                                                           |             | \$60,000    |             |             |             |       |       |       |       |       | COP                    |
| Right of Way Acquisition                                                                                            |             |             | \$140,000   |             |             |       |       |       |       |       | HBP                    |
| Right of Way Acquisition (City's Match 20%)                                                                         |             |             | \$35,000    |             |             |       |       |       |       |       | COP                    |
| Construction                                                                                                        |             |             |             |             | \$751,531   |       |       |       |       |       | HBP                    |
| Construction (City's Match 11.47%)                                                                                  |             |             |             |             | \$97,369    |       |       |       |       |       | LTF                    |
| Construction                                                                                                        |             |             |             |             | \$131,334   |       |       |       |       |       | HBP                    |
| Construction (City's Match 11.47%)                                                                                  |             |             |             |             | \$17,016    |       |       |       |       |       | WRF                    |
| Construction                                                                                                        |             |             |             |             | \$40,724    |       |       |       |       |       | HBP                    |
| Construction (City's Match 11.47%)                                                                                  |             |             |             |             | \$5,276     |       |       |       |       |       | Storm Drain Res        |
| Zalud Park Storm Dr. Upgrade (pipeline work)                                                                        | \$144,615 * |             |             |             |             |       |       |       |       |       | Reapp Storm Dr DF      |
| Zalud Park Storm Dr. Pump Upgrade                                                                                   | \$90,385 *  |             |             |             |             |       |       |       |       |       | Reapp Storm Dr DF      |
| <b>STREET/SEWER/WATER/SD FY 16/17 TOTAL    \$26,308,223</b>                                                         |             |             |             |             |             |       |       |       |       |       |                        |

\* Re-appropriated from prior year.

|                      |
|----------------------|
| Street Projects      |
| Storm Drain Projects |
| Sewer Projects       |
| Water Projects       |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - BRIDGES, STREETS, STORM DRAIN, SEWER, AND WATER PROJECTS |       |       |       |       |       |       |       |       |       |       | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| PROJECT DESCRIPTION                                                     | 16/17 | 17/18 | 18/19 | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | 16/17                  |
| Increase ENR (estimate):                                                |       | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% |                        |

| SUMMARY OF STREETS, STORM DRAIN, SEWER, AND WATER FUNDING |                                                                                |                     |
|-----------------------------------------------------------|--------------------------------------------------------------------------------|---------------------|
| General Fund Reserve (GF)                                 | \$28,000 Sewer Bond Refinance (Sewer Bond Refi)                                | \$1,925,900         |
| General Fund Reserve - Re-appropriated (Reapp GF)         | \$0 Sewer Developer Fees (Sewer DF)                                            | \$522,019           |
| General Fund Carryover - Re-appropriated (Reapp GF CO)    | \$57,000 Sewer Developer Fees - Re-appropriated (Reapp Sewer DF)               | \$100,000           |
| Active Transportation Program Grant (ATP)                 | \$644,500 Sewer Revolving Fund (SRF)                                           | \$100,000           |
| California Infrastructure & Eco Dev Water (CIEDB)         | \$0 Sewer Revolving Fund - Re-appropriated (Reapp SRF)                         | \$650,000           |
| Certificates of Participation (COP)                       | \$540,237 Sewer/Water/St. Dr./WWTF/TIF/Parks Impact Fees - Re-appropriated     | \$100,000           |
| Certificates of Participation Refinance (COP Refinance)   | \$0 Special Gas Tax (SGT)                                                      | \$105,000           |
| Congestion Mitigation and Air Quality Funds (CMAQ)        | \$0 Special Gas Tax - Re-appropriated (Reapp SGT)                              | \$120,000           |
| Department of Water Resources (DWR)                       | \$1,430,000 Storm Drain - Developer Fees (Storm Dr DF)                         | \$654,963           |
| Highway Bridge Program (HBP)                              | \$4,264,018 Storm Drain - Developer Fees - Re-appropriated (Reapp Storm Dr DF) | \$1,019,926         |
| Highway Safety Improvement Program (HSIP)                 | \$0 Storm Drain Reserve (Storm Drain Res)                                      | \$0                 |
| Local Transportation Funds (LTF)                          | \$1,997,936 Storm Drain Reserve - Re-appropriated (Reapp Storm Dr Res)         | \$17,500            |
| Local Transportation Funds - Re-appropriated (Reapp LTF)  | \$2,735,088 Surface Transportation Program (STP)                               | \$858,500           |
| Measure R - Alternative Transportation (Measure R AT)     | \$203,000 Surface Transportation Program - Re-appropriated (Reapp STP)         | \$9,218             |
| Measure R - AT Re-appropriated (Reapp Meas. R AT)         | \$0 Tulare Council of Associated Governments Grant (TCAG Grant)                | \$100,000           |
| Measure R - Local (Measure R Local)                       | \$2,000,000 Traffic Impact Fees - Re-appropriated (Reapp TIF)                  | \$0                 |
| Measure R - Local Re-appropriated (Reapp Meas. R Local)   | \$0 Transportation Enhancement Grant (TE Grant)                                | \$0                 |
| Measure R - Regional (Measure R Reg)                      | \$0 United States Department of Agriculture (USDA)                             | \$325,000           |
| Measure R - Regional Re-appropriated (Reapp Meas. R Reg)  | \$200,000 Water - Developer Fees (Water DF)                                    | \$831,517           |
| Office of Emergency Services (OES)                        | \$975,000 Water - Developer Fees - Re-appropriated (Reapp Water DF)            | \$178,000           |
| Risk Management (RM)                                      | \$0 Water Replacement Fund (WRF)                                               | \$2,965,000         |
| Risk Management Re-appropriated (Reapp RM)                | \$0 Water Replacement Fund - Re-appropriated (Reapp WRF)                       | \$650,901           |
|                                                           | Unfunded                                                                       | \$0                 |
|                                                           | <b>Total</b>                                                                   | <b>\$26,308,223</b> |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - SIGNALS                           |                  |                  |           |           |           |           |           |           |           |           | FUNDING<br>FISCAL YEAR |
|--------------------------------------------------|------------------|------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------------------|
| PROJECT DESCRIPTION                              | 16/17            | 17/18            | 18/19     | 19/20     | 20/21     | 21/22     | 22/23     | 23/24     | 24/25     | 25/26     | 16/17                  |
| Increase ENR (estimate):                         |                  | 3.25%            | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     |                        |
| Henderson @ Mathew                               |                  |                  |           |           |           |           | \$545,196 |           |           |           | Unfunded               |
| Henderson @ Plano                                |                  |                  | \$479,725 |           |           |           |           |           |           |           | Unfunded               |
| Henderson @ Second                               |                  |                  |           | \$495,316 |           |           |           |           |           |           | Unfunded               |
| Mathew @ Morton                                  |                  |                  |           |           |           |           |           | \$562,915 |           |           | Unfunded               |
| Newcomb @ Mulberry                               |                  | \$464,625        |           |           |           |           |           |           |           |           | Unfunded               |
| Newcomb @ N. Grand                               |                  |                  |           |           |           |           |           |           | \$581,210 |           | Unfunded               |
| <b>Newcomb @ Olive</b>                           |                  |                  |           |           |           |           |           |           |           |           |                        |
| Environmental (Total Cost \$16,000)              | \$14,400         |                  |           |           |           |           |           |           |           |           | HSIP                   |
| Environmental - City Match 10%                   | \$1,600          |                  |           |           |           |           |           |           |           |           | STP                    |
| Design (Total Cost \$40,000)                     | \$36,000         |                  |           |           |           |           |           |           |           |           | HSIP                   |
| Design - City Match 10%                          | \$4,000          |                  |           |           |           |           |           |           |           |           | STP                    |
| ROW (Total Cost \$25,000)                        | \$22,500         |                  |           |           |           |           |           |           |           |           | HSIP                   |
| ROW - City Match 10%                             | \$2,500          |                  |           |           |           |           |           |           |           |           | STP                    |
| Construction (Total cost \$318,800)              |                  | \$286,920        |           |           |           |           |           |           |           |           | HSIP                   |
| Construction - City match 10%                    |                  | \$31,880         |           |           |           |           |           |           |           |           | STP                    |
| Construction Management (Total cost \$45,000)    |                  | \$40,500         |           |           |           |           |           |           |           |           | HSIP                   |
| Construction Management - 10% match              |                  | \$4,500          |           |           |           |           |           |           |           |           | STP                    |
| <b>Total</b>                                     | <b>\$81,000</b>  | <b>\$363,800</b> |           |           |           |           |           |           |           |           |                        |
| Olive @ Prospect                                 |                  |                  |           | \$495,316 |           |           |           |           |           |           | Unfunded               |
| Orange @ D                                       |                  |                  | \$479,725 |           |           |           |           |           |           |           | Unfunded               |
| Plano @ College                                  |                  | \$464,625        |           |           |           |           |           |           |           |           | Unfunded               |
| Plano @ Vandalia/Poplar                          |                  |                  |           | \$495,316 |           |           |           |           |           |           | Unfunded               |
| Prospect @ Bel Air                               |                  |                  |           |           |           |           |           |           |           | \$600,099 | Unfunded               |
| Prospect @ North Grand                           |                  |                  |           |           |           | \$528,035 |           |           |           |           | Unfunded               |
| Prospect @ Pioneer                               |                  |                  |           |           |           | \$528,035 |           |           |           |           | Unfunded               |
| Putnam @ Crestview                               |                  |                  |           |           |           |           | \$545,196 |           |           |           | Unfunded               |
| <b>Putnam @ D Street</b>                         |                  |                  |           |           |           |           |           |           |           |           |                        |
| Construction (Total cost \$462,000)              | \$281,655        |                  |           |           |           |           |           |           |           |           | HSIP                   |
| Construction - City 10% match                    | \$31,295 *       |                  |           |           |           |           |           |           |           |           | Reapp STP              |
| Construction City Non-participating              | \$149,050        |                  |           |           |           |           |           |           |           |           | STP                    |
| Construction Management (Total cost \$21,000)    | \$12,800         |                  |           |           |           |           |           |           |           |           | HSIP                   |
| Construction Management - 10% match              | \$1,425          |                  |           |           |           |           |           |           |           |           | STP                    |
| Construction Management - City Non-participating | \$6,775          |                  |           |           |           |           |           |           |           |           | STP                    |
| <b>Total</b>                                     | <b>\$483,000</b> |                  |           |           |           |           |           |           |           |           |                        |
| Putnam/Leggett                                   |                  | \$464,625        |           |           |           |           |           |           |           |           | Unfunded               |
| Westfield/Indiana                                |                  |                  |           |           | \$511,414 |           |           |           |           |           | Unfunded               |
| Westfield/Lombardi                               |                  |                  |           |           |           |           |           |           | \$600,099 |           | Unfunded               |
| Westfield/Mathew - Burton Traffic Mitigation     | \$45,875 *       |                  |           |           |           |           |           |           |           |           | Reapp TIF              |
| City Share (Design, ROW & Environmental)         |                  | \$418,750        |           |           |           |           |           |           |           |           | Unfunded               |
| Westfield/Westwood - Burton Traffic Mitigation   | \$45,875 *       |                  |           |           |           |           |           |           |           |           | Reapp TIF              |
| City Share (Design, ROW & Environmental)         |                  | \$418,750        |           |           |           |           |           |           |           |           | Unfunded               |
| <b>SIGNALS FY 16/17 TOTAL</b>                    | <b>\$655,750</b> |                  |           |           |           |           |           |           |           |           |                        |

\* Re-appropriated from prior year.

CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - SIGNALS   |       |  |       |       |       |       |       |       |       |       | FUNDING<br>FISCAL YEAR |       |
|--------------------------|-------|--|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|-------|
| PROJECT DESCRIPTION      | 16/17 |  | 17/18 | 18/19 | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26                  | 16/17 |
| Increase ENR (estimate): |       |  | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25%                  |       |

| SUMMARY OF SIGNAL FUNDING                                    |           |
|--------------------------------------------------------------|-----------|
| Congestion Mitigation and Air Quality Funds (CMAQ)           | \$0       |
| Highway Safety Improvement Program (HSIP)                    | \$367,355 |
| Local Transportation Funds (LTF)                             | \$0       |
| Local Transportation Funds - Re-appropriated (Reapp LTF)     | \$0       |
| Surface Transportation Program (STP)                         | \$165,350 |
| Surface Transportation Program - Re-appropriated (Reapp STP) | \$31,295  |
| Traffic Impact Fees - Re-appropriated (Reapp TIF)            | \$91,750  |
| Unfunded                                                     | \$0       |
| Total                                                        | \$655,750 |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PUBLIC WORKS - WWTF                             |                    |           |             |           |             |           |           |           |           |           | FUNDING<br>FISCAL YEAR<br>16/17 |
|-------------------------------------------------|--------------------|-----------|-------------|-----------|-------------|-----------|-----------|-----------|-----------|-----------|---------------------------------|
| PROJECT DESCRIPTION                             | 16/17              | 17/18     | 18/19       | 19/20     | 20/21       | 21/22     | 22/23     | 23/24     | 24/25     | 25/26     |                                 |
| Increase ENR (estimate):                        |                    | 3.25%     | 3.25%       | 3.25%     | 3.25%       | 3.25%     | 3.25%     | 3.25%     | 3.25%     | 3.25%     |                                 |
| Alternative Energy (Solar Power)                | \$150,000 *        |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| Blower Building Floor Coating/Noise Attenuation | \$125,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Boiler #2                                       | \$800,000 *        |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
|                                                 | \$200,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Canopy for vehicles                             | \$24,928 *         |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| Chlorine Generation System                      |                    | \$260,000 |             |           |             |           |           |           |           |           | WWTFR                           |
| Digester Cleaning/Coating/Equipment Replacement | \$111,475 *        | \$115,098 | \$118,839   | \$122,701 | \$126,689   | \$130,806 | \$135,057 | \$139,447 | \$143,979 | \$148,658 | Reapp WWTFR                     |
| Effluent Outfall Pump Replacement               |                    |           | \$600,000   |           |             |           |           |           |           |           | WWTFR                           |
| Manhole 10A Inspection/Repair                   | \$99,760 *         |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| <b>Nitrification/De-nitrification Project</b>   |                    |           |             |           |             |           |           |           |           |           |                                 |
| Consultant Services - Plant Expansion           |                    | \$200,000 |             |           |             |           |           |           |           |           | WWTFR                           |
| Construction                                    |                    |           |             |           | \$3,000,000 |           |           |           |           |           | Unfunded                        |
| <b>Odor Control Project</b>                     |                    |           |             |           |             |           |           |           |           |           |                                 |
| Construction                                    | \$717,000 *        |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| Construction                                    | \$483,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| <b>Total</b>                                    | <b>\$1,200,000</b> |           |             |           |             |           |           |           |           |           |                                 |
| Plant #1 Evaluation & Repairs                   | \$400,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Re-asphalt WWTF                                 |                    | \$200,000 |             |           |             |           |           |           |           |           | WWTFR                           |
| SCADA Upgrade                                   | \$30,000           |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Septic Station Retrofit                         | \$331,120 *        |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| Sludge/Grit Staging Area                        | \$300,000 *        |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| Sludge Line - Westwood Bridge over Tule River   |                    | \$30,000  |             |           |             |           |           |           |           |           | WWTFR                           |
| <b>Tertiary Treatment</b>                       |                    |           |             |           |             |           |           |           |           |           |                                 |
| Study Plan                                      | \$200,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| CEQA                                            | \$300,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Design                                          |                    | \$585,000 |             |           |             |           |           |           |           |           | Unfunded                        |
| Construction                                    |                    |           | \$5,000,000 |           |             |           |           |           |           |           | Unfunded                        |
| WAS Pump Replacement                            | \$300,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Wastegas Flare Replacement                      | \$150,000          |           |             |           |             |           |           |           |           |           | WWTFR                           |
| Wastewater Needs Assessment and Master Plan     | \$99,964 *         |           |             |           |             |           |           |           |           |           | Reapp WWTFR                     |
| <b>WWTF FY 16/17 TOTAL</b>                      | <b>\$4,822,247</b> |           |             |           |             |           |           |           |           |           |                                 |

\* Re-appropriated from prior year.

| SUMMARY OF WASTEWATER TREATMENT FUNDING                               |                    |
|-----------------------------------------------------------------------|--------------------|
| Wastewater Treatment Facility Impact Fees (WWTFIF)                    | \$0                |
| Wastewater Treatment Facility Impact Fees - Re-appropriated (Reapp)   | \$0                |
| Wastewater Treatment Facility Reserve (WWTFR)                         | \$2,188,000        |
| Wastewater Treatment Facility Reserve - Re-appropriated (Reapp WWTFR) | \$2,634,247        |
| Unfunded                                                              | \$0                |
| <b>Total</b>                                                          | <b>\$4,822,247</b> |

## CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| COMMUNITY DEVELOPMENT                                                               |                  |           |          |           |       |       |       |       |           |       | FUNDING<br>FISCAL YEAR |
|-------------------------------------------------------------------------------------|------------------|-----------|----------|-----------|-------|-------|-------|-------|-----------|-------|------------------------|
| PROJECT DESCRIPTION                                                                 | 16/17            | 17/18     | 18/19    | 19/20     | 20/21 | 21/22 | 22/23 | 23/24 | 24/25     | 25/26 | 16/17                  |
| Increase ENR (estimate):                                                            |                  | 3.25%     | 3.25%    | 3.25%     | 3.25% | 3.25% | 3.25% | 3.25% | 3.25%     | 3.25% |                        |
| <b>PLANS &amp; STUDIES</b>                                                          |                  |           |          |           |       |       |       |       |           |       |                        |
| Update Land Use and Circulation Element, incl fee structure, specs for infill, etc. |                  | \$150,000 |          |           |       |       |       |       |           |       | LTF                    |
|                                                                                     |                  | \$300,000 |          |           |       |       |       |       |           |       | Unfunded               |
| Analysis of Impediments, Housing Element, Five-year Consolidated Plan               |                  |           |          | \$121,386 |       |       |       |       | \$142,436 |       | GF                     |
| Retail Development Strategy                                                         | \$25,000         |           | \$20,000 |           |       |       |       |       |           |       | Reapp GF CO            |
| <b>DOWNTOWN/MAIN STREET IMPROVEMENTS (Morton to Olive)</b>                          |                  |           |          |           |       |       |       |       |           |       |                        |
| Paint light poles                                                                   |                  |           |          | \$10,000  |       |       |       |       |           |       | Unfunded               |
| Clean Pavers on Main Street                                                         |                  | \$20,000  |          |           |       |       |       |       |           |       | Unfunded               |
| Industrial Annexations incl Environmental                                           |                  | \$135,000 |          |           |       |       |       |       |           |       | Unfunded               |
| Neighborhood Improvement Project (S of Union)                                       |                  | \$167,000 |          |           |       |       |       |       |           |       | Unfunded               |
|                                                                                     | \$125,000 *      |           |          |           |       |       |       |       |           |       | Bond Proceeds          |
| Porterville Hotel                                                                   | \$37,893 *       |           |          |           |       |       |       |       |           |       | Reapp GF CO            |
|                                                                                     | \$209,086        |           |          |           |       |       |       |       |           |       | WFH                    |
| <b>COMMUNITY DEVELOPMENT FY 16/17 TOTAL</b>                                         | <b>\$396,979</b> |           |          |           |       |       |       |       |           |       |                        |

\* Re-appropriated from prior year.

| SUMMARY OF COMMUNITY DEVELOPMENT FUNDING                |                  |
|---------------------------------------------------------|------------------|
| General Fund Reserve (GF)                               | \$0              |
| General Fund Carry Over - Re-appropriated (Reapp GF CO) | \$62,893         |
| Community Development Block Grant (CDBG)                | \$0              |
| Community Development Block Grant Re-app (Reapp CDBG)   | \$0              |
| Local Transportation Funds (LTF)                        | \$0              |
| RDA Bond Proceeds (Bond Proceeds)                       | \$125,000        |
| Work Force Housing Grant (WFH)                          | \$209,086        |
| Unfunded                                                | \$0              |
| <b>Total</b>                                            | <b>\$396,979</b> |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PARKS AND LEISURE - PUBLIC FACILITIES                             |           |                  |           |           |           |             |       |             |       |       | FUNDING<br>FISCAL YEAR<br>16/17 |
|-------------------------------------------------------------------|-----------|------------------|-----------|-----------|-----------|-------------|-------|-------------|-------|-------|---------------------------------|
| PROJECT DESCRIPTION                                               | 16/17     | 17/18            | 18/19     | 19/20     | 20/21     | 21/22       | 22/23 | 23/24       | 24/25 | 25/26 |                                 |
| Increase ENR (estimate):                                          |           | 3.25%            | 3.25%     | 3.25%     | 3.25%     | 3.25%       | 3.25% | 3.25%       | 3.25% | 3.25% |                                 |
| City Hall Painting & Rehab (Inside)                               |           |                  | \$50,000  |           |           |             |       |             |       |       | Unfunded                        |
| <b>Community Sports Lighting</b>                                  |           |                  |           |           |           |             |       |             |       |       |                                 |
| Skate Board Park                                                  |           |                  | \$130,000 |           |           |             |       |             |       |       | Unfunded                        |
| Sports Complex                                                    | \$61,821  | *                |           |           |           |             |       |             |       |       | CEQA Mitigation                 |
| Sports Complex Practice Lights/Trail Lights                       |           | \$190,000        |           |           |           |             |       |             |       |       | Unfunded                        |
| Golf Course Improvements                                          |           |                  | \$60,000  |           |           |             |       |             |       |       | Unfunded                        |
| <b>Heritage Center Ball Fields</b>                                |           |                  |           |           |           |             |       |             |       |       |                                 |
| As Builts & Design                                                |           |                  |           |           |           |             |       | \$80,000    |       |       | Unfunded                        |
| Construction                                                      |           |                  |           |           |           |             |       | \$5,000,000 |       |       | Unfunded                        |
| Lighting                                                          |           |                  |           |           |           |             |       | \$100,000   |       |       | Unfunded                        |
| Heritage Center Leisure Equipment Storage Building Upgrade        |           |                  |           |           |           |             |       | \$15,000    |       |       | Unfunded                        |
| Library Facilities Planning                                       |           |                  |           | \$136,500 |           |             |       |             |       |       | Unfunded                        |
| Library Building Power and Broadband                              |           |                  | \$45,000  |           |           |             |       |             |       |       | Unfunded                        |
| Library Restroom Remodel                                          | \$87,500  | *                |           |           |           |             |       |             |       |       | Reapp GF CO                     |
| Library Literacy Center Development                               |           |                  | \$100,000 |           |           |             |       |             |       |       | Unfunded                        |
|                                                                   | \$30,000  | *                |           |           |           |             |       |             |       |       | Reapp Measure H                 |
|                                                                   | \$55,093  | *                |           |           |           |             |       |             |       |       | Reapp GF CO                     |
| Library Carpet & Furniture                                        |           |                  | \$21,000  |           |           |             |       |             |       |       | Unfunded                        |
| Library Window Replacement                                        |           | \$30,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| Montgomery & H Street Median Island Landscaping                   |           | \$20,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| Murry Park Improvements                                           |           |                  |           |           |           | \$5,000,000 |       |             |       |       | Unfunded                        |
| Murry Park Restroom Roof (Pool)                                   |           | \$25,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| Murry Park West Trail                                             |           | \$100,000        |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Putnam Property Improvements (Henry Street Community Room)</b> |           |                  |           |           |           |             |       |             |       |       |                                 |
| Design                                                            | \$150,000 |                  |           |           |           |             |       |             |       |       | RM-Insurance                    |
| Construction                                                      |           | \$500,000        |           |           |           |             |       |             |       |       | RM-Insurance                    |
| <b>Program Accessibility</b>                                      |           |                  |           |           |           |             |       |             |       |       |                                 |
| Short-term (ADA Self Evaluation Plan)                             | \$25,000  |                  |           |           |           |             |       |             |       |       | RM                              |
| Long-term (ADA Self Evaluation Plan)                              |           | \$75,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Rails to Trails Parkway Improvements - Southern Portion</b>    |           |                  |           |           |           |             |       |             |       |       |                                 |
| Design/Environmental                                              |           | \$325,082        |           |           |           |             |       |             |       |       | Unfunded                        |
| Construction                                                      |           | \$42,118         |           |           |           |             |       |             |       |       | Unfunded                        |
| City Match                                                        |           | \$25,800         |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Total</b>                                                      |           | <b>\$393,000</b> |           |           |           |             |       |             |       |       |                                 |
| <b>Rails to Trails Parkway Improvements - Middle Portion</b>      |           |                  |           |           |           |             |       |             |       |       |                                 |
| Design/Environmental                                              |           | \$248,592        |           |           |           |             |       |             |       |       | Unfunded                        |
| Construction                                                      |           | \$32,208         |           |           |           |             |       |             |       |       | Unfunded                        |
| City Match                                                        |           | \$20,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Total</b>                                                      |           | <b>\$300,800</b> |           |           |           |             |       |             |       |       |                                 |
| <b>Rails to Trails Parkway Improvements - Northern Portion</b>    |           |                  |           |           |           |             |       |             |       |       |                                 |
| Design/Environmental                                              |           | \$363,327        |           |           |           |             |       |             |       |       | Unfunded                        |
| Construction                                                      |           | \$47,073         |           |           |           |             |       |             |       |       | Unfunded                        |
| City Match                                                        |           | \$29,000         |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Total</b>                                                      |           | <b>\$439,400</b> |           |           |           |             |       |             |       |       |                                 |
| Resurface Park Facilities Parking Lots                            |           | \$150,000        |           |           |           |             |       |             |       |       | Unfunded                        |
| <b>Shade Structures for Playgrounds</b>                           |           |                  |           |           |           |             |       |             |       |       |                                 |
| Skate Board Park                                                  |           |                  |           |           | \$130,000 |             |       |             |       |       | Unfunded                        |
| Sports Complex Access Road Dust Mitigation                        |           | \$10,000         |           |           |           |             |       |             |       |       | Unfunded                        |



# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PARKS AND LEISURE - PUBLIC FACILITIES                                                                                           |                    |                  |           |             |           |             |       |       |       |       | FUNDING<br>FISCAL YEAR<br>16/17 |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------|-----------|-------------|-----------|-------------|-------|-------|-------|-------|---------------------------------|
| PROJECT DESCRIPTION                                                                                                             | 16/17              | 17/18            | 18/19     | 19/20       | 20/21     | 21/22       | 22/23 | 23/24 | 24/25 | 25/26 |                                 |
| Increase ENR (estimate):                                                                                                        |                    | 3.25%            | 3.25%     | 3.25%       | 3.25%     | 3.25%       | 3.25% | 3.25% | 3.25% | 3.25% |                                 |
| Sports Complex New Parking Lot                                                                                                  |                    |                  |           | \$1,750,000 |           |             |       |       |       |       | Unfunded                        |
| Sports Complex Pavilion                                                                                                         |                    |                  |           | \$85,000    |           |             |       |       |       |       | Unfunded                        |
| Sports Complex Restroom/Concession                                                                                              |                    |                  | \$115,000 |             |           |             |       |       |       |       | GF Donations                    |
| <b>Tule River Parkway Improvements Phase I Lighting and Amenities</b>                                                           |                    |                  |           |             |           |             |       |       |       |       |                                 |
| Construction                                                                                                                    |                    | \$435,321        |           |             |           |             |       |       |       |       | Unfunded                        |
| City Match                                                                                                                      |                    | \$56,401         |           |             |           |             |       |       |       |       | Unfunded                        |
| Design/Environmental                                                                                                            |                    | \$34,278         |           |             |           |             |       |       |       |       | Unfunded                        |
| <b>Total</b>                                                                                                                    |                    | <b>\$526,000</b> |           |             |           |             |       |       |       |       |                                 |
| <b>Tule River Parkway Improvements Phase II Lighting and Amenities</b>                                                          |                    |                  |           |             |           |             |       |       |       |       |                                 |
| Construction                                                                                                                    |                    | \$456,726        |           |             |           |             |       |       |       |       | Unfunded                        |
| City Match                                                                                                                      |                    | \$59,174         |           |             |           |             |       |       |       |       | Unfunded                        |
| Design/Environmental                                                                                                            |                    | \$36,100         |           |             |           |             |       |       |       |       | Unfunded                        |
| <b>Total</b>                                                                                                                    |                    | <b>\$552,000</b> |           |             |           |             |       |       |       |       |                                 |
| <b>Tule River Parkway Phase III</b>                                                                                             |                    |                  |           |             |           |             |       |       |       |       |                                 |
| PE (Env & Design)- (Total cost \$100,000)                                                                                       | \$88,000           |                  |           |             |           |             |       |       |       |       | CMAQ                            |
| PE (Env & Design) - City match                                                                                                  | \$12,000           |                  |           |             |           |             |       |       |       |       | CMAQ                            |
| Construction - (Total cost \$1,965,000)                                                                                         | \$1,739,615        |                  |           |             |           |             |       |       |       |       | CMAQ                            |
| Construction - City Match                                                                                                       | \$225,385          |                  |           |             |           |             |       |       |       |       | Measure R - AT                  |
| Construction Management (\$100,000)                                                                                             | \$88,530           |                  |           |             |           |             |       |       |       |       | CMAQ                            |
| Construction Management City Match                                                                                              | \$11,470           |                  |           |             |           |             |       |       |       |       | CMAQ                            |
| <b>Tule River Parkway Phase IV</b>                                                                                              |                    |                  |           |             |           |             |       |       |       |       |                                 |
| Acquisition                                                                                                                     |                    |                  |           |             | \$800,000 |             |       |       |       |       | Measure R - AT                  |
| Design/Environmental                                                                                                            |                    |                  |           |             | \$165,000 |             |       |       |       |       | Measure R - AT                  |
| Construction                                                                                                                    |                    |                  |           |             |           | \$2,071,916 |       |       |       |       | Measure R - AT                  |
| <b>Veteran's Park Trail - Phase I: Paving and Lighting (North from the Skateboard parking lot to the east parking lot)</b>      |                    |                  |           |             |           |             |       |       |       |       |                                 |
| Construction                                                                                                                    | \$300,000          |                  |           |             |           |             |       |       |       |       | Housing Related<br>Parks Grant  |
|                                                                                                                                 |                    | \$31,000         |           |             |           |             |       |       |       |       | CDBG                            |
| City Match                                                                                                                      |                    | \$185,054        |           |             |           |             |       |       |       |       | Measure R                       |
| Design/Environmental                                                                                                            |                    | \$36,046         |           |             |           |             |       |       |       |       | Measure R                       |
| <b>Total</b>                                                                                                                    |                    | <b>\$252,100</b> |           |             |           |             |       |       |       |       |                                 |
| <b>Veteran's Park Trail - Phase II: Paving and Lighting (North end of the Skateboard parking lot, south to Fire Station #2)</b> |                    |                  |           |             |           |             |       |       |       |       |                                 |
| Construction                                                                                                                    |                    | \$403,357        |           |             |           |             |       |       |       |       | Unfunded                        |
| City Match                                                                                                                      |                    | \$52,259         |           |             |           |             |       |       |       |       | Unfunded                        |
| Design/Environmental                                                                                                            |                    | \$31,384         |           |             |           |             |       |       |       |       | Unfunded                        |
| <b>Total</b>                                                                                                                    |                    | <b>\$487,000</b> |           |             |           |             |       |       |       |       |                                 |
| Zalud House Foundation Design Analysis                                                                                          |                    |                  | \$5,000   |             |           |             |       |       |       |       | Unfunded                        |
| Zalud Park Tennis Court Resurfacing                                                                                             |                    | \$20,000         |           |             |           |             |       |       |       |       | Unfunded                        |
| <b>PARKS FY 16/17 TOTAL</b>                                                                                                     | <b>\$2,874,414</b> |                  |           |             |           |             |       |       |       |       |                                 |

\* Re-appropriated from prior year.

## CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| PARKS AND LEISURE - PUBLIC FACILITIES |       |       |       |       |       |       |       |       |       |       | FUNDING<br>FISCAL YEAR |
|---------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| PROJECT DESCRIPTION                   | 16/17 | 17/18 | 18/19 | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | 16/17                  |
| Increase ENR (estimate):              |       | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% |                        |

| SUMMARY OF PARKS FUNDING                              |                    |
|-------------------------------------------------------|--------------------|
| General Fund Reserve (GF)                             | \$0                |
| Reapp General Fund Reserve (Reapp GF)                 | \$0                |
| Reapp General Fund Carry Over (Reapp GF CO)           | \$142,593          |
| GF Donations (Porterville Youth Football)             | \$0                |
| Community Development Block Grant (CDBG)              | \$0                |
| Community Development Block Grant Reapp (Reapp CDBG)  | \$0                |
| CEQA Mitigation                                       | \$61,821           |
| Congestion Mitigation Air Quality Funds (CMAQ)        | \$1,939,615        |
| Environmental Enhancement Mitigation (EEM)            | \$0                |
| Housing Related Parks Grant (HRPG)                    | \$300,000          |
| Measure H - Re-appropriated (Reapp Meas. H)           | \$30,000           |
| Measure R - Alternative Transportation (Measure R AT) | \$225,385          |
| Measure R - AT Reappropriated (Reapp Measure R AT)    | \$0                |
| Risk Management (RM)                                  | \$25,000           |
| Risk Management Insurance (RM Insurance)              | \$150,000          |
| <b>Total</b>                                          | <b>\$2,874,414</b> |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| POLICE                                          |                  |       |       |             |       |       |       |       |                    |                    | FUNDING<br>FISCAL YEAR<br>16/17 |
|-------------------------------------------------|------------------|-------|-------|-------------|-------|-------|-------|-------|--------------------|--------------------|---------------------------------|
| PROJECT DESCRIPTION                             | 16/17            | 17/18 | 18/19 | 19/20       | 20/21 | 21/22 | 22/23 | 23/24 | 24/25              | 25/26              |                                 |
| Increase ENR (estimate):                        |                  | 3.25% | 3.25% | 3.25%       | 3.25% | 3.25% | 3.25% | 3.25% | 3.25%              | 3.25%              |                                 |
| <b>Animal Shelter</b>                           |                  |       |       |             |       |       |       |       |                    |                    |                                 |
| <b>Construction - Phase I</b>                   |                  |       |       |             |       |       |       |       |                    |                    |                                 |
| Offsite: utilities and cul-de-sac               |                  |       |       |             |       |       |       |       | \$95,000           |                    | Reapp BCF                       |
| Onsite: landscape, irrigation, fencing, parking |                  |       |       |             |       |       |       |       | \$55,000           |                    | Unfunded                        |
|                                                 |                  |       |       |             |       |       |       |       | \$125,000          |                    | Reapp BCF                       |
| Building (Office)                               |                  |       |       |             |       |       |       |       | \$280,000          |                    | Reapp BCF                       |
|                                                 |                  |       |       |             |       |       |       |       | \$190,000          |                    | PTAF                            |
| Building (40 Kennels)                           |                  |       |       |             |       |       |       |       | \$435,690          |                    | PTAF                            |
| Dog Park                                        |                  |       |       |             |       |       |       |       | \$450,000          |                    | Unfunded                        |
| <b>Phase I Subtotal</b>                         |                  |       |       |             |       |       |       |       | <b>\$1,630,690</b> |                    |                                 |
| <b>Construction - Phase II</b>                  |                  |       |       |             |       |       |       |       |                    |                    |                                 |
| Building (60 Kennels)                           |                  |       |       |             |       |       |       |       |                    | \$1,065,000        | Unfunded                        |
| <b>Phase II Subtotal</b>                        |                  |       |       |             |       |       |       |       |                    | <b>\$1,065,000</b> |                                 |
| <b>Total</b>                                    |                  |       |       |             |       |       |       |       |                    | <b>\$2,695,690</b> |                                 |
| Generator Replacement @ D St Station            | \$60,000         |       |       |             |       |       |       |       |                    |                    | ERF                             |
| Body Cameras                                    | \$60,000         |       |       |             |       |       |       |       |                    |                    | Unfunded                        |
| Police Dispatch Center Upgrade                  |                  |       |       | \$3,000,000 |       |       |       |       |                    |                    | Unfunded                        |
| <b>PD Training Facility</b>                     |                  |       |       |             |       |       |       |       |                    |                    |                                 |
| ADA Restrooms and Parking                       | \$30,000         |       |       |             |       |       |       |       |                    |                    | Asset Forfeitures               |
| Road Improvements to site                       | \$100,000        |       |       |             |       |       |       |       |                    |                    | Unfunded                        |
| <b>POLICE FY 16/17 TOTAL</b>                    | <b>\$250,000</b> |       |       |             |       |       |       |       |                    |                    |                                 |

\* Re-appropriated from prior year.

| SUMMARY OF POLICE FUNDING                             |                  |
|-------------------------------------------------------|------------------|
| Asset Forfeitures                                     | \$30,000         |
| Building Construction Fund (BCF)                      | \$0              |
| Building Construction Fund Reappropriated (Reapp BCF) | \$0              |
| Equipment Replacement Fund (ERF)                      | \$60,000         |
| Property Taxes Administration Fees (PTAF)             | \$0              |
| Unfunded                                              | \$160,000        |
| <b>Total</b>                                          | <b>\$250,000</b> |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| FIRE                                |          |          |       |       |             |          |       |       |       |       | FUNDING<br>FISCAL YEAR<br>16/17 |
|-------------------------------------|----------|----------|-------|-------|-------------|----------|-------|-------|-------|-------|---------------------------------|
| PROJECT DESCRIPTION                 | 16/17    | 17/18    | 18/19 | 19/20 | 20/21       | 21/22    | 22/23 | 23/24 | 24/25 | 25/26 |                                 |
| Increase ENR (estimate):            |          | 3.25%    | 3.25% | 3.25% | 3.25%       | 3.25%    | 3.25% | 3.25% | 3.25% | 3.25% |                                 |
| <b>Fire Station #1 Improvements</b> |          |          |       |       |             |          |       |       |       |       |                                 |
| Repair Exterior Stucco & Paint      |          | \$20,000 |       |       |             |          |       |       |       |       | Unfunded                        |
| Repair/Replace Windows              |          |          |       |       |             | \$10,000 |       |       |       |       | Unfunded                        |
| <b>Fire Station #2 Improvements</b> |          |          |       |       |             |          |       |       |       |       |                                 |
| Kitchen Remodel                     |          |          |       |       | \$20,000    |          |       |       |       |       | Unfunded                        |
| Repaint Building Exterior           |          | \$15,000 |       |       |             |          |       |       |       |       | Unfunded                        |
| Repair Roof                         | \$20,000 |          |       |       |             |          |       |       |       |       | ERF                             |
| Repair/Replace Concrete Aprons      |          | \$20,000 |       |       |             |          |       |       |       |       | Unfunded                        |
| Station #4 Design & Construction    |          |          |       |       | \$4,000,000 |          |       |       |       |       | Unfunded                        |
| <b>FIRE FY 16/17 TOTAL \$20,000</b> |          |          |       |       |             |          |       |       |       |       |                                 |

\* Re-appropriated from prior year.

| SUMMARY OF FIRE FUNDING                               |                 |
|-------------------------------------------------------|-----------------|
| General Fund Reserve (GF)                             | \$0             |
| General Fund Carry Over Re-appropriated (Reapp GF CO) | \$0             |
| Equipment Replacement Fund (ERF)                      | \$20,000        |
| Measure H                                             | \$0             |
| Unfunded                                              | \$0             |
| <b>Total</b>                                          | <b>\$20,000</b> |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| AIRPORT                                                                        |                 |                  |                  |       |                  |                  |                  |                    |                  |                    | FUNDING<br>FISCAL YEAR<br>16/17 |
|--------------------------------------------------------------------------------|-----------------|------------------|------------------|-------|------------------|------------------|------------------|--------------------|------------------|--------------------|---------------------------------|
| PROJECT DESCRIPTION                                                            | 16/17           | 17/18            | 18/19            | 19/20 | 20/21            | 21/22            | 22/23            | 23/24              | 24/25            | 25/26              |                                 |
| Increase ENR (estimate):                                                       |                 | 3.25%            | 3.25%            | 3.25% | 3.25%            | 3.25%            | 3.25%            | 3.25%              | 3.25%            | 3.25%              |                                 |
| Airport Layout Plan Narrative, including runway extension justification study  | \$30,893 *      |                  |                  |       |                  |                  |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                | \$1,888 *       |                  |                  |       |                  |                  |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                | \$1,545 *       |                  |                  |       |                  |                  |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   | <b>\$34,326</b> |                  |                  |       |                  |                  |                  |                    |                  |                    |                                 |
| <b>Extension of Runway 12-30 and Parallel Taxiway</b>                          |                 |                  |                  |       |                  |                  |                  |                    |                  |                    |                                 |
| Environmental Assessment (EA)                                                  |                 |                  |                  |       | \$315,000        |                  |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       | \$15,750         |                  |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  |                  |       | \$19,250         |                  |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       | <b>\$350,000</b> |                  |                  |                    |                  |                    |                                 |
| Land Acquisition                                                               |                 |                  |                  |       |                  |                  | \$360,000        |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  |                  | \$18,000         |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  |                  | \$22,000         |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  |                  | <b>\$400,000</b> |                    |                  |                    |                                 |
| Design                                                                         |                 |                  |                  |       |                  |                  |                  |                    | \$315,000        | \$315,000          | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  |                  |                  |                    | \$15,750         | \$15,750           | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  |                  |                  |                    | \$19,250         | \$19,250           | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  |                  |                  |                    | <b>\$350,000</b> | <b>\$350,000</b>   |                                 |
| Construction                                                                   |                 |                  |                  |       |                  |                  |                  |                    |                  | \$2,520,000        | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  |                  |                  |                    |                  | \$126,000          | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  |                  |                  |                    |                  | \$154,000          | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  |                  |                  |                    |                  | <b>\$2,800,000</b> |                                 |
| Fencing and access control                                                     |                 | \$270,000        |                  |       |                  |                  |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 | \$13,500         |                  |       |                  |                  |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 | \$16,500         |                  |       |                  |                  |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 | <b>\$300,000</b> |                  |       |                  |                  |                  |                    |                  |                    |                                 |
| Parking Ramp                                                                   | \$20,000        |                  |                  |       |                  |                  |                  |                    |                  |                    | LRP                             |
| Rehabilitate Apron                                                             |                 |                  | \$324,000        |       |                  |                  |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  | \$16,200         |       |                  |                  |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  | \$19,800         |       |                  |                  |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  | <b>\$360,000</b> |       |                  |                  |                  |                    |                  |                    |                                 |
| Rehabilitate Former Runway 7-25 as Commercial Taxiway - Construction, Phase I  |                 | \$603,000        |                  |       |                  |                  |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 | \$30,150         |                  |       |                  |                  |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 | \$36,850         |                  |       |                  |                  |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 | <b>\$670,000</b> |                  |       |                  |                  |                  |                    |                  |                    |                                 |
| Rehabilitate Former Runway 7-25 as Commercial Taxiway - Construction, Phase II |                 |                  |                  |       |                  | \$702,000        |                  |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  | \$35,100         |                  |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  | \$42,900         |                  |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  | <b>\$780,000</b> |                  |                    |                  |                    |                                 |
| Relocate Access Roads and Perimeter Fence - Design                             |                 |                  |                  |       |                  |                  | \$234,000        |                    |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  |                  | \$11,700         |                    |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  |                  | \$14,300         |                    |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  |                  | <b>\$260,000</b> |                    |                  |                    |                                 |
| Relocate Access Roads and Perimeter Fence - Construction                       |                 |                  |                  |       |                  |                  |                  | \$2,610,000        |                  |                    | FAA/AIP Grant                   |
|                                                                                |                 |                  |                  |       |                  |                  |                  | \$130,500          |                  |                    | CA Division of Aero             |
|                                                                                |                 |                  |                  |       |                  |                  |                  | \$159,500          |                  |                    | ADF                             |
| <b>Total</b>                                                                   |                 |                  |                  |       |                  |                  |                  | <b>\$2,900,000</b> |                  |                    |                                 |
| Restaurant - ADA Bathrooms                                                     | \$5,000         |                  |                  |       |                  |                  |                  |                    |                  |                    | LRP                             |
| Slurry Seal - Parking Lots                                                     | \$15,000        |                  |                  |       |                  |                  |                  |                    |                  |                    | LRP                             |
| <b>AIRPORT FY 16/17 TOTAL \$74,326</b>                                         |                 |                  |                  |       |                  |                  |                  |                    |                  |                    |                                 |

CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| AIRPORT                  |       |  |       |       |       |       |       |       |       |       | FUNDING<br>FISCAL YEAR |       |
|--------------------------|-------|--|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|-------|
| PROJECT DESCRIPTION      | 16/17 |  | 17/18 | 18/19 | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26                  | 16/17 |
| Increase ENR (estimate): |       |  | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25% | 3.25%                  |       |

\* Re-appropriated from prior year.

| SUMMARY OF AIRPORT FUNDING     |          |
|--------------------------------|----------|
| Airport Development Fund (ADF) | \$1,545  |
| Airport Operating Fund (AOF)   | \$0      |
| CA Division of Aeronautics     | \$1,888  |
| FAA/AIP Grant                  | \$30,893 |
| Land Release Proceeds (LRP)    | \$40,000 |
| Unfunded                       | \$0      |
| Total                          | \$74,326 |

# CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| TRANSIT                                                |                    |       |                    |           |                    |         |                    |       |                    |       | FUNDING<br>FISCAL YEAR |
|--------------------------------------------------------|--------------------|-------|--------------------|-----------|--------------------|---------|--------------------|-------|--------------------|-------|------------------------|
| PROJECT DESCRIPTION                                    | 16/17              | 17/18 | 18/19              | 19/20     | 20/21              | 21/22   | 22/23              | 23/24 | 24/25              | 25/26 | 16/17                  |
| Increase ENR (estimate):                               |                    | 3.25% | 3.25%              | 3.25%     | 3.25%              | 3.25%   | 3.25%              | 3.25% | 3.25%              | 3.25% |                        |
| <b>ZERO EMISSION BUS PROGRAM</b>                       |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| <b>Buses and Chargers - Zero Emission</b>              |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Buses and Chargers (10 buses, 11 chargers)             | \$459,270 *        |       |                    |           |                    |         |                    |       |                    |       | Air District           |
|                                                        | \$9,042,922        |       |                    |           |                    |         |                    |       |                    |       | ARB                    |
| Administration                                         | \$473,500          |       |                    |           |                    |         |                    |       |                    |       | ARB                    |
| <b>Total</b>                                           | <b>\$9,975,692</b> |       |                    |           |                    |         |                    |       |                    |       |                        |
| <b>Buses - CMAQ</b>                                    |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Buses (2 buses per FY)                                 |                    |       | \$800,000          |           | \$800,000          |         | \$800,000          |       | \$800,000          |       | CMAQ                   |
| City Match                                             |                    |       | \$200,000          |           | \$200,000          |         | \$200,000          |       | \$200,000          |       | LTF Transit            |
| <b>Total</b>                                           |                    |       | <b>\$1,000,000</b> |           | <b>\$1,000,000</b> |         | <b>\$1,000,000</b> |       | <b>\$1,000,000</b> |       |                        |
| <b>Bus Maintenance Phase I</b>                         |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Design                                                 | \$800,000          |       |                    |           |                    |         |                    |       |                    |       | FTA 5307               |
| City Match                                             | \$100,000 *        |       |                    |           |                    |         |                    |       |                    |       | Reapp LTF Transit      |
|                                                        | \$100,000          |       |                    |           |                    |         |                    |       |                    |       | LTF Transit            |
| Acquisition                                            | \$0                |       |                    |           |                    |         |                    |       |                    |       | FTA 5307               |
| City Match                                             | \$0                |       |                    |           |                    |         |                    |       |                    |       | LTF Transit            |
| Code Updates                                           |                    |       |                    | \$100,000 |                    |         |                    |       |                    |       | Unfunded               |
| <b>Total</b>                                           | <b>\$1,000,000</b> |       |                    |           |                    |         |                    |       |                    |       |                        |
| <b>Bus Maintenance Phase II</b>                        |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Construction                                           |                    |       |                    |           | \$6,400,000        |         |                    |       |                    |       | Unfunded               |
| City Match                                             |                    |       |                    |           | \$1,600,000        |         |                    |       |                    |       | Unfunded               |
| <b>Total</b>                                           |                    |       |                    |           | <b>\$8,000,000</b> |         |                    |       |                    |       |                        |
| <b>Non-revenue Vehicles (2)</b>                        |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Vehicles                                               | \$128,000          |       |                    |           |                    |         |                    |       |                    |       | FTA 5307               |
| City Match                                             | \$32,000           |       |                    |           |                    |         |                    |       |                    |       | LTF Transit            |
| <b>Total</b>                                           | <b>\$160,000</b>   |       |                    |           |                    |         |                    |       |                    |       |                        |
| <b>Transit Center Expansion</b>                        |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Construction                                           |                    |       |                    |           | \$520,000          |         |                    |       |                    |       | Unfunded               |
| City Match                                             |                    |       |                    |           | \$130,000          |         |                    |       |                    |       | Unfunded               |
| <b>Total</b>                                           |                    |       |                    |           | <b>\$650,000</b>   |         |                    |       |                    |       |                        |
| <b>Renewable Energy - Zero Emission Infrastructure</b> |                    |       |                    |           |                    |         |                    |       |                    |       |                        |
| Construction                                           | \$1,360,000        |       |                    |           |                    |         |                    |       |                    |       | Air District           |
| City Match                                             | \$340,000          |       |                    |           |                    |         |                    |       |                    |       | LTF Transit            |
| <b>Total</b>                                           | <b>\$1,700,000</b> |       |                    |           |                    |         |                    |       |                    |       |                        |
| Automatic Passenger Counter                            |                    |       | \$8,000            | \$8,000   | \$8,000            | \$8,000 |                    |       |                    |       | FTA 5307               |
|                                                        | \$138,785 *        |       |                    |           |                    |         |                    |       |                    |       | Prop 1B                |
| Facility Security Phase 2                              |                    |       | \$2,000            | \$2,000   | \$2,000            | \$2,000 |                    |       |                    |       | LTF Transit            |
|                                                        | \$160,000          |       |                    |           |                    |         |                    |       |                    |       | FTA 5307               |
| Mobile Fare Payment                                    | \$40,000           |       |                    |           |                    |         |                    |       |                    |       | LTF Transit            |
|                                                        | \$223,207 *        |       |                    |           |                    |         |                    |       |                    |       | FTA 5307               |
|                                                        | \$243,883 *        |       |                    |           |                    |         |                    |       |                    |       | Prop 1B                |
|                                                        | \$55,802 *         |       |                    |           |                    |         |                    |       |                    |       | Reapp LTF Transit      |

## CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| TRANSIT                                            |           |   |          |          |          |          |          |       |       |       |       | FUNDING<br>FISCAL YEAR |
|----------------------------------------------------|-----------|---|----------|----------|----------|----------|----------|-------|-------|-------|-------|------------------------|
| PROJECT DESCRIPTION                                | 16/17     |   | 17/18    | 18/19    | 19/20    | 20/21    | 21/22    | 22/23 | 23/24 | 24/25 | 25/26 | 16/17                  |
| Transit Bus Stop Turnouts/Downtown Shuttle Service | \$80,000  | * |          | \$80,000 | \$80,000 | \$80,000 | \$80,000 |       |       |       |       | FTA 5307               |
|                                                    | \$20,000  | * |          | \$20,000 | \$20,000 | \$20,000 | \$20,000 |       |       |       |       | Reapp LTF Transit      |
| Transit Zero-Emission Bus Fareboxes                | \$240,000 |   | \$40,000 | \$12,000 | \$12,000 | \$12,000 | \$12,000 |       |       |       |       | FTA 5307               |
|                                                    | \$60,000  |   | \$10,000 | \$3,000  | \$3,000  | \$3,000  | \$3,000  |       |       |       |       | LTF Transit            |
| Transit Shelters                                   | \$160,000 | * |          | \$80,000 |          | \$80,000 |          |       |       |       |       | FTA 5307               |
|                                                    | \$40,000  | * |          | \$20,000 |          | \$20,000 |          |       |       |       |       | Reapp LTF Transit      |
| Transit Signage                                    |           |   | \$8,000  |          | \$8,000  |          | \$8,000  |       |       |       |       | FTA 5307               |
|                                                    |           |   | \$2,000  |          | \$2,000  |          | \$2,000  |       |       |       |       | LTF Transit            |
| Transit Signal Preemption                          | \$144,758 | * | \$60,000 |          | \$60,000 |          | \$60,000 |       |       |       |       | FTA 5307               |
|                                                    | \$36,190  | * | \$15,000 |          | \$15,000 |          | \$15,000 |       |       |       |       | Reapp LTF Transit      |
| Vehicle Security                                   | \$60,000  | * |          | \$20,000 |          | \$20,000 |          |       |       |       |       | FTA 5307               |
|                                                    | \$15,000  | * |          | \$5,000  |          | \$5,000  |          |       |       |       |       | Reapp LTF Transit      |
| Multi-modal Corridor Rail ROW Improvements         | \$48,000  |   | \$48,000 | \$48,000 | \$48,000 | \$48,000 | \$48,000 |       |       |       |       | FTA 5307               |
|                                                    | \$12,000  |   | \$12,000 | \$12,000 | \$12,000 | \$12,000 | \$12,000 |       |       |       |       | LTF Transit            |
| TRANSIT FY 16/17 TOTAL    \$14,613,317             |           |   |          |          |          |          |          |       |       |       |       |                        |

\* Re-appropriated from prior year.

| SUMMARY OF TRANSIT FUNDING                   |                     |
|----------------------------------------------|---------------------|
| Air District                                 | \$1,819,270         |
| Air Resources Board (ARB)                    | \$9,516,422         |
| Congestion Mitigation and Air Quality (CMAQ) | \$0                 |
| FTA 5307                                     | \$2,043,965         |
| FTA 5307 SGR                                 | \$0                 |
| FTA 5307, 5309 SGR                           | \$0                 |
| FTA 5339                                     | \$0                 |
| FTA 5311                                     | \$0                 |
| FTA 5316                                     | \$0                 |
| LTF Transit                                  | \$584,000           |
| Reapp LTF Transit                            | \$266,992           |
| Measure R Transit                            | \$0                 |
| Prop 1B                                      | \$382,668           |
| Prop 1B Transit                              | \$0                 |
| WWTFR                                        | \$0                 |
| Reapp WWTFR                                  | \$0                 |
| Unfunded                                     | \$0                 |
| <b>Total</b>                                 | <b>\$14,613,317</b> |



## CAPITAL IMPROVEMENTS STRATEGIES 2016/2017

| MISCELLANEOUS PROJECTS              |           |           |           |       |       |       |       |       |       |       | FUNDING            | FISCAL       |
|-------------------------------------|-----------|-----------|-----------|-------|-------|-------|-------|-------|-------|-------|--------------------|--------------|
| PROJECT DESCRIPTION                 | 16/17     | 17/18     | 18/19     | 19/20 | 20/21 | 21/22 | 22/23 | 23/24 | 24/25 | 25/26 | YEAR               | 16/17        |
| CNG Sideloader Refuse Truck (3)     | \$801,522 |           |           |       |       |       |       |       |       |       |                    | CMAQ         |
| City Match                          | \$103,848 |           |           |       |       |       |       |       |       |       |                    | SW Reserve   |
| CNG Frontloader Refuse Truck (2)    | \$488,756 |           |           |       |       |       |       |       |       |       |                    | CMAQ         |
| City Match                          | \$63,324  |           |           |       |       |       |       |       |       |       |                    | SW Reserve   |
| Dump Truck                          | \$298,000 |           |           |       |       |       |       |       |       |       |                    | WWTF Reserve |
| <b>Wetlands Mitigation</b>          |           |           |           |       |       |       |       |       |       |       |                    |              |
| Environmental                       |           | \$100,000 |           |       |       |       |       |       |       |       |                    | LTF          |
| Construction                        |           |           | \$300,000 |       |       |       |       |       |       |       |                    | LTF          |
| Weed Abatement - City ROW           | \$25,000  |           |           |       |       |       |       |       |       |       |                    | LTF          |
| <b>MISCELLANEOUS FY 16/17 TOTAL</b> |           |           |           |       |       |       |       |       |       |       | <b>\$1,780,450</b> |              |

\* Re-appropriated from prior year.

| SUMMARY OF MISCELLANEOUS FUNDING                     |                    |
|------------------------------------------------------|--------------------|
| General Fund Carry Over - Re-app (Reapp GF CO)       | \$0                |
| Congestion Mitigation Air Quality (CMAQ)             | \$1,290,278        |
| Equipment Replacement Fund (ERF)                     | \$0                |
| Local Transportation Funds (LTF)                     | \$25,000           |
| SW Reserve                                           | \$167,172          |
| Wastewater Treatment Facility Reserve (WWTF Reserve) | \$298,000          |
| <b>Total</b>                                         | <b>\$1,780,450</b> |

**CITY OF PORTERVILLE  
ANNUAL BUDGET  
2016-2017**

**PROPOSED EQUIPMENT REPLACEMENT SCHEDULE**

| <b>DEPARTMENT</b>                 | <b>EQUIPMENT DESCRIPTION</b>                             | <b>ESTIMATED<br/>COST</b> |
|-----------------------------------|----------------------------------------------------------|---------------------------|
| Fire                              | Station 2 Roof Repair                                    | \$20,000                  |
|                                   | Fire Engine                                              | 380,000                   |
| Police                            | Generator                                                | 60,000                    |
|                                   | 7 Police Units                                           | 362,000                   |
|                                   | Animal Control Pickup                                    | 58,000                    |
| Street Maintenance                | Pneumatic Roller                                         | 90,000                    |
| Engineering                       | Permit and Parcels Software Upgrade                      | 80,000                    |
|                                   | <b>Total General Fund Equipment Replacement</b>          | <b>1,050,000</b>          |
| Golf Course                       | Greens Mower                                             | 35,000                    |
|                                   | Greens Aerator                                           | 26,000                    |
|                                   | Sandpro                                                  | 21,000                    |
|                                   | <b>Total Golf Course Equipment Replacement</b>           | <b>82,000</b>             |
| Airport                           | Jet Fuel Truck                                           | 150,000                   |
|                                   | <b>Total Airport Equipment Replacement</b>               | <b>150,000</b>            |
| Public Works - Sewer (Laboratory) | Software Upgrade                                         | 5,000                     |
|                                   | Lab Equipment                                            | 40,000                    |
|                                   | <b>Total Sewer Equipment Replacement</b>                 | <b>45,000</b>             |
| Public Works - WWTF               | Spray Trailer                                            | 5,000                     |
|                                   | <b>Total WWTF Equipment Replacement</b>                  | <b>5,000</b>              |
| Public Works - Water              | SCADA System upgrade                                     | 420,000                   |
|                                   | Chlorine Station upgrades                                | 60,000                    |
|                                   | Meter Reading Equipment                                  | 46,000                    |
|                                   | <b>Total Water Equipment Replacement</b>                 | <b>526,000</b>            |
| Public Works - Solid Waste        | (2) CNG Frontloader (CMAQ matching funds)                | 64,000                    |
|                                   | (3) CNG Sideloader (CMAQ matching funds)                 | 104,000                   |
|                                   | Automated Containers                                     | 250,000                   |
|                                   | Commercial Bins and Rolloff Containers                   | 100,000                   |
|                                   | <b>Total Solid Waste Equipment Replacement</b>           | <b>518,000</b>            |
| Public Works - Equipment Maint.   | Hoist Upgrade                                            | 50,000                    |
|                                   | Parts Washer                                             | 8,000                     |
|                                   | Freon Recycler                                           | 4,500                     |
|                                   | <b>Total Equipment Maintenance Equipment Replacement</b> | <b>62,500</b>             |
|                                   | <b>TOTAL 2016/17 EQUIPMENT REPLACEMENT</b>               | <b>2,438,500</b>          |

# **PROPOSED ANNUAL BUDGET**

## **Detail Reports**



**FY 2016/2017**

**General Fund**  
**REVENUES**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEET - GENERAL FUND REVENUES  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                  | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <b>TAXES</b>                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PROPERTY TAXES</u>               |                      |                      |                      |                      |                    |                        |                                  |
| 4001 Current Secured                | 2,766,715            | 2,333,468            | 2,366,575            | 2,350,000            | 962,478            | 2,403,690              | 2,450,000                        |
| 4002 Current Unsecured              | 131,212              | 147,455              | 142,126              | 140,000              | 130,971            | 143,859                | 140,000                          |
| 4005 ERAF - VLF Backfill            | 3,205,140            | 3,305,391            | 3,460,781            | 3,400,000            | 1,814,805          | 3,629,610              | 3,400,000                        |
| 4006 ERAF - Sales & Use Tax         | 1,154,025            | 1,528,619            | 1,355,826            | 1,050,354            | 233,750            | 427,922                | -                                |
| <b>TOTAL PROPERTY TAXES</b>         | <b>7,257,092</b>     | <b>7,314,932</b>     | <b>7,325,308</b>     | <b>6,940,354</b>     | <b>3,142,005</b>   | <b>6,605,081</b>       | <b>5,990,000</b>                 |
| <u>OTHER TAXES</u>                  |                      |                      |                      |                      |                    |                        |                                  |
| 4011 Sales and Use Tax              | 4,042,715            | 4,015,567            | 4,266,605            | 4,630,149            | 1,872,683          | 5,490,424              | 5,850,109                        |
| 4012 Utility Users Tax              | 3,969,652            | 3,955,357            | 3,882,942            | 4,100,000            | 1,811,945          | 3,952,000              | 4,000,000                        |
| 4013 Transient Occupancy Tax        | 335,319              | 370,999              | 446,771              | 370,000              | 134,795            | 465,000                | 475,000                          |
| 4014 Property Transfer Tax          | 62,083               | 63,679               | 72,317               | 60,000               | 31,680             | 60,000                 | 65,000                           |
| 4015 Franchises                     | 472,823              | 550,628              | 607,748              | 550,000              | 44,289             | 550,000                | 550,000                          |
| 4016 Municipal Franchises           | 1,001,134            | 1,001,134            | 1,001,134            | 1,001,134            | 500,572            | 1,001,134              | 1,001,134                        |
| 4017 Sales Tax - Public Safety      | 190,453              | 202,813              | 216,513              | 200,000              | 90,443             | 200,000                | 200,000                          |
| <b>TOTAL OTHER TAXES</b>            | <b>10,074,179</b>    | <b>10,160,177</b>    | <b>10,494,030</b>    | <b>10,911,283</b>    | <b>4,486,407</b>   | <b>11,718,558</b>      | <b>12,141,243</b>                |
| <b>TOTAL TAXES</b>                  | <b>17,331,270</b>    | <b>17,475,109</b>    | <b>17,819,338</b>    | <b>17,851,637</b>    | <b>7,628,412</b>   | <b>18,323,639</b>      | <b>18,131,243</b>                |
| <u>LICENSES &amp; PERMITS</u>       |                      |                      |                      |                      |                    |                        |                                  |
| 4401 Business Licenses              | 402,444              | 417,856              | 439,984              | 425,000              | 222,228            | 440,000                | 440,000                          |
| 4403 Building Permits               | 196,186              | 206,815              | 233,446              | 200,000              | 137,060            | 230,000                | 230,000                          |
| 4404 Plumbing Permits               | 108,624              | 175,406              | 149,224              | 125,000              | 64,854             | 125,000                | 125,000                          |
| 4405 Electrical Permits             | 56,077               | 62,942               | 125,072              | 60,000               | 72,158             | 120,000                | 120,000                          |
| 4408 Animal Licenses                | 14,077               | 16,620               | 18,190               | 17,000               | 7,965              | 17,000                 | 17,000                           |
| 4409 Other Licenses and Permits     | 2,160                | 1,895                | 842                  | 1,000                | 175                | 600                    | 600                              |
| <b>TOTAL LICENSES &amp; PERMITS</b> | <b>779,568</b>       | <b>881,533</b>       | <b>966,759</b>       | <b>828,000</b>       | <b>504,440</b>     | <b>932,600</b>         | <b>932,600</b>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEET - GENERAL FUND REVENUES  
FISCAL YEAR 2016/17

| ACCT#                              | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| REV. FROM OTHER AGENCIES           |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>TAXES</u>                       |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4501                               | Motor Vehicle In-Lieu Tax      | 28,249               | 23,542               | 22,825               | 22,000               | 22,535             | 22,535                 | 22,000                           |
| 4504                               | Homeowners Property Tax Relief | 27,639               | 27,802               | 26,935               | 27,000               | -                  | 27,000                 | 25,000                           |
| TOTAL TAXES                        |                                | 55,887               | 51,343               | 49,760               | 49,000               | 22,535             | 49,535                 | 47,000                           |
| <u>FEES &amp; GRANTS</u>           |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4515                               | Grants - Miscellaneous         | 19,000               | -                    | 13,036               | -                    | -                  | 8,401                  | -                                |
| 4516                               | State Grants                   | 219,043              | 28,872               | 130,751              | 20,000               | 18,000             | 85,214                 | 130,351                          |
| 4517                               | Federal Grants                 | -                    | 9,009                | -                    | -                    | -                  | -                      | -                                |
| 4518                               | State Reimbursements           | 34,181               | 28,565               | 242,353              | 25,000               | 60,637             | 65,000                 | 25,000                           |
| TOTAL FEES & GRANTS                |                                | 272,224              | 66,446               | 386,140              | 45,000               | 78,637             | 158,615                | 155,351                          |
| TOTAL REV. FROM OTHER AGENCIES     |                                | 328,112              | 117,789              | 435,900              | 94,000               | 101,172            | 208,150                | 202,351                          |
| <u>USE OF MONEY &amp; PROPERTY</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4601                               | Interest on Investments        | 139,752              | 163,922              | 152,621              | 100,000              | 83,288             | 150,000                | 150,000                          |
| 4604                               | Rent of Land                   | 87,668               | 105,579              | 107,792              | 110,000              | 33,981             | 107,895                | 110,000                          |
| 4607                               | Rent of Building               | 31                   | 2,401                | 64,035               | 178,404              | 134,481            | 177,555                | 180,506                          |
| TOTAL USE OF MONEY & PROPERTY      |                                | 227,451              | 271,902              | 324,448              | 388,404              | 251,750            | 435,450                | 440,506                          |
| <u>FINES &amp; FORFEITURES</u>     |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4702                               | Parking Violations             | 14,746               | 13,579               | 14,770               | 13,000               | 5,487              | 13,000                 | 14,000                           |
| 4703                               | Vehicle Code Fines             | 3,707                | 3,688                | 2,847                | 3,500                | 874                | 2,500                  | 2,500                            |
| 4709                               | Other Fines                    | 58,226               | 56,884               | 47,829               | 55,000               | 19,061             | 40,000                 | 40,000                           |
| TOTAL FINES & FORFEITURES          |                                | 76,679               | 74,151               | 65,446               | 71,500               | 25,422             | 55,500                 | 56,500                           |

CITY OF PORTERVILLE  
BUDGET WORKSHEET - GENERAL FUND REVENUES  
FISCAL YEAR 2016/17

| ACCT#                             | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <b>CHARGES FOR SERVICES</b>       |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>PLANNING &amp; ENGINEERING</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4801                              | Planning and Zoning Fees       | 54,844               | 22,085               | 48,491               | 35,000               | 15,839             | 30,000                 | 30,000                           |
| 4803                              | Engineering & Inspection Fees  | 96,998               | 70,270               | 73,679               | 70,000               | 27,252             | 50,000                 | 50,000                           |
| 4805                              | New Street Lighting            | 20,000               | 375                  | 121                  | -                    | 1,334              | 1,334                  | -                                |
| 4806                              | New Fire Hydrants              | 137                  | 2,693                | -                    | -                    | 3,751              | 3,751                  | -                                |
| 4807                              | Street, Sidewalk and Curb      | 125                  | 400                  | 250                  | -                    | -                  | -                      | -                                |
| TOTAL PLANNING & ENGINEERING      |                                | 172,104              | 95,823               | 122,541              | 105,000              | 48,176             | 85,085                 | 80,000                           |
| <u>PUBLIC SAFETY</u>              |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4810                              | Animal Control Services        | 24,332               | 20,868               | 31,708               | 25,000               | 14,338             | 30,000                 | 30,000                           |
| 4811                              | Police Services                | 45,358               | 98,262               | 75,218               | 55,000               | 19,201             | 55,000                 | 55,000                           |
| 4811.3                            | Fingerprinting Fees            | 13,125               | 14,096               | 18,403               | 15,000               | 13,170             | 22,000                 | 22,000                           |
| 4811.5                            | Vehicle Storage                | 53,048               | 44,422               | 44,817               | 50,000               | 17,698             | 35,000                 | 35,000                           |
| 4812                              | Police Cost Recoveries         | 220,586              | 198,499              | 207,496              | 225,000              | (7,934)            | 140,000                | 150,000                          |
| 4813                              | Police Records - Services      | 30,270               | 31,220               | 20,969               | 30,000               | 11,465             | 25,000                 | 25,000                           |
| 4815                              | Fire Services                  | 20,898               | 13,691               | 18,322               | 13,000               | 862                | 13,000                 | 13,000                           |
| 4816                              | Weed Abatement Reimbursement   | 23,385               | 34,551               | 10,440               | 25,000               | (3,178)            | 25,000                 | 25,000                           |
| 4818                              | Code Enforcement Fees          | 3,900                | 11,930               | 7,890                | 10,000               | 7,700              | 3,800                  | 7,000                            |
| 4819                              | PD Range Revenue               | -                    | -                    | -                    | 0                    | -                  | -                      | -                                |
| TOTAL PUBLIC SAFETY               |                                | 434,902              | 467,538              | 435,263              | 448,000              | 73,322             | 348,800                | 362,000                          |
| <u>RECREATION &amp; CULTURE</u>   |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4830                              | Freedom Fest                   | 21,483               | 30,422               | 38,832               | 30,000               | -                  | 15,000                 | 40,000                           |
| 4831                              | Library Services               | 36,980               | 42,251               | 43,029               | 42,000               | 23,749             | 42,000                 | 43,000                           |
| 4832                              | Pavilions/ballfields Rentals   | 34,957               | 32,846               | 33,550               | 32,000               | 12,109             | 32,000                 | 33,000                           |
| 4833                              | Community Center Rentals       | 764                  | 4,721                | 9,232                | 6,000                | 1,544              | 6,000                  | 3,000                            |
| 4836.55                           | Special Programs Revenue       | 108,282              | 136,216              | 108,488              | 120,000              | 40,179             | 120,000                | 118,000                          |
| 4836.56                           | RAP Program Revenue            | 111,150              | 78,947               | 129,018              | 110,000              | 64,343             | 110,000                | 127,000                          |
| 4836.59                           | Day Camps Program Revenue      | 24,751               | 23,950               | 35,755               | 23,000               | 15,798             | 23,000                 | 32,000                           |
| 4836.63                           | Y.E.S. Elementary Program Rev  | 867,161              | 891,138              | 857,120              | 1,464,225            | 460,100            | 1,133,000              | 1,518,200                        |
| 4836.64                           | Y.E.S. Jr High Program Revenue | 240,149              | 222,445              | 246,431              | 349,020              | 101,779            | 254,048                | 349,934                          |
| 4836.68                           | Tiny Tots Program Revenue      | 26,340               | 26,795               | 24,513               | 25,000               | 13,816             | 25,000                 | 26,000                           |
| 4837                              | Senior Citizen Program Revenue | 14,100               | 9,980                | 10,742               | 12,000               | 7,975              | 12,500                 | 11,500                           |
| 4838                              | Sports Complex Parking Fees    | 27,794               | 33,302               | 38,637               | 33,000               | 23,797             | 33,000                 | 36,000                           |
| 4839                              | OHV Park Fees                  | 52,869               | 39,290               | 30,461               | 35,000               | 9,535              | 15,000                 | 15,000                           |
| TOTAL RECREATION & CULTURE        |                                | 1,566,779            | 1,572,302            | 1,505,809            | 2,281,245            | 774,723            | 1,820,548              | 2,352,634                        |

CITY OF PORTERVILLE  
BUDGET WORKSHEET - GENERAL FUND REVENUES  
FISCAL YEAR 2016/17

| ACCT#                 | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>SWIMMING POOL</u>  |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4841                  | Swimming Admissions            | 34,654               | 32,157               | 43,072               | 35,000               | 18,123             | 35,000                 | 39,000                           |
| 4842                  | Swimming Lessons               | 22,609               | 22,197               | 14,583               | 22,000               | 3,250              | 22,000                 | 15,500                           |
| 4843                  | Swimming Season Passes         | -                    | 50                   | -                    | -                    | -                  | -                      | -                                |
| 4845                  | Swimming Pool Rentals          | 14,887               | 16,133               | 21,812               | 15,000               | 265                | 15,000                 | 21,000                           |
| 4846                  | Pool Concessions               | 600                  | 400                  | -                    | 600                  | 200                | 200                    | 600                              |
| TOTAL SWIMMING POOL   |                                | 72,750               | 70,937               | 79,466               | 72,600               | 21,838             | 72,200                 | 76,100                           |
| <u>MISCELLANEOUS</u>  |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4891                  | Passport Fees                  | 2,150                | 4,950                | 5,025                | 5,000                | 2,100              | 5,000                  | 5,000                            |
| 4893                  | Street Tree Fees               | 2,146                | 1,290                | 1,400                | 1,000                | 1,200              | 1,270                  | 1,200                            |
| 4897                  | Interdepartmental Serv Charges | 1,628,358            | 1,637,849            | 1,626,806            | 1,700,000            | 891,524            | 1,700,000              | 1,700,000                        |
| 4898                  | Special Benefit Assessments    | 5,802                | 5,833                | 9,064                | 5,818                | 2,818              | 5,635                  | 5,635                            |
| TOTAL MISCELLANEOUS   |                                | 1,638,457            | 1,649,922            | 1,642,295            | 1,711,818            | 897,642            | 1,711,905              | 1,711,835                        |
| CHARGES FOR SERVICES  |                                | 3,884,992            | 3,856,522            | 3,885,374            | 4,618,663            | 1,815,700          | 4,038,538              | 4,582,569                        |
| <u>OTHER REVENUES</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| 4991                  | Sale of Real Property          | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 4992                  | Sale of Personal Property      | 5                    | 579                  | 38                   | -                    | 2,410              | 3,002                  | -                                |
| 4993                  | Service Initiation Fees        | 25,480               | 24,790               | 25,630               | 25,000               | 12,810             | 25,000                 | 25,000                           |
| 4994                  | Contributions                  | 4,975                | 4,570                | 5,771                | 4,500                | 4,164              | 4,500                  | 4,500                            |
| 4995                  | Reimbursements and Refunds     | 29,183               | 4,846                | 161,150              | 500                  | -                  | 1,637                  | 500                              |
| 4997                  | Cash Variations                | 22                   | (32)                 | 66                   | -                    | (112)              | (114)                  | -                                |
| 4998                  | Penalties                      | 32,819               | 37,429               | 34,820               | 35,000               | 14,137             | 35,000                 | 30,000                           |
| 4999                  | Other Revenues                 | 16,814               | 11,130               | 26,987               | 5,000                | 34,871             | 5,000                  | 5,000                            |
| TOTAL OTHER REVENUES  |                                | 109,298              | 83,312               | 254,461              | 70,000               | 68,281             | 74,025                 | 65,000                           |
| TOTAL REVENUE         |                                | 22,737,370           | 22,760,319           | 23,751,725           | 23,922,204           | 10,395,177         | 24,067,902             | 24,410,769                       |



**General Fund**  
**LEGISLATIVE**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - LEGISLATIVE  
CITY COUNCIL  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                  | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|-------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>CITY COUNCIL</u>       |                               |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                               |                      |                      |                      |                      |                    |                        |                                  |
| 5010-001-010              | Salaries, Regular             | 3,030                | 3,370                | 2,630                | 4,000                | 1,345              | 2,815                  | 4,000                            |
| TOTAL PERSONNEL SERVICES  |                               | 3,030                | 3,370                | 2,630                | 4,000                | 1,345              | 2,815                  | 4,000                            |
| <u>OTHER EXPENSES</u>     |                               |                      |                      |                      |                      |                    |                        |                                  |
| 5010-001-140              | Computer Equipment Mainenance | 1,100                | 1,123                | 1,543                | 1,600                | 728                | 1,601                  | 1,600                            |
| 5010-001-220              | Printing/Copying              | 58                   | -                    | -                    | -                    | -                  | -                      | -                                |
| 5010-001-230              | Professional/Temp Service     | 42,597               | 35,500               | 44,100               | 40,000               | -                  | 65,000                 | 65,000                           |
| 5010-001-320              | Office/Computer Supplies      | -                    | 966                  | -                    | -                    | -                  | -                      | -                                |
| 5010-001-410.0            | Meeting Expenses-Hamilton     | 1,765                | 4,425                | 3,735                | 4,500                | 4,733              | 5,650                  | 4,500                            |
| 5010-001-410.0            | Meeting Expenses-McCracken    | 3,233                | 4,077                | 10                   | -                    | -                  | -                      | -                                |
| 5010-001-410.0            | Meeting Expenses-Ward         | 1,696                | 2,592                | 461                  | 4,500                | 1,641              | 2,000                  | 4,500                            |
| 5010-001-410.0            | Meeting Expenses-Shelton      | 1,490                | 3,030                | 38                   | -                    | -                  | -                      | -                                |
| 5010-001-410.0            | Meeting Expenses-Gurrola      | 100                  | 2,871                | 3,087                | 4,500                | 1,742              | 3,000                  | 4,500                            |
| 5010-001-410.0            | Meeting Expenses-Reyes        | -                    | -                    | 2,686                | 4,500                | 2,054              | 2,500                  | 4,500                            |
| 5010-001-410.0            | Meeting Expenses-Stowe        | -                    | -                    | 593                  | 4,500                | 1,208              | 1,500                  | 4,500                            |
| 5010-001-420              | Utilities                     | -                    | -                    | 8,293                | -                    | 5,436              | 10,871                 | 8,000                            |
| 5010-001-450              | Publication and Dues          | -                    | 16,447               | 16,842               | 16,842               | 16,776             | 16,776                 | 16,800                           |
| 5010-001-600              | Freedom Fest                  | 27,415               | 27,746               | 31,325               | 30,000               | -                  | 30,000                 | 30,000                           |
| 5010-001-660              | Other Expense                 | 15,106               | 20,798               | 20,724               | 12,975               | 5,292              | 15,200                 | 15,017                           |
| 5010-001-910              | Special Purpose               | 10,000               | 10,000               | 29,638               | 100,000              | 50,582             | 100,000                | 100,000                          |
| TOTAL OTHER EXPENSES      |                               | 104,560              | 129,575              | 163,074              | 223,917              | 90,191             | 254,098                | 258,917                          |
| TOTAL CITY COUNCIL        |                               | 107,590              | 132,947              | 165,704              | 227,917              | 91,536             | 256,913                | 262,917                          |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - LEGISLATIVE  
COMMUNITY PROMOTION  
FISCAL YEAR 2016/17

| ACCT#                      | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|----------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>COMMUNITY PROMOTION</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>  |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5010-010-010               | Salaries, Regular         | 12,649               | 10,885               | 11,240               | 11,727               | 8,417              | 16,834                 | 11,964                           |
| 5010-010-020               | Salaries, Part-time       | 115                  | -                    | -                    | -                    | 312                | 312                    | -                                |
| 5010-010-030               | Salaries, Overtime        | 16,005               | 16,432               | 10,862               | 20,000               | 11,969             | 15,969                 | 20,000                           |
| 5010-010-090               | Benefits                  | 10,522               | 10,180               | 6,070                | 7,214                | 3,118              | 7,043                  | 7,071                            |
| TOTAL PERSONNEL SERVICES   |                           | 39,291               | 37,497               | 28,172               | 38,941               | 23,816             | 40,158                 | 39,035                           |
| <u>OTHER EXPENSES</u>      |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5010-010-230               | Professional/Temp Service | 40,825               | 41,750               | 40,250               | 41,000               | 3,000              | 41,000                 | 41,000                           |
| 5010-010-450               | Publication and Dues      | 100,731              | 114,332              | 102,434              | 102,270              | 85,272             | 97,253                 | 102,270                          |
| 5010-010-490               | Econ Dev Action Plan Prgm | -                    | 3                    | -                    | -                    | -                  | -                      | -                                |
| 5010-010-660               | Other Expense             | 20,182               | 20,034               | 29,316               | 33,997               | 8,363              | 29,845                 | 33,997                           |
| TOTAL OTHER EXPENSES       |                           | 161,738              | 176,119              | 172,000              | 177,267              | 96,634             | 168,098                | 177,267                          |
| TOTAL COMMUNITY PROMOTION  |                           | <u>201,029</u>       | <u>213,615</u>       | <u>200,173</u>       | <u>216,208</u>       | <u>120,450</u>     | <u>208,256</u>         | <u>216,302</u>                   |

**General Fund**  
**ADMINISTRATIVE**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - ADMINISTRATIVE AND LEGAL  
CITY MANAGER  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>CITY MANAGER</u>       |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5011-001-010              | Salaries, Regular               | 163,624              | 166,991              | 174,523              | 187,719              | 95,212             | 190,425                | 198,078                          |
| 5011-001-020              | Salaries, Part-time             | 4,470                | 3,909                | 504                  | 3,000                | -                  | -                      | 3,000                            |
| 5011-001-040              | Car Allowance                   | 4,800                | 4,800                | 4,800                | 4,800                | 2,400              | 5,500                  | 7,200                            |
| 5011-001-090              | Benefits                        | 53,030               | 54,042               | 57,938               | 63,190               | 31,948             | 63,896                 | 76,510                           |
| TOTAL PERSONNEL SERVICES  |                                 | 225,924              | 229,742              | 237,764              | 258,709              | 129,560            | 259,820                | 284,788                          |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5011-001-110              | Vehicle Maintenance             | 257                  | -                    | -                    | -                    | -                  | -                      | -                                |
| 5011-001-190              | Other Equipment Maint           | 372                  | 372                  | 394                  | 372                  | 597                | 783                    | 1,000                            |
| 5011-001-220              | Printing/Copying                | 2,413                | 1,887                | 468                  | 3,000                | 196                | 392                    | 1,000                            |
| 5011-001-230              | Professional/Temp Services      | 42                   | 2                    | 2                    | 45                   | 629                | 629                    | 1,000                            |
| 5011-001-260              | Rent of Property & Equipment    | 337                  | 672                  | 1,099                | 1,200                | 1,037              | 2,073                  | 2,500                            |
| 5011-001-320              | Office/Computer Supplies        | 2,731                | (167)                | 708                  | 2,000                | 368                | 1,220                  | 2,000                            |
| 5011-001-410              | Meeting Expense                 | 2,199                | 4,565                | 2,820                | 4,000                | 1,970              | 3,939                  | 4,000                            |
| 5011-001-420              | Utilities                       | 1,784                | 1,793                | 1,021                | 2,500                | 604                | 1,435                  | 2,000                            |
| 5011-001-450              | Publication and Dues            | 434                  | 1,052                | 526                  | 1,000                | 169                | 339                    | 1,000                            |
| 5011-001-660              | Other Expense                   | 1,785                | 447                  | 3,707                | 7,144                | 1,157              | 2,315                  | 6,761                            |
| TOTAL OTHER EXPENSES      |                                 | 12,354               | 10,622               | 10,745               | 21,261               | 6,727              | 13,125                 | 21,261                           |
| <u>CAPITAL OUTLAY</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5011-001-710              | Office Equipment (over \$1,000) | -                    | 1,385                | -                    | -                    | -                  | 1,608                  | -                                |
| TOTAL CAPITAL OUTLAY      |                                 | -                    | 1,385                | -                    | -                    | -                  | 1,608                  | -                                |
| TOTAL CITY MANAGER        |                                 | <u>238,278</u>       | <u>241,750</u>       | <u>248,508</u>       | <u>279,970</u>       | <u>136,287</u>     | <u>274,553</u>         | <u>306,049</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - ADMINISTRATIVE SERVICES  
CITY CLERK  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>CITY CLERK</u>         |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5011-005-010              | Salaries, Regular               | 101,080              | 100,881              | 106,099              | 109,232              | 60,694             | 119,498                | 112,526                          |
| 5011-005-020              | Salaries, Part-time             | -                    | -                    | 414                  | -                    | -                  | -                      | -                                |
| 5011-005-090              | Benefits                        | 33,290               | 35,241               | 40,138               | 43,535               | 23,059             | 46,775                 | 53,328                           |
| TOTAL PERSONNEL SERVICES  |                                 | 134,370              | 136,123              | 146,651              | 152,767              | 83,754             | 166,273                | 165,854                          |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5011-005-190              | Other Equipment Maint           | 998                  | 558                  | 558                  | 600                  | 279                | 558                    | 400                              |
| 5011-005-210              | Advertising                     | 934                  | 3,334                | 1,161                | 1,000                | 575                | 1,149                  | 1,000                            |
| 5011-005-220              | Printing/Copying                | 8,445                | 399                  | 11,174               | 6,500                | 26                 | 52                     | 6,000                            |
| 5011-005-230              | Professional/Temp Service       | 35,989               | 500                  | 44,324               | 500                  | 6,564              | 7,064                  | 60,500                           |
| 5011-005-320              | Office/Computer Supplies        | 2,047                | 800                  | 1,188                | 500                  | 368                | 737                    | 600                              |
| 5011-005-410              | Meeting Expense                 | -                    | -                    | 657                  | 300                  | -                  | -                      | 100                              |
| 5011-005-420              | Utilities                       |                      |                      | 18                   | -                    | 221                | 443                    | 400                              |
| 5011-005-440              | Training Expense                | 665                  | 1,706                | 5,594                | 5,000                | 1,837              | 3,674                  | 4,000                            |
| 5011-005-450              | Publication and Dues            | 612                  | 1,280                | 469                  | 1,000                | 578                | 1,156                  | 800                              |
| 5011-005-460              | Postage                         | 254                  | 439                  | 491                  | 400                  | 266                | 531                    | 400                              |
| 5011-005-660              | Other Expense                   | -                    | 463                  | 8                    | 906                  | -                  | -                      | 2,506                            |
| 5011-005-710              | Office Equipment (over \$1,000) | -                    | 462                  | -                    | -                    |                    | -                      |                                  |
| TOTAL OTHER EXPENSES      |                                 | 49,943               | 9,940                | 65,642               | 16,706               | 10,714             | 15,364                 | 76,706                           |
| TOTAL CITY CLERK          |                                 | <u>184,313</u>       | <u>146,063</u>       | <u>212,293</u>       | <u>169,473</u>       | <u>94,468</u>      | <u>181,637</u>         | <u>242,560</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - ADMINISTRATIVE SERVICES  
HUMAN RESOURCES  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME               | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|----------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>HUMAN RESOURCES</u>    |                            |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5011-010-010              | Salaries, Regular          | 152,159              | 162,496              | 164,579              | 145,598              | 77,980             | 150,140                | 149,973                          |
| 5011-010-040              | Car Allowance              | 4,800                | 4,800                | 4,800                | 4,800                | 2,400              | 4,800                  | 4,800                            |
| 5011-010-090              | Benefits                   | 53,519               | 57,140               | 62,323               | 58,886               | 30,406             | 63,386                 | 72,280                           |
| TOTAL PERSONNEL SERVICES  |                            | 210,478              | 224,436              | 231,703              | 209,284              | 110,787            | 218,326                | 227,053                          |
| <u>OTHER EXPENSES</u>     |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5011-010-190              | Other Equipment Maint      | 186                  | 372                  | 580                  | 500                  | 690                | 939                    | 800                              |
| 5011-010-210              | Advertising                | 2,318                | 758                  | 945                  | 2,500                | 257                | 513                    | 2,000                            |
| 5011-010-220              | Printing/Copying           | 4,358                | 3,330                | 704                  | 500                  | 200                | 399                    | 400                              |
| 5011-010-230              | Professional/Temp Service  | 41,962               | 11,971               | 14,645               | 10,000               | 5,484              | 10,967                 | 10,000                           |
| 5011-010-260              | Rent of Property & Equipmt | (2,984)              | (365)                | 151                  | 200                  | 437                | 874                    | 600                              |
| 5011-010-320              | Office/Computer Supplies   | 3,060                | 3,090                | 3,767                | 2,500                | 2,271              | 4,543                  | 2,500                            |
| 5011-010-410              | Meeting Expense            | 1,881                | 1,345                | 1,646                | 1,500                | 1,153              | 1,854                  | 2,000                            |
| 5011-010-420              | Utilities                  | -                    | -                    | 36                   | -                    | -                  | -                      | -                                |
| 5011-010-440              | Training Expense           | 25,368               | 25,351               | 34,063               | 28,000               | 20,780             | 34,902                 | 28,000                           |
| 5011-010-450              | Publication and Dues       | 930                  | 1,640                | 4,360                | 500                  | 1,705              | 3,411                  | 800                              |
| 5011-010-460              | Postage                    | 714                  | 479                  | 1,007                | 600                  | 600                | 1,201                  | 800                              |
| 5011-010-660              | Other Expense              | 4,355                | 3,767                | 5,833                | 14,045               | 3,548              | 7,096                  | 12,945                           |
| TOTAL OTHER EXPENSES      |                            | 82,149               | 51,739               | 67,737               | 60,845               | 37,125             | 66,699                 | 60,845                           |
| TOTAL HUMAN RESOURCES     |                            | <u>292,627</u>       | <u>276,175</u>       | <u>299,440</u>       | <u>270,129</u>       | <u>147,912</u>     | <u>285,025</u>         | <u>287,898</u>                   |

**General Fund**  
**CITY ATTORNEY**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - ADMINISTRATIVE AND LEGAL  
CITY ATTORNEY  
FISCAL YEAR 2016/17

| ACCT# | ACCOUNT NAME                           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------|----------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
|       | CITY ATTORNEY                          |                      |                      |                      |                      |                    |                        |                                  |
|       | <u>OTHER EXPENSES</u>                  |                      |                      |                      |                      |                    |                        |                                  |
|       | 5011-050-230 Professional/Temp Service | 236,592              | 135,575              | 221,915              | 225,000              | 117,544            | 250,007                | 225,000                          |
|       | 5011-050-410 Meeting Expense           | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
|       | TOTAL OTHER EXPENSES                   | 236,592              | 135,575              | 221,915              | 225,000              | 117,544            | 250,007                | 225,000                          |
|       | TOTAL CITY ATTORNEY                    | <u>236,592</u>       | <u>135,575</u>       | <u>221,915</u>       | <u>225,000</u>       | <u>117,544</u>     | <u>250,007</u>         | <u>225,000</u>                   |

**General Fund**  
**FINANCE**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - FINANCE DEPARTMENT  
FINANCE  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>FINANCE</u>            |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-001-010              | Salaries, Regular               | 307,549              | 338,642              | 326,613              | 309,375              | 160,648            | 321,296                | 322,816                          |
| 5012-001-040              | Car Allowance                   | 4,800                | 4,800                | 4,800                | 4,800                | 2,400              | 4,800                  | 4,800                            |
| 5012-001-090              | Benefits                        | 104,289              | 121,368              | 130,537              | 134,384              | 64,478             | 139,416                | 154,389                          |
| TOTAL PERSONNEL SERVICES  |                                 | 416,638              | 464,810              | 461,950              | 448,559              | 227,526            | 465,512                | 482,006                          |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-001-140              | Computer Equip Maint            | 158                  | 3                    | -                    | 500                  | -                  | -                      | 500                              |
| 5012-001-190              | Other Equipment Maint           | 1,860                | 1,860                | 1,860                | 3,000                | 930                | 1,860                  | 3,000                            |
| 5012-001-220              | Printing/Copying                | 6,345                | 5,141                | 697                  | 6,000                | 279                | 559                    | 3,000                            |
| 5012-001-230              | Professional/Temp Service       | 6,374                | 542                  | 3,825                | 7,000                | 5,998              | 5,998                  | 7,000                            |
| 5012-001-260              | Rent of Property & Equipmt      | 1,863                | 2,652                | 989                  | 2,000                | 349                | 940                    | 2,000                            |
| 5012-001-320              | Office/Computer Supplies        | 5,939                | 9,137                | 7,006                | 9,000                | 3,414              | 7,975                  | 10,000                           |
| 5012-001-350              | Tools/Equipment (under \$1,000) | 59                   | -                    | -                    | 100                  | -                  | 52                     | 100                              |
| 5012-001-410              | Meeting Expense                 | -                    | -                    | -                    | 500                  | -                  | -                      | 500                              |
| 5012-001-420              | Utilities                       | 1,142                | 996                  | 785                  | 1,500                | 351                | 701                    | 1,500                            |
| 5012-001-440              | Training Expense                | 241                  | 131                  | 1,439                | 3,000                | -                  | 30                     | 3,000                            |
| 5012-001-450              | Publication and Dues            | 1,379                | 999                  | 1,084                | 1,000                | 288                | 1,307                  | 2,000                            |
| 5012-001-460              | Postage                         | 6                    | 14                   | 11                   | 100                  | -                  | 10                     | 100                              |
| 5012-001-660              | Other Expense                   | 3,168                | 3,279                | 3,058                | 6,995                | 1,062              | 2,684                  | 7,995                            |
| TOTAL OTHER EXPENSES      |                                 | 28,532               | 24,754               | 20,754               | 40,695               | 12,670             | 22,116                 | 40,695                           |
| TOTAL FINANCE             |                                 | 445,170              | 489,564              | 482,705              | 489,254              | 240,197            | 487,629                | 522,701                          |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - FINANCE DEPARTMENT  
INFORMATION TECHNOLOGY  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                            | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>INFORMATION TECHNOLOGY</u>                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                     |                      |                      |                      |                      |                    |                        |                                  |
| 5012-020-010 Salaries, Regular                | 152,712              | 162,854              | 175,494              | 160,812              | 83,861             | 167,722                | 168,111                          |
| 5012-020-020 Salaries, Part-time              | 4,766                | -                    | -                    | -                    | -                  | -                      | -                                |
| 5012-020-090 Benefits                         | 51,271               | 57,284               | 68,484               | 69,046               | 33,052             | 68,167                 | 78,879                           |
| TOTAL PERSONNEL SERVICES                      | 208,749              | 220,138              | 243,978              | 229,858              | 116,913            | 235,889                | 246,990                          |
| <u>OTHER EXPENSES</u>                         |                      |                      |                      |                      |                    |                        |                                  |
| 5012-020-140 Computer Equipment Maint         | 90,925               | 108,786              | 113,154              | 115,000              | 76,852             | 109,103                | 120,000                          |
| 5012-020-190 Other Equipment Maint            | 4,648                | 4,228                | 3,320                | 5,000                | 2,952              | 4,768                  | 6,000                            |
| 5012-020-220 Printing/Copying                 | 11                   | 1                    | 7                    | 50                   | 1                  | 1                      | 50                               |
| 5012-020-230 Professional/Temp Service        | 187                  | 518                  | 6,561                | 8,000                | 1,623              | 3,245                  | 8,000                            |
| 5012-020-320 Office/Computer Supplies         | 1,893                | 3,383                | 1,726                | 2,500                | 1,645              | 3,291                  | 5,000                            |
| 5012-020-350 Tools/Equipment (under \$1,000)  | 2,713                | 2,458                | 3,452                | 4,000                | 436                | 1,671                  | 4,000                            |
| 5012-020-410 Meeting Expense                  | 30                   | 12                   | -                    | 50                   | -                  | -                      | 100                              |
| 5012-020-420 Utilities                        | 689                  | 943                  | 476                  | 2,000                | 230                | 473                    | 1,000                            |
| 5012-020-440 Training Expense                 | 655                  | 980                  | 2,303                | 5,000                | 2,980              | 2,980                  | 5,000                            |
| 5012-020-450 Publication and Dues             | 30                   | 160                  | -                    | 300                  | -                  | -                      | 300                              |
| 5012-020-490 Software Costs (under \$1,000)   | 416                  | 30                   | 262                  | 2,000                | 685                | 2,767                  | 5,000                            |
| 5012-020-660 Other Expense                    | 1,459                | 113                  | 54                   | 5,000                | 47                 | 94                     | 450                              |
| TOTAL OTHER EXPENSES                          | 103,656              | 121,613              | 131,316              | 148,900              | 87,450             | 128,393                | 154,900                          |
| <u>CAPITAL OUTLAY</u>                         |                      |                      |                      |                      |                    |                        |                                  |
| 5012-020-740 Computer Equip (over \$1,000)    | 19,661               | 18,568               | 10,436               | 30,000               | -                  | -                      | 30,000                           |
| 5012-020-750 Computer Software (over \$1,000) | -                    | -                    | -                    | 6,000                | 1,500              | 1,500                  | 6,000                            |
| TOTAL CAPITAL OUTLAY                          | 19,661               | 18,568               | 10,436               | 36,000               | 1,500              | 1,500                  | 36,000                           |
| TOTAL INFORMATION SERVICES                    | 332,066              | 360,319              | 385,731              | 414,758              | 205,864            | 365,781                | 437,890                          |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - FINANCE DEPARTMENT  
GENERAL SERVICES  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>GENERAL SERVICES</u>   |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-050-010              | Salaries, Regular               | 73,406               | 63,540               | 67,895               | 70,239               | 35,763             | 71,525                 | 72,348                           |
| 5012-050-090              | Benefits                        | 24,221               | 21,613               | 25,630               | 30,867               | 14,337             | 30,577                 | 35,243                           |
| TOTAL PERSONNEL SERVICES  |                                 | 97,627               | 85,152               | 93,525               | 101,106              | 50,100             | 102,102                | 107,592                          |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-050-190              | Other Equipment Maint           | 372                  | 186                  | 186                  | 186                  | 93                 | 186                    | 186                              |
| 5012-050-220              | Printing/Copying                | 415                  | 307                  | 52                   | 800                  | 20                 | 40                     | 800                              |
| 5012-050-260              | Rent of Property & Equipmt      | 10,967               | 8,249                | 11,189               | 15,000               | 6,954              | 13,907                 | 20,000                           |
| 5012-050-320              | Office/Computer Supplies        | 4,405                | 4,800                | 282                  | 5,000                | 1,217              | 2,434                  | 7,000                            |
| 5012-050-350              | Tools/Equipment (under \$1,000) | -                    | -                    | -                    | 200                  | -                  | -                      | 200                              |
| 5012-050-410              | Meeting Expense                 | -                    | -                    | -                    | 100                  | -                  | -                      | 100                              |
| 5012-050-420              | Utilities                       | 119,439              | 120,547              | 117,956              | 143,354              | 35,573             | 74,489                 | 120,000                          |
| 5012-050-440              | Training Expense                | 35                   | -                    | -                    | 400                  | -                  | -                      | 400                              |
| 5012-050-450              | Publication and Dues            | 295                  | 295                  | 295                  | 500                  | 165                | 330                    | 500                              |
| 5012-050-460              | Postage                         | 13,642               | 8,639                | 11,613               | 21,900               | 8,476              | 20,479                 | 25,000                           |
| 5012-050-520              | Insurance, Liability            | 85,307               | 85,307               | 85,307               | 85,307               | 42,653             | 85,306                 | 85,307                           |
| 5012-050-660              | Other Expense                   | -                    | -                    | 3,962                | 636                  | -                  | -                      | 7,890                            |
| TOTAL OTHER EXPENSES      |                                 | 234,877              | 228,330              | 230,842              | 273,383              | 95,150             | 197,171                | 267,383                          |
| TOTAL GENERAL SERVICES    |                                 | <u>332,504</u>       | <u>313,482</u>       | <u>324,367</u>       | <u>374,489</u>       | <u>145,250</u>     | <u>299,273</u>         | <u>374,975</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - FINANCE DEPARTMENT  
UTILITY BILLING AND COLLECTIONS  
FISCAL YEAR 2016/17

| ACCT#                                   | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>UTILITY BILLING &amp; COLLECTION</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>               |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-075-010                            | Salaries, Regular               | 187,354              | 190,410              | 205,780              | 225,132              | 116,238            | 232,476                | 241,981                          |
| 5012-075-020                            | Salaries, Part-time             | 12,939               | 1,494                | -                    | -                    | -                  | -                      | -                                |
| 5012-075-030                            | Salaries, Overtime              | 413                  | -                    | 245                  | 1,000                | -                  | -                      | 1,000                            |
| 5012-075-090                            | Benefits                        | 72,024               | 66,985               | 89,586               | 112,450              | 52,232             | 112,535                | 131,096                          |
| TOTAL PERSONNEL SERVICES                |                                 | 272,728              | 258,890              | 295,611              | 338,582              | 168,471            | 345,011                | 374,076                          |
| <u>OTHER EXPENSES</u>                   |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5012-075-190                            | Other Equipment Maint           | 450                  | 515                  | -                    | 1,000                | -                  | -                      | 800                              |
| 5012-075-220                            | Printing/Copying                | 86                   | 15                   | 29                   | 150                  | 14                 | 27                     | 150                              |
| 5012-075-230                            | Professional/Temp Service       | 1                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5012-075-320                            | Office/Computer Supplies        | 651                  | 643                  | 428                  | 1,044                | 118                | 236                    | 744                              |
| 5012-075-350                            | Tools/Equipment (under \$1,000) | 173                  | -                    | -                    | 200                  | 453                | 505                    | 800                              |
| 5012-075-410                            | Meeting Expense                 | 35                   | -                    | -                    | 100                  | -                  | -                      | 100                              |
| 5012-075-440                            | Training Expense                | -                    | -                    | 175                  | 800                  | -                  | -                      | 500                              |
| 5012-075-450                            | Publication and Dues            | 55                   | 552                  | 1,011                | 1,000                | 417                | 919                    | 1,200                            |
| 5012-075-660                            | Other Expense                   | 64                   | 15                   | 178                  | 200                  | -                  | -                      | 200                              |
| TOTAL OTHER EXPENSES                    |                                 | 1,514                | 1,740                | 1,822                | 4,494                | 1,002              | 1,687                  | 4,494                            |
| TOTAL UTILITY BILLING & COLLECTION      |                                 | <u>274,243</u>       | <u>260,629</u>       | <u>297,433</u>       | <u>343,076</u>       | <u>169,473</u>     | <u>346,698</u>         | <u>378,570</u>                   |

**General Fund**  
**POLICE SERVICES**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - POLICE DEPARTMENT  
POLICE ADMINISTRATION  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                             | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <b>POLICE ADMINISTRATION</b>                   |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                      |                      |                      |                      |                      |                    |                        |                                  |
| 5020-001-010 Salaries, Regular                 | 3,836,607            | 4,192,587            | 4,299,506            | 4,646,622            | 2,075,973          | 4,151,947              | 4,894,474                        |
| 5020-001-020 Salaries, Part-time               | 119,310              | 56,169               | 96,882               | 120,000              | 56,450             | 112,900                | 120,000                          |
| 5020-001-030 Salaries, Overtime                | 279,150              | 281,961              | 254,374              | 300,000              | 129,975            | 259,949                | 300,000                          |
| 5020-001-090 Benefits                          | 1,877,840            | 2,028,937            | 2,166,083            | 2,391,336            | 1,051,108          | 2,102,216              | 2,801,693                        |
| TOTAL PERSONNEL SERVICES                       | 6,112,907            | 6,559,654            | 6,816,845            | 7,457,958            | 3,313,506          | 6,627,012              | 8,116,167                        |
| <u>OTHER EXPENSES</u>                          |                      |                      |                      |                      |                    |                        |                                  |
| 5020-001-110 Vehicle Maintenance               | 753,457              | 826,475              | 535,115              | 669,907              | 184,014            | 668,028                | 617,257                          |
| 5020-001-120 Building/Grounds Maint            | 36,803               | 46,202               | 44,487               | 40,000               | 19,026             | 38,051                 | 40,000                           |
| 5020-001-140 Computer Equip Maint              | 98,236               | 88,516               | 119,133              | 100,000              | 89,139             | 103,009                | 105,000                          |
| 5020-001-190 Other Equipment Maint             | 20,916               | 15,757               | 16,908               | 25,000               | 6,920              | 13,839                 | 20,000                           |
| 5020-001-220 Printing/Copying                  | 13,990               | 14,123               | 10,839               | 7,000                | 3,545              | 7,090                  | 7,000                            |
| 5020-001-230 Professional/Temp Service         | 201,288              | 198,785              | 244,930              | 241,000              | 103,607            | 241,892                | 250,000                          |
| 5020-001-260 Rent of Property & Equipmt        | 12,397               | 11,058               | 4,135                | 5,000                | 7,049              | 14,098                 | 15,000                           |
| 5020-001-320 Office/Computer Supplies          | 25,161               | 41,615               | 30,030               | 30,000               | 14,317             | 28,634                 | 32,000                           |
| 5020-001-350 Tools & Equipment (under \$1,000) | 15,314               | 26,269               | 30,687               | 17,000               | 4,510              | 9,020                  | 15,000                           |
| 5020-001-410 Meeting Expense                   | 3,284                | 2,963                | 1,425                | 3,000                | 426                | 852                    | 2,000                            |
| 5020-001-420 Utilities                         | 91,481               | 101,176              | 115,011              | 115,000              | 50,909             | 101,819                | 115,000                          |
| 5020-001-430 Uniform Allowance                 | 28,177               | 5,627                | 14,704               | 15,000               | 12,485             | 24,969                 | 20,000                           |
| 5020-001-440 Training Expense                  | 37,325               | 76,348               | 46,828               | 55,000               | 35,597             | 71,194                 | 75,000                           |
| 5020-001-450 Publication and Dues              | 4,533                | 7,888                | 7,474                | 5,000                | 3,829              | 7,658                  | 5,000                            |
| 5020-001-460 Postage                           | 2,467                | 2,724                | 3,249                | 1,000                | 1,510              | 3,019                  | 3,000                            |
| 5020-001-470 Range Expense                     | -                    | 8,995                | 11,535               | 5,000                | 7,374              | 14,748                 | 12,000                           |
| 5020-001-480 Firearms Expense                  | 6,863                | 10,393               | 10,992               | 12,000               | 9,034              | 18,068                 | 15,000                           |
| 5020-001-490 Investigation Costs               | 13,772               | 9,581                | 3,672                | 10,000               | 767                | 1,533                  | 7,000                            |
| 5020-001-520 Insurance/Liability               | 114,000              | 114,000              | 114,000              | 114,000              | 57,000             | 114,000                | 114,000                          |
| 5020-001-660 Other Expense                     | 15,904               | 14,821               | 17,546               | 15,000               | 9,356              | 18,711                 | 15,650                           |
| 5020-001-680 Booking Fees                      | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5020-001-690 Animal Control                    | 96,872               | 92,139               | 113,862              | 110,000              | 49,802             | 99,605                 | 110,000                          |
| TOTAL OTHER EXPENSES                           | 1,592,241            | 1,715,456            | 1,496,563            | 1,594,907            | 670,214            | 1,599,837              | 1,594,907                        |
| <u>CAPITAL OUTLAY</u>                          |                      |                      |                      |                      |                    |                        |                                  |
| 5020-001-720 Automotive Equipment              | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5020-001-730 Other Mach/Equip (over \$1,000)   | -                    | 18,328               | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY                           | -                    | 18,328               | -                    | -                    | -                  | -                      | -                                |
| TOTAL POLICE ADMINISTRATION                    | 7,705,148            | 8,293,438            | 8,313,408            | 9,052,865            | 3,983,721          | 8,226,850              | 9,711,074                        |



**General Fund**  
**FIRE SERVICES**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEET - FIRE DEPARTMENT  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|----------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>FIRE DEPARTMENT</u>                       |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                    |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-010 Salaries, Regular               | 1,875,419            | 1,757,994            | 1,915,304            | 2,071,416            | 903,160            | 1,806,320              | 2,114,188                        |
| 5021-001-020 Salaries, Part-time             | 49,603               | 97,019               | 86,873               | 56,159               | 24,708             | 49,415                 | 58,900                           |
| 5021-001-030 Salaries, Overtime              | 71,862               | (1,438)              | (36,549)             | 98,787               | 155,751            | 77,414                 | 105,820                          |
| 5021-001-090 Benefits                        | 956,601              | 922,383              | 1,031,713            | 1,097,401            | 506,090            | 1,012,179              | 1,207,472                        |
| TOTAL PERSONNEL SERVICES                     | 2,953,485            | 2,775,958            | 2,997,341            | 3,323,763            | 1,589,708          | 2,945,328              | 3,486,380                        |
| <u>OTHER EXPENSES</u>                        |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-110 Vehicle Maintenance             | 338,844              | 300,200              | 314,399              | 351,400              | 166,982            | 333,964                | 351,400                          |
| 5021-001-120 Building/Grounds Maint          | 7,671                | 7,436                | 9,253                | 8,000                | 1,764              | 3,527                  | 8,000                            |
| 5021-001-140 Computer Equip Maint            | 4,094                | 3,535                | 3,402                | 4,000                | 1,674              | 3,348                  | 4,000                            |
| 5021-001-190 Other Equipment Maint           | 7,836                | 27,808               | 20,170               | 17,500               | 13,388             | 26,775                 | 17,500                           |
| 5021-001-220 Printing/Copying                | 2,788                | 2,338                | 1,327                | 2,000                | 562                | 1,125                  | 2,000                            |
| 5021-001-230 Professional/Temp Service       | 1,884                | 4,355                | 5,463                | 4,500                | 498                | 997                    | 4,500                            |
| 5021-001-260 Rent of Property & Equipmt      | 5,588                | 5,334                | 3,608                | 6,000                | 3,224              | 6,449                  | 6,000                            |
| 5021-001-320 Office/Computer Supplies        | 3,272                | 7,375                | 2,716                | 3,800                | 744                | 1,489                  | 3,800                            |
| 5021-001-330 Janitorial Supplies             | 3,171                | 2,403                | 2,655                | 4,000                | 1,222              | 2,444                  | 4,000                            |
| 5021-001-350 Tools/Equipment (under \$1,000) | 6,775                | 14,420               | 14,995               | 8,000                | 11,570             | 23,140                 | 8,000                            |
| 5021-001-410 Meeting Expense                 | 1,635                | 498                  | 4,543                | 2,000                | 647                | 1,294                  | 2,000                            |
| 5021-001-420 Utilities                       | 48,712               | 40,511               | 35,201               | 49,000               | 20,601             | 41,203                 | 49,000                           |
| 5021-001-430 Uniform Allowance               | 5,481                | 5,982                | 3,691                | 6,000                | 5,386              | 10,772                 | 6,000                            |
| 5021-001-440 Training Expense                | 8,096                | 5,443                | 3,384                | 10,000               | 8,324              | 14,048                 | 10,000                           |
| 5021-001-450 Publication and Dues            | 5,628                | 6,605                | 6,344                | 6,000                | 3,744              | 7,487                  | 6,000                            |
| 5021-001-460 Postage                         | 825                  | 1,801                | 557                  | 1,500                | 775                | 1,550                  | 1,500                            |
| 5021-001-480 Fire Act Grant                  | -                    | -                    | 1,820                | -                    | -                  | -                      | -                                |
| 5021-001-520 Insurance, Liability            | 55,442               | 55,442               | 55,442               | 55,442               | 27,722             | 55,444                 | 55,442                           |
| 5021-001-660 Other Expense                   | 13,209               | 7,935                | 4,934                | 14,000               | 3,175              | 6,349                  | 14,000                           |
| TOTAL OTHER EXPENSES                         | 520,949              | 499,424              | 493,904              | 553,142              | 272,002            | 541,405                | 553,142                          |
| <u>CAPITAL OUTLAY</u>                        |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-730 Other Mach/Equip (over \$1,000) | 10,006               | 6,441                | 1,511                | -                    | 4,591              | 16,659                 | -                                |
| TOTAL CAPITAL OUTLAY                         | 10,006               | 6,441                | 1,511                | -                    | 4,591              | 16,659                 | -                                |
| TOTAL FIRE DEPARTMENT                        | 3,484,439            | 3,281                | 3,492,755            | 3,876,905            | 1,866,301          | 3,503,393              | 4,039,522                        |

**General Fund**  
**COMMUNITY DEVELOPMENT**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PLANNING  
FISCAL YEAR 2016/17

| ACCT#                        | ACCOUNT NAME                      | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------|-----------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>PLANNING &amp; ZONING</u> |                                   |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>    |                                   |                      |                      |                      |                      |                    |                        |                                  |
| 5030-020-010                 | Salaries, Regular                 | 285,155              | 299,347              | 236,710              | 328,735              | 140,803            | 281,606                | 352,725                          |
| 5030-020-020                 | Salaries, Part-time               | -                    | 2,622                | 6,867                | -                    | -                  | -                      | -                                |
| 5030-020-030                 | Salaries, Overtime                | -                    | -                    | 172                  | -                    | -                  | -                      | -                                |
| 5030-020-040                 | Car Allowance                     | 9,300                | 8,800                | 3,000                | 9,600                | 10,400             | 15,200                 | 9,600                            |
| 5030-020-090                 | Benefits                          | 90,459               | 92,789               | 88,429               | 115,034              | 56,090             | 112,179                | 169,968                          |
| TOTAL PERSONNEL SERVICES     |                                   | 384,914              | 403,559              | 335,178              | 453,369              | 207,293            | 408,985                | 532,293                          |
| <u>OTHER EXPENSES</u>        |                                   |                      |                      |                      |                      |                    |                        |                                  |
| 5030-020-190                 | Other Equipment Maint             | 4,984                | 6,867                | 2,641                | 9,000                | 2,043              | 4,086                  | 4,500                            |
| 5030-020-210                 | Advertising                       | 2,570                | 2,579                | 3,214                | 4,000                | 1,612              | 3,224                  | 4,000                            |
| 5030-020-220                 | Printing/Copying                  | 7,384                | 5,844                | 1,623                | 6,200                | 1,098              | 2,195                  | 4,000                            |
| 5030-020-230                 | Professional/Temp Service         | 15,838               | 7,547                | 12,171               | 9,000                | 26,482             | 26,482                 | 12,000                           |
| 5030-020-260                 | Rent of Property & Equipmt        | 10,018               | 9,251                | 1,550                | 9,500                | 1,745              | 3,490                  | 10,000                           |
| 5030-020-320                 | Office/Computer Supplies          | 7,813                | 10,642               | 7,976                | 11,000               | 4,205              | 8,409                  | 11,000                           |
| 5030-020-350                 | Tools/Equipment under \$1000      | -                    | -                    | 307                  | -                    | 292                | 583                    | 500                              |
| 5030-020-410                 | Meeting Expense                   | 3,296                | 2,486                | 1,343                | 3,000                | 1,895              | 3,791                  | 4,000                            |
| 5030-020-420                 | Utilities                         | 178                  | 180                  | 292                  | 600                  | 487                | 973                    | 1,000                            |
| 5030-020-440                 | Training Expense                  | 3,638                | 2,996                | 3,629                | 4,000                | 450                | 900                    | 4,000                            |
| 5030-020-450                 | Publication and Dues              | 4,012                | 3,592                | 3,112                | 4,000                | 1,964              | 3,928                  | 4,000                            |
| 5030-020-460                 | Postage                           | 619                  | 404                  | 1,037                | 1,000                | 804                | 1,609                  | 2,000                            |
| 5030-020-660                 | Other Expense                     | 1,570                | 3,154                | 7,386                | 6,863                | 2,668              | 5,336                  | 7,163                            |
| TOTAL OTHER EXPENSES         |                                   | 61,920               | 55,543               | 46,280               | 68,163               | 45,744             | 65,006                 | 68,163                           |
| <u>CAPITAL OUTLAY</u>        |                                   |                      |                      |                      |                      |                    |                        |                                  |
| 5030-020-710                 | Office Equipment (over \$1,000)   | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5030-020-740                 | Computer Equipment (over \$1,000) | -                    | -                    | 724                  | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY         |                                   | -                    | -                    | 724                  | -                    | -                  | -                      | -                                |
| TOTAL PLANNING & ZONING      |                                   | <u>446,833</u>       | <u>412,514</u>       | <u>382,182</u>       | <u>521,532</u>       | <u>253,037</u>     | <u>473,991</u>         | <u>600,456</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - ECONOMIC DEVELOPMENT  
FISCAL YEAR 2016/17

| ACCT#                       | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>ECONOMIC DEVELOPMENT</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>   |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5030-025-010                | Salaries, Regular         | 178,191              | 172,734              | 158,606              | 189,009              | 72,377             | 144,755                | 202,236                          |
| 5030-025-020                | Salaries, Part-time       | -                    | 1,032                | 1,670                | -                    | -                  | -                      | -                                |
| 5030-025-030                | Salaries, Overtime        | -                    | -                    | 145                  | -                    | -                  | -                      | -                                |
| 5030-025-090                | Benefits                  | 53,184               | 55,788               | 58,718               | 64,263               | 28,024             | 56,049                 | 100,323                          |
| TOTAL PERSONNEL SERVICES    |                           | 231,376              | 229,554              | 219,140              | 253,272              | 100,402            | 200,803                | 302,558                          |
| <u>OTHER EXPENSES</u>       |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5030-025-110                | Vehicle Maintenance       | 2,688                | 3,433                | 2,970                | 3,760                | 1,226              | 2,452                  | 2,007                            |
| 5030-025-210                | Advertising               | 600                  | 250                  | 1,367                | 1,000                | 953                | 1,907                  | 2,000                            |
| 5030-025-220                | Printing/Copying          | 147                  | 108                  | 7                    | 200                  | 4                  | 7                      | 200                              |
| 5030-025-230                | Professional/Temp Service | -                    | 1                    | -                    | 100                  | -                  | -                      | -                                |
| 5030-025-320                | Office/Computer Supplies  | 115                  | 116                  | 368                  | 200                  | 26                 | 52                     | 300                              |
| 5030-025-410                | Meeting Expense           | 3,704                | 3,056                | 2,588                | 1,500                | 362                | 725                    | 3,000                            |
| 5030-025-440                | Training Expense          | 2,078                | 2,154                | 2,274                | 3,000                | 125                | 251                    | 3,500                            |
| 5030-025-450                | Publication and Dues      | 3,225                | 4,732                | 1,541                | 5,000                | -                  | -                      | 2,500                            |
| 5030-025-460                | Postage                   | 159                  | 9                    | 8                    | 100                  | -                  | -                      | 100                              |
| 5030-025-490                | Special Consumables       | 24,591               | 22,907               | 19,489               | 30,500               | 3,008              | 6,017                  | 29,901                           |
| 5030-025-660                | Other Expense             | 175                  | 623                  | 179                  | 1,228                | 6                  | 11                     | 3,080                            |
| TOTAL OTHER EXPENSES        |                           | 37,481               | 37,390               | 30,791               | 46,588               | 5,710              | 11,421                 | 46,588                           |
| TOTAL ECONOMIC DEVELOPMENT  |                           | <u>268,857</u>       | <u>266,943</u>       | <u>249,931</u>       | <u>299,860</u>       | <u>106,112</u>     | <u>212,224</u>         | <u>349,146</u>                   |

**General Fund**  
**PUBLIC WORKS**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PUBLIC WORKS  
ENGINEERING AND BUILDING INSPECTION  
FICAL YEAR 2016/17

| ACCT#                         | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| ENGINEERING & BLDG INSP       |                                 |                      |                      |                      |                      |                    |                        |                                  |
| PERSONNEL SERVICES            |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5030-010-010                  | Salaries, Regular               | 525,711              | 497,466              | 588,463              | 659,997              | 279,029            | 558,058                | 687,251                          |
| 5030-010-020                  | Salaries, Part-time             | 2,918                | 3,603                | 3,743                | -                    | -                  | -                      | -                                |
| 5030-010-030                  | Salaries, Overtime              | (123)                | 84                   | -                    | -                    | -                  | -                      | -                                |
| 5030-010-040                  | Car Allowance                   | 4,800                | 4,800                | 4,000                | 9,600                | 2,000              | 4,000                  | 4,800                            |
| 5030-010-090                  | Benefits                        | 192,542              | 178,059              | 233,217              | 241,055              | 117,054            | 234,108                | 354,357                          |
| TOTAL PERSONNEL SERVICES      |                                 | 725,848              | 684,012              | 829,423              | 910,652              | 398,083            | 796,166                | 1,046,408                        |
| OTHER EXPENSES                |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5030-010-110                  | Vehicle Maintenance             | 32,610               | 36,531               | 39,116               | 38,288               | 19,612             | 39,225                 | 15,430                           |
| 5030-010-190                  | Other Equipment Maint           | 22,829               | 32,981               | 17,118               | 28,212               | 14,814             | 29,628                 | 25,470                           |
| 5030-010-220                  | Printing/Copying                | 6,839                | 5,636                | 2,015                | 5,000                | 1,175              | 2,351                  | 5,000                            |
| 5030-010-230                  | Professional/Temp Service       | 3,621                | 4,886                | 21,260               | 7,000                | 7,291              | 14,582                 | 25,000                           |
| 5030-010-260                  | Rent of Property & Equipmt      | 9,097                | 8,553                | 1,922                | 4,700                | 2,427              | 4,853                  | 9,600                            |
| 5030-010-320                  | Office/Computer Supplies        | 4,724                | 11,671               | 6,109                | 7,000                | 2,124              | 4,247                  | 7,000                            |
| 5030-010-350                  | Tools/Equipment (under \$1,000) | 10                   | 63                   | 622                  | 500                  | 32                 | 64                     | 500                              |
| 5030-010-410                  | Meeting Expense                 | 160                  | 144                  | 24                   | 300                  | -                  | -                      | 1,000                            |
| 5030-010-420                  | Utilities                       | 3,688                | 3,377                | 3,614                | 4,000                | 2,187              | 4,373                  | 4,000                            |
| 5030-010-430                  | Uniform Allowance               | 289                  | 727                  | 342                  | 800                  | -                  | -                      | 800                              |
| 5030-010-440                  | Training Expense                | 3,785                | 3,323                | 5,521                | 4,000                | 220                | 440                    | 5,000                            |
| 5030-010-450                  | Publication and Dues            | 4,849                | 2,659                | 2,907                | 3,550                | 1,301              | 2,602                  | 3,550                            |
| 5030-010-460                  | Postage                         | 323                  | 245                  | 312                  | 500                  | 177                | 355                    | 500                              |
| 5030-010-660                  | Other Expense                   | 5,996                | 7,219                | 13,228               | 11,000               | 5,979              | 11,958                 | 12,000                           |
| TOTAL OTHER EXPENSES          |                                 | 98,820               | 118,015              | 114,111              | 114,850              | 57,339             | 114,678                | 114,850                          |
| TOTAL ENGINEERING & BLDG INSP |                                 | <u>824,668</u>       | <u>802,027</u>       | <u>943,534</u>       | <u>1,025,502</u>     | <u>455,422</u>     | <u>910,844</u>         | <u>1,161,258</u>                 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

STREET MAINTENANCE

|                          |                                 |         |         |         |         |         |         |         |
|--------------------------|---------------------------------|---------|---------|---------|---------|---------|---------|---------|
| 001 5030-030-010         | Salaries, Regular               | 108,630 | 103,881 | 95,621  | 145,093 | 47,792  | 95,583  | 153,949 |
| 001 5030-030-020         | Salaries, Part-time             | -       | -       | 8,446   | -       | -       | -       | -       |
| 001 5030-030-030         | Salaries, Overtime              | 1,686   | 1,453   | 1,298   | 2,000   | 574     | 1,149   | 2,000   |
| 001 5030-030-090         | Benefits                        | 50,176  | 46,970  | 48,619  | 71,379  | 24,155  | 48,310  | 86,773  |
| 001 5030-030-110         | Vehicle Maintenance             | 152,026 | 145,163 | 133,270 | 139,720 | 69,759  | 139,518 | 127,570 |
| 001 5030-030-120         | Building/Grounds Maint          | 2,645   | 1,709   | 2,667   | 2,000   | 1,734   | 3,468   | 2,000   |
| 001 5030-030-190         | Other Equipment Maint           | 17,222  | 16,502  | 9,305   | 12,492  | 5,620   | 11,240  | 10,330  |
| 001 5030-030-220         | Printing/Copying                | 104     | 91      | 37      | 200     | 17      | 35      | 200     |
| 001 5030-030-230         | Professional/Temp Service       | 178     | 1,922   | 231     | 300     | 126     | 252     | 300     |
| 001 5030-030-260         | Rent of Property & Equipment    | 122     | -       | 66      | -       | 436     | 872     | -       |
| 001 5030-030-320         | Office/Computer Supplies        | 385     | 1,710   | 308     | 500     | 19      | 38      | 500     |
| 001 5030-030-340         | Maint & Repair Materials        | 18,163  | 6,302   | 8,274   | 12,304  | 1,307   | 2,613   | 25,686  |
| 001 5030-030-350         | Tools/Equipment (under \$1,000) | 200     | 376     | 285     | 500     | 156     | 312     | 500     |
| 001 5030-030-420         | Utilities                       | 207     | 262     | 369     | 250     | 698     | 1,396   | 400     |
| 001 5030-030-430         | Uniform Allowance               | 2,220   | 2,092   | 2,673   | 2,220   | 1,178   | 2,357   | 3,000   |
| 001 5030-030-440         | Training Expense                | 2,819   | 3,587   | 918     | 800     | -       | -       | 800     |
| 001 5030-030-450         | Publication and Dues            | 510     | 350     | 375     | 500     | 229     | 458     | 500     |
| 001 5030-030-460         | Postage                         | 21      | -       | -       | -       | -       | -       | -       |
| 001 5030-030-520         | Insurance, Liability            | 30,287  | 30,287  | 30,287  | 30,287  | 15,143  | 30,286  | 30,287  |
| 001 5030-030-660         | Other Expense                   | 3,966   | 3,834   | 3,554   | 4,000   | 1,144   | 2,288   | 4,000   |
| TOTAL STREET MAINTENANCE |                                 | 391,567 | 366,489 | 346,603 | 424,545 | 170,087 | 340,173 | 448,795 |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

STREET SIGNALS, SIGNS, STRIPING

|                                       |                                 |         |         |         |         |         |         |         |
|---------------------------------------|---------------------------------|---------|---------|---------|---------|---------|---------|---------|
| 001 5030-035-010                      | Salaries, Regular               | 97,746  | 101,684 | 101,385 | 106,851 | 45,284  | 90,568  | 110,980 |
| 001 5030-035-030                      | Salaries, Overtime              | 572     | 771     | 1,457   | 1,963   | 845     | 1,689   | 1,963   |
| 001 5030-035-090                      | Benefits                        | 39,602  | 39,955  | 45,311  | 48,238  | 21,440  | 42,880  | 59,568  |
| 001 5030-035-110                      | Vehicle Maintenance             | 14,235  | 9,058   | 10,967  | 15,000  | 9,640   | 19,279  | 15,000  |
| 001 5030-035-190                      | Other Equipment Maint           | 672     | 672     | 672     | -       | -       | -       | -       |
| 001 5030-035-230                      | Professional/Temp Service       | 72,024  | 86,910  | 92,487  | 65,000  | 4,702   | 9,404   | 65,000  |
| 001 5030-035-320                      | Office/Computer Supplies        | 119     | (0)     | 111     | -       | -       | -       | -       |
| 001 5030-035-340                      | Maint and Repair Materials      | 124,531 | 99,392  | 96,479  | 92,536  | 47,883  | 95,765  | 87,536  |
| 001 5030-035-350                      | Tools/Equipment (under \$1,000) | 80      | 20      | 319     | 500     | -       | -       | 500     |
| 001 5030-035-420                      | Utilities                       | 30,281  | 31,789  | 34,302  | 30,000  | 14,629  | 33,175  | 35,000  |
| 001 5030-035-430                      | Uniform Allowance               | 1,861   | 1,305   | 1,201   | 2,000   | 669     | 1,338   | 2,000   |
| 001 5030-035-440                      | Training Expense                | 1,051   | (310)   | 40      | -       | -       | -       | -       |
| 001 5030-035-450                      | Publication and Dues            | 140     | 140     | 150     | 100     | 225     | 225     | 100     |
| 001 5030-035-660                      | Other Expense                   | 637     | 872     | 1,912   | 4,000   | 284     | 569     | 4,000   |
| TOTAL STREET SIGNALS, SIGNS, STRIPING |                                 | 383,550 | 372,258 | 386,791 | 366,188 | 145,601 | 294,892 | 381,647 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

STREET LIGHTING

001 5030-037-010 Salaries, Regular  
001 5030-037-090 Benefits  
001 5030-037-230 Professional/Temp Service  
001 5030-037-340 Maint and Repair Materials  
001 5030-037-420 Utilities

TOTAL STREET LIGHTING

|            |            |            | BUDGET     | ACTUAL       | PROJECTED | PROPOSED       |
|------------|------------|------------|------------|--------------|-----------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | 30-Jun-16 | 2016/17 BUDGET |
|            |            |            |            |              |           |                |
| 2,006      | 2,094      | 2,057      | 2,487      | 1,069        | 2,137     | 2,596          |
| 598        | 622        | 679        | 857        | 375          | 750       | 982            |
| -          | 10,000     | -          |            | -            | -         | -              |
| -          | -          | -          | 1,000      | -            | -         | 1,000          |
| 479,566    | 481,833    | 502,785    | 480,000    | 210,931      | 501,788   | 503,000        |
| 482,170    | 494,548    | 505,521    | 484,344    | 212,375      | 504,675   | 507,578        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

STORM DRAIN MAINTENANCE

|                               |                                 |        |        |        |        |        |        |         |
|-------------------------------|---------------------------------|--------|--------|--------|--------|--------|--------|---------|
| 001 5030-045-010              | Salaries, Regular               | 14,813 | 16,117 | 18,338 | 22,914 | 12,576 | 25,153 | 28,157  |
| 001 5030-045-030              | Salaries, Overtime              | 499    | 1,339  | 2,342  | 2,000  | 585    | 1,171  | 2,000   |
| 001 5030-045-090              | Benefits                        | 5,372  | 6,039  | 8,258  | 9,138  | 5,580  | 11,161 | 13,763  |
| 001 5030-045-110              | Vehicle Maintenance             | 23,986 | 22,866 | 15,931 | 20,350 | 9,154  | 18,308 | 20,900  |
| 001 5030-045-190              | Other Equipment Maint           | 1,752  | 3,312  | 1,752  | 2,000  | 876    | 1,752  | 3,260   |
| 001 5030-045-230              | Professional/Temp Service       | 14,949 | -      | -      | 15,000 | -      | -      | 15,000  |
| 001 5030-045-340              | Maint and Repair Materials      | 9,866  | 5,485  | 8,580  | 13,517 | 8,661  | 17,322 | 11,707  |
| 001 5030-045-350              | Tools/Equipment (under \$1,000) | -      | 400    | -      | 500    | 409    | 817    | 500     |
| 001 5030-045-420              | Utilities                       | 5,958  | 2,099  | 2,200  | 6,000  | 1,003  | 2,006  | 6,000   |
| 001 5030-045-440              | Training Expense                | (120)  | -      | -      | -      | -      | -      | -       |
| 001 5030-045-660              | Other Expense                   | 1,920  | 18,369 | 199    | 1,700  | 13     | 26     | 1,700   |
| TOTAL STORM DRAIN MAINTENANCE |                                 | 78,994 | 76,027 | 57,600 | 93,119 | 38,857 | 77,714 | 102,987 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

PARKING LOT MAINTENANCE

001 5030-050-010 Salaries, Regular  
001 5030-050-030 Salaries, Overtime  
001 5030-050-090 Benefits  
001 5030-050-120 Building/Grounds Maint  
001 5030-050-230 Professional/Temp Service  
001 5030-050-420 Utilities

TOTAL PARKING LOT MAINTENANCE

|            |            |            | BUDGET     | ACTUAL       | PROJECTED | PROPOSED       |
|------------|------------|------------|------------|--------------|-----------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | 30-Jun-16 | 2016/17 BUDGET |
|            |            |            |            |              |           |                |
| 2,300      | 2,095      | 2,057      | 2,487      | 1,051        | 2,103     | 2,596          |
| 71         | -          | -          | -          | -            | -         | -              |
| 676        | 622        | 679        | 857        | 369          | 738       | 982            |
| 1,118      | 168        | 793        | -          | 360          | 719       | -              |
| 28,971     | 28,435     | 28,504     | 30,864     | 11,821       | 28,371    | 30,864         |
| 12,852     | 12,996     | 14,058     | 13,000     | 6,374        | 12,748    | 13,000         |
|            |            |            |            |              |           |                |
| 45,988     | 44,316     | 46,092     | 47,208     | 19,975       | 44,679    | 47,442         |

**General Fund**  
**PARKS & LEISURE SERVICES**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **PARKS MAINTENANCE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                        | ACCOUNT NAME                       | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------|------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| PARK MAINT & OPERATION       |                                    |                      |                      |                      |                      |                    |                        |                                  |
| PERSONNEL SERVICES           |                                    |                      |                      |                      |                      |                    |                        |                                  |
| 5050-005-010                 | Salaries, Regular                  | 293,127              | 319,843              | 333,210              | 324,520              | 224,188            | 428,705                | 401,306                          |
| 5050-005-020                 | Salaries, Part-time                | 9,045                | 760                  | 83                   | 8,500                | 505                | 1,009                  | 8,500                            |
| 5050-005-030                 | Salaries, Overtime                 | 1,369                | 2,150                | 2,775                | 3,224                | -                  | -                      | 2,750                            |
| 5050-005-040                 | Car Allowance                      | 400                  | 4,800                | 4,800                | 4,800                | 2,200              | 4,400                  | 4,800                            |
| 5050-005-090                 | Benefits                           | 117,337              | 127,061              | 150,317              | 164,525              | 99,680             | 199,360                | 238,883                          |
| TOTAL PERSONNEL SERVICES     |                                    | 421,278              | 454,614              | 491,185              | 505,569              | 326,572            | 633,474                | 656,239                          |
| OTHER EXPENSES               |                                    |                      |                      |                      |                      |                    |                        |                                  |
| 5050-005-110                 | Vehicle Maintenance                | 108,056              | 118,286              | 125,646              | 112,813              | 64,320             | 128,641                | 112,813                          |
| 5050-005-120                 | Building/Grounds Maint             | 31,375               | 25,474               | 27,493               | 26,500               | 20,965             | 41,930                 | 26,500                           |
| 5050-005-140                 | Computer Equip Maint               | 1,332                | 1,442                | 930                  | 1,442                | 465                | 930                    | 1,442                            |
| 5050-005-190                 | Other Equipment Maint              | 8,609                | 8,224                | 17,115               | 8,800                | 4,935              | 9,870                  | 8,800                            |
| 5050-005-220                 | Printing/Copying                   | 135                  | 57                   | 29                   | 100                  | 199                | 397                    | 250                              |
| 5050-005-230                 | Professional/Temp Service          | 506                  | 386                  | 353                  | 15,433               | 175                | 350                    | 15,433                           |
| 5050-005-260                 | Rent of Property & Equipmt         | 67                   | 444                  | 604                  | 300                  | 439                | 877                    | 600                              |
| 5050-005-320                 | Office/Computer Supplies           | 3,753                | 5,083                | 5,876                | 2,800                | 2,318              | 4,635                  | 2,800                            |
| 5050-005-350                 | Tools/Equipment (under \$1,000)    | -                    | 562                  | -                    | 562                  | 88                 | 177                    | 562                              |
| 5050-005-410                 | Meeting Expense                    | -                    | -                    | -                    | -                    | 41                 | 82                     | 82                               |
| 5050-005-420                 | Utilities                          | 15,644               | 15,467               | 14,000               | 14,164               | 5,252              | 10,504                 | 14,164                           |
| 5050-005-430                 | Uniform Allowance                  | 7,865                | 8,143                | 7,765                | 7,260                | 3,933              | 7,866                  | 7,260                            |
| 5050-005-440                 | Training Expense                   | 1,070                | 1,393                | 1,040                | 1,000                | 200                | 400                    | 600                              |
| 5050-005-450                 | Publication and Dues               | 191                  | 192                  | 169                  | 339                  | -                  | -                      | 339                              |
| 5050-005-460                 | Postage                            | 84                   | 84                   | 23                   | 37                   | -                  | -                      | 37                               |
| 5050-005-520                 | Insurance, Liability               | 24,000               | 24,000               | 24,000               | 24,000               | 12,000             | 24,000                 | 24,000                           |
| 5050-005-610                 | Weed Abatement                     | 2,473                | 1,898                | 2,458                | -                    | -                  | -                      | -                                |
| 5050-005-660                 | Other Expense                      | 2,308                | 2,973                | 1,419                | 1,719                | 895                | 1,789                  | 1,719                            |
| TOTAL OTHER EXPENSES         |                                    | 207,467              | 214,106              | 228,920              | 217,269              | 116,224            | 232,448                | 217,401                          |
| CAPITAL OUTLAY               |                                    |                      |                      |                      |                      |                    |                        |                                  |
| 5050-005-730                 | Other Mach/Equipment (over \$1000) | 671                  | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY         |                                    | 671                  | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL PARK MAINT & OPERATION |                                    | 629,415              | 668,736              | 720,105              | 722,838              | 442,796            | 865,922                | 873,640                          |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LIME STREET PARK</u>   |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-006-010              | Salaries, Regular         | 646                  | 6,434                | 6,209                | 8,000                | 1,307              | 2,613                  | 5,000                            |
| 5050-006-090              | Benefits                  | 218                  | 2,596                | 2,658                | 4,000                | 611                | 1,222                  | 2,500                            |
| TOTAL PERSONNEL SERVICES  |                           | 864                  | 9,030                | 8,867                | 12,000               | 1,918              | 3,835                  | 7,500                            |
| <u>OTHER EXPENSES</u>     |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-006-120              | Building/Grounds Maint    | -                    | 993                  | 20                   | 500                  | 15                 | 29                     | 300                              |
| 5050-006-230              | Professional/Temp Service | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-006-420              | Utilities                 | 280                  | 698                  | 596                  | 1,058                | 359                | 718                    | 1,058                            |
| TOTAL OTHER EXPENSES      |                           | 280                  | 1,691                | 616                  | 1,558                | 373                | 747                    | 1,358                            |
| TOTAL LIME STREET PARK    |                           | <u>1,144</u>         | <u>10,721</u>        | <u>9,483</u>         | <u>13,558</u>        | <u>2,291</u>       | <u>4,582</u>           | <u>8,858</u>                     |



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LION'S PARK</u>        |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-007-010              | Salaries, Regular         | -                    | -                    | 345                  | 700                  | -                  | -                      | 400                              |
| 5050-007-090              | Benefits                  | -                    | -                    | 151                  | 350                  | -                  | -                      | 200                              |
| TOTAL PERSONNEL SERVICES  |                           | -                    | -                    | 496                  | 1,050                | -                  | -                      | 600                              |
| <u>OTHER EXPENSES</u>     |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-007-120              | Building/Grounds Maint    | 160                  | 263                  | 1,444                | 250                  | 43                 | 85                     | 250                              |
| 5050-007-230              | Professional/Temp Service | 1,995                | 1,964                | 1,900                | 1,735                | 792                | 1,583                  | 1,735                            |
| 5050-007-420              | Utilities                 | 450                  | 363                  | 285                  | 318                  | 282                | 563                    | 563                              |
| TOTAL OTHER EXPENSES      |                           | 2,605                | 2,589                | 3,629                | 2,303                | 1,116              | 2,231                  | 2,548                            |
| TOTAL LION'S PARK         |                           | <u>2,605</u>         | <u>2,589</u>         | <u>4,125</u>         | <u>3,353</u>         | <u>1,116</u>       | <u>2,231</u>           | <u>3,148</u>                     |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>MURRY PARK</u>         |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-008-010              | Salaries, Regular               | 53,866               | 46,798               | 43,551               | 50,000               | 21,691             | 43,383                 | 50,000                           |
| 5050-008-020              | Salaries, Part-time             | 6,177                | 6,416                | 6,775                | 6,640                | 3,805              | 7,610                  | 7,610                            |
| 5050-008-030              | Salaries, Overtime              | 391                  | 634                  | 221                  | 147                  | -                  | -                      | 147                              |
| 5050-008-090              | Benefits                        | 18,574               | 15,862               | 17,562               | 20,000               | 9,573              | 19,146                 | 25,000                           |
| TOTAL PERSONNEL SERVICES  |                                 | 79,008               | 69,709               | 68,109               | 76,787               | 35,069             | 70,139                 | 82,757                           |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-008-120              | Building/Grounds Maint          | 14,399               | 13,552               | 16,300               | 16,000               | 8,203              | 16,406                 | 16,000                           |
| 5050-008-190              | Other Equipment Maint           | -                    | 20                   | -                    | 250                  | -                  | -                      | 250                              |
| 5050-008-230              | Professional/Temp Service       | 347                  | 411                  | 91                   | 613                  | -                  | -                      | 8,312                            |
| 5050-008-420              | Utilities                       | 23,183               | 23,387               | 20,794               | 25,770               | 6,774              | 14,278                 | 25,770                           |
| 5050-008-660              | Other Expense                   | 9                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                                 | 37,938               | 37,370               | 37,185               | 42,633               | 14,977             | 30,684                 | 50,332                           |
| <u>CAPITAL OUTLAY</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-008-730              | Other Mach/Equip (over \$1,000) | -                    | -                    | 17,418               | -                    | 19,673             | 19,673                 | -                                |
| TOTAL CAPITAL OUTLAY      |                                 | -                    | -                    | 17,418               | -                    | 19,673             | 19,673                 | -                                |
| TOTAL MURRY PARK          |                                 | <u>116,946</u>       | <u>107,079</u>       | <u>122,712</u>       | <u>119,420</u>       | <u>69,719</u>      | <u>120,496</u>         | <u>133,089</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>NORTH PARK</u>         |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-009-010              | Salaries, Regular      | 1,836                | 6,471                | 5,084                | 6,500                | 1,591              | 3,182                  | 4,000                            |
| 5050-009-090              | Benefits               | 630                  | 2,525                | 2,195                | 3,000                | 726                | 1,452                  | 2,000                            |
| TOTAL PERSONNEL SERVICES  |                        | 2,466                | 8,996                | 7,279                | 9,500                | 2,317              | 4,635                  | 6,000                            |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-009-120              | Building/Grounds Maint | 8                    | 430                  | 294                  | 430                  | -                  | -                      | 430                              |
| 5050-009-420              | Utilities              | 697                  | 692                  | 695                  | 587                  | 359                | 718                    | 650                              |
| TOTAL OTHER EXPENSES      |                        | 704                  | 1,122                | 990                  | 1,017                | 359                | 718                    | 1,080                            |
| TOTAL NORTH PARK          |                        | <u>3,170</u>         | <u>10,119</u>        | <u>8,269</u>         | <u>10,517</u>        | <u>2,676</u>       | <u>5,353</u>           | <u>7,080</u>                     |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                     | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|----------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>VETERAN'S PARK</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-010-010              | Salaries, Regular                | 52,460               | 52,975               | 43,540               | 50,000               | 21,635             | 43,271                 | 50,000                           |
| 5050-010-020              | Salaries, Part-time              | 3,717                | 3,864                | 3,655                | 4,500                | 2,075              | 4,150                  | 5,973                            |
| 5050-010-030              | Salaries, Overtime               | 251                  | 500                  | 285                  | 510                  | 74                 | 148                    | 350                              |
| 5050-010-090              | Benefits                         | 21,137               | 20,304               | 19,816               | 24,000               | 10,533             | 21,065                 | 25,000                           |
| TOTAL PERSONNEL SERVICES  |                                  | 77,564               | 77,642               | 67,296               | 79,010               | 34,317             | 68,634                 | 81,323                           |
| <u>OTHER EXPENSES</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-010-120              | Building/Grounds Maint           | 22,255               | 16,944               | 18,180               | 20,000               | 9,678              | 19,356                 | 20,000                           |
| 5050-010-260              | Rent of Property & Equipment     | 2,419                | 2,701                | 2,550                | 2,500                | 1,130              | 2,259                  | 2,100                            |
| 5050-010-420              | Utilities                        | 30,386               | 27,613               | 23,497               | 34,205               | 12,611             | 25,223                 | 30,000                           |
| 5050-010-660              | Other Expense                    | -                    | 39                   | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                                  | 55,061               | 47,297               | 44,226               | 56,705               | 23,419             | 46,838                 | 52,100                           |
| <u>CAPITAL OUTLAY</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-010-730              | Other Mach/Equipm (over \$1,000) | 9,680                | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY      |                                  | 9,680                | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL VETERAN'S PARK      |                                  | <u>142,304</u>       | <u>124,939</u>       | <u>111,522</u>       | <u>135,715</u>       | <u>57,736</u>      | <u>115,472</u>         | <u>133,423</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>ZALUD PARK</u>         |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-011-010              | Salaries, Regular      | 40,928               | 34,488               | 37,530               | 40,000               | 18,497             | 36,994                 | 40,000                           |
| 5050-011-020              | Salaries, Part-time    | 3,211                | 3,765                | 3,470                | 4,500                | 1,905              | 3,810                  | 5,973                            |
| 5050-011-030              | Salaries, Overtime     | 186                  | 225                  | 369                  | 145                  | 74                 | 148                    | 145                              |
| 5050-011-090              | Benefits               | 14,624               | 11,844               | 16,747               | 20,000               | 8,952              | 17,903                 | 20,000                           |
| TOTAL PERSONNEL SERVICES  |                        | 58,949               | 50,323               | 58,115               | 64,645               | 29,428             | 58,855                 | 66,118                           |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-011-120              | Building/Grounds Maint | 10,915               | 13,728               | 13,151               | 14,095               | 4,537              | 9,074                  | 12,096                           |
| 5050-011-420              | Utilities              | 31,153               | 34,825               | 30,773               | 39,405               | 14,063             | 28,126                 | 32,500                           |
| 5050-011-660              | Other Expense          | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                        | 42,068               | 48,553               | 43,925               | 53,500               | 18,600             | 37,200                 | 44,596                           |
| TOTAL ZALUD PARK          |                        | <u>101,017</u>       | <u>98,876</u>        | <u>102,040</u>       | <u>118,145</u>       | <u>48,028</u>      | <u>96,056</u>          | <u>110,714</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                    | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|--------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| MAIN STREET              |                           |                      |                      |                      |                      |                    |                        |                                  |
| PERSONNEL SERVICES       |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-012-010             | Salaries, Regular         | 109                  | 2,286                | 3,432                | 6,000                | 105                | 210                    | 1,000                            |
| 5050-012-030             | Overtime                  | 135                  | 71                   | 73                   | 145                  | -                  | -                      | -                                |
| 5050-012-090             | Benefits                  | 71                   | 940                  | 1,412                | 2,500                | 46                 | 91                     | 500                              |
| TOTAL PERSONNEL SERVICES |                           | 315                  | 3,297                | 4,917                | 8,645                | 151                | 301                    | 1,500                            |
| OTHER EXPENSES           |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-012-120             | Building/Grounds Maint    | 1,549                | 1,380                | 2,283                | 3,000                | 726                | 1,453                  | 2,300                            |
| 5050-012-230             | Professional/Temp Service | 23,593               | 22,158               | 22,158               | 21,000               | 9,682              | 19,364                 | 21,000                           |
| 5050-012-420             | Utilities                 | 1,884                | 1,587                | 1,363                | 1,597                | 773                | 1,546                  | 1,597                            |
| 5050-012-660             | Other Expense             | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES     |                           | 27,026               | 25,125               | 25,803               | 25,597               | 11,181             | 22,363                 | 24,897                           |
| TOTAL MAIN STREET        |                           | 27,341               | 28,422               | 30,720               | 34,242               | 11,332             | 22,664                 | 26,397                           |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>HAYES FIELD</u>        |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-013-010              | Salaries, Regular      | 11,827               | 15,462               | 8,807                | 13,000               | 2,551              | 5,101                  | 6,000                            |
| 5050-013-020              | Salaries, Part-time    | 262                  | 248                  | 95                   | 200                  | 46                 | 93                     | 200                              |
| 5050-013-030              | Salaries, Overtime     | -                    | 130                  | -                    | -                    | 74                 | 148                    | 150                              |
| 5050-013-090              | Benefits               | 3,958                | 5,167                | 3,840                | 6,000                | 1,215              | 2,430                  | 3,000                            |
| TOTAL PERSONNEL SERVICES  |                        | 16,047               | 21,007               | 12,742               | 19,200               | 3,886              | 7,772                  | 9,350                            |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-013-120              | Building/Grounds Maint | 1,536                | 1,699                | 7,237                | 3,000                | 556                | 1,113                  | 3,000                            |
| 5050-013-420              | Utilities              | 19,293               | 18,695               | 12,210               | 18,751               | 5,226              | 10,452                 | 18,751                           |
| TOTAL OTHER EXPENSES      |                        | 20,828               | 20,394               | 19,447               | 21,751               | 5,783              | 11,565                 | 21,751                           |
| TOTAL HAYES FIELD         |                        | <u>36,875</u>        | <u>41,401</u>        | <u>32,190</u>        | <u>40,951</u>        | <u>9,669</u>       | <u>19,337</u>          | <u>31,101</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                        | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>STREET TREES/PARKWAYS</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>    |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-025-010                 | Salaries, Regular         | 7,648                | 1,892                | 2,836                | 10,000               | 126                | 252                    | 1,000                            |
| 5050-025-020                 | Salaries, Part-time       | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-025-030                 | Salaries, Overtime        | 182                  | 1,066                | 1,174                | 2,349                | 148                | 296                    | 1,500                            |
| 5050-025-090                 | Benefits                  | 2,569                | 994                  | 1,516                | 4,000                | 112                | 224                    | 500                              |
| TOTAL PERSONNEL SERVICES     |                           | 10,398               | 3,952                | 5,527                | 16,349               | 386                | 773                    | 3,000                            |
| <u>OTHER EXPENSES</u>        |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-025-110                 | Vehicle Maintenance       | 46,297               | 37,019               | 51,297               | 45,593               | 24,365             | 48,731                 | 48,731                           |
| 5050-025-120                 | Building/Grounds Maint    | 3,256                | 84                   | 471                  | 750                  | 875                | 1,750                  | 1,750                            |
| 5050-025-190                 | Other Equipment Maint     | 10,076               | 6,882                | 8,796                | 9,737                | 4,165              | 8,330                  | 8,850                            |
| 5050-025-230                 | Professional/Temp Service | 15,299               | 7,444                | 6,751                | 18,500               | 285                | 570                    | 18,500                           |
| 5050-025-420                 | Utilities                 | 104                  | 104                  | 110                  | 87                   | -                  | -                      | -                                |
| 5050-025-430                 | Uniform Allowance         | 292                  | 336                  | 354                  | 277                  | 144                | 288                    | 288                              |
| TOTAL OTHER EXPENSES         |                           | 75,324               | 51,869               | 67,779               | 74,944               | 29,834             | 59,668                 | 78,119                           |
| TOTAL STREET TREES/PARKWAYS  |                           | <u>85,723</u>        | <u>55,821</u>        | <u>73,306</u>        | <u>91,293</u>        | <u>30,221</u>      | <u>60,441</u>          | <u>81,119</u>                    |



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>BARN THEATRE</u>       |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-031-010              | Salaries, Regular      | 3,515                | 4,549                | 3,859                | 5,000                | 1,549              | 3,098                  | 5,000                            |
| 5050-031-090              | Benefits               | 1,248                | 1,647                | 1,594                | 2,300                | 667                | 1,334                  | 2,500                            |
| TOTAL PERSONNEL SERVICES  |                        | 4,763                | 6,196                | 5,453                | 7,300                | 2,216              | 4,432                  | 7,500                            |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-031-120              | Building/Grounds Maint | 1,131                | 880                  | 845                  | 400                  | -                  | -                      | 400                              |
| 5050-031-420              | Utilities              | 1,217                | 1,039                | 965                  | 1,329                | 474                | 947                    | 1,329                            |
| TOTAL OTHER EXPENSES      |                        | 2,348                | 1,919                | 1,810                | 1,729                | 474                | 947                    | 1,729                            |
| TOTAL BARN THEATRE        |                        | <u>7,111</u>         | <u>8,115</u>         | <u>7,263</u>         | <u>9,029</u>         | <u>2,689</u>       | <u>5,379</u>           | <u>9,229</u>                     |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>MEDIANS</u>            |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-034-010              | Salaries, Regular         | 1,381                | 6,025                | 3,468                | 2,000                | 63                 | 127                    | 500                              |
| 5050-034-020              | Salaries, Part-time       | 29,880               | 33,094               | 30,051               | 33,000               | 8,497              | 16,993                 | 33,000                           |
| 5050-034-090              | Benefits                  | 1,126                | 2,647                | 3,883                | 1,990                | 4,187              | 8,374                  | 5,400                            |
| TOTAL PERSONNEL SERVICES  |                           | 32,386               | 41,766               | 37,403               | 36,990               | 12,747             | 25,494                 | 38,900                           |
| <u>OTHER EXPENSES</u>     |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-034-110              | Vehicle Maintenance       | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-034-120              | Building/Grounds Maint    | 4,808                | 5,609                | 5,843                | 12,500               | 1,357              | 2,713                  | 9,550                            |
| 5050-034-230              | Professional/Temp Service | 11,218               | 3,046                | 2,960                | 2,638                | 1,233              | 2,466                  | 2,638                            |
| 5050-034-340              | Maint and Repair Material | 606                  | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-034-420              | Utilities                 | 11,583               | 12,422               | 11,807               | 10,484               | 6,763              | 13,527                 | 13,527                           |
| TOTAL OTHER EXPENSES      |                           | 28,215               | 21,077               | 20,609               | 25,622               | 9,353              | 18,706                 | 25,715                           |
| TOTAL MEDIANS             |                           | <u>60,601</u>        | <u>62,843</u>        | <u>58,012</u>        | <u>62,612</u>        | <u>22,100</u>      | <u>44,200</u>          | <u>64,615</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                     | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|----------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>SPORTS COMPLEX</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-036-010              | Salaries, Regular                | 44,829               | 40,612               | 56,105               | 50,000               | 20,726             | 41,452                 | 45,084                           |
| 5050-036-020              | Salaries, Part-time              | 7,408                | 12,692               | 11,323               | 23,600               | 12,549             | 25,098                 | 23,600                           |
| 5050-036-030              | Salaries, Overtime               | 366                  | 142                  | 140                  | 131                  | -                  | -                      | 131                              |
| 5050-036-090              | Benefits                         | 15,333               | 13,036               | 24,428               | 23,708               | 12,009             | 24,018                 | 27,464                           |
| TOTAL PERSONNEL SERVICES  |                                  | 67,936               | 66,482               | 91,996               | 97,439               | 45,284             | 90,568                 | 96,279                           |
| <u>OTHER EXPENSES</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-036-110              | Vehicle Maintenance              | 23,855               | 18,349               | 21,718               | 22,136               | 8,189              | 16,377                 | 18,500                           |
| 5050-036-120              | Building/Grounds Maint           | 12,407               | 17,656               | 29,431               | 13,442               | 9,022              | 18,043                 | 18,043                           |
| 5050-036-130              | Turf Maintenance                 | 19,924               | 16,091               | 15,494               | 25,000               | 495                | 989                    | 25,000                           |
| 5050-036-190              | Other Equipment Maintenance      | 265                  | 1,263                | 2,351                | 682                  | 732                | 1,464                  | 1,464                            |
| 5050-036-230              | Professional/Temp Services       | 950                  | 1,013                | 980                  | 16,011               | 417                | 834                    | 6,892                            |
| 5050-036-260              | Rent of Property and Equipment   | 1,849                | 1,410                | 1,838                | 2,198                | 1,126              | 2,252                  | 2,198                            |
| 5050-036-420              | Utilities                        | 58,093               | 60,604               | 62,699               | 67,582               | 30,497             | 60,995                 | 60,995                           |
| 5050-036-430              | Uniform Allowance                | 375                  | 355                  | 268                  | 336                  | 107                | 214                    | 214                              |
| 5050-036-660              | Other Expenses                   | 23                   | -                    | -                    | 5,000                | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                                  | 117,741              | 116,741              | 134,778              | 152,387              | 50,585             | 101,169                | 133,306                          |
| <u>CAPITAL OUTLAY</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-010-730              | Other Mach/Equipm (over \$1,000) | -                    | -                    | 11,821               | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY      |                                  | -                    | -                    | 11,821               | -                    | -                  | -                      | -                                |
| TOTAL SPORTS COMPLEX      |                                  | <u>185,677</u>       | <u>183,248</u>       | <u>238,595</u>       | <u>249,826</u>       | <u>95,869</u>      | <u>191,737</u>         | <u>229,585</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                    | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|--------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| CITY HALL                |                           |                      |                      |                      |                      |                    |                        |                                  |
| PERSONNEL SERVICES       |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-040-010             | Salaries, Regular         | 31,075               | 33,644               | 34,635               | 35,000               | 17,515             | 35,029                 | 36,000                           |
| 5050-040-020             | Salaries, Part-time       | 189                  | -                    | -                    | 1,500                | -                  | -                      | -                                |
| 5050-040-030             | Salaries, Overtime        | 892                  | 406                  | 323                  | -                    | 50                 | 99                     | 100                              |
| 5050-040-090             | Benefits                  | 14,264               | 14,890               | 15,847               | 17,000               | 8,265              | 16,529                 | 18,000                           |
| TOTAL PERSONNEL SERVICES |                           | 46,419               | 48,939               | 50,806               | 53,500               | 25,829             | 51,658                 | 54,100                           |
| OTHER EXPENSES           |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-040-120             | Building/Grounds Maint    | 43,090               | 27,014               | 29,455               | 15,000               | 4,833              | 9,667                  | 9,667                            |
| 5050-040-190             | Other Equipment Maint     | 4,340                | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-040-230             | Professional/Temp Service | 10,563               | 10,214               | 4,766                | 5,500                | 4,860              | 6,920                  | 6,920                            |
| 5050-040-660             | Other Expense             | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES     |                           | 57,992               | 37,228               | 34,221               | 20,500               | 9,693              | 16,587                 | 16,587                           |
| TOTAL CITY HALL          |                           | 104,412              | 86,167               | 85,027               | 74,000               | 35,522             | 68,244                 | 70,687                           |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                 | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>RAILS TO TRAILS</u>    |                              |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-041-010              | Salaries, Regular            | 4,963                | 5,444                | 5,943                | 7,000                | 4,480              | 8,960                  | 10,000                           |
| 5050-041-030              | Overtime                     | 71                   | 72                   | 207                  | -                    | -                  | -                      | -                                |
| 5050-041-090              | Benefits                     | 1,536                | 1,648                | 2,271                | 3,000                | 1,935              | 3,870                  | 5,000                            |
| TOTAL PERSONNEL SERVICES  |                              | 6,570                | 7,164                | 8,421                | 10,000               | 6,415              | 12,831                 | 15,000                           |
| <u>OTHER EXPENSES</u>     |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-041-120              | Building/Grounds Maint       | 1,165                | 1,716                | 1,051                | 1,050                | 674                | 1,348                  | 1,050                            |
| 5050-041-260              | Rent of Property & Equipment | -                    | 30                   | -                    | -                    | -                  | -                      | -                                |
| 5050-041-420              | Utilities                    | 2,101                | 1,360                | 1,003                | 908                  | 545                | 1,089                  | 908                              |
| 5050-041-610              | Weed Abatement               | 4,022                | 3,577                | 4,006                | 3,600                | -                  | -                      | 3,600                            |
| 5050-041-660              | Other Expense                | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                              | 7,287                | 6,683                | 6,059                | 5,558                | 1,219              | 2,438                  | 5,558                            |
| TOTAL RAILS TO TRAILS     |                              | <u>13,856</u>        | <u>13,846</u>        | <u>14,480</u>        | <u>15,558</u>        | <u>7,634</u>       | <u>15,268</u>          | <u>20,558</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>BURTON BALLFIELD</u>   |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-062-010              | Salaries, Regular      | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-062-020              | Salaries, Part-time    | -                    | 48                   | -                    | -                    | 67                 | 134                    | 134                              |
| 5050-062-030              | Salaries, Overtime     | -                    | -                    | 74                   | -                    | -                  | -                      | -                                |
| 5050-062-090              | Benefits               | -                    | 1                    | 28                   | -                    | 1                  | 3                      | 4                                |
| TOTAL PERSONNEL SERVICES  |                        | -                    | 49                   | 102                  | -                    | 68                 | 137                    | 138                              |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-062-120              | Building/Grounds Maint | 322                  | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-062-420              | Utilities              | 13,492               | 11,026               | 12,799               | 8,629                | 3,163              | 6,326                  | 8,492                            |
| TOTAL OTHER EXPENSES      |                        | 13,815               | 11,026               | 12,799               | 8,629                | 3,163              | 6,326                  | 8,492                            |
| TOTAL BURTON BALLFIELD    |                        | <u>13,815</u>        | <u>11,075</u>        | <u>12,901</u>        | <u>8,629</u>         | <u>3,231</u>       | <u>6,463</u>           | <u>8,630</u>                     |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                    | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>OHV PARK</u>           |                                 |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-065-010              | Salaries, Regular               | 40,924               | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-065-020              | Salaries, Part-time             | 23,306               | 45,701               | 39,565               | 42,098               | 18,605             | 18,863                 | -                                |
| 5050-065-030              | Salaries, Overtime              | -                    | 137                  | 69                   | -                    | -                  | -                      | -                                |
| 5050-065-090              | Benefits                        | 13,675               | 1,458                | 3,250                | 3,024                | 3,839              | 3,866                  | -                                |
| TOTAL PERSONNEL SERVICES  |                                 | 77,906               | 47,296               | 42,883               | 45,122               | 22,444             | 22,729                 | -                                |
| <u>OTHER EXPENSES</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-065-110              | Vehicle Maintenance             | 14,461               | 7,900                | 9,209                | 15,243               | 9,207              | 15,200                 | 23,100                           |
| 5050-065-120              | Building/Grounds Maint          | 13,878               | 24,421               | 8,754                | 7,200                | 2,295              | 4,591                  | 5,500                            |
| 5050-065-190              | Other Equipment Maint           | 957                  | 1,248                | 920                  | 8,200                | 258                | 516                    | -                                |
| 5050-065-230              | Professional/Temp Service       | 366                  | 1,008                | 4,347                | 504                  | 243                | 487                    | 70,596                           |
| 5050-065-260              | Rent of Property & Equipmt      | 3,164                | 1,521                | 1,210                | 3,000                | 588                | 1,175                  | 1,500                            |
| 5050-065-350              | Tools/Equipment (under \$1,000) | 220                  | 18                   | -                    | -                    | -                  | -                      | 784                              |
| 5050-065-420              | Utilities                       | 14,218               | 14,579               | 11,754               | 13,000               | 5,441              | 10,883                 | 15,439                           |
| 5050-065-430              | Uniform Allowance               | 156                  | 26                   | -                    | -                    | -                  | -                      | -                                |
| 5050-065-440              | Training Expenses               | 638                  | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-065-520              | Insurance, Liability            | 491                  | -                    | -                    | -                    | -                  | -                      | 9,700                            |
| 5050-065-560              | Insurance Premium               | 8,912                | 8,645                | 9,404                | 9,000                | -                  | 6,402                  | -                                |
| 5050-065-660              | Other Expense                   | 7                    | -                    | 22                   | -                    | 423                | 846                    | -                                |
| TOTAL OTHER EXPENSES      |                                 | 57,466               | 59,366               | 45,620               | 56,147               | 18,456             | 40,100                 | 126,619                          |
| <u>CAPITAL OUTLAY</u>     |                                 |                      |                      |                      |                      |                    |                        |                                  |
| 5050-065-730              | Other Mach/Equip (over \$1,000) | -                    | -                    | -                    | -                    | -                  | -                      | 16,397                           |
| TOTAL CAPITAL OUTLAY      |                                 | -                    | -                    | -                    | -                    | -                  | -                      | 16,397                           |
| TOTAL OHV PARK            |                                 | <u>135,372</u>       | <u>106,662</u>       | <u>88,504</u>        | <u>101,269</u>       | <u>40,900</u>      | <u>62,829</u>          | <u>143,016</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                        | ACCOUNT NAME                 | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|------------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>TRAILHEAD ROTARY PARK</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>    |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-066-010                 | Salaries, Regular            | -                    | -                    | 748                  | 2,000                | 30                 | 60                     | 400                              |
| 5050-066-090                 | Benefits                     | -                    | -                    | 277                  | 1,000                | 12                 | 24                     | 200                              |
| TOTAL PERSONNEL SERVICES     |                              | -                    | -                    | 1,026                | 3,000                | 42                 | 84                     | 600                              |
| <u>OTHER EXPENSES</u>        |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-066-120                 | Building/Grounds Maintenance | -                    | -                    | -                    | 80                   | -                  | -                      | 80                               |
| 5050-066-420                 | Utilities                    | -                    | -                    | -                    | 80                   | -                  | -                      | 80                               |
| TOTAL OTHER EXPENSES         |                              | -                    | -                    | -                    | 160                  | -                  | -                      | 160                              |
| TOTAL ROTARY PARK            |                              | -                    | -                    | 1,026                | 3,160                | 42                 | 84                     | 760                              |



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>TULE RIVER PARKWAY</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-085-010              | Salaries, Regular      | 8,303                | 6,362                | 5,928                | 5,000                | 1,926              | 3,852                  | 5,000                            |
| 5050-085-020              | Salaries, Part-time    | -                    | -                    | -                    | 1,800                | -                  | -                      | -                                |
| 5050-085-030              | Salaries, Overtime     | -                    | 402                  | 74                   | -                    | -                  | -                      | -                                |
| 5050-085-090              | Benefits               | 2,805                | 2,546                | 2,508                | 2,500                | 849                | 1,697                  | 2,500                            |
| TOTAL PERSONNEL SERVICES  |                        | 11,108               | 9,310                | 8,511                | 9,300                | 2,774              | 5,549                  | 7,500                            |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-085-120              | Building/Grounds Maint | 2,716                | 3,901                | 4,035                | 2,154                | 1,109              | 2,219                  | 2,154                            |
| 5050-085-420              | Utilities              | 3,637                | 3,969                | 18,145               | 5,000                | 1,100              | 2,200                  | 3,200                            |
| TOTAL OTHER EXPENSES      |                        | 6,353                | 7,871                | 22,180               | 7,154                | 2,209              | 4,419                  | 5,354                            |
| TOTAL TULE RIVER PARKWAY  |                        | <u>17,462</u>        | <u>17,181</u>        | <u>30,691</u>        | <u>16,454</u>        | <u>4,984</u>       | <u>9,968</u>           | <u>12,854</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                 | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>FALLEN HEROES PARK</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-090-010              | Salaries, Regular            | -                    | -                    | -                    | 44,196               | 6,561              | 13,122                 | 22,542                           |
| 5050-090-020              | Salaries, Part-time          | -                    | -                    | 3,066                | 2,000                | 2,058              | 4,116                  | 3,000                            |
| 5050-090-090              | Benefits                     | -                    | -                    | 740                  | 22,442               | 4,300              | 8,601                  | 13,732                           |
| TOTAL PERSONNEL SERVICES  |                              | -                    | -                    | 3,806                | 68,638               | 12,920             | 25,839                 | 39,274                           |
| <u>OTHER EXPENSES</u>     |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-090-120              | Building/Grounds Maintenance | -                    | -                    | 929                  | 12,000               | 3,083              | 6,165                  | 9,800                            |
| 5050-090-230              | Professional/Temp Service    | -                    | -                    | 75                   | -                    | -                  | -                      | -                                |
| 5050-090-420              | Utilities                    | -                    | 44                   | 5,389                | 32,000               | 4,639              | 9,277                  | 22,000                           |
| 5050-090-660              | Other Expenses               | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                              | -                    | 44                   | 6,392                | 44,000               | 7,721              | 15,442                 | 31,800                           |
| TOTAL FALLEN HEROES PARK  |                              | -                    | 44                   | 10,199               | 112,638              | 20,641             | 41,281                 | 71,074                           |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>CENTENNIAL PLAZA</u>   |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-091-010              | Salaries, Regular              | 990                  | 3,835                | 3,690                | 5,000                | 2,217              | 4,435                  | 5,000                            |
| 5050-091-030              | Salaries, Overtime             | 71                   | 72                   | 73                   | -                    | -                  | -                      | -                                |
| 5050-091-090              | Benefits                       | 383                  | 1,402                | 1,481                | 2,400                | 964                | 1,928                  | 2,500                            |
| TOTAL PERSONNEL SERVICES  |                                | 1,444                | 5,309                | 5,243                | 7,400                | 3,182              | 6,363                  | 7,500                            |
| <u>OTHER EXPENSES</u>     |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-091-120              | Building/Grounds Maintenance   | 1,108                | 662                  | 724                  | 3,601                | 1,881              | 3,763                  | 3,601                            |
| 5050-091-230              | Professional/Temporary Service | 2,913                | 2,070                | 2,070                | 1,725                | 863                | 1,725                  | 1,725                            |
| 5050-091-420              | Utilities                      | 1,007                | 997                  | 932                  | 1,048                | 470                | 940                    | 1,048                            |
| 5050-091-660              | Other Expenses                 | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                                | 5,027                | 3,729                | 3,725                | 6,374                | 3,214              | 6,428                  | 6,374                            |
| TOTAL CENTENNIAL PLAZA    |                                | <u>6,471</u>         | <u>9,038</u>         | <u>8,969</u>         | <u>13,774</u>        | <u>6,396</u>       | <u>12,791</u>          | <u>13,874</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
PARKS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                 | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>SANTA FE DEPOT</u>     |                              |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-092-010              | Salaries, Regular            | -                    | 262                  | 2,262                | 2,000                | 1,176              | 2,352                  | 3,000                            |
| 5050-092-020              | Salaries, Part-time          | 15,508               | 54                   | 127                  | 2,500                | 65                 | 130                    | 750                              |
| 5050-092-090              | Benefits                     | 743                  | 86                   | 978                  | 1,000                | 501                | 1,001                  | 1,500                            |
| TOTAL PERSONNEL SERVICES  |                              | 16,251               | 401                  | 3,366                | 5,500                | 1,742              | 3,483                  | 5,250                            |
| <u>OTHER EXPENSES</u>     |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-092-120              | Building/Grounds Maintenance | -                    | 748                  | 432                  | 314                  | 400                | 800                    | 800                              |
| 5050-092-260              | Rent of Property & Equipment | 2,000                | 2,000                | 2,000                | 2,000                | -                  | -                      | -                                |
| 5050-092-420              | Utilities                    | 1,012                | 2,209                | 9,412                | 6,234                | (300)              | -                      | 2,200                            |
| 5050-092-660              | Other Expenses               | 525                  | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES      |                              | 3,537                | 4,956                | 11,844               | 8,548                | 100                | 800                    | 3,000                            |
| TOTAL SANTA FE DEPOT      |                              | <u>19,788</u>        | <u>5,358</u>         | <u>15,210</u>        | <u>14,048</u>        | <u>1,841</u>       | <u>4,283</u>           | <u>8,250</u>                     |

# **COMMUNITY CENTERS**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
COMMUNITY CENTERS  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>COMMUNITY CENTER</u>   |                        |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-030-010              | Salaries, Regular      | -                    | 397                  | 164                  | 700                  | -                  | -                      | 200                              |
| 5050-030-090              | Benefits               | -                    | 182                  | 57                   | 300                  | -                  | -                      | 100                              |
| TOTAL PERSONNEL SERVICES  |                        | -                    | 579                  | 221                  | 1,000                | -                  | -                      | 300                              |
| <u>OTHER EXPENSES</u>     |                        |                      |                      |                      |                      |                    |                        |                                  |
| 5050-030-120              | Building/Grounds Maint | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-030-420              | Utilities              | 74                   | 69                   | 75                   |                      | 60                 | 120                    | 120                              |
| TOTAL OTHER EXPENSES      |                        | 74                   | 69                   | 75                   | -                    | 60                 | 120                    | 120                              |
| TOTAL COMMUNITY CENTER    |                        | <u>74</u>            | <u>649</u>           | <u>296</u>           | <u>1,000</u>         | <u>60</u>          | <u>120</u>             | <u>420</u>                       |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
COMMUNITY CENTERS  
FISCAL YEAR 2016/17

| ACCT#                         | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>PVILLE HERITAGE CENTER</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>     |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-094-010                  | Salaries, Regular              | 36,131               | 34,586               | 39,579               | 43,000               | 19,672             | 39,344                 | 42,900                           |
| 5050-094-020                  | Salaries, Part-time            | 99                   | 134                  | 155                  | 100                  | -                  | -                      | 100                              |
| 5050-094-030                  | Salaries, Overtime             | 708                  | 1,314                | 221                  | -                    | 298                | 597                    | -                                |
| 5050-094-090                  | Benefits                       | 15,248               | 14,435               | 16,986               | 20,000               | 8,925              | 17,850                 | 26,745                           |
| TOTAL PERSONNEL SERVICES      |                                | 52,186               | 50,469               | 56,940               | 63,100               | 28,895             | 57,791                 | 69,745                           |
| <u>OTHER EXPENSES</u>         |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-094-120                  | Building/Grounds Maintenance   | 9,628                | 12,132               | 12,341               | 12,507               | 5,111              | 10,223                 | 12,507                           |
| 5050-094-230                  | Professional/Temporary Service | 1,942                | 1,154                | 1,136                | 1,000                | 491                | 982                    | 1,000                            |
| 5050-094-260                  | Rent of Property/Equipment     | -                    | 30                   | -                    | -                    | -                  | -                      | -                                |
| 5050-094-320                  | Office Supplies                | -                    | 266                  | -                    | -                    | -                  | -                      | -                                |
| 5050-094-420                  | Utilities                      | 32,605               | 34,348               | 38,490               | 36,200               | 20,841             | 41,682                 | 40,000                           |
| 5050-094-520                  | Insurance, Liability           | 7,800                | 7,800                | 7,800                | 7,800                | 3,900              | 7,800                  | 7,800                            |
| 5050-094-610                  | Weed Abatement                 | 3,095                | 1,713                | 1,388                | 1,500                | -                  | -                      | 1,246                            |
| 5050-094-660                  | Other Expenses                 | 15                   | 137                  | 133                  | -                    | -                  | -                      | -                                |
| TOTAL OTHER EXPENSES          |                                | 55,086               | 57,580               | 61,288               | 59,007               | 30,344             | 60,687                 | 62,553                           |
| TOTAL PVILLE HERITAGE CENTER  |                                | <u>107,272</u>       | <u>108,049</u>       | <u>118,228</u>       | <u>122,107</u>       | <u>59,239</u>      | <u>118,478</u>         | <u>132,298</u>                   |

# **LEISURE SERVICES**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                     | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|----------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LEISURE SERVICES</u>   |                                  |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-050-010              | Salaries, Regular                | 102,662              | 125,912              | 148,647              | 134,363              | 84,508             | 169,017                | 155,835                          |
| 5050-050-020              | Salaries, Part-time              | 2,037                | 1,817                | 1,410                | 1,500                | 1,098              | 2,196                  | 600                              |
| 5050-050-040              | Car Allowance                    | 3,400                | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-050-090              | Benefits                         | 37,762               | 48,354               | 62,298               | 58,459               | 34,056             | 68,111                 | 78,221                           |
| TOTAL PERSONNEL SERVICES  |                                  | 145,861              | 176,083              | 212,356              | 194,322              | 119,662            | 239,324                | 234,656                          |
| <u>OTHER EXPENSES</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-050-110              | Vehicle Maintenance              | 9,663                | 9,120                | 7,908                | 9,000                | 8,088              | 11,000                 | 10,000                           |
| 5050-050-120              | Building/Grounds Maint           | 94                   | 179                  | 466                  | -                    | 25                 | 50                     | -                                |
| 5050-050-140              | Computer Equipment Maint         | 7,098                | 6,927                | 6,753                | 7,500                | -                  | -                      | 500                              |
| 5050-050-190              | Other Equipment Maint            | 4,329                | 5,098                | 5,862                | 6,000                | 4,556              | 8,000                  | 8,000                            |
| 5050-050-210              | Advertising                      | -                    | 271                  | 558                  | 1,000                | -                  | -                      | 500                              |
| 5050-050-220              | Printing/Copying                 | 10,008               | 7,658                | 1,270                | 1,000                | 1,087              | 1,675                  | 1,500                            |
| 5050-050-260              | Rent of Property & Equipmt       | 11,582               | 10,633               | 3,193                | 3,200                | 2,080              | 4,161                  | 4,450                            |
| 5050-050-320              | Office/Computer Supplies         | 3,621                | 6,446                | 7,048                | 5,000                | 2,612              | 5,224                  | 7,000                            |
| 5050-050-350              | Tools/Equipment (under \$1,000)  | -                    | -                    | 1,004                | -                    | -                  | -                      | -                                |
| 5050-050-420              | Utilities                        | -                    | -                    | 74                   | -                    | 269                | 538                    | -                                |
| 5050-050-440              | Training Expense                 | 1,190                | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-050-450              | Publication and Dues             | 1,486                | 1,177                | 1,203                | 500                  | 224                | 448                    | 600                              |
| 5050-050-460              | Postage                          | 402                  | 244                  | 289                  | 300                  | 120                | 240                    | 300                              |
| 5050-050-660              | Other Expense                    | 1,113                | 8,696                | 678                  | 600                  | 928                | 1,856                  | 700                              |
| TOTAL OTHER EXPENSES      |                                  | 50,587               | 56,448               | 36,307               | 34,100               | 19,990             | 33,192                 | 33,550                           |
| <u>CAPITAL OUTLAY</u>     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-050-730              | Other Machinery & Equipment      | -                    | 17,635               | -                    | -                    | -                  | -                      | -                                |
| 5050-050-740              | Computer Equipment (over \$1000) | 1,340                | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY      |                                  | 1,340                | 17,635               | -                    | -                    | -                  | -                      | -                                |
| TOTAL LEISURE SERVICES    |                                  | 197,788              | 250,165              | 248,663              | 228,422              | 139,652            | 272,516                | 268,206                          |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                          | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|--------------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LEISURE SVCS SPEC PROGS</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>      |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-055-010                   | Salaries, Regular              | 89,466               | 64,494               | 69,357               | 72,734               | 36,430             | 72,860                 | 70,200                           |
| 5050-055-020                   | Salaries, Part-time            | 20,595               | 22,272               | 26,855               | 25,500               | 15,067             | 30,135                 | 26,400                           |
| 5050-055-030                   | Salaries, Overtime             | 165                  | -                    | 52                   | -                    | 34                 | 68                     | -                                |
| 5050-055-090                   | Benefits                       | 37,170               | 25,702               | 33,289               | 37,219               | 17,126             | 34,251                 | 41,347                           |
| TOTAL PERSONNEL SERVICES       |                                | 147,396              | 112,468              | 129,554              | 135,453              | 68,657             | 137,314                | 137,947                          |
| <u>OTHER EXPENSES</u>          |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5050-055-210                   | Advertising                    | 570                  | 515                  | 578                  | 2,600                | 578                | 578                    | 2,000                            |
| 5050-055-220                   | Printing/Copying               | 1,208                | 840                  | 758                  | 1,000                | 384                | 723                    | 800                              |
| 5050-055-230                   | Professional/Temp Service      | 20,110               | 15,488               | 13,573               | 15,500               | 7,401              | 17,418                 | 15,500                           |
| 5050-055-260                   | Rent of Property & Equipmt     | 7,523                | 13,874               | 17,861               | 6,500                | 2,231              | 4,463                  | 10,000                           |
| 5050-055-320                   | Office/Computer Supplies       | 604                  | 481                  | 499                  | 500                  | -                  | -                      | 200                              |
| 5050-055-350                   | Tools/Equipment (under \$1000) | 7,603                | 7,781                | 16,804               | 15,450               | 2,889              | 5,778                  | 14,990                           |
| 5050-055-410                   | Meeting Expense                | 80                   | 243                  | 1,855                | 2,200                | 967                | 1,192                  | 2,200                            |
| 5050-055-420                   | Utilities                      | 763                  | 612                  | 370                  | 600                  | 137                | 273                    | 600                              |
| 5050-055-430                   | Uniform Allowance              | 28,803               | 34,323               | 31,224               | 28,277               | 15,967             | 29,199                 | 28,277                           |
| 5050-055-440                   | Training Expense               | 20                   | -                    | -                    | -                    | 50                 | 50                     | -                                |
| 5050-055-460                   | Postage                        | 4                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-055-490                   | Consumables                    | 988                  | 750                  | 189                  | 500                  | 191                | 191                    | 500                              |
| 5050-055-660                   | Other Expense                  | 14,321               | 10,674               | 11,379               | 6,550                | 4,403              | 10,924                 | 6,550                            |
| TOTAL OTHER EXPENSES           |                                | 82,599               | 85,582               | 95,090               | 79,677               | 35,197             | 70,789                 | 81,617                           |
| TOTAL LEISURE SVCS SPEC PROGS  |                                | <u>229,995</u>       | <u>198,050</u>       | <u>224,643</u>       | <u>215,130</u>       | <u>103,854</u>     | <u>208,103</u>         | <u>219,564</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                           | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>REC AFTERSCHOOL PROG-RAP</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>       |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-056-010                    | Salaries, Regular         | 11,979               | 9,486                | 10,205               | 13,000               | 6,882              | 13,765                 | 14,786                           |
| 5050-056-020                    | Salaries, Part-time       | 72,543               | 76,997               | 78,843               | 92,000               | 40,674             | 81,348                 | 92,000                           |
| 5050-056-090                    | Benefits                  | 9,821                | 9,297                | 9,886                | 9,680                | 4,918              | 9,837                  | 10,598                           |
| TOTAL PERSONNEL SERVICES        |                           | 94,343               | 95,780               | 98,933               | 114,680              | 52,475             | 104,950                | 117,383                          |
| <u>OTHER EXPENSES</u>           |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-056-220                    | Printing/Copying          | 195                  | 187                  | 253                  | 200                  | 127                | 237                    | 260                              |
| 5050-056-230                    | Professional/Temp Service | 304                  | 203                  | 343                  | 400                  | 214                | 319                    | 400                              |
| 5050-056-430                    | Uniform Allowance         | 362                  | 360                  | 299                  | 500                  | 362                | 362                    | 400                              |
| 5050-056-490                    | Consumables               | 4,754                | 4,204                | 3,719                | 4,500                | 2,116              | 4,518                  | 4,500                            |
| 5050-056-660                    | Other Expense             | 2,788                | 3,335                | 3,159                | 4,850                | 1,785              | 305                    | 3,850                            |
| TOTAL OTHER EXPENSES            |                           | 8,403                | 8,288                | 7,773                | 10,450               | 4,605              | 5,741                  | 9,410                            |
| TOTAL REC AFTERSCHOOL PROG-RAP  |                           | <u>102,746</u>       | <u>104,068</u>       | <u>106,706</u>       | <u>125,130</u>       | <u>57,080</u>      | <u>110,691</u>         | <u>126,793</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                 | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>ADVENTURE DAY CAMP</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-059-010              | Salaries, Regular            | 2,637                | 2,532                | 2,752                | 3,000                | 1,223              | 2,447                  | 3,000                            |
| 5050-059-020              | Salaries, Part-time          | 13,426               | 12,817               | 12,961               | 15,000               | 8,159              | 16,318                 | 15,000                           |
| 5050-059-090              | Benefits                     | 1,161                | 1,014                | 1,321                | 2,100                | 687                | 1,373                  | 1,950                            |
| TOTAL PERSONNEL SERVICES  |                              | 17,224               | 16,362               | 17,034               | 20,100               | 10,069             | 20,138                 | 19,950                           |
| <u>OTHER EXPENSES</u>     |                              |                      |                      |                      |                      |                    |                        |                                  |
| 5050-059-220              | Printing/Copying             | 51                   | 88                   | 109                  | 200                  | 33                 | 45                     | 150                              |
| 5050-059-260              | Rent of Property & Equipment | -                    | -                    | 130                  | 400                  | -                  | -                      | 150                              |
| 5050-059-430              | Uniform Allowance            | 100                  | -                    | 100                  | 150                  | 100                | 100                    | 100                              |
| 5050-059-440              | Training Expense             | 15                   | -                    | -                    | 100                  | -                  | -                      | 100                              |
| 5050-059-660              | Other Expense                | 2,435                | 2,196                | 2,419                | 4,600                | 767                | 1,534                  | 2,750                            |
| TOTAL OTHER EXPENSES      |                              | 2,602                | 2,284                | 2,758                | 5,450                | 900                | 1,679                  | 3,250                            |
| TOTAL ADVENTURE DAY CAMP  |                              | <u>19,826</u>        | <u>18,646</u>        | <u>19,792</u>        | <u>25,550</u>        | <u>10,969</u>      | <u>21,817</u>          | <u>23,200</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                          | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|--------------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>Y.E.S. GRANT-ELEMENTARY</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>      |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-063-010                   | Salaries, Regular         | 15,879               | 16,495               | 16,696               | 16,000               | 8,611              | 17,222                 | 24,407                           |
| 5050-063-020                   | Salaries, Part-time       | 783,644              | 751,608              | 775,190              | 1,349,000            | 544,052            | 1,088,103              | 1,349,000                        |
| 5050-063-090                   | Benefits                  | 48,032               | 51,134               | 46,634               | 46,000               | 31,661             | 63,323                 | 68,148                           |
| TOTAL PERSONNEL SERVICES       |                           | 847,555              | 819,237              | 838,520              | 1,411,000            | 584,324            | 1,168,647              | 1,441,555                        |
| <u>OTHER EXPENSES</u>          |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-063-220                   | Printing/Copying          | 108                  | 98                   | 175                  | 150                  | 117                | 249                    | 150                              |
| 5050-063-230                   | Professional/Temp Service | 1,942                | 2,685                | 1,952                | 2,150                | 2,861              | 4,876                  | 4,000                            |
| 5050-063-660                   | Other Expense             | 98                   | 263                  | 393                  | 200                  | 92                 | 542                    | 200                              |
| TOTAL OTHER EXPENSES           |                           | 2,148                | 3,047                | 2,520                | 2,500                | 3,069              | 5,667                  | 4,350                            |
| TOTAL Y.E.S. GRANT-ELEMENTARY  |                           | <u>849,703</u>       | <u>822,284</u>       | <u>841,040</u>       | <u>1,413,500</u>     | <u>587,393</u>     | <u>1,174,314</u>       | <u>1,445,905</u>                 |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                       | ACCOUNT NAME              | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-----------------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>Y.E.S. GRANT-JR HIGH</u> |                           |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>   |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-064-010                | Salaries, Regular         | 13,010               | 12,538               | 13,114               | 13,000               | 5,898              | 11,797                 | 14,357                           |
| 5050-064-020                | Salaries, Part-time       | 199,143              | 183,764              | 218,788              | 300,000              | 99,845             | 199,690                | 300,000                          |
| 5050-064-090                | Benefits                  | 14,494               | 12,505               | 13,631               | 18,000               | 7,068              | 14,136                 | 17,513                           |
| TOTAL PERSONNEL SERVICES    |                           | 226,647              | 208,806              | 245,533              | 331,000              | 112,811            | 225,623                | 331,870                          |
| <u>OTHER EXPENSES</u>       |                           |                      |                      |                      |                      |                    |                        |                                  |
| 5050-064-230                | Professional/Temp Service | 451                  | 745                  | 815                  | 1,200                | 701                | 1,295                  | 1,200                            |
| 5050-064-660                | Other Expense             | 24                   | 104                  | 126                  | 200                  | 55                 | 121                    | 200                              |
| TOTAL OTHER EXPENSES        |                           | 475                  | 849                  | 941                  | 1,400                | 756                | 1,416                  | 1,400                            |
| TOTAL Y.E.S. GRANT-JR HIGH  |                           | <u>227,122</u>       | <u>209,655</u>       | <u>246,474</u>       | <u>332,400</u>       | <u>113,568</u>     | <u>227,039</u>         | <u>333,270</u>                   |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LEISURE ACTIVITIES  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME        | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|---------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>TINY TOTS</u>          |                     |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                     |                      |                      |                      |                      |                    |                        |                                  |
| 5050-068-020              | Salaries, Part-time | 16,636               | 16,332               | 17,006               | 18,000               | 7,856              | 15,712                 | 18,000                           |
| 5050-068-090              | Benefits            | 3,194                | 3,222                | 3,562                | 3,488                | 1,733              | 3,466                  | 3,960                            |
| TOTAL PERSONNEL SERVICES  |                     | 19,830               | 19,554               | 20,568               | 21,488               | 9,589              | 19,178                 | 21,960                           |
| <u>OTHER EXPENSES</u>     |                     |                      |                      |                      |                      |                    |                        |                                  |
| 5050-068-660              | Other Expense       | 766                  | 725                  | 816                  | 1,000                | 562                | 1,000                  | 1,000                            |
| TOTAL OTHER EXPENSES      |                     | 766                  | 725                  | 816                  | 1,000                | 562                | 1,000                  | 1,000                            |
| TOTAL TINY TOTS           |                     | <u>20,597</u>        | <u>20,280</u>        | <u>21,384</u>        | <u>22,488</u>        | <u>10,151</u>      | <u>20,178</u>          | <u>22,960</u>                    |

# **SWIMMING POOL**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**



CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
SWIMMING POOL  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME               | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|----------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>SWIMMING POOL</u>      |                            |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5050-060-010              | Salaries, Regular          | 5,293                | 2,356                | 1,111                | 6,000                | -                  | -                      | 2,000                            |
| 5050-060-020              | Salaries, Part-time        | 76,847               | 79,868               | 78,920               | 91,950               | 45,343             | 90,685                 | 91,950                           |
| 5050-060-030              | Salaries, Overtime         | 1,180                | 615                  | 431                  | -                    | 2,046              | 2,046                  | 1,300                            |
| 5050-060-090              | Benefits                   | 5,276                | 4,101                | 3,464                | 6,678                | 1,806              | 3,613                  | 3,758                            |
| TOTAL PERSONNEL SERVICES  |                            | 88,596               | 86,940               | 83,926               | 104,628              | 49,195             | 96,344                 | 99,008                           |
| <u>OTHER EXPENSES</u>     |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5050-060-120              | Building/Grounds Maint     | 21,132               | 29,126               | 31,295               | 21,000               | 16,490             | 24,032                 | 21,000                           |
| 5050-060-220              | Printing/Copying           | 226                  | 146                  | 189                  | 100                  | 104                | 208                    | 100                              |
| 5050-060-230              | Professional/Temp Service  | 2,101                | 8,017                | 1,796                | 300                  | 157                | 314                    | 300                              |
| 5050-060-260              | Rent of Property & Equipmt | 889                  | 288                  | -                    | 400                  | -                  | -                      | 100                              |
| 5050-060-410              | Meeting Expense            | -                    | -                    | 600                  | -                    | -                  | -                      | -                                |
| 5050-060-420              | Utilities                  | 23,352               | 22,552               | 23,301               | 27,366               | 9,836              | 14,646                 | 24,000                           |
| 5050-060-430              | Uniform Allowance          | 476                  | -                    | 630                  | 500                  | -                  | -                      | 500                              |
| 5050-060-520              | Insurance, Liability       | 2,700                | 2,700                | 2,700                | 2,700                | 1,350              | 2,700                  | 2,700                            |
| 5050-060-660              | Other Expense              | 514                  | 1,398                | 445                  | 125                  | 35                 | 69                     | 125                              |
| TOTAL OTHER EXPENSES      |                            | 51,389               | 64,226               | 60,956               | 52,491               | 27,972             | 41,969                 | 48,825                           |
| TOTAL SWIMMING POOL       |                            | <u>139,985</u>       | <u>151,166</u>       | <u>144,883</u>       | <u>157,119</u>       | <u>77,167</u>      | <u>138,313</u>         | <u>147,833</u>                   |

**YOUTH CENTER**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
YOUTH CENTER  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|-----------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| YOUTH CENTER              |                             |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                             |                      |                      |                      |                      |                    |                        |                                  |
| 5050-095-010              | Salaries, Regular           | 49,905               | 63,040               | 51,018               | 46,691               | 21,228             | 42,456                 | 41,992                           |
| 5050-095-020              | Salaries, Part-time         | 28,911               | 30,219               | 31,253               | 30,028               | 16,873             | 33,745                 | 32,987                           |
| 5050-095-090              | Benefits                    | 17,797               | 23,334               | 21,550               | 24,547               | 10,462             | 20,923                 | 26,288                           |
| TOTAL PERSONNEL SERVICES  |                             | 96,612               | 116,594              | 103,821              | 101,266              | 48,562             | 97,125                 | 101,266                          |
| <u>OTHER EXPENSES</u>     |                             |                      |                      |                      |                      |                    |                        |                                  |
| 5050-095-120              | Building/ground Maintenance | -                    | 26                   | 14                   | -                    | -                  | -                      | -                                |
| 5050-095-220              | Printing/Copying            | 17                   | 19                   | 42                   | 57                   | 7                  | 14                     | 57                               |
| 5050-095-230              | Professional/Temp Service   | 58                   | 76                   | 96                   | 25                   | 21                 | 43                     | 25                               |
| 5050-095-430              | Uniform Allowance           | 100                  | -                    | -                    | -                    | -                  | -                      | -                                |
| 5050-095-450              | Publication and Dues        | 25                   | 19                   | 30                   | -                    | 12                 | 24                     | -                                |
| 5050-095-660              | Other Expense               | 2,803                | 869                  | 598                  | 707                  | -                  | -                      | 707                              |
| TOTAL OTHER EXPENSES      |                             | 3,003                | 1,009                | 781                  | 789                  | 41                 | 81                     | 789                              |
| TOTAL YOUTH CENTER        |                             | <u>99,615</u>        | <u>117,603</u>       | <u>104,602</u>       | <u>102,055</u>       | <u>48,603</u>      | <u>97,206</u>          | <u>102,055</u>                   |

**LIBRARY**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
LIBRARY  
FISCAL YEAR 2016/17

| ACCT#                     | ACCOUNT NAME                        | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------|-------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LIBRARY</u>            |                                     |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u> |                                     |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-010              | Salaries, Regular                   | 363,868              | 365,320              | 371,502              | 401,536              | 198,848            | 397,695                | 402,037                          |
| 5050-080-020              | Salaries, Part-time                 | -                    | 158                  | 144                  | -                    | -                  | -                      | -                                |
| 5050-080-030              | Salaries, Overtime                  | 173                  | 72                   | -                    | -                    | -                  | -                      | -                                |
| 5050-080-090              | Benefits                            | 129,376              | 128,168              | 150,055              | 173,599              | 83,488             | 166,976                | 209,777                          |
| TOTAL PERSONNEL SERVICES  |                                     | 493,416              | 493,717              | 521,701              | 575,135              | 282,336            | 564,671                | 611,815                          |
| <u>OTHER EXPENSES</u>     |                                     |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-120              | Building/Grounds Maint              | 4,561                | 3,926                | 3,518                | 4,000                | 2,075              | 4,151                  | 4,000                            |
| 5050-080-190              | Other Equipment Maint               | 679                  | 663                  | 370                  | 1,000                | 1,674              | 3,347                  | 2,000                            |
| 5050-080-210              | Advertising                         | -                    | 1,885                | 1,545                | 3,500                | 1,488              | 2,975                  | 3,500                            |
| 5050-080-220              | Printing/Copying                    | 1,872                | 2,177                | 3,790                | 3,000                | 1,434              | 2,869                  | 2,050                            |
| 5050-080-230              | Professional/Temp Service           | 8,862                | 9,463                | 7,667                | 7,000                | 2,852              | 5,704                  | 6,000                            |
| 5050-080-260              | Rent of Property & Equipmt          | 4,334                | 3,945                | 2,406                | 3,500                | 2,793              | 5,586                  | 5,000                            |
| 5050-080-320              | Office/Computer Supplies            | 3,973                | 6,844                | 5,680                | 6,000                | 4,552              | 9,105                  | 6,000                            |
| 5050-080-330              | Janitorial Supplies                 | 1,144                | 1,144                | 1,183                | 1,000                | 507                | 1,014                  | 1,000                            |
| 5050-080-350              | Tools/Equipment (under \$1000)      | 2,566                | 388                  | 4,184                | 1,500                | 2,239              | 4,477                  | 5,000                            |
| 5050-080-360              | Library Books                       | 56,783               | 55,110               | 45,689               | 50,000               | 13,798             | 47,596                 | 50,000                           |
| 5050-080-410              | Meeting Expense                     | 859                  | 979                  | 943                  | 700                  | 256                | 513                    | 700                              |
| 5050-080-420              | Utilities                           | 27,298               | 25,239               | 26,610               | 30,600               | 16,350             | 32,701                 | 30,600                           |
| 5050-080-430              | Uniform Allowance                   | 75                   | 1,244                | 101                  | 200                  | 41                 | 82                     | 200                              |
| 5050-080-440              | Training Expense                    | 1,532                | 1,673                | 7,194                | 3,000                | 1,487              | 2,974                  | 3,000                            |
| 5050-080-450              | Publication and Dues                | 5,382                | 22,738               | 25,540               | 38,400               | 2,228              | 29,455                 | 36,300                           |
| 5050-080-460              | Postage                             | 101                  | 71                   | 21                   | 100                  | 18                 | 37                     | 50                               |
| 5050-080-490              | Donations                           | 4,554                | 3,546                | 6,047                | -                    | 3,963              | 4,009                  | -                                |
| 5050-080-520              | Insurance, Liability                | 11,500               | 11,500               | 11,500               | 11,505               | 5,752              | 11,504                 | 11,505                           |
| 5050-080-660              | Other Expense                       | 2,176                | 5,613                | 2,834                | 4,000                | 1,023              | 2,046                  | 2,100                            |
| TOTAL OTHER EXPENSES      |                                     | 138,251              | 158,150              | 156,823              | 169,005              | 64,531             | 170,144                | 169,005                          |
| <u>CAPITAL OUTLAY</u>     |                                     |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-730              | Other Mach/Equipment (over \$1,000) | -                    | 9,157                | -                    | -                    | 2,496              | 2,496                  | -                                |
| 5050-080-740              | Computer Equipment (over \$1,000)   | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY      |                                     | -                    | 9,157                | -                    | -                    | 2,496              | 2,496                  | -                                |
| TOTAL LIBRARY             |                                     | 631,668              | - 74 - 24            | 678,524              | 744,140              | 349,362            | 737,311                | 780,820                          |

**SPECIAL GRANTS**  
**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
SPECIAL GRANTS  
FISCAL YEAR 2016/17

| ACCT#                         | ACCOUNT NAME                   | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------------------------------|--------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>CA LIBR LITERACY GRANT</u> |                                |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>     |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5060-020-010                  | Salaries, Regular              | 14,000               | -                    | 9,727                | 10,000               | 7,341              | 14,682                 | 12,600                           |
| 5060-020-090                  | Benefits                       | 5,336                | -                    | 4,080                | 5,000                | 3,154              | 6,309                  | 5,400                            |
| TOTAL PERSONNEL SERVICES      |                                | 19,336               | -                    | 13,807               | 15,000               | 10,495             | 20,991                 | 18,000                           |
| <u>OTHER EXPENSES</u>         |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5060-020-320                  | Office/Computer Supplies       | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5060-020-360                  | Library Books                  | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5060-020-450                  | Publication and Dues           | -                    | -                    | 6,645                | -                    | -                  | 3,325                  | -                                |
| 5060-020-490                  | Donations                      | -                    | 130                  | -                    | -                    | -                  | -                      | -                                |
| 5060-020-660                  | Other Expense                  | 936                  | 724                  | 975                  | 5,000                | -                  | 203                    | 4,519                            |
| TOTAL OTHER EXPENSES          |                                | 936                  | 854                  | 7,620                | 5,000                | -                  | 3,528                  | 4,519                            |
| <u>CAPITAL OUTLAY</u>         |                                |                      |                      |                      |                      |                    |                        |                                  |
| 5060-020-710                  | Office equipment (over \$1000) | -                    | 10,790               | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY          |                                | -                    | 10,790               | -                    | -                    | -                  | -                      | -                                |
| TOTAL CA LIBR LITERACY GRANT  |                                | <u>20,272</u>        | <u>11,644</u>        | <u>21,427</u>        | <u>20,000</u>        | <u>10,495</u>      | <u>24,519</u>          | <u>22,519</u>                    |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - PARKS AND LEISURE SERVICES  
SPECIAL GRANTS  
FISCAL YEAR 2016/17

| ACCT#                           | ACCOUNT NAME               | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|---------------------------------|----------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>ENGLISH LANGUAGE LIT GRT</u> |                            |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>       |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5060-025-010                    | Salaries, Regular          | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5060-025-090                    | Benefits                   | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| TOTAL PERSONNEL SERVICES        |                            | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| <u>OTHER EXPENSES</u>           |                            |                      |                      |                      |                      |                    |                        |                                  |
| 5060-025-230                    | Professional/Temp Services | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5060-025-360                    | Library Books              | -                    | -                    | -                    | -                    | -                  | -                      | -                                |
| 5060-025-660                    | Other Expense              | -                    | 3,047                | -                    | -                    | -                  | -                      | 2,000                            |
| TOTAL OTHER EXPENSES            |                            | -                    | 3,047                | -                    | -                    | -                  | -                      | 2,000                            |
| TOTAL ENGLISH LANGUAGE LIT GRT  |                            | -                    | 3,047                | -                    | -                    | -                  | -                      | 2,000                            |



# **MEASURE H**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEET  
MEASURE H  
2016/17

|                              |                            | ACTUAL     |            |             | BUDGET      | ACTUAL       |               | PROPOSED       |
|------------------------------|----------------------------|------------|------------|-------------|-------------|--------------|---------------|----------------|
|                              |                            | FY 2012/13 | FY 2013/14 | FY 2014/15  | FY 2015/16  | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| PUBLIC SAFETY SALES TAX FUND |                            |            |            |             |             |              |               |                |
| 004 4210                     | Transfers from Other Funds | 78         | -          | 11,821      | -           | -            | -             | -              |
| 004 4220                     | Transfer to Other Funds    | (265,499)  | (300,348)  | (3,595,551) | (1,923,000) | (820,860)    | (1,170,000)   | (30,000)       |
|                              |                            |            |            |             |             |              |               |                |
| 004 4011                     | Sales Tax - Measure H      | 2,930,011  | 3,182,807  | 3,112,998   | 3,356,126   | 1,492,354    | 3,434,984     | 3,509,946      |
| 004 4601                     | Interest on Investments    | 43,771     | 46,498     | 31,726      | 5,000       | 4,845        | 8,000         | 5,000          |
| 004 4811                     | Police Services            | 2,509      | 427        | 3,523       | 2,500       | 1,125        | 2,500         | 2,500          |
| TOTAL REVENUE                |                            | 2,976,291  | 3,229,732  | 3,148,247   | 3,363,626   | 1,498,324    | 3,445,484     | 3,517,446      |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - POLICE DEPARTMENT  
MEASURE H  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|----------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>POLICE OPERATION</u>                      |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                    |                      |                      |                      |                      |                    |                        |                                  |
| 5020-005-010 Salaries, Regular               | 726,397              | 719,688              | 750,673              | 780,992              | 412,302            | 823,000                | 853,601                          |
| 5020-005-030 Salaries, Overtime              | 56,221               | 60,852               | 64,655               | 75,000               | 46,559             | 90,000                 | 85,000                           |
| 5020-005-090 Benefits                        | 341,478              | 331,703              | 366,158              | 384,872              | 207,890            | 437,418                | 496,551                          |
| TOTAL PERSONNEL SERVICES                     | 1,124,097            | 1,112,243            | 1,181,487            | 1,240,864            | 666,751            | 1,350,418              | 1,435,152                        |
| <u>OTHER OPERATING COSTS</u>                 |                      |                      |                      |                      |                    |                        |                                  |
| 5020-005-110 Vehicle Maintenance             | 130,493              | 126,222              | 121,238              | 130,000              | 65,537             | 81,501                 | 135,000                          |
| 5020-005-140 Computer Equipment Maintenance  | -                    | 14,500               | 3,227                | 15,000               | 219                | 437                    | 15,000                           |
| 5020-005-190 Other Equipment Maint           | 798                  | 72                   | 425                  | 1,000                | -                  | -                      | 1,000                            |
| 5020-005-220 Printing/Copying                | 58                   | 169                  | 318                  | 4,000                | 51                 | 102                    | 4,000                            |
| 5020-005-230 Professional/Temp Service       | 39,666               | 41,287               | 43,025               | 45,000               | 19,575             | 39,150                 | 45,000                           |
| 5020-005-260 Rent of Property & Equipment    | -                    | -                    | -                    | -                    | 634                | 1,268                  | -                                |
| 5020-005-350 Tools/Equipment (under \$1,000) | -                    | 582                  | 847                  | 2,000                | 246                | 492                    | 2,000                            |
| 5020-005-420 Utilities                       | -                    | -                    | 465                  | 1,600                | 3,262              | 3,585                  | 1,600                            |
| 5020-005-430 Uniform Allowance               | 5,119                | 4,536                | 1,467                | 3,000                | 92                 | 183                    | 3,000                            |
| 5020-005-440 Training Expense                | 11,126               | 5,091                | 9,150                | 9,000                | 3,032              | 6,063                  | 9,000                            |
| 5020-005-450 Publications & Dues             | -                    | 125                  | 175                  | 800                  | -                  | -                      | 800                              |
| 5020-005-480 Firearms & Range Expense        | -                    | 1,828                | 628                  | 2,000                | -                  | -                      | 2,000                            |
| 5020-005-490 Investigation Costs             | -                    | 35                   | -                    | 1,000                | -                  | -                      | 1,000                            |
| 5020-005-660 Other Expense                   | 4,046                | 6,297                | 2,753                | 8,400                | 1,033              | 2,066                  | 8,400                            |
| TOTAL OTHER EXPENSES                         | 191,306              | 200,744              | 183,717              | 222,800              | 93,679             | 134,846                | 227,800                          |
| <u>CAPITAL OUTLAY</u>                        |                      |                      |                      |                      |                    |                        |                                  |
| 5020-005-730 Other Mach/Equip (over \$1,000) | -                    | 22,360               | -                    | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY                         | -                    | 22,360               | -                    | -                    | -                  | -                      | -                                |
| TOTAL MEASURE H POLICE                       | <u>1,315,402</u>     | <u>1,338,000</u>     | <u>1,365,204</u>     | <u>1,463,664</u>     | <u>760,430</u>     | <u>1,485,264</u>       | <u>1,662,952</u>                 |

CITY OF PORTERVILLE  
BUDGET WORKSHEET - FIRE DEPARTMENT  
MEASURE H  
FISCAL YEAR 2016/17

| ACCT# ACCOUNT NAME                           | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|----------------------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>FIRE DEPARTMENT</u>                       |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                    |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-010 Salaries, Regular               | 527,820              | 573,082              | 537,691              | 770,133              | 282,053            | 664,107                | 819,006                          |
| 5021-001-020 Salaries, Part-time             | -                    | 12                   | -                    | -                    | -                  | -                      | 14,400                           |
| 5021-001-030 Salaries, Overtime              | 25,276               | 10,928               | (21,548)             | 50,922               | 35,117             | 33,376                 | 53,000                           |
| 5021-001-090 Benefits                        | 255,636              | 279,388              | 270,547              | 395,518              | 139,186            | 328,372                | 463,294                          |
| TOTAL PERSONNEL SERVICES                     | 808,732              | 863,411              | 786,690              | 1,216,573            | 456,356            | 1,025,855              | 1,349,700                        |
| <u>OTHER OPERATING COSTS</u>                 |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-110 Vehicle Maintenance             | 39,733               | 37,537               | 41,545               | 40,000               | 25,034             | 50,067                 | 40,000                           |
| 5021-001-120 Building/Grounds Maintenance    | -                    | 66                   | 43                   | 4,500                | -                  | -                      | 4,500                            |
| 5021-001-140 Computer Equipment Maintenance  | -                    | -                    | -                    | 2,000                | -                  | -                      | 2,000                            |
| 5021-001-190 Other Equipment Maintenance     | -                    | -                    | -                    | 8,750                | -                  | -                      | 8,750                            |
| 5021-001-220 Printing/Copying                | -                    | -                    | -                    | 1,000                | -                  | -                      | 1,000                            |
| 5021-001-230 Professional/Temp Service       | -                    | 983                  | 1,422                | 5,000                | -                  | -                      | 5,000                            |
| 5021-001-320 Office/Computer Supplies        | -                    | -                    | 21                   | 1,900                | -                  | -                      | 1,900                            |
| 5021-001-330 Janitorial Supplies             | -                    | -                    | -                    | 2,000                | -                  | -                      | 2,000                            |
| 5021-001-350 Tools/Equipment (under \$1,000) | 5,874                | 112                  | 1,625                | 6,000                | 174                | 347                    | 6,000                            |
| 5021-001-420 Utilities                       | 417                  | 172                  | 26                   | 24,500               | 1,572              | 571                    | 10,100                           |
| 5021-001-430 Uniform Allowance               | 154                  | -                    | 5,892                | 7,000                | 452                | 904                    | 7,000                            |
| 5021-001-440 Training Expense                | 487                  | 80                   | -                    | 5,500                | 1,921              | 3,843                  | 5,500                            |
| 5021-001-450 Publications & Dues             | 1,425                | 1,266                | 1,266                | 1,000                | 1,080              | 2,160                  | 1,000                            |
| 5021-001-660 Other Expenses                  | -                    | 108                  | 100                  | 5,000                | -                  | -                      | 5,000                            |
| TOTAL OTHER EXPENSES                         | 48,091               | 40,325               | 51,940               | 114,150              | 30,233             | 57,892                 | 99,750                           |
| <u>CAPITAL OUTLAY</u>                        |                      |                      |                      |                      |                    |                        |                                  |
| 5021-001-730 Other Mach/Equip (over \$1,000) | 3,222                | -                    | 1,953                | -                    | -                  | -                      | -                                |
| TOTAL CAPITAL OUTLAY                         | 3,222                | -                    | 1,953                | -                    | -                  | -                      | -                                |
| TOTAL MEASURE H FIRE DEPARTMENT              | <u>860,044</u>       | <u>903,736</u>       | <u>840,583</u>       | <u>1,330,723</u>     | <u>486,589</u>     | <u>1,083,747</u>       | <u>1,449,450</u>                 |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - LIBRARY & LITERACY  
MEASURE H  
FISCAL YEAR 2016/17

| ACCT#                                     | ACCOUNT NAME                     | FY 2012/13<br>ACTUAL | FY 2013/14<br>ACTUAL | FY 2014/15<br>ACTUAL | FY 2015/16<br>BUDGET | Y-T-D<br>31-Dec-15 | PROJECTED<br>30-Jun-16 | PROPOSED<br>FY 2016/17<br>BUDGET |
|-------------------------------------------|----------------------------------|----------------------|----------------------|----------------------|----------------------|--------------------|------------------------|----------------------------------|
| <u>LIBRARY &amp; LITERACY - MEASURE H</u> |                                  |                      |                      |                      |                      |                    |                        |                                  |
| <u>PERSONNEL SERVICES</u>                 |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-010                              | Salaries, Regular                | 128,388              | 126,313              | 133,229              | 134,476              | 69,729             | 139,458                | 139,081                          |
| 5050-080-020                              | Salaries, Part-time              | 68,456               | 77,726               | 88,480               | 94,288               | 40,780             | 81,560                 | 119,000                          |
| 5050-080-090                              | Benefits                         | 48,179               | 45,949               | 59,212               | 67,047               | 32,737             | 72,000                 | 79,435                           |
| TOTAL PERSONNEL SERVICES                  |                                  | 245,023              | 249,987              | 280,920              | 295,811              | 143,246            | 293,018                | 337,515                          |
| <u>OTHER OPERATING COSTS</u>              |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-120                              | Building and Grounds Maintenance | -                    | -                    | 273                  | 1,000                | 33                 | 300                    | 1,000                            |
| 5050-080-140                              | Computer Maintenance             | -                    | -                    | -                    | -                    | -                  | -                      | 372                              |
| 5050-080-190                              | Other Equipment Maintenance      | -                    | -                    | 71                   | 1,000                | 494                | 1,200                  | 1,000                            |
| 5050-080-210                              | Advertising                      | 2,304                | 4,572                | 3,136                | 3,500                | 1,488              | 2,000                  | 5,000                            |
| 5050-080-220                              | Printing/Copying                 | 122                  | 1,075                | 289                  | 1,000                | -                  | 400                    | 2,000                            |
| 5050-080-230                              | Professional/Temp Service        | 612                  | 6,446                | 2,024                | 6,000                | 14                 | 2,000                  | 5,000                            |
| 5050-080-260                              | Rent of Property & Equipment     | -                    | -                    | -                    | -                    | -                  | -                      | 5,000                            |
| 5050-080-320                              | Office/Computer Supplies         | 5,181                | 6,780                | 6,458                | 7,000                | 4,767              | 7,000                  | 8,000                            |
| 5050-080-350                              | Tools/Equipment (under \$1,000)  | 4,229                | 6,372                | 4,726                | 6,000                | 1,313              | 4,500                  | 5,000                            |
| 5050-080-360                              | Library Books                    | 77,374               | 60,043               | 48,931               | 50,000               | 15,530             | 45,000                 | 50,000                           |
| 5050-080-410                              | Meeting Expense                  | 221                  | 138                  | 56                   | 600                  | 91                 | 200                    | 865                              |
| 5050-080-420                              | Utilities                        | 10,069               | 10,126               | 11,151               | 12,240               | 6,453              | 13,000                 | 18,000                           |
| 5050-080-440                              | Training Expense                 | 825                  | 5,897                | 541                  | 3,000                | 664                | 3,000                  | 3,000                            |
| 5050-080-450                              | Publication and Dues             | 6,967                | 17,254               | 12,094               | 16,000               | 6,265              | 12,000                 | 16,000                           |
| 5050-080-490                              | Consummables                     | 13,722               | 17,073               | 12,898               | 15,000               | 8,232              | 17,000                 | 17,000                           |
| 5050-080-520                              | Insurance/Liability              | 4,600                | 4,600                | 4,600                | 4,605                | 2,302              | 4,600                  | 4,605                            |
| 5050-080-660                              | Other Expense                    | 9,705                | 15,611               | 9,941                | 15,000               | 946                | 6,000                  | 18,000                           |
| TOTAL OTHER EXPENSES                      |                                  | 135,931              | 155,989              | 117,188              | 141,945              | 48,591             | 118,200                | 159,842                          |
| <u>CAPITAL OUTLAY</u>                     |                                  |                      |                      |                      |                      |                    |                        |                                  |
| 5050-080-710                              | Office Equipment (over \$1000)   | -                    | -                    | 15,023               | 35,000               | -                  | -                      | 15,000                           |
| 5050-080-730                              | Other Mach/Equip (over \$1000)   | -                    | -                    | -                    | -                    | 2,496              | 3,057                  | -                                |
| 5050-080-740                              | Computer Equipment (over \$1000) | -                    | -                    | -                    | 20,922               | -                  | 3,000                  | 15,000                           |
| TOTAL CAPITAL OUTLAY                      |                                  | -                    | -                    | 15,023               | 55,922               | 2,496              | 6,057                  | 30,000                           |
| TOTAL LIBRARY & LITERACY - MEASURE H      |                                  | <u>380,953</u>       | <u>82-76</u>         | <u>413,131</u>       | <u>493,678</u>       | <u>194,332</u>     | <u>417,275</u>         | <u>527,357</u>                   |

# **ZALUD ESTATE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                         |                            | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|-------------------------|----------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                         |                            | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| <b>ZALUD HOUSE FUND</b> |                            |            |            |            |            |              |               |              |
| 018 4210                | Transfers from Other Funds | 10,000     | 10,000     | 10,000     | 10,000     | -            | 10,000        | 10,000       |
| <b>TOTAL TRANSFERS</b>  |                            | 10,000     | 10,000     | 10,000     | 10,000     | -            | 10,000        | 10,000       |
| 018 4601                | Interest on Investments    | 1,019      | 862        | 874        | 500        | 358          | 600           | 800          |
| 018 4833                | Zalud House - Rental       | 4,110      | 1,230      | 2,328      | 2,500      | 1,280        | 2,500         | 2,500        |
| 018 4834                | Zalud House - Admissions   | 2,381      | 1,860      | 3,230      | 2,000      | 1,085        | 2,100         | 2,000        |
| 018 4994                | Contributions              | 981        | 348        | 53         | 1,000      | 275          | 285           | 500          |
| 018 4999                | Other Revenues             | -          | -          | -          | -          | -            | -             | -            |
| <b>TOTAL REVENUE</b>    |                            | 8,490      | 4,300      | 6,485      | 6,000      | 2,998        | 5,485         | 5,800        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**ZALUD HOUSE**

018-5050-035-010 Salaries, Regular  
018-5050-035-020 Salaries, Part-time  
018-5050-035-090 Benefits  
018-5050-035-120 Building/Grounds Maint  
018-5050-035-210 Advertising  
018-5050-035-230 Professional/Temp Services  
018-5050-035-420 Utilities  
018-5050-035-520 Insurance, Liability  
018-5050-035-660 Other Expense

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
|            |            |            |            |              |               |              |
| 513        | -          | 150        | 300        | 31           | 100           | 300          |
| 13,506     | 13,436     | 9,943      | 13,500     | 5,168        | 10,000        | 13,500       |
| 1,123      | 1,318      | 426        | 1,000      | 187          | 400           | 700          |
| 2,677      | 1,666      | 1,690      | 2,000      | 6,246        | 6,500         | 2,000        |
| 150        | -          | -          | 300        | -            | -             | -            |
| 1,368      | 1,400      | 1,184      | 1,200      | 615          | 1,200         | 1,200        |
| 2,730      | 3,011      | 2,967      | 3,000      | 1,297        | 3,000         | 3,000        |
| 1,355      | 1,355      | 1,355      | 1,355      | 677          | 1,354         | 1,355        |
| 104        | -          | 140        | 200        | -            | 200           | 200          |
|            |            |            |            |              |               |              |
| 23,527     | 22,186     | 17,854     | 22,855     | 14,222       | 22,754        | 22,255       |

TOTAL



# **CDBG**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                   |                          | ACTUAL     |            |             | BUDGET     | ACTUAL       |               | PROPOSED       |
|-----------------------------------|--------------------------|------------|------------|-------------|------------|--------------|---------------|----------------|
|                                   |                          | FY 2012/13 | FY 2013/14 | FY 2014/15  | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| COMMUNITY DEVELOPMENT BLOCK GRANT |                          |            |            |             |            |              |               |                |
| 019 4220                          | Transfers to Other Funds | (541,518)  | (369,274)  | (1,288,869) | (746,502)  | (833,927)    | (950,000)     | (1,000,000)    |
| 019 4516                          | State Grants             | 200,451    | 52,874     | 171,314     | 260,000    | -            | 229,500       | 145,634        |
| 019 4517                          | Federal Grants           | 650,707    | 703,301    | 662,132     | 663,697    | 378,773      | 663,697       | 634,391        |
| 019 4601                          | Interest on Investments  | 44,785     | 28,218     | 24,148      | 20,000     | 12,243       | 25,000        | 20,000         |
| 019 4993                          | Principal                | 278,763    | 350,069    | 745,708     | 285,000    | -            | -             | -              |
| 019 4998                          | Penalties                | 739        | 705        | 567         | 500        | 305          | 1,000         | 500            |
| 019 4999                          | Other Revenues           | -          | -          | 1,500       | -          | -            | 41            | -              |
| TOTAL REVENUE                     |                          | 1,175,446  | 1,135,166  | 1,605,368   | 1,229,197  | 391,321      | 919,238       | 800,525        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

COMMUNITY DEVELOPMENT BLOCK GRANT

|                  |                                | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|--------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 019 5030-025-010 | Salaries, Regular              | 104,122    | 109,743    | 108,870    | 111,034    | 55,508       | 95,000        | 111,017        |
| 019 5030-025-020 | Salaries, Part-time            | -          | 984        | 757        | -          | -            | -             | -              |
| 019 5030-025-090 | Benefits                       | 29,964     | 33,817     | 39,213     | 37,752     | 21,117       | 40,000        | 51,350         |
| 019 5030-025-210 | Advertising                    | 2,144      | 3,441      | 1,505      | 4,000      | 495          | 2,200         | 2,000          |
| 019 5030-025-220 | Printing/Copying               | 908        | 684        | 403        | 1,000      | 139          | 300           | 1,000          |
| 019 5030-025-230 | Professional/Temp Service      | 80         | 67         | -          | 1,000      | -            | -             | 1,000          |
| 019 5030-025-320 | Office/Computer Supplies       | 258        | 64         | 225        | 1,000      | 167          | 350           | 1,000          |
| 019 5030-025-350 | Tools/Equipment (Under \$1000) | 530        | -          | -          | -          | -            | -             | -              |
| 019 5030-025-410 | Meeting Expense                | 187        | 150        | 44         | 500        | 179          | 300           | 500            |
| 019 5030-025-440 | Training Expense               | 1,329      | 2,378      | 2,305      | 4,000      | 100          | 1,600         | 4,000          |
| 019 5030-025-450 | Publication and Dues           | 3,090      | 970        | 1,347      | 1,000      | 563          | 1,584         | 2,000          |
| 019 5030-025-460 | Postage                        | 230        | 267        | 421        | 500        | 88           | 100           | 500            |
| 019 5030-025-620 | Debt Redemption                | 337,461    | 341,195    | -          | 347,887    | -            | 245,727       | 272,465        |
| 019 5030-025-660 | Other Expense                  | 3,247      | -          | 32         | 953        | -            | 50            | -              |
| TOTAL DIVISION   |                                | 483,551    | 493,761    | 155,123    | 510,626    | 78,355       | 387,211       | 446,832        |

# **TRANSIT**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                       | ACTUAL           |                  |                  | BUDGET           | ACTUAL           |                  | PROPOSED          |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
|                                       | FY 2012/13       | FY 2013/14       | FY 2014/15       | FY 2015/16       | Y-T-D DEC 15     | PROJECTED FYE    | 2016/17 BUDGET    |
| <b>TRANSIT</b>                        |                  |                  |                  |                  |                  |                  |                   |
| 020 4210 Transfers from other funds   | -                | -                | -                | 300,000          | -                | 300,000          | -                 |
| 020 4220 Transfers to other funds     | (543,563)        | (877,463)        | (94,804)         | (5,038,717)      | (1,269,590)      | (3,500,000)      | (6,521,295)       |
| 020 4502 Sales Tax, Measure R         | 470,723          | 105,000          | 120,250          | 105,000          | 28,333           | 133,333          | 133,333           |
| 020 4508 State Gasoline Tax - 325 LTF | 224,374          | 882,820          | 153,250          | 1,765,715        | -                | 1,138,255        | 1,753,950         |
| 020 4509 State Gasoline Tax - STAF    | 505,033          | 623,029          | 483,703          | 600,000          | 57,848           | 776,477          | 390,126           |
| 020 4516 State Grants                 | 887,994          | 231,534          | 568,578          | 1,067,848        | -                | 568,578          | 11,718,360        |
| 020 4517 Federal Grants               | 1,967,591        | 1,749,829        | 1,601,999        | 4,754,806        | 1,161,761        | 3,845,050        | 4,215,383         |
| 020 4518 Federal Reimbursements       | -                | 98,998           | -                | 155,000          | -                | -                | -                 |
| 020 4601 Interest on Investments      | 2,811            | 4,588            | 3,280            | 4,667            | -                | -                | -                 |
| 020 4607 Rent of Buildings            | 786              | -                | -                | 1                | -                | -                | -                 |
| 020 4609 Rent of Equipment            | 19               | -                | -                | 24               | -                | -                | -                 |
| 020 4890 Vending/Pay Phone/Parking    | 1,014            | 1,089            | 687              | -                | -                | -                | -                 |
| 020 4891 Advertisements               | 19,133           | 42,249           | 88,516           | 90,000           | 43,713           | 90,000           | 90,000            |
| 020 4896 Transit Ticket Sales         | 381,529          | 576,760          | 531,394          | 550,000          | 242,800          | 550,000          | 550,000           |
| 020 4992 Sale of Personal Property    | 290              | 1,230            | -                | -                | -                | 2,350            | -                 |
| 020 4995 Reimbursements and refunds   | 59,445           | -                | -                | -                | 2,601            | 2,601            | -                 |
| 020 4998 Penalties                    | 62               | 602              | 1,830            | 1,589            | 1,067            | 2,000            | 2,000             |
| 020 4999 Other Revenues               | -                | 2,908            | -                | -                | -                | -                | -                 |
| <b>TOTAL REVENUE</b>                  | <b>4,520,804</b> | <b>4,320,635</b> | <b>3,553,487</b> | <b>9,094,650</b> | <b>1,538,123</b> | <b>7,108,644</b> | <b>18,853,152</b> |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

TRANSIT ADMINISTRATION

|                  |                                   | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|-----------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                   | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 020 5011-070-010 | Salaries, Regular                 | 22,036     | 26,701     | 29,697     | 79,170     | 40,353       | 80,706        | 83,773         |
| 020 5011-070-090 | Benefits                          | 7,466      | 9,953      | 12,261     | 33,564     | 16,520       | 33,041        | 41,235         |
| 020 5011-070-120 | Building/Grounds Maintenance      | 4,496      | 8,849      | 12,806     | 30,000     | 25,691       | 38,524        | 55,000         |
| 020 5011-070-140 | Computer Equipment Maintenance    | 1,938      | 18,523     | 47,889     | 50,000     | 21,788       | 56,708        | 60,000         |
| 020 5011-070-190 | Other Equipment Maintenance       | -          | -          | 28         | -          | 541          | 541           | 600            |
| 020 5011-070-210 | Advertising                       | 9,166      | 16,759     | 41,013     | 40,000     | 17,549       | 35,099        | 40,000         |
| 020 5011-070-220 | Printing/Copying                  | 1,074      | 796        | 9,814      | 20,000     | 4,742        | 5,100         | 10,000         |
| 020 5011-070-230 | Professional/Temp Service         | 9,119      | 19,955     | 2,500      | 155,000    | 3,417        | 3,417         | -              |
| 020 5011-070-250 | Contract Services(Administration) | 89,706     | 99,101     | 108,643    | 115,000    | 45,524       | 109,258       | 110,000        |
| 020 5011-070-260 | Rent of property & Equipment      | -          | 52         | 237        | 49,329     | 49,977       | 51,202        | 52,000         |
| 020 5011-070-320 | Office/Computer Supplies          | -          | 90         | 1,269      | 10,000     | 117          | 234           | 1,000          |
| 020 5011-070-410 | Meeting Expense                   | 3,166      | 1,045      | 7,864      | 10,000     | -            | 945           | 5,000          |
| 020 5011-070-420 | Utilities                         | 448        | 15,476     | 18,896     | 40,000     | 7,794        | 19,888        | 30,000         |
| 020 5011-070-440 | Training Expense                  | -          | 233        | -          | -          | 1,117        | 1,117         | 2,000          |
| 020 5011-070-450 | Publication and Dues              | 435        | 460        | 485        | 1,000      | 510          | 510           | 1,000          |
| 020 5011-070-520 | Insurance, Liability              | 46,457     | 68,492     | 139,967    | 140,000    | 158,227      | 151,612       | 151,612        |
| 020 5011-070-540 | Insurance, Property               | 10,531     | 12,454     | 10,354     | 11,000     | -            | 6,615         | 6,615          |
| 020 5011-070-660 | Other Expense                     | 24,945     | 18,134     | 7,100      | 32,800     | 4,687        | 15,276        | 20,000         |
| 020 5011-070-710 | Office Equipment (over \$1000)    | -          | -          | -          | 50,000     | 57,471       | 60,366        | 60,000         |
| 020 5011-070-740 | Computer Equipment (over \$1000)  | -          | -          | -          | -          | 38,587       | 38,587        | 40,000         |
| TOTAL            |                                   | 230,984    | 317,072    | 450,822    | 866,863    | 494,612      | 708,746       | 769,835        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DEMAND RESPONSE**

020 5011-080-110 Vehicle Maintenance  
020 5011-080-230 Professional/Temp Service  
020 5011-080-250 Contract Services  
020 5011-080-660 Other Expense  
020 5011-080-720 Automotive Equip (over \$1,000)  
020 5011-080-730 Other Mach/Equip (over \$1,000)

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 54,245     | 64,993     | 61,977     | 81,000     | 49,193       | 87,600        | 90,000         |
| -          | -          | -          | -          | -            | -             | -              |
| 315,337    | 231,171    | 238,116    | 275,000    | 104,879      | 252,346       | 255,000        |
| -          | -          | -          | -          | -            | -             | -              |
| 509,983    | -          | -          | -          | -            | -             | 160,000        |
| -          | -          | -          | -          | -            | -             | -              |
| 879,564    | 296,164    | 300,093    | 356,000    | 154,072      | 339,946       | 505,000        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**FIXED ROUTE**

020 5011-090-010 Salaries, Regular  
020 5011-090-090 Benefits  
020 5011-090-110 Vehicle Maintenance  
020 5011-090-230 Professional/Temp Service  
020 5011-090-250 Contract Services  
020 5011-090-660 Other Expense  
020 5011-090-720 Automotive Equip (over \$1,000)  
020 5011-090-730 Other Mach/Equip (over \$1,000)

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| -          | 79         | -          | -          | -            | -             | -              |
| -          | 38         | -          | -          | -            | -             | -              |
| 462,242    | 765,215    | 678,107    | 750,000    | 414,727      | 801,717       | 800,000        |
| -          | -          | -          | -          | -            | -             | -              |
| 760,683    | 1,130,267  | 1,173,357  | 1,300,000  | 733,600      | 1,806,020     | 1,800,000      |
| 4,959      | 10,185     | -          | -          | -            | -             | -              |
| 4,003      | 924,152    | 986,568    | 984,270    | -            | -             | 8,457,022      |
| 124,234    | -          | -          | -          | -            | 53,934        | -              |
| 1,356,122  | 2,829,936  | 2,838,032  | 3,034,270  | 1,148,327    | 2,661,671     | 11,057,022     |



# **SAFETY GRANTS**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - SPECIAL SAFETY GRANTS  
COPS GRANT  
FISCAL YEAR 2016/17

|                          |                    | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D     | PROJECTED | PROPOSED             |
|--------------------------|--------------------|------------|------------|------------|------------|-----------|-----------|----------------------|
| ACCT#                    | ACCOUNT NAME       | ACTUAL     | ACTUAL     | ACTUAL     | BUDGET     | 31-Dec-15 | 30-Jun-16 | FY 2016/17<br>BUDGET |
| COPS GRANT               |                    |            |            |            |            |           |           |                      |
| PERSONNEL SERVICES       |                    |            |            |            |            |           |           |                      |
| 5020-005-010             | Salaries, Regular  | 103,259    | 72,232     | 73,112     | 107,242    | 33,941    | 72,023    | 85,209               |
| 5020-005-030             | Salaries, Overtime | 1,392      | 1,306      | 1,875      | 3,000      | 731       | 1,461     | 3,000                |
| 5020-005-090             | Benefits           | 36,022     | 27,431     | 30,875     | 56,862     | 15,418    | 37,848    | 54,375               |
| TOTAL PERSONNEL SERVICES |                    | 140,673    | 100,969    | 105,862    | 167,104    | 50,090    | 111,332   | 142,585              |
| TOTAL COPS GRANT         |                    | 140,673    | 100,969    | 105,862    | 167,104    | 50,090    | 111,332   | 142,585              |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - SPECIAL SAFETY GRANTS  
AB 109 PUBLIC SAFETY MITIGATION GRANT  
FISCAL YEAR 2016/17

|                                           |                    | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D     | PROJECTED | PROPOSED             |
|-------------------------------------------|--------------------|------------|------------|------------|------------|-----------|-----------|----------------------|
| ACCT#                                     | ACCOUNT NAME       | ACTUAL     | ACTUAL     | ACTUAL     | BUDGET     | 31-Dec-15 | 30-Jun-16 | FY 2016/17<br>BUDGET |
| AB 109 PUBLIC SAFETY MITIGATION GRANT     |                    |            |            |            |            |           |           |                      |
| PERSONNEL SERVICES                        |                    |            |            |            |            |           |           |                      |
| 5020-016-010                              | Salaries, Regular  | -          | 56,699     | 47,367     | 133,439    | 32,021    | 64,042    | 70,000               |
| 5020-016-030                              | Salaries, Overtime | -          | 3,556      | 4,805      | 5,000      | 5,439     | 10,878    | 10,000               |
| 5020-016-090                              | Benefits           | -          | 22,754     | 21,660     | 71,501     | 11,062    | 22,124    | 31,223               |
| TOTAL PERSONNEL SERVICES                  |                    | -          | 83,009     | 73,831     | 209,940    | 48,522    | 97,044    | 111,223              |
| OTHER OPERATING COSTS                     |                    |            |            |            |            |           |           |                      |
| 5020-016-440                              | Training Expenses  | -          | 1,077      | 1,358      | 1,500      | -         | -         | 1,500                |
| TOTAL OTHER OPERATING COSTS               |                    | -          | 1,077      | 1,358      | 1,500      | -         | -         | 1,500                |
| TOTAL AB109 PUBLIC SAFETY MITIGATION GRAN |                    | -          | 84,085     | 75,189     | 211,440    | 48,522    | 97,044    | 112,723              |

CITY OF PORTERVILLE  
BUDGET WORKSHEETS - SPECIAL SAFETY GRANTS  
SAFER GRANT  
FISCAL YEAR 2016/17

|                           |                     | FY 2012/13 | FY 2013/14 | FY 2013/14 | FY 2015/16 | Y-T-D     | PROJECTED | PROPOSED   |
|---------------------------|---------------------|------------|------------|------------|------------|-----------|-----------|------------|
| ACCT#                     | ACCOUNT NAME        | ACTUAL     | ACTUAL     | ACTUAL     | BUDGET     | 31-Dec-15 | 30-Jun-16 | FY 2016/17 |
|                           |                     |            |            |            |            |           |           | BUDGET     |
| <u>SAFER GRANT</u>        |                     |            |            |            |            |           |           |            |
| <u>PERSONNEL SERVICES</u> |                     |            |            |            |            |           |           |            |
| 5021-004-010              | Salaries, Regular   | 982        | 696        | 207        | -          | -         | -         | -          |
| 5021-004-020              | Salaries, Part-time | 10,644     | 13,400     | 16,140     | -          | 11,280    | 22,560    | 2,970      |
| 5021-004-030              | Salaries, Overtime  | 5,070      | 4,366      | 5,163      | -          | 3,647     | 7,293     | 900        |
| 5021-004-090              | Benefits            | 2,154      | 2,206      | 2,610      | -          | 1,700     | 3,400     | -          |
| TOTAL PERSONNEL SERVICES  |                     | 18,850     | 20,668     | 24,120     | -          | 16,626    | 33,253    | 3,870      |
| <u>OTHER EXPENSES</u>     |                     |            |            |            |            |           |           |            |
| 5021-004-430              | Uniform Allowance   | 4,711      | 2,920      | -          | -          | -         | -         | -          |
| 5021-004-440              | Training Expense    | 2,853      | 4,806      | -          | -          | -         | -         | -          |
| 5021-004-660              | Other Expenses      | 26,759     | 761        | -          | -          | -         | -         | -          |
| TOTAL OTHER EXPENSES      |                     | 34,323     | 8,486      | -          | -          | -         | -         | -          |
| TOTAL SAFER GRANT         |                     | 53,172     | 29,154     | 24,120     | -          | 16,626    | 33,253    | 3,870      |

# **SEWER**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **SEWER OPERATING PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                      |                             | ACTUAL     |             |             | BUDGET      | ACTUAL    |               | PROPOSED       |
|----------------------|-----------------------------|------------|-------------|-------------|-------------|-----------|---------------|----------------|
|                      |                             | FY 2012/13 | FY 2013/14  | FY 2014/15  | FY 2015/16  | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| SEWER OPERATING FUND |                             |            |             |             |             |           |               |                |
| 030 4210             | Transfers from Other Funds  | 687        | 630         | 801         | -           | -         | -             | -              |
| 030 4220             | Transfers to Other Funds    | (496,597)  | (3,454,181) | (1,679,811) | (3,925,900) | (642,727) | (1,600,000)   | (1,925,900)    |
| 030 4005             | Assessments                 | -          | -           | 121,992     | 126,780     | 57,788    | 126,780       | 130,000        |
| 030 4601             | Interest on Investments     | 7,086      | 42,258      | 29,599      | 25,000      | 16,429    | 25,000        | 25,000         |
| 030 4606             | Rent of Land - Agricultural | 77,454     | 77,454      | 150,072     | 112,596     | 56,298    | 112,596       | 112,596        |
| 030 4871             | Sewer Service Charges       | 6,185,688  | 6,096,489   | 6,133,056   | 6,068,000   | 3,018,684 | 6,068,000     | 6,052,000      |
| 030 4872             | Sewer Dumping Charges       | 87,656     | 69,997      | 48,508      | 60,000      | 14,411    | 40,000        | 40,000         |
| 030 4875             | Lab Service Charges         | 344,206    | 379,558     | 368,679     | 357,500     | 197,117   | 395,000       | 395,000        |
| 030 4899             | Other Service Charges       | 4,707      | 4,655       | 5,182       | 5,000       | 1,963     | 5,000         | 5,000          |
| 030 4998             | Penalties                   | 96,902     | 98,163      | 90,367      | 100,000     | 47,439    | 90,000        | 100,000        |
| 030 4999             | Other Revenues              | 14,857     | 11,942      | 6,606       | 5,000       | 2,569     | 7,500         | 5,000          |
| TOTAL REVENUE        |                             | 6,818,555  | 6,780,517   | 6,954,060   | 6,859,876   | 3,412,699 | 6,869,876     | 6,864,596      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

SEWER OPERATING FUND

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 030 5030-060-010 | Salaries, Regular               | 200,063    | 211,247    | 229,359    | 295,052    | 128,342      | 250,000       | 298,461        |
| 030 5030-060-020 | Salaries, Part-time             | -          | -          | 2,112      | 5,651      | -            | -             | 5,651          |
| 030 5030-060-030 | Salaries, Overtime              | 8,812      | 6,767      | 6,008      | 16,000     | 2,564        | 5,000         | 16,000         |
| 030 5030-060-090 | Benefits                        | 73,673     | 84,524     | 100,622    | 116,714    | 56,087       | 125,000       | 149,231        |
| 030 5030-060-110 | Vehicle Maintenance             | 96,962     | 108,433    | 122,898    | 135,256    | 73,409       | 145,000       | 141,900        |
| 030 5030-060-120 | Building/Grounds Maint          | 3,752      | 1,709      | 2,780      | 4,000      | 1,733        | 3,500         | 4,000          |
| 030 5030-060-190 | Other Equipment Maint           | 16,206     | 14,163     | 15,172     | 22,922     | 9,681        | 18,000        | 15,322         |
| 030 5030-060-220 | Printing/Copying                | 1,156      | 1,153      | 553        | 1,400      | 172          | 500           | 1,400          |
| 030 5030-060-230 | Professional/Temp Service       | 8,721      | 10,825     | 10,102     | 15,000     | 9,538        | 10,500        | 15,000         |
| 030 5030-060-260 | Rent of Property & Equipmt      | 1,645      | 1,449      | 346        | 2,000      | 552          | 1,200         | 2,000          |
| 030 5030-060-280 | Administrative Expense          | 124,680    | 123,104    | 126,439    | 124,966    | 62,174       | 123,658       | 123,563        |
| 030 5030-060-320 | Office/Computer Supplies        | 1,342      | 2,908      | 2,433      | 2,000      | 660          | 2,000         | 2,000          |
| 030 5030-060-340 | Maint and Repair Materials      | 42,552     | 38,109     | 32,318     | 54,000     | 43,592       | 60,000        | 54,000         |
| 030 5030-060-350 | Tools/Equipment (under \$1,000) | 157        | 315        | 175        | 2,400      | 684          | 1,350         | 2,400          |
| 030 5030-060-420 | Utilities                       | 63,320     | 69,600     | 72,706     | 90,000     | 33,445       | 70,000        | 90,000         |
| 030 5030-060-430 | Uniform Allowance               | 3,034      | 3,199      | 2,857      | 3,000      | 1,074        | 3,000         | 3,000          |
| 030 5030-060-440 | Training Expense                | 2,337      | 706        | 453        | 5,000      | 81           | 500           | 5,000          |
| 030 5030-060-450 | Publication and Dues            | 280        | -          | 38         | 500        | 4            | 500           | 500            |
| 030 5030-060-460 | Postage                         | 29,450     | 31,370     | 26,759     | 30,000     | 13,247       | 30,000        | 30,000         |
| 030 5030-060-520 | Insurance, Liability            | 26,400     | 26,400     | 26,400     | 26,400     | 13,200       | 26,400        | 26,400         |
| 030 5030-060-620 | Debt Redemption/Fiscal Chgs     | 863,861    | 832,150    | 798,409    | 659,988    | 329,994      | 659,988       | 621,243        |
| 030 5030-060-650 | Depreciation Expense            | 45,000     | 45,000     | 45,000     | 45,000     | 22,500       | 45,000        | 45,000         |
| 030 5030-060-660 | Other Expense                   | 13,880     | 17,013     | 17,017     | 16,000     | 7,558        | 16,000        | 17,000         |
| 030 5030-060-670 | Franchise Fee                   | 332,727    | 332,727    | 332,727    | 332,727    | 166,365      | 332,727       | 332,727        |
| TOTAL            |                                 | 1,960,010  | 1,962,810  | 1,973,681  | 2,005,976  | 976,656      | 1,929,823     | 2,001,798      |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

WATER CONSERVATION PLANT

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 030 5030-065-010 | Salaries, Regular               | 372,598    | 413,772    | 413,105    | 491,749    | 235,052      | 470,000       | 519,456        |
| 030 5030-065-020 | Salaries, Part-time             | 7,537      | -          | 2,112      | -          | -            | -             | -              |
| 030 5030-065-030 | Salaries, Overtime              | 12,379     | 11,263     | 12,219     | 20,000     | 7,902        | 16,000        | 20,000         |
| 030 5030-065-090 | Benefits                        | 150,624    | 172,514    | 187,077    | 201,341    | 110,994      | 234,000       | 259,728        |
| 030 5030-065-110 | Vehicle Maintenance             | 58,033     | 73,655     | 89,722     | 56,450     | 41,866       | 82,000        | 86,954         |
| 030 5030-065-120 | Building/Grounds Maint          | 29,038     | 32,005     | 19,185     | 60,000     | 7,799        | 25,000        | 54,000         |
| 030 5030-065-190 | Other Equipment Maint           | 1,726      | 3,254      | (918)      | 18,764     | 1,116        | 2,000         | 18,639         |
| 030 5030-065-220 | Printing/Copying                | 81         | 548        | 343        | 400        | 190          | 450           | 400            |
| 030 5030-065-230 | Professional/Temp Service       | 368,718    | 407,390    | 434,873    | 552,350    | 266,667      | 380,000       | 551,000        |
| 030 5030-065-260 | Rent of Property & Equipmt      | 23,523     | 25,430     | 25,332     | 34,320     | 12,556       | 25,000        | 34,320         |
| 030 5030-065-280 | Administrative Expense          | 504,487    | 500,621    | 513,199    | 506,831    | 245,395      | 509,425       | 509,250        |
| 030 5030-065-320 | Office/Computer Supplies        | 2,565      | 5,683      | 3,514      | 5,200      | 2,042        | 4,000         | 5,200          |
| 030 5030-065-340 | Maint and Repair Materials      | 88,611     | 127,651    | 134,808    | 196,000    | 48,303       | 125,000       | 132,500        |
| 030 5030-065-350 | Tools/Equipment (under \$1,000) | 2,866      | 181        | 847        | 3,500      | 951          | 3,500         | 3,500          |
| 030 5030-065-410 | Meeting Expense                 | -          | -          | -          | -          | 43           | 43            | -              |
| 030 5030-065-420 | Utilities                       | 374,227    | 414,815    | 417,944    | 690,000    | 175,920      | 405,000       | 765,000        |
| 030 5030-065-430 | Uniform Allowance               | 6,555      | 5,086      | 4,659      | 8,000      | 2,905        | 6,000         | 8,000          |
| 030 5030-065-440 | Training Expense                | 3,867      | 3,997      | 5,987      | 9,000      | 365          | 5,000         | 9,000          |
| 030 5030-065-450 | Publication and Dues            | 2,563      | 2,887      | 3,405      | 5,500      | 944          | 3,000         | 5,500          |
| 030 5030-065-460 | Postage                         | 413        | 13         | 252        | -          | 35           | 49            | -              |
| 030 5030-065-490 | Special Consumables             | 24,532     | 84,607     | 92,105     | 172,000    | 29,533       | 120,000       | 222,000        |
| 030 5030-065-620 | Debt Redemption/Fiscal Chgs     | 733,065    | 728,919    | 724,657    | 645,744    | 322,872      | 645,744       | 640,845        |
| 030 5030-065-650 | Depreciation Expense            | 125,000    | 125,000    | 125,000    | 125,000    | 62,498       | 125,000       | 125,000        |
| 030 5030-065-660 | Other Expense                   | 2,283      | 5,414      | 4,904      | 28,000     | 1,412        | 253,000       | 28,000         |
| TOTAL            |                                 | 2,895,290  | 3,144,705  | 3,214,333  | 3,830,149  | 1,577,359    | 3,439,211     | 3,998,293      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

INDUSTRIAL PRE-TREATMENT

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 030 5030-066-010 | Salaries, Regular               | 33,789     | 34,149     | 36,176     | 43,874     | 18,603       | 38,000        | 45,203         |
| 030 5030-066-090 | Benefits                        | 10,015     | 10,356     | 12,489     | 15,835     | 6,835        | 14,000        | 16,044         |
| 030 5030-066-110 | Vehicle Maintenance             | 1,163      | 1,346      | 1,082      | 1,200      | 553          | 1,105         | 1,200          |
| 030 5030-066-190 | Other Equipment Maint           | -          | 114        | -          | 2,128      | -            | -             | 2,128          |
| 030 5030-066-230 | Professional/Temp Service       | 19,423     | 20,379     | 19,678     | 20,000     | 10,221       | 20,000        | 20,000         |
| 030 5030-066-320 | Office/Computer Supplies        | 182        | 208        | 58         | 250        | -            | -             | 250            |
| 030 5030-066-340 | Maint and Repair Materials      | -          | -          | 295        | 400        | -            | -             | 400            |
| 030 5030-066-350 | Tools/Equipment (under \$1,000) | 325        | -          | -          | 250        | -            | -             | 250            |
| 030 5030-066-420 | Utilities                       | 1,042      | 1,433      | 1,494      | 1,500      | 775          | 1,500         | 1,500          |
| 030 5030-066-430 | Uniform Allowance               | -          | -          | -          | 50         | -            | -             | 50             |
| 030 5030-066-440 | Training Expense                | -          | -          | -          | 1,500      | -            | -             | 1,500          |
| 030 5030-066-450 | Publication and Dues            | 75         | 77         | 79         | 150        | -            | -             | 150            |
| 030 5030-066-520 | Insurance, Liability            | 2,100      | 2,100      | 2,100      | 2,100      | 1,050        | 2,100         | 2,100          |
| 030 5030-066-660 | Other Expense                   | -          | 105        | -          | 1,000      | -            | -             | 1,000          |
| TOTAL            |                                 | 68,114     | 70,266     | 73,451     | 90,237     | 38,036       | 76,705        | 91,775         |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

LABORATORY

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 030 5030-068-010 | Salaries, Regular               | 164,286    | 168,741    | 171,301    | 173,595    | 92,436       | 182,000       | 178,864        |
| 030 5030-068-030 | Salaries, Overtime              | 896        | 604        | 937        | 1,000      | 523          | 1,000         | 1,000          |
| 030 5030-068-090 | Benefits                        | 55,758     | 56,175     | 64,459     | 66,497     | 36,446       | 76,000        | 75,123         |
| 030 5030-068-110 | Vehicle Maintenance             | -          | 452        | -          | -          | -            | -             | -              |
| 030 5030-068-120 | Building/Grounds Maint          | 1,551      | 1,653      | 1,305      | 2,100      | 611          | 1,000         | 2,100          |
| 030 5030-068-190 | Other Equipment Maint           | 23,762     | 28,983     | 28,238     | 46,930     | 14,622       | 25,000        | 46,930         |
| 030 5030-068-220 | Printing/Copying                | 2          | 25         | 151        | 130        | 68           | 145           | 150            |
| 030 5030-068-230 | Professional/Temp Service       | 16,593     | 5,355      | 17,483     | 17,000     | 4,733        | 5,300         | 17,000         |
| 030 5030-068-260 | Rent of Property & Equipmt      | 1,602      | 1,677      | 1,009      | 1,700      | 482          | 1,000         | 1,900          |
| 030 5030-068-320 | Office/Computer Supplies        | 1,321      | 3,012      | 789        | 1,600      | 563          | 1,600         | 1,600          |
| 030 5030-068-330 | Janitorial Supplies             | -          | -          | -          | 250        | -            | -             | 250            |
| 030 5030-068-340 | Maint and Repair Materials      | -          | -          | 29         | -          | 131          | 131           | -              |
| 030 5030-068-350 | Tools/Equipment (under \$1,000) | 271        | 575        | 303        | 500        | -            | -             | 500            |
| 030 5030-068-420 | Utilities                       | 14,731     | 16,381     | 17,382     | 19,000     | 9,032        | 18,000        | 19,000         |
| 030 5030-068-430 | Uniform Allowance               | 566        | 578        | 622        | 600        | 252          | 600           | 600            |
| 030 5030-068-440 | Training Expense                | -          | -          | 10         | 3,000      | -            | -             | 3,000          |
| 030 5030-068-450 | Publication and Dues            | 927        | 1,358      | 1,101      | 1,360      | 883          | 1,360         | 1,360          |
| 030 5030-068-490 | Special Consumables             | 42,306     | 49,465     | 59,146     | 55,000     | 26,129       | 55,000        | 55,000         |
| 030 5030-068-520 | Insurance, Liability            | 4,200      | 4,200      | 4,200      | 4,200      | 2,100        | 4,200         | 4,200          |
| 030 5030-068-660 | Other Expense                   | 716        | 691        | 557        | 1,000      | 310          | 1,000         | 1,000          |
| TOTAL            |                                 | 329,488    | 339,927    | 369,021    | 395,462    | 189,320      | 373,336       | 409,577        |

# **SEWER REVOLVING**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                 |                                | ACTUAL      |             |            | BUDGET      | ACTUAL    |               | PROPOSED       |
|-----------------|--------------------------------|-------------|-------------|------------|-------------|-----------|---------------|----------------|
|                 |                                | FY 2012/13  | FY 2013/14  | FY 2014/15 | FY 2015/16  | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| SEWER REVOLVING |                                |             |             |            |             |           |               |                |
| 082 4210        | Transfers from Other Funds     | 496,597     | 2,954,181   | 1,179,811  | 3,425,900   | 642,727   | 1,300,000     | 1,925,900      |
| 082 4220        | Transfers to Other Funds       | (1,402,872) | (1,847,814) | (670,761)  | (4,622,828) | (562,733) | (1,000,000)   | (3,297,919)    |
| 082 4601        | Interest on Investments        | 45,354      | 48,923      | 48,013     | 40,000      | 24,508    | 50,000        | 50,000         |
| 082 4891        | Service Connection Fees        | 15,849      | 24,660      | 27,617     | 30,000      | 9,938     | 20,000        | 30,000         |
| 082 4892        | Acreage Fees - Developers      | 25,303      | 34,097      | 47,372     | 25,000      | 65,917    | 84,000        | 40,000         |
| 082 4897        | Interdepartmental Serv Charges | 134,928     | 135,114     | 163,330    | 183,218     | 91,731    | 184,287       | 185,426        |
| 082 4992        | Sale of Personal Property      | 1,230       | 4,156       | -          | -           | -         | -             | -              |
| TOTAL REVENUE   |                                | 222,664     | 246,950     | 286,332    | 278,218     | 192,095   | 338,287       | 305,426        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

SEWER REVOLVING - EQUIPMENT REPLACEMENT

082 5030-095-720 Automotive Equipment  
082 5030-095-730 Other Machinery/Equipment  
082 5030-095-740 Computer Equipment  
082 5030-095-810 Non-Fixed Asset Capital Outlay

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| -          | 80,058     | 544,696    | -          | 28,230       | 27,794        | -              |
| 15,051     | 36,900     | 7,259      | 5,000      | -            | 6,992         | 5,000          |
| -          | -          | 13,000     | -          | -            | -             | -              |
| -          | -          | -          | -          | -            | -             | -              |
| 15,051     | 116,958    | 564,955    | 5,000      | 28,230       | 34,786        | 5,000          |

**WASTEWATER TREATMENT  
CAPITAL RESERVE  
PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                      |                                | ACTUAL     |            |             | BUDGET      | ACTUAL      |               | PROPOSED       |
|--------------------------------------|--------------------------------|------------|------------|-------------|-------------|-------------|---------------|----------------|
|                                      |                                | FY 2012/13 | FY 2013/14 | FY 2014/15  | FY 2015/16  | 31-Dec-15   | PROJECTED FYE | 2016/17 BUDGET |
| WASTEWATER TREATMENT CAPITAL RESERVE |                                |            |            |             |             |             |               |                |
| 086 4210                             | Transfers from Other Funds     | -          | 500,000    | 500,000     | 500,000     | -           | 300,000       | -              |
| 086 4220                             | Transfers to Other Funds       | (443,626)  | (944,625)  | (1,444,990) | (8,671,524) | (2,036,832) | (4,000,000)   | (4,822,247)    |
| 086 4601                             | Interest on Investments        | 96,610     | 85,921     | 97,250      | 100,000     | 38,806      | 75,000        | 80,000         |
| 086 4873                             | Treatment Plant Connection Fee | 288,002    | 248,321    | 301,258     | 300,000     | 427,505     | 575,000       | 300,000        |
| 086 4897                             | Interdepartmental Serv Charges | 160,340    | 159,704    | 178,088     | 178,088     | 89,042      | 178,088       | 205,364        |
| 086 4992                             | Sale of Personal Property      | 8,091      | -          | -           | -           | -           | -             | -              |
| TOTAL REVENUE                        |                                | 553,043    | 493,945    | 576,596     | 578,088     | 555,354     | 828,088       | 585,364        |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                                    |                                | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|----------------------------------------------------|--------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                                                    |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| WASTEWATER CAPITAL RESERVE - EQUIPMENT REPLACEMENT |                                |            |            |            |            |              |               |                |
| 086 5030-095-720                                   | Automotive Equipment           | -          | -          | 15,052     | -          | -            | -             | 298,000        |
| 086 5030-095-730                                   | Other Machinery/Equipment      | -          | -          | -          | -          | -            | -             | 5,000          |
| 086 5030-095-810                                   | Non-Fixed Asset Capital Outlay | -          | -          | -          | -          | -            | -             | -              |
| TOTAL                                              |                                | -          | -          | 15,052     | -          | -            | -             | 303,000        |

# **SOLID WASTE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **SOLID WASTE OPERATING**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                  |                            | ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|------------------|----------------------------|------------|------------|------------|------------|-----------|---------------|----------------|
|                  |                            | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| SOLID WASTE FUND |                            |            |            |            |            |           |               |                |
| 031 4220         | Transfers to Other Funds   | -          | (500,000)  | (500,000)  | (500,000)  | -         | (500,000)     | (500,000)      |
| 031 4516         | State Grants               | 6,375      | 8,215      | 5,837      | -          | 9,630     | 33,426        | 15,000         |
| 031 4601         | Interest on Investments    | 10,578     | 16,214     | 16,996     | 20,000     | 7,860     | 20,000        | 15,000         |
| 031 4861         | Residential Refuse Charges | 2,897,104  | 2,914,302  | 2,922,758  | 2,933,000  | 1,479,141 | 2,933,000     | 2,980,000      |
| 031 4862         | Commercial Refuse Charges  | 2,071,507  | 2,117,821  | 2,147,907  | 2,140,000  | 1,096,192 | 2,140,000     | 2,220,000      |
| 031 4863         | Roll-Off Refuse Charges    | 583,484    | 540,028    | 631,851    | 580,000    | 228,664   | 580,000       | 580,000        |
| 031 4864         | Recycling Revenues         | 23,143     | 19,302     | 11,682     | -          | 1,855     | 2,256         | -              |
| 031 4994         | Contributions              | -          | -          | -          | -          | -         | 350           | -              |
| 031 4998         | Penalties                  | 76,094     | 78,463     | 72,838     | 80,000     | 38,874    | 80,000        | 80,000         |
| 031 4999         | Other Revenues             | 7,425      | 5,586      | 6,458      | 10,000     | 1,278     | 150,000       | 10,000         |
| TOTAL REVENUE    |                            | 5,675,710  | 5,699,932  | 5,816,327  | 5,763,000  | 2,863,494 | 5,939,032     | 5,900,000      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

REFUSE COLLECTION AND DISPOSAL

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 031 5030-080-010 | Salaries, Regular               | 621,543    | 659,430    | 725,687    | 762,552    | 380,499      | 734,000       | 769,242        |
| 031 5030-080-020 | Salaries, Part-time             | -          | -          | 3,988      | 5,651      | -            | -             | 5,651          |
| 031 5030-080-030 | Salaries, Overtime              | 83,101     | 86,063     | 89,775     | 53,000     | 39,166       | 70,000        | 90,000         |
| 031 5030-080-040 | Car Allowance                   | 4,800      | 4,800      | 4,800      | 4,800      | 2,400        | 4,800         | 4,800          |
| 031 5030-080-090 | Benefits                        | 282,459    | 295,585    | 358,427    | 324,950    | 198,823      | 397,646       | 384,621        |
| 031 5030-080-110 | Vehicle Maintenance             | 629,329    | 543,058    | 555,727    | 622,852    | 374,168      | 730,335       | 788,304        |
| 031 5030-080-120 | Building/Grounds Maint          | 3,838      | 1,709      | 2,780      | 3,000      | 1,734        | 3,000         | 3,000          |
| 031 5030-080-190 | Other Equipment Maint           | 99,997     | 101,265    | 111,661    | 119,166    | 59,705       | 119,166       | 193,436        |
| 031 5030-080-220 | Printing/Copying                | 1,507      | 1,474      | 873        | 2,000      | 272          | 543           | 2,000          |
| 031 5030-080-230 | Professional/Temp Service       | 1,043,217  | 1,054,690  | 1,076,609  | 966,300    | 395,765      | 950,000       | 987,600        |
| 031 5030-080-260 | Rent of Property & Equipmt      | 1,690      | 1,448      | 345        | 1,900      | 553          | 1,100         | 1,900          |
| 031 5030-080-280 | Administrative Expense          | 506,739    | 508,412    | 519,129    | 518,670    | 255,445      | 521,390       | 531,000        |
| 031 5030-080-320 | Office/Computer Supplies        | 3,298      | 4,487      | 2,714      | 3,500      | 1,147        | 2,000         | 3,500          |
| 031 5030-080-340 | Maint and Repair Materials      | 2,412      | 11,007     | 3,153      | 5,000      | 8,027        | 11,809        | 10,000         |
| 031 5030-080-350 | Tools/Equipment (under \$1,000) | 99         | -          | 98         | 600        | -            | 552           | 600            |
| 031 5030-080-410 | Meeting Expense                 | 4          | -          | -          | 200        | -            | -             | 200            |
| 031 5030-080-420 | Utilities                       | 14,372     | 15,448     | 17,346     | 18,000     | 9,565        | 18,000        | 18,000         |
| 031 5030-080-430 | Uniform Allowance               | 8,204      | 8,506      | 8,819      | 9,000      | 3,971        | 9,000         | 9,000          |
| 031 5030-080-440 | Training Expense                | 572        | (200)      | 1,206      | 3,500      | -            | 1,350         | 3,500          |
| 031 5030-080-450 | Publication and Dues            | 219        | 765        | 610        | 600        | 246          | 500           | 600            |
| 031 5030-080-460 | Postage                         | 29,457     | 31,372     | 28,922     | 30,000     | 13,609       | 30,000        | 30,000         |
| 031 5030-080-520 | Insurance, Liability            | 42,000     | 42,000     | 42,000     | 42,000     | 21,000       | 42,000        | 42,000         |
| 031 5030-080-660 | Other Expense                   | 29,570     | 34,593     | 30,398     | 45,000     | 16,393       | 35,000        | 40,000         |
| 031 5030-080-670 | Franchise Fee                   | 249,545    | 249,545    | 249,545    | 249,545    | 124,775      | 249,545       | 249,545        |
| TOTAL            |                                 | 3,657,973  | 3,655,414  | 3,834,612  | 3,791,786  | 1,907,264    | 3,931,736     | 4,168,499      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

GREEN WASTE

031 5030-081-010 Salaries, Regular  
031 5030-081-020 Salaries, Part-time  
031 5030-081-030 Salaries, Overtime  
031 5030-081-090 Benefits  
031 5030-081-110 Vehicle Maintenance  
031 5030-081-190 Other Equipment Maint  
031 5030-081-230 Professional/Temp Service  
031 5030-081-430 Uniform Allowance  
031 5030-081-520 Insurance, Liability  
031 5030-081-660 Other Expense  
031 5030-081-670 Franchise Fee

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 112,810    | 106,749    | 62,513     | 157,125    | 51,523       | 103,000       | 160,933        |
| -          | -          | 3,946      | -          | -            | -             | -              |
| 312        | 546        | 281        | 8,000      | -            | -             | 8,000          |
| 36,051     | 34,554     | 22,944     | 65,939     | 20,958       | 42,000        | 66,464         |
| 220,220    | 206,609    | 217,195    | 306,904    | 161,628      | 306,904       | 316,600        |
| 39,000     | 43,200     | 48,000     | 48,641     | 24,000       | 48,641        | 96,641         |
| 254,722    | 246,826    | 250,915    | 263,412    | 89,332       | 263,412       | 245,484        |
| 2,079      | 2,604      | 2,305      | 2,600      | 761          | 2,600         | 2,600          |
| 13,800     | 13,800     | 13,800     | 13,800     | 6,900        | 13,800        | 13,800         |
| 596        | 544        | 461        | 2,400      | 340          | 2,400         | 2,400          |
| 83,181     | 83,181     | 83,181     | 83,181     | 41,589       | 83,181        | 83,181         |
| 762,771    | 738,613    | 705,541    | 952,002    | 397,032      | 865,938       | 996,103        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

STREET SWEEPING

031 5030-083-010 Salaries, Regular  
031 5030-083-020 Salaries, Part-time  
031 5030-083-030 Salaries, Overtime  
031 5030-083-090 Benefits  
031 5030-083-110 Vehicle Maintenance  
031 5030-083-190 Other Equipment Maint  
031 5030-083-230 Professional/Temp Service  
031 5030-083-430 Uniform Allowance  
031 5030-083-660 Other Expense

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |              |               |                |
| 69,837     | 77,511     | 67,000     | 72,332     | 37,731       | 75,000        | 83,002         |
| -          | -          | 1,660      | -          | -            | -             | -              |
| 61         | 278        | 600        | 2,500      | 1,042        | 2,500         | 2,500          |
| 24,545     | 24,236     | 25,466     | 30,956     | 15,241       | 32,000        | 34,809         |
| 69,211     | 66,275     | 98,767     | 107,000    | 55,693       | 107,000       | 139,228        |
| -          | -          | -          | 128        | -            | -             | 128            |
| 9,320      | 1,096      | 629        | 5,500      | 262          | 800           | 12,000         |
| 748        | 690        | 579        | 550        | 219          | 550           | 550            |
| 545        | 463        | 427        | 1,200      | 349          | 700           | 1,200          |
| 174,266    | 170,549    | 195,129    | 220,166    | 110,538      | 218,550       | 273,416        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

CURBSIDE RECYCLEABLES COLLECTION

031 5030-084-010 Salaries, Regular  
031 5030-084-030 Salaries, Overtime  
031 5030-084-090 Benefits  
031 5030-084-110 Vehicle Maintenance  
031 5030-084-190 Other Equipment Maint  
031 5030-083-230 Professional/Temp Service  
031 5030-084-280 Administrative Expense  
031 5030-084-430 Uniform Allowance  
031 5030-084-660 Other Expense  
031 5030-084-670 Franchise Fee

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |              |               |                |
| 69,337     | 61,275     | 54,134     | 84,896     | 30,806       | 62,000        | 86,516         |
| 45         | -          | 209        | 10,000     | -            | -             | 1,000          |
| 23,994     | 19,300     | 19,593     | 37,020     | 13,287       | 30,000        | 37,615         |
| 88,828     | 21,644     | 8,133      | 75,400     | 2,796        | 30,000        | 92,000         |
| 29,004     | 33,600     | 38,400     | 38,400     | 19,200       | 38,400        | 72,000         |
| -          | -          | -          | 37,500     | -            | 37,500        | 37,500         |
| 3,123      | 3,123      | 3,123      | 3,123      | 1,562        | 3,123         | 3,123          |
| 200        | 200        | 181        | 350        | 81           | 350           | 350            |
| -          | -          | -          | 2,000      | -            | 2,000         | 2,000          |
| 2,957      | 2,957      | 2,957      | 2,957      | 1,481        | 2,957         | 2,957          |
| 217,487    | 142,099    | 126,731    | 291,646    | 69,212       | 206,330       | 335,062        |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

RECYCLABLE WASTE

031 5030-085-010 Salaries, Regular  
031 5030-085-030 Salaries, Overtime  
031 5030-085-090 Benefits  
031 5030-085-110 Vehicle Maintenance  
031 5030-085-190 Other Equipment Maint  
031 5030-085-220 Printing/Copying  
031 5030-085-230 Professional/Temp Service  
031 5030-085-320 Office/Computer Supplies  
031 5030-085-460 Postage  
031 5030-085-660 Other Expense

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |              |               |                |
| 65,498     | 57,487     | 100,612    | 121,440    | 35,078       | 75,000        | 125,118        |
| 1,463      | 2,522      | 2,106      | 10,000     | -            | 1,000         | 10,000         |
| 25,462     | 22,266     | 43,046     | 50,714     | 15,250       | 36,000        | 51,292         |
| 149,840    | 99,187     | 32,988     | 31,700     | 9,393        | 31,700        | 76,000         |
| 738        | 120        | 120        | 505        | 60           | 505           | 785            |
| 7          | 30         | 1          | -          | -            | -             | -              |
| 77,682     | 48,048     | 63,900     | 128,250    | 23,128       | 25,000        | 71,750         |
| 146        | 408        | -          | 500        | -            | -             | 500            |
| -          | -          | 70         | -          | 288          | 288           | -              |
| 809        | 729        | 3,730      | 5,000      | 126          | 2,000         | 5,000          |
| 321,645    | 230,796    | 246,573    | 348,109    | 83,322       | 171,493       | 340,445        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

GRAFFITI REMOVAL

031 5030-087-010 Salaries, Regular  
031 5030-087-090 Benefits  
031 5030-087-110 Vehicle Maintenance  
031 5030-087-190 Other Equipment Maint  
031 5030-087-230 Professional/Temp Service  
031 5030-087-320 Office and Computer Supplies  
031 5030-087-340 Maint and Repair Materials  
031 5030-087-520 Insurance, Liability  
031 5030-087-660 Other Expense

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |              |               |                |
| 16,352     | 16,458     | 18,001     | 21,498     | 8,556        | 18,000        | 22,147         |
| 6,225      | 5,955      | 7,820      | 10,504     | 3,930        | 9,000         | 10,618         |
| 1,614      | 2,200      | 250        | 1,100      | -            | 1,100         | 1,500          |
| 120        | 120        | 120        | 250        | 60           | 250           | 250            |
| 68,624     | 42,485     | 53,000     | 70,000     | 22,482       | 54,500        | 55,000         |
| 135        | -          | 34         | 300        | 13           | 300           | 300            |
| -          | -          | -          | 1,500      | -            | -             | 1,500          |
| 900        | 900        | 900        | 900        | 450          | 900           | 900            |
| -          | 1          | -          | 500        | 5            | 500           | 500            |
| 93,969     | 68,119     | 80,124     | 106,552    | 35,496       | 84,550        | 92,715         |

# **SOLID WASTE RESERVE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                             |                                | ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|---------------------------------------------|--------------------------------|------------|------------|------------|------------|-----------|---------------|----------------|
|                                             |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| SOLID WASTE RESERVE - EQUIPMENT REPLACEMENT |                                |            |            |            |            |           |               |                |
| 081 4210                                    | Transfers from Other Funds     | -          | 500,000    | 500,000    | 500,000    | -         | 500,000       | 500,000        |
| 081 4220                                    | Transfers to Other Funds       | -          | -          | -          | -          | -         | (300,000)     | -              |
| 081 4517                                    | Federal Grants                 | -          | 1,221,313  | -          | 1,220,544  | -         | 1,220,544     | 1,290,278      |
| 081 4601                                    | Interest on Investments        | 24,655     | 22,992     | 32,432     | 25,000     | 16,804    | 33,000        | 35,000         |
| 081 4897                                    | Interdepartmental Serv Charges | 458,183    | 266,319    | 321,147    | 617,138    | 293,832   | 587,664       | 923,270        |
| 081 4992                                    | Sale of Personal Property      | -          | 5,027      | -          | -          | -         | -             | -              |
| TOTAL REVENUE                               |                                | 482,838    | 1,515,651  | 353,579    | 1,862,682  | 310,636   | 1,841,208     | 2,248,548      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                             |                                | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|---------------------------------------------|--------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                                             |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| SOLID WASTE RESERVE - EQUIPMENT REPLACEMENT |                                |            |            |            |            |              |               |                |
| 081 5030-095-720                            | Automotive Equipment           | 663        | 1,439,994  | 281,125    | 1,625,590  | 336          | 1,422,985     | 1,458,278      |
| 081 5030-095-730                            | Other Machinery/Equipment      | 107,547    | 177,103    | 244,278    | 310,000    | 49,905       | 152,323       | 350,000        |
| 081 5030-095-810                            | Non-Fixed Asset Capital Outlay | -          | -          | -          | -          | -            | -             | -              |
| TOTAL                                       |                                | 108,210    | 1,617,097  | 525,403    | 1,935,590  | 50,242       | 1,575,308     | 1,808,278      |

# **AIRPORT**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **AIRPORT OPERATING**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
2016/17

|                |                             | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|----------------|-----------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                |                             | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| AIRPORT        |                             |            |            |            |            |              |               |              |
| 032 4001       | Current secured             | 8,950      | 8,596      | 10,916     | 10,000     | 8,509        | 9,561         | 10,000       |
| 032 4516       | State grants                | 10,000     | 10,000     | 10,000     | 10,000     | -            | 10,000        | 10,000       |
| 032 4601       | Interest on Investments     | 8,148      | 9,201      | 11,883     | 8,000      | 6,406        | 12,812        | 10,000       |
| 032 4604       | Rent of land - hangars      | 65,349     | 62,530     | 59,746     | 65,000     | 42,439       | 57,497        | 60,000       |
| 032 4606       | Rent of land - agricultural | 27,247     | 41,728     | 35,382     | 35,383     | 11,055       | 35,702        | 35,000       |
| 032 4607       | Rent of Buildings           | 3,600      | 3,600      | 3,600      | 3,600      | 1,800        | 2,400         | 3,600        |
| 032 4608       | Rent of hangars             | 47,423     | 49,737     | 49,371     | 50,000     | 24,455       | 49,845        | 50,000       |
| 032 4821       | Restaurant concession       | 8,136      | 8,175      | 8,188      | 8,188      | 2,729        | 7,506         | 8,200        |
| 032 4822       | Fuel and oil sales          | 1,017,942  | 1,198,292  | 1,146,329  | 1,280,000  | 826,821      | 1,187,000     | 1,200,000    |
| 032 4822.01    | Fuel flow fees              | 564        | -          | 2,775      | 1,000      | 4,443        | 4,443         | 800          |
| 032 4823       | Tie-down fees               | 1,007      | 1,065      | 1,112      | 1,100      | 350          | 710           | 600          |
| 032 4824       | Landing fees                | 30,960     | 44,280     | 30,000     | 37,320     | 31,080       | 32,640        | 32,000       |
| 032 4998       | Penalties                   | 1,486      | 2,617      | 583        | 600        | 276          | 552           | 500          |
| 032 4999       | Other revenues              | 15         | -          | -          | -          | 25           | 50            | -            |
| TOTAL REVENUES |                             | 1,230,827  | 1,439,821  | 1,369,885  | 1,510,191  | 960,388      | 1,410,718     | 1,420,700    |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
2016/17

|                     |                                 | ACTUAL     |            |            | BUDGET    | ACTUAL       |               | PROPOSED     |
|---------------------|---------------------------------|------------|------------|------------|-----------|--------------|---------------|--------------|
|                     |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| AIRPORT             |                                 |            |            |            |           |              |               |              |
| 032-5070-001-010    | Salaries, Regular               | 60,776     | 89,460     | 95,636     | 133,284   | 49,949       | 110,000       | 137,283      |
| 032-5070-001-020    | Salaries, Part-time             | 28,195     | 17,407     | 34,454     | 2,000     | 16,338       | 30,289        | 2,000        |
| 032-5070-001-030    | Salaries, Overtime              | -          | 1,767      | 2,279      | 2,000     | 786          | 1,500         | 2,000        |
| 032-5070-001-090    | Benefits                        | 21,193     | 32,120     | 46,119     | 70,992    | 27,696       | 58,000        | 86,023       |
| 032-5070-001-110    | Vehicle Maint                   | 9,427      | 9,428      | 6,155      | 10,000    | 2,233        | 6,000         | 10,000       |
| 032-5070-001-120    | Building/Grounds Maint          | 9,415      | 12,885     | 19,031     | 17,000    | 5,188        | 20,000        | 20,000       |
| 032-5070-001-140    | Computer Maint                  | 186        | 454        | 665        | 700       | 93           | 186           | 2,700        |
| 032-5070-001-180    | Fueling System Maint            | 10,875     | 4,677      | 9,546      | 6,000     | 3,636        | 6,500         | 6,500        |
| 032-5070-001-190    | Other Equip Maint               | 26,027     | 24,612     | 25,591     | 27,000    | 12,272       | 25,000        | 27,000       |
| 032-5070-001-210    | Advertising                     | 245        | 905        | 160        | 500       | 245          | 500           | 500          |
| 032-5070-001-230    | Professional/Temp Service       | 8,544      | 2,591      | 3,064      | 900       | 453          | 1,000         | 3,500        |
| 032-5070-001-260    | Rent of Property & Equipment    | -          | -          | 12         | 500       | 79           | 500           | 200          |
| 032-5070-001-280    | Administrative Expense          | 40,480     | 46,143     | 43,200     | 54,557    | 38,984       | 60,000        | 60,000       |
| 032-5070-001-290    | Processing Fee                  | 25,619     | 34,651     | 40,171     | 42,000    | 29,325       | 40,000        | 42,000       |
| 032-5070-001-310    | Aviation Fuels & Lubricants     | 772,904    | 917,917    | 880,788    | 904,000   | 520,822      | 800,000       | 892,500      |
| 032-5070-001-320    | Office/Computer Supplies        | 163        | 520        | 975        | 1,400     | 183          | 700           | 2,000        |
| 032-5070-001-330    | Janitorial Supplies             | 657        | 259        | 218        | 500       | -            | -             | 500          |
| 032-5070-001-350    | Tools/Equipment (under \$1,000) | -          | -          | 290        | 500       | 90           | 797           | 1,000        |
| 032-5070-001-410    | Meeting Expense                 | 1,615      | 176        | 307        | 1,000     | 75           | 156           | 500          |
| 032-5070-001-420    | Utilities                       | 33,655     | 34,599     | 40,143     | 38,000    | 22,884       | 50,000        | 50,000       |
| 032-5070-001-440    | Training Expense                | -          | -          | -          | -         | -            | 80            | 100          |
| 032-5070-001-450    | Publication and Dues            | 938        | 343        | 343        | 500       | -            | 343           | 500          |
| 032-5070-001-460    | Postage                         | 14         | -          | -          | -         | -            | 7             | 100          |
| 032-5070-001-520    | Insurance, Liability            | 22,000     | 22,000     | 22,000     | 22,000    | 11,002       | 22,000        | 22,000       |
| 032-5070-001-620.03 | Debt Redemption-Hangars         | 2,908      | 2,423      | 1,900      | 1,777     | 1,777        | 1,777         | 1,210        |
| 032-5070-001-660    | Other Expense                   | 619        | 1,360      | 1,305      | 1,200     | 238          | 500           | 500          |
| 032-5070-001-730    | Other Mach/Equip (over \$1,000) | 2,167      | 3,141      | -          | 15,000    | 9,250        | 21,658        | 4,000        |
| TOTAL               |                                 | 1,078,622  | 1,251,260  | 1,274,353  | 1,353,310 | 753,598      | 1,257,493     | 1,374,617    |

# **AIRPORT REPLACEMENT AND DEVELOPMENT**

**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
2016/17

|                                         | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|-----------------------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                                         | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| AIRPORT REPLACEMENT AND DEVELOPMENT     |            |            |            |            |              |               |              |
| 090 4601 Interest on investments        | 3,577      | 5,850      | 6,247      | 3,000      | 2,835        | 5,000         | 5,000        |
| 090 4516 State grants                   | -          | -          | 3,121      | 28,438     | -            | -             | 1,888        |
| 090 4517 Federal grants                 | 31,991     | 34,957     | 61,895     | 561,893    | 30,708       | 32,782        | 30,893       |
| 090 4897 Interdepartmental serv charges | 24,186     | 24,186     | 24,186     | 24,186     | 12,093       | 24,186        | 24,186       |
| 090 4991 Sale of real property          | 515,000    | -          | -          | -          | -            | -             | -            |
| 090 4992 Sale of personal Property      | -          | -          | 1,000      | -          | 627          | 627           | -            |
| TOTAL                                   | 574,753    | 64,993     | 96,449     | 617,517    | 46,263       | 62,595        | 61,967       |
| 090 4210 Transfers from Other Funds     | -          | -          | -          | -          | -            | -             | -            |
| 090 4220 Transfers to Other Funds       | (291,068)  | (38,914)   | (61,901)   | (689,326)  | (34,120)     | (37,326)      | (74,326)     |
| NET TRANSFERS                           | (291,068)  | (38,914)   | (61,901)   | (689,326)  | (34,120)     | (37,326)      | (74,326)     |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
2016/17

|                                          |                            | ACTUAL     |            |            | BUDGET    | ACTUAL       |               | PROPOSED     |
|------------------------------------------|----------------------------|------------|------------|------------|-----------|--------------|---------------|--------------|
|                                          |                            | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| AIRPORT REPLACEMENT AND DEVELOPMENT FUND |                            |            |            |            |           |              |               |              |
| 090 5030-095-720                         | Automotive Equipment       | 4,340      | -          | -          | -         | -            | -             | 150,000      |
| 090 5070-001-180                         | Fueling System Maintenance | -          | -          | -          | -         | -            | -             | -            |
| 090 5070-001-730                         | Other Machinery/Equipment  | -          | -          | -          | -         | -            | -             | 14,500       |
| 090 5070-001-750                         | Special Aviation           | -          | -          | -          | -         | 7,098        | 8,500         | 16,000       |
| TOTAL                                    |                            | 4,340      | -          | -          | -         | 7,098        | 8,500         | 180,500      |

# **GOLF COURSE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **GOLF COURSE OPERATING**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                    |                            | ACTUAL         |                |                | BUDGET         | ACTUAL        |                | PROPOSED       |
|------------------------------------|----------------------------|----------------|----------------|----------------|----------------|---------------|----------------|----------------|
|                                    |                            | FY 2012/13     | FY 2013/14     | FY 2014/15     | FY 2015/16     | Y-T-D DEC 15  | PROJECTED FYE  | 16/17 BUDGET   |
| <b>GOLF COURSE OPERATIONS FUND</b> |                            |                |                |                |                |               |                |                |
| 033 4210                           | Transfers from Other Funds | 69,000         | 69,000         | 69,000         | 69,000         | 34,500        | 69,000         | 69,000         |
| 033 4851                           | Green Fees                 | 113,806        | 106,001        | 99,980         | 94,000         | 44,913        | 94,000         | 94,000         |
| 033 4852                           | Golf Membership Fees       | 55,990         | 49,355         | 45,690         | 44,000         | 19,535        | 44,000         | 44,000         |
| 033 4853                           | Locker Fees                | 2,105          | 2,405          | 1,943          | 2,000          | 285           | 2,000          | 2,000          |
| 033 4854                           | Golf Cart Rentals          | 53,276         | 55,721         | 60,268         | 54,000         | 29,946        | 60,000         | 55,000         |
| 033 4999                           | Other Revenues             | 295            | 267            | 89             | 100            | -             | 70             | -              |
| <b>TOTAL REVENUE</b>               |                            | <b>225,472</b> | <b>213,749</b> | <b>207,970</b> | <b>194,100</b> | <b>94,679</b> | <b>200,070</b> | <b>195,000</b> |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**GOLF COURSE**

|                  |                              | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------------|------------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                  |                              | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 033-5050-070-010 | Salaries, Regular            | 77,421     | 89,102     | 78,533     | 93,012     | 43,266       | 90,000        | 96,433       |
| 033-5050-070-020 | Salaries, Part-time          | 12,955     | 12,308     | 11,265     | 13,000     | 5,720        | 11,000        | 13,000       |
| 033-5050-070-030 | Salaries, Overtime           | 131        | 2,615      | 402        | 300        | -            | -             | 300          |
| 033-5050-070-090 | Benefits                     | 35,897     | 38,696     | 33,814     | 46,290     | 19,801       | 48,000        | 56,917       |
| 033-5050-070-110 | Vehicle Maintenance          | 45,155     | 40,038     | 54,512     | 45,000     | 26,316       | 45,000        | 48,900       |
| 033-5050-070-120 | Building/Grounds Maint       | 21,472     | 29,898     | 22,604     | 23,000     | 16,329       | 23,000        | 26,000       |
| 033-5050-070-190 | Other Equipment Maint        | 8,202      | 13,232     | 8,066      | 9,000      | 3,699        | 9,000         | 7,500        |
| 033-5050-070-210 | Advertising                  | 534        | -          | -          | 500        | -            | -             | 500          |
| 033-5050-070-220 | Printing/Copying             | 280        | -          | -          | -          | -            | -             | -            |
| 033-5050-070-230 | Professional/Temp Service    | 52,078     | 49,865     | 48,746     | 50,000     | 19,297       | 48,000        | 50,000       |
| 033-5050-070-260 | Rent of Property & Equipment | -          | -          | 159        | -          | 70           | 70            | -            |
| 033-5050-070-280 | Administrative Expense       | 20,292     | 19,237     | 18,717     | 17,469     | 8,521        | 18,006        | 17,550       |
| 033-5050-070-420 | Utilities                    | 56,433     | 54,615     | 51,135     | 50,000     | 26,694       | 45,000        | 50,000       |
| 033-5050-070-430 | Uniform Allowance            | 1,057      | 566        | 647        | 850        | 208          | 600           | 750          |
| 033-5050-070-440 | Training Expense             | -          | 60         | -          | -          | -            | -             | -            |
| 033-5050-070-450 | Publication and Dues         | 23         | 23         | -          | -          | -            | -             | -            |
| 033-5050-070-520 | Insurance, Liability         | 8,925      | 8,925      | 8,925      | 8,925      | 4,461        | 8,925         | 8,925        |
| 033-5050-070-660 | Other Expense                | 3,761      | 3,788      | 4,109      | 3,500      | 2,369        | 5,000         | 4,000        |
| TOTAL            |                              | 344,616    | 362,967    | 341,635    | 360,846    | 176,751      | 351,601       | 380,775      |



# **GOLF COURSE REPLACEMENT**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**GOLF COURSE REPLACEMENT FUND**

091 4601 Interest on Investments  
091 4897 Interdepartmental Serv Charges  
091 4992 Sale of Personal Property  
091 4999 Other Revenues

**TOTAL REVENUE**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 1,986      | 1,738      | 1,546      | 1,000      | 699          | 1,400         | 1,000        |
| 28,048     | 29,112     | 33,823     | 37,188     | 18,594       | 37,188        | 37,188       |
| 501        | -          | 1,012      | -          | -            | -             | -            |
| -          | 200        | -          | -          | -            | -             | -            |
| 30,535     | 31,050     | 36,381     | 38,188     | 19,293       | 38,588        | 38,188       |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**GOLF COURSE REPLACEMENT FUND**

091 5030-095-720 Automotive Equipment  
091 5030-095-730 Other Machinery/Equipment  
091 5030-095-810 Non-Fixed Asset Capital Outlay

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 2,599      | -          | 67,412     | -          | -            | -             | -            |
| 65,400     | 20,963     | 3,517      | -          | -            | -             | 82,000       |
| -          | -          | -          | -          | -            | -             | -            |
| 68,000     | 20,963     | 70,928     | -          | -            | -             | 82,000       |

# **WATER**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

# **WATER OPERATING PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                      |                            | ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|----------------------|----------------------------|------------|------------|------------|------------|-----------|---------------|----------------|
|                      |                            | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| WATER OPERATING FUND |                            |            |            |            |            |           |               |                |
| 034 4210             | Transfers from Other Funds | 640        | 587        | 747        | -          | -         | -             | -              |
| 034 4220             | Transfers to Other Funds   | (498,389)  | -          | (700,250)  | (820,000)  | -         | (914,779)     | -              |
| 034 4601             | Interest on Investments    | 14,097     | 15,191     | 10,300     | 15,000     | 5,703     | 11,000        | 15,000         |
| 034 4818             | Code Enforcement Fees      | -          | -          | 1,500      | -          | 11,698    | 16,000        | 12,000         |
| 034 4881             | Water Sales                | 4,749,951  | 4,646,737  | 4,359,260  | 5,400,993  | 3,012,823 | 5,260,000     | 5,380,980      |
| 034 4882             | Meter Installation Charges | 13,553     | 37,303     | 30,123     | 20,000     | 12,770    | 25,000        | 25,000         |
| 034 4883             | Water Service Charges      | 84,139     | 97,465     | 136,988    | 120,000    | 65,731    | 120,000       | 140,000        |
| 034 4995             | Reimbursement and Refunds  | -          | -          | 15,751     | -          | -         | 4,360         | -              |
| 034 4998             | Penalties                  | 75,887     | 79,026     | 67,091     | 85,000     | 50,153    | 85,000        | 95,000         |
| 034 4999             | Other Revenues             | 9,478      | 155,465    | 22,110     | 10,000     | 3,325     | 6,500         | 10,000         |
| TOTAL REVENUE        |                            | 4,947,107  | 5,031,187  | 4,643,123  | 5,650,993  | 3,162,203 | 5,527,860     | 5,677,980      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                    |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|--------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                    |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| WATER DISTRIBUTION |                                 |            |            |            |            |              |               |                |
| 034 5030-070-010   | Salaries, Regular               | 418,879    | 431,526    | 426,403    | 485,587    | 215,863      | 400,000       | 519,510        |
| 034 5030-070-020   | Salaries, Part-time             | -          | -          | 2,112      | 5,651      | -            | -             | 5,651          |
| 034 5030-070-030   | Salaries, Overtime              | 6,298      | 10,135     | 13,930     | 10,000     | 12,237       | 20,000        | 10,000         |
| 034 5030-070-040   | Car Allowance                   | 4,800      | 4,800      | 4,800      | 4,800      | 2,400        | 4,800         | 4,800          |
| 034 5030-070-090   | Benefits                        | 158,434    | 169,467    | 189,524    | 195,929    | 100,885      | 195,000       | 233,780        |
| 034 5030-070-110   | Vehicle Maintenance             | 116,766    | 121,601    | 115,967    | 108,309    | 62,122       | 108,309       | 113,700        |
| 034 5030-070-120   | Building/Grounds Maint          | 4,050      | 1,709      | 2,923      | 4,100      | 1,734        | 3,500         | 4,100          |
| 034 5030-070-190   | Other Equipment Maint           | 66,233     | 65,587     | 70,422     | 66,726     | 36,416       | 70,000        | 68,226         |
| 034 5030-070-220   | Printing/Copying                | 1,460      | 1,327      | 2,136      | 1,600      | 308          | 500           | 1,600          |
| 034 5030-070-230   | Professional/Temp Service       | 11,835     | 20,117     | 12,807     | 9,500      | 9,653        | 10,400        | 9,500          |
| 034 5030-070-260   | Rent of Property & Equipmt      | 1,645      | 1,628      | 450        | 2,000      | 642          | 1,500         | 2,000          |
| 034 5030-070-280   | Administrative Expense          | 470,710    | 476,960    | 441,889    | 532,027    | 303,705      | 497,507       | 511,018        |
| 034 5030-070-320   | Office/Computer Supplies        | 1,142      | 3,388      | 2,252      | 2,000      | 659          | 2,000         | 2,000          |
| 034 5030-070-340   | Maint and Repair Materials      | 85,582     | 167,066    | 286,123    | 90,500     | 106,246      | 265,000       | 100,000        |
| 034 5030-070-350   | Tools/Equipment (under \$1,000) | 128        | 1,902      | 3,144      | 1,500      | 532          | 2,200         | 1,500          |
| 034 5030-070-370   | New Water Service               | 36,060     | 93,223     | 127,836    | 37,000     | 68,611       | 130,000       | 130,000        |
| 034 5030-070-410   | Meeting Expense                 | 4          | 59         | -          | 100        | -            | 10            | 100            |
| 034 5030-070-420   | Utilities                       | 863,082    | 1,064,580  | 1,154,897  | 1,217,000  | 541,169      | 1,000,000     | 1,217,000      |
| 034 5030-070-430   | Uniform Allowance               | 4,973      | 4,102      | 5,258      | 5,000      | 1,900        | 5,000         | 5,000          |
| 034 5030-070-440   | Training Expense                | 3,596      | 5,027      | 3,729      | 5,700      | 3,688        | 5,000         | 5,700          |
| 034 5030-070-450   | Publication and Dues            | 942        | 1,587      | 1,491      | 1,500      | 508          | 1,000         | 1,500          |
| 034 5030-070-460   | Postage                         | 29,583     | 31,549     | 26,887     | 30,000     | 13,267       | 30,000        | 30,000         |
| 034 5030-070-520   | Insurance, Liability            | 36,000     | 36,000     | 36,000     | 36,000     | 18,000       | 36,000        | 36,000         |
| 034 5030-070-620   | Debt Redemption/Fiscal Chgs     | 546,362    | 504,174    | 454,923    | 385,586    | 192,793      | 385,586       | 342,302        |
| 034 5030-070-650   | Depreciation Expense            | 155,162    | 155,162    | 155,162    | 155,162    | -            | -             | 155,162        |
| 034 5030-070-660   | Other Expense                   | 129,673    | 105,761    | 165,407    | 200,000    | 181,545      | 300,000       | 200,000        |
| 034 5030-070-670   | Franchise Fee                   | 332,724    | 332,724    | 332,724    | 332,724    | 166,362      | 332,724       | 332,724        |
| 034 5030-070-730   | Other Mach/Equip (over 1,000)   | -          | 43         | -          | -          | -            | -             | -              |
| TOTAL              |                                 | 3,486,122  | 3,811,202  | 4,039,195  | 3,926,001  | 2,041,245    | 3,806,036     | 4,042,873      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

WATER METER READING/CUSTOMER SERVICE

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 034 5030-071-010 | Salaries, Regular               | 110,941    | 108,632    | 126,830    | 129,960    | 67,571       | 125,000       | 133,914        |
| 034 5030-071-020 | Salaries, Part-time             | 47,059     | 43,394     | 34,255     | 34,116     | 18,023       | 34,116        | 34,116         |
| 034 5030-071-030 | Salaries, Overtime              | 2,440      | 2,750      | 2,849      | 5,000      | 1,103        | 2,000         | 5,000          |
| 034 5030-071-090 | Benefits                        | 47,921     | 50,673     | 67,725     | 55,051     | 41,395       | 90,000        | 66,957         |
| 034 5030-071-110 | Vehicle Maintenance             | 39,642     | 40,866     | 32,839     | 28,300     | 18,376       | 35,000        | 32,100         |
| 034 5030-071-190 | Other Equipment Maint           | 4,386      | 2,886      | 2,242      | 3,186      | 910          | 2,000         | 7,986          |
| 034 5030-071-230 | Professional/Temp Service       | 3          | 2          | -          | -          | -            | -             | -              |
| 034 5030-071-320 | Office/Computer Supplies        | -          | 242        | -          | -          | -            | -             | -              |
| 034 5030-071-340 | Maint and Repair Materials      | 814        | 2,387      | 2,549      | 2,000      | 2,515        | 3,100         | 2,600          |
| 034 5030-071-350 | Tools/Equipment (under \$1,000) | 905        | -          | -          | 800        | -            | 46            | 800            |
| 034 5030-071-420 | Utilities                       | 1,264      | 1,293      | 1,190      | 1,800      | 160          | 360           | 1,800          |
| 034 5030-071-430 | Uniform Allowance               | 2,865      | 3,017      | 3,181      | 2,900      | 1,178        | 2,900         | 3,200          |
| 034 5030-071-440 | Training Expense                | 320        | 308        | -          | 500        | -            | -             | 500            |
| 034 5030-071-520 | Insurance, Liability            | 2,400      | 2,400      | 2,400      | 2,400      | 1,200        | 2,400         | 2,400          |
| 034 5030-071-660 | Other Expense                   | 32         | -          | 27         | 500        | -            | -             | 500            |
| TOTAL            |                                 | 260,991    | 258,849    | 276,087    | 266,513    | 152,431      | 296,922       | 291,873        |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

WATER QUALITY ASSURANCE

|                  |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 034 5030-072-010 | Salaries, Regular               | 146,615    | 198,716    | 210,962    | 289,134    | 110,863      | 225,000       | 322,071        |
| 034 5030-072-020 | Salaries, Part-time             | -          | -          | 2,052      | -          | -            | -             | -              |
| 034 5030-072-030 | Salaries, Overtime              | 288        | 275        | -          | 1,000      | 266          | 266           | 1,000          |
| 034 5030-072-090 | Benefits                        | 50,061     | 69,901     | 79,037     | 113,615    | 42,543       | 96,000        | 125,042        |
| 034 5030-072-110 | Vehicle Maintenance             | 40,093     | 34,770     | 29,997     | 38,132     | 17,952       | 35,000        | 32,400         |
| 034 5030-072-220 | Printing/Copying                | 1          | 0          | -          | -          | -            | -             | 10,200         |
| 034 5030-072-230 | Professional/Temp Service       | 49,047     | 151,132    | 51,012     | 80,000     | 25,710       | 52,000        | 80,000         |
| 034 5030-072-320 | Office/Computer Supplies        | -          | 225        | -          | 500        | -            | -             | 500            |
| 034 5030-072-340 | Maint & Repair Materials        | 11,480     | 10,554     | 8,979      | 20,000     | 4,252        | 12,000        | 20,000         |
| 034 5030-072-350 | Tools/Equipment (under \$1,000) | 300        | 859        | 35         | 1,500      | 312          | 500           | 1,500          |
| 034 5030-072-440 | Training Expense                | 145        | 842        | 555        | 1,000      | 325          | 500           | 1,000          |
| 034 5030-072-490 | Special Consumables             | 6,994      | 8,159      | 6,825      | 7,500      | 2,830        | 6,000         | 7,500          |
| 034 5030-072-520 | Insurance, Liability            | 3,300      | 3,300      | 3,300      | 3,300      | 1,650        | 3,300         | 3,300          |
| 034 5030-072-660 | Other Expense                   | -          | -          | -          | 1,000      | -            | -             | 1,000          |
| TOTAL            |                                 | 308,324    | 478,733    | 392,754    | 556,681    | 206,701      | 430,566       | 605,513        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

HYDRANT TESTING

034 5030-073-010 Salaries, Regular  
034 5030-073-020 Salaries, Part-time  
034 5030-073-090 Benefits  
034 5030-073-340 Maint and Repair Materials

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| 12,914     | 14,218     | 7,780      | 21,012     | -            | -             | 21,012         |
| 662        | 836        | 225        | -          | -            | -             | -              |
| 5,115      | 5,135      | 3,242      | 7,446      | -            | -             | 7,446          |
| 739        | 2,243      | 785        | 1,000      | -            | 100           | 1,000          |
| 19,430     | 22,433     | 12,032     | 29,458     | -            | 100           | 29,458         |

# **WATER REPLACEMENT**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                   |                                | ACTUAL     |            |            | BUDGET      | ACTUAL    |               | PROPOSED       |
|-------------------|--------------------------------|------------|------------|------------|-------------|-----------|---------------|----------------|
|                   |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16  | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| WATER REPLACEMENT |                                |            |            |            |             |           |               |                |
| 080 4210          | Transfers from Other Funds     | 498,389    | -          | 702,688    | 820,000     | -         | 914,779       | -              |
| 080 4220          | Transfers to Other Funds       | (52,888)   | (832,902)  | (193,835)  | (7,140,508) | (486,033) | (1,000,000)   | (7,355,418)    |
| 080 4516          | State Granst                   | -          | -          | -          | -           | -         | -             | 1,430,000      |
| 080 4517          | Federal Grants                 | -          | -          | -          | 4,100,000   | -         | -             | 1,300,000      |
| 080 4601          | Interest on Investments        | 51,203     | 48,692     | 53,033     | 50,000      | 26,642    | 55,000        | 75,000         |
| 080 4891          | Service Connection Fees        | 9,351      | 32,333     | 58,694     | 20,000      | 24,405    | 40,000        | 40,000         |
| 080 4892          | Acreage Fees - Developers      | 74,608     | 249,764    | 194,902    | 75,000      | 174,786   | 230,000       | 150,000        |
| 080 4897          | Interdepartmental Serv Charges | 303,944    | 297,320    | 300,242    | 301,196     | 74,625    | 150,000       | 329,276        |
| 080 4992          | Sale of Personal Property      | 2,478      | 584        | -          | -           | 705       | 15,339        | -              |
| TOTAL REVENUE     |                                | 441,584    | 628,692    | 606,871    | 4,546,196   | 301,163   | 490,339       | 3,324,276      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                           |                                | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|-------------------------------------------|--------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                                           |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| WATER REPLACEMENT - EQUIPMENT REPLACEMENT |                                |            |            |            |            |              |               |                |
| 080 5030-095-720                          | Automotive Equipment           | 155        | 147,798    | 159,682    | 30,000     | -            | 30,896        | -              |
| 080 5030-095-730                          | Other Machinery/Equipment      | 25,211     | 3,547      | 58,892     | 585,000    | 476          | 82,780        | 526,000        |
| 080 5030-095-740                          | Computer Equipment             | -          | -          | 1,199      | -          | -            | -             | -              |
| 080 5030-095-810                          | Non-Fixed Asset Capital Outlay | -          | -          | -          | -          | -            | -             | -              |
| TOTAL                                     |                                | 25,366     | 151,345    | 219,772    | 615,000    | 476          | 113,676       | 526,000        |

# **RISK MANAGEMENT**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
2016/17

|                 |                                | ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|-----------------|--------------------------------|------------|------------|------------|------------|-----------|---------------|----------------|
|                 |                                | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
| RISK MANAGEMENT |                                |            |            |            |            |           |               |                |
| 050 4210        | Transfers from Other Funds     | -          | -          | -          | -          | -         | -             | -              |
| 050 4220        | Transfers to Other Funds       | -          | -          | -          | (75,000)   | -         | -             | (25,000)       |
| 050 4601        | Interest on Investments        | 42,172     | 19,206     | 5,031      | 3,000      | 78        | 150           | 1,000          |
| 050 4901        | Liability Insurance            | 514,916    | 514,916    | 514,916    | 514,916    | 257,462   | 514,916       | 514,916        |
| 050 4902        | Health & Life Insurance        | 2,414,886  | 2,504,546  | 3,111,147  | 3,500,000  | 1,792,800 | 4,110,000     | 4,680,000      |
| 050 4903        | Unemployment Insurance         | 85,964     | 88,089     | 90,677     | 88,000     | 47,318    | 94,000        | 90,000         |
| 050 4904        | Workers Compensation Insurance | 882,794    | 909,313    | 940,985    | 900,000    | 493,080   | 970,000       | 900,000        |
| 050 4905        | Automobile Insurance           | 156,817    | 157,712    | 161,656    | 157,000    | 80,164    | 158,480       | 156,432        |
| 050 4995        | Reimbursements & Refunds       | 766,307    | 5,320      | -          | -          | -         | -             | -              |
| 050 4998        | Penalties                      | 245        | 208        | 344        | 250        | 310       | 600           | 350            |
| 050 4999        | Other Revenues                 | (752)      | 558        | 90         | -          | 34        | -             | -              |
| TOTAL           |                                | 4,863,348  | 4,199,868  | 4,824,846  | 5,163,166  | 2,671,246 | 5,848,146     | 6,342,698      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS - RISK MANAGEMENT  
2016/17

|                  |                                 |            |            |            | BUDGET     | ACTUAL       | PROJECTED    | PROPOSED       |
|------------------|---------------------------------|------------|------------|------------|------------|--------------|--------------|----------------|
|                  |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | F-Y-E JUN 16 | 2016/17 BUDGET |
| ADMINISTRATION   |                                 |            |            |            |            |              |              |                |
| 050-5011-015-010 | Salaries, Regular               | 107,332    | 108,887    | 112,507    | 123,794    | 65,429       | 128,000      | 131,854        |
| 050-5011-015-090 | Benefits                        | 31,858     | 32,791     | 38,686     | 47,598     | 23,342       | 50,000       | 57,601         |
| 050-5011-015-190 | Other Equipment Maint           | 372        | 372        | 186        | 200        | 93           | 186          | 200            |
| 050 5011-015-230 | Professional/Temp Service       | 6,533      | -          | -          | -          | -            | -            | -              |
| 050-5011-015-410 | Meeting Expense                 | 111        | 320        | 286        | 200        | -            | 936          | 400            |
| 050-5011-015-440 | Training Expense                | 3,495      | 605        | 1,895      | 4,000      | 15           | 98           | 4,000          |
| 050-5011-015-450 | Publication and Dues            | 100        | 600        | -          | 500        | -            | -            | 500            |
| 050-5011-015-660 | Other Expense                   | 8          | 483        | 286        | 300        | 39           | 150          | 100            |
| 050-5011-015-710 | Office equipment (over \$1,000) | -          | 924        | -          |            | -            | -            | -              |
| TOTAL            |                                 | 149,810    | 144,981    | 153,845    | 176,592    | 88,918       | 179,370      | 194,655        |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS - RISK MANAGEMENT  
2016/17

|                  |                           |            | BUDGET     | ACTUAL       | PROJECTED    | PROPOSED       |         |         |
|------------------|---------------------------|------------|------------|--------------|--------------|----------------|---------|---------|
|                  |                           |            | FY 2015/16 | Y-T-D DEC 15 | F-Y-E JUN 16 | 2016/17 BUDGET |         |         |
| FY 2012/13       | FY 2013/14                | FY 2014/15 |            |              |              |                |         |         |
| RM LIABILITY     |                           |            |            |              |              |                |         |         |
| 050-5011-016-540 | Administration & Premiums | 436,988    | 420,729    | 549,344      | 594,722      | 649,474        | 794,488 | 639,491 |
| 050-5011-016-550 | Loss Control Services     | 72,597     | 216        | 1,790        | -            | -              | -       | -       |
| 050-5011-016-560 | Claims (Expected Losses)  | 4          | -          | -            | -            | -              | -       | -       |
| TOTAL            |                           | 509,589    | 420,945    | 551,134      | 594,722      | 649,474        | 794,488 | 639,491 |
| RM PROPERTY      |                           |            |            |              |              |                |         |         |
| 050-5011-017-540 | Administration & Premiums | 100,215    | 138,674    | 212,547      | 222,061      | 243,059        | 243,059 | 257,531 |
| 050-5011-017-560 | Claims (Expected Losses)  | -          | -          | -            | -            | -              | -       | -       |
| TOTAL            |                           | 100,215    | 138,674    | 212,547      | 222,061      | 243,059        | 243,059 | 257,531 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS - RISK MANAGEMENT  
2016/17

|                         |                           |           |           | BUDGET     | ACTUAL       | PROJECTED    | PROPOSED       |           |           |           |
|-------------------------|---------------------------|-----------|-----------|------------|--------------|--------------|----------------|-----------|-----------|-----------|
|                         |                           |           |           | FY 2015/16 | Y-T-D DEC 15 | F-Y-E JUN 16 | 2016/17 BUDGET |           |           |           |
| FY 2012/13              |                           |           |           | FY 2013/14 | FY 2014/15   |              |                |           |           |           |
| RM WORKERS COMPENSATION |                           |           |           |            |              |              |                |           |           |           |
| 050-5011-018-540        | Administration & Premiums | 199,776   | 236,021   | 219,296    | 246,691      | 136,227      | 196,510        | 299,127   |           |           |
| 050-5011-018-550        | Loss Control Services     | 60,763    | 55,170    | 23,250     | 66,231       | 8,285        | 25,000         | 25,000    |           |           |
| 050-5011-018-560        | Claims (Expected Losses)  | 735,304   | 538,123   | 227,090    | 952,906      | 58,417       | 425,000        | 550,000   |           |           |
| TOTAL                   |                           |           |           | 995,843    | 829,314      | 469,636      | 1,265,828      | 202,928   | 646,510   | 874,127   |
| RM EMPLOYEE MEDICAL     |                           |           |           |            |              |              |                |           |           |           |
| 050-5011-019-540        | Administration & Premiums | 949,816   | 919,122   | 1,033,621  | 1,000,000    | 570,381      | 1,200,000      | 1,017,031 |           |           |
| 050-5011-019-560        | Claims (Expected Losses)  | 3,592,298 | 3,497,463 | 2,904,077  | 3,000,000    | 1,554,615    | 3,000,000      | 2,900,000 |           |           |
| TOTAL                   |                           |           |           | 4,542,114  | 4,416,585    | 3,937,698    | 4,000,000      | 2,124,995 | 4,200,000 | 3,917,031 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS - RISK MANAGEMENT  
2016/17

|                         |                           |            | BUDGET     | ACTUAL       | PROJECTED    | PROPOSED       |        |         |
|-------------------------|---------------------------|------------|------------|--------------|--------------|----------------|--------|---------|
| FY 2012/13              | FY 2013/14                | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | F-Y-E JUN 16 | 2016/17 BUDGET |        |         |
| RM UNEMPLOYMENT         |                           |            |            |              |              |                |        |         |
| 050-5011-020-560        | Claims (Expected Losses)  | 45,625     | 56,340     | 34,047       | 35,000       | 23,895         | 43,171 | 40,000  |
| TOTAL                   |                           | 45,625     | 56,340     | 34,047       | 35,000       | 23,895         | 43,171 | 40,000  |
| RM EMPLOYMENT PRACTICES |                           |            |            |              |              |                |        |         |
| 050-5011-021-540        | Administration & Premiums | 143,380    | 77,080     | 62,212       | 132,881      | 125,920        | 87,656 | 128,160 |
| 050-5011-021-560        | Claims (Expected Losses)  | 26,640     | 13,571     | (2,693)      | 20,000       | -              | -      | 25,000  |
| TOTAL                   |                           | 170,020    | 90,651     | 59,519       | 152,881      | 125,920        | 87,656 | 153,160 |

# **EQUIPMENT MAINTENANCE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

**EQUIPMENT MAINTENANCE  
OPERATING  
PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                       |                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|-----------------------|---------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                       |                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| EQUIPMENT MAINTENANCE |                                 |            |            |            |            |              |               |                |
| 053 5030-090-010      | Salaries, Regular               | 367,911    | 367,841    | 369,994    | 434,060    | 194,464      | 385,000       | 447,278        |
| 053 5030-090-020      | Salaries, Part-time             | -          | -          | -          | 3,256      | -            | -             | 3,256          |
| 053 5030-090-030      | Salaries, Overtime              | 35,101     | 35,159     | 39,339     | 31,000     | 26,044       | 50,000        | 31,000         |
| 053 5030-090-090      | Benefits                        | 146,806    | 144,456    | 163,452    | 183,297    | 88,529       | 183,297       | 214,694        |
| 053 5030-090-110      | Vehicle Maintenance             | 52,674     | 46,533     | 48,928     | 44,600     | 24,861       | 44,600        | 43,450         |
| 053 5030-090-120      | Building/Grounds Maint          | 14,656     | 14,075     | 35,873     | 20,000     | 6,648        | 15,000        | 20,000         |
| 053 5030-090-140      | Computer Maintenance            | 4,363      | 3,432      | 8,462      | 8,200      | 2,683        | 3,000         | 8,200          |
| 053 5030-090-190      | Other Equipment Maint           | 134,607    | 144,219    | 167,329    | 170,462    | 78,537       | 160,000       | 174,662        |
| 053 5030-090-220      | Printing/Copying                | 1,387      | 1,333      | 302        | 400        | 130          | 250           | 400            |
| 053 5030-090-230      | Professional/Temp Service       | 1,037      | 1,471      | 1,379      | 2,200      | 196          | 650           | 2,200          |
| 053 5030-090-250      | Outside Automotive              | 1,000,734  | 1,113,282  | 1,088,005  | 1,100,000  | 515,723      | 1,100,000     | 1,200,000      |
| 053 5030-090-260      | Rent of Property & Equipmt      | 1,028      | 1,025      | 1,068      | 1,500      | 918          | 2,000         | 2,000          |
| 053 5030-090-310      | Fuel and Lubricants             | 927,863    | 1,011,802  | 747,063    | 900,000    | 303,604      | 650,000       | 750,000        |
| 053 5030-090-320      | Office/Computer Supplies        | 2,295      | 5,959      | 4,536      | 2,500      | 4,394        | 6,800         | 5,000          |
| 053 5030-090-330      | Janitorial Supplies             | 497        | 356        | -          | 500        | 88           | 500           | 500            |
| 053 5030-090-340      | Maint and Repair Material       | -          | -          | -          | 0          | 2            | 2             | -              |
| 053 5030-090-350      | Tools/Equipment (under \$1,000) | 5,682      | 3,876      | 9,667      | 6,500      | 5,184        | 13,000        | 6,500          |
| 053 5030-090-380      | Automotive Parts                | 115,147    | 147,069    | 137,213    | 150,000    | 61,202       | 125,000       | 125,000        |
| 053 5030-090-420      | Utilities                       | 27,475     | 30,134     | 33,168     | 35,000     | 18,054       | 30,000        | 40,000         |
| 053 5030-090-430      | Uniform Allowance               | 9,754      | 9,632      | 8,237      | 9,500      | 3,331        | 9,500         | 9,500          |
| 053 5030-090-440      | Training Expense                | 2,288      | 999        | -          | 2,000      | 499          | 3,614         | 2,000          |
| 053 5030-090-450      | Publication and Dues            | 961        | 2,809      | 4,218      | 1,500      | 584          | 2,500         | 1,500          |
| 053 5030-090-460      | Postage                         | 125        | 104        | 97         | 100        | 75           | 150           | 100            |
| 053 5030-090-520      | Insurance, Liability            | 15,900     | 15,900     | 15,900     | 15,900     | 7,950        | 15,900        | 15,900         |
| 053 5030-090-660      | Other Expense                   | 9,788      | 11,463     | 12,103     | 12,000     | 5,940        | 12,000        | 13,000         |
| 053 5030-090-730      | Other Mach/Equip (over \$10000  | -          | -          | 1,236      | -          | -            | -             | -              |
| TOTAL                 |                                 | 2,878,082  | 3,112,515  | 2,897,569  | 3,134,475  | 1,349,639    | 2,812,763     | 3,116,140      |

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

EQUIPMENT MAINTENANCE

053 4601 Interest on Investments  
053 4609 Rent of Equipment  
053 4822 Fuel Sales  
053 4897 Interdepartmental Serv Charges  
053 4899 Other Service Charges  
053 4995 Reimbursements & Refunds  
053 4998 Penalties  
053 4999 Other Revenues

TOTAL REVENUE

| ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|------------|------------|------------|------------|-----------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |           |               |                |
| 1,858      | 3,003      | 4,046      | 2,500      | 2,519     | 5,000         | 4,000          |
| 15,454     | 16,431     | 16,563     | 20,000     | 8,222     | 16,500        | 18,000         |
| 1,310,653  | 1,380,093  | 1,227,708  | 1,358,000  | 615,672   | 1,150,000     | 1,230,000      |
| 419,705    | 454,123    | 471,108    | 475,000    | 249,570   | 475,000       | 485,000        |
| 111,669    | 149,362    | 166,958    | 155,000    | 81,282    | 155,000       | 175,000        |
| 152,233    | 61,519     | 162,770    | 32,000     | 9,382     | 11,000        | 18,000         |
| -          | 2          | (2)        | -          | -         | -             | -              |
| 897,791    | 1,125,197  | 980,930    | 1,110,000  | 593,699   | 1,110,000     | 1,180,000      |
| 2,909,361  | 3,189,729  | 3,030,080  | 3,152,500  | 1,560,345 | 2,922,500     | 3,110,000      |

# **EQUIPMENT MAINTENANCE REPLACEMENT PROPOSED ANNUAL BUDGET**



**FY 2016/2017**



CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

EQUIPMENT MAINTENANCE REPLACEMENT

093 4601 Interest on Investments  
093 4897 Interdepartmental Serv Charges  
093 4992 Sale of Personal Property

TOTAL REVENUE

| ACTUAL     |            |            | BUDGET     | ACTUAL    |               | PROPOSED       |
|------------|------------|------------|------------|-----------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | 31-Dec-15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |           |               |                |
| 3,437      | 4,631      | 5,930      | 2,500      | 3,151     | 6,300         | 6,300          |
| 125,233    | 113,680    | 132,903    | 133,062    | 66,531    | 133,062       | 133,062        |
| 5,418      | 521        | -          | -          | -         | -             | -              |
| 134,088    | 118,832    | 138,833    | 135,562    | 69,682    | 139,362       | 139,362        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

EQUIPMENT MAINTENANCE REPLACEMENT

093 5030-095-720 Automotive Equipment  
093 5030-095-730 Other Machinery/Equipment  
093 5030-095-810 Non-Fixed Asset Capital Outlay

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|------------|------------|------------|------------|--------------|---------------|----------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
|            |            |            |            |              |               |                |
| 790        | -          | -          | -          | -            | -             | -              |
| 1,068      | 47,351     | 15,669     | 98,000     | 492          | 63,818        | 62,500         |
| -          | -          | -          | -          | -            | -             | -              |
| 1,858      | 47,351     | 15,669     | 98,000     | 492          | 63,818        | 62,500         |

# **LANDSCAPE MAINTENANCE DISTRICTS**

**PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

LANDSCAPE MAINTENANCE DISTRICTS

061 4005 Assessments  
061 4995 Reimbursements and Refunds  
061 4999 Other Revenues

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 300,555    | 49,924     | 79,057     | 95,500     | 37,542       | 92,635        | 92,500       |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | -            |
| 300,555    | 49,924     | 79,057     | 95,500     | 37,542       | 92,635        | 95,500       |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 41, BEVERLY GLENN**

061-5050-001-120 Building/Grounds Maintenance  
061-5050-001-230 Professional/Temp Services  
061-5050-001-420 Utilities  
061-5050-001-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | 100        | -            | -             | -            |
| 115        | 113        | 116        | 100        | 49           | 107           | 115          |
| -          | -          | -          | -          | -            | -             | -            |
| 115        | 113        | 116        | 200        | 49           | 107           | 115          |

**DISTRICT 42, SIERRA ESTATES**

061-5050-002-010 Salaries, Regular  
061-5050-002-090 Benefits  
061-5050-002-120 Building/Grounds Maintenance  
061-5050-002-230 Professional/Temp Services  
061-5050-002-420 Utilities  
061-5050-002-660 Other Expenses

TOTAL

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| 512   | -     | -     | -     | -     | -     | -     |
| 162   | -     | -     | -     | -     | -     | -     |
| -     | -     | -     | -     | -     | -     | -     |
| 6,476 | 6,476 | 6,476 | 6,600 | 2,698 | 6,476 | 6,600 |
| 1,170 | 1,189 | 1,221 | 1,500 | 580   | 1,303 | 1,500 |
| -     | -     | 6     | 100   | -     | -     | -     |
| 8,320 | 7,665 | 7,703 | 8,200 | 3,278 | 7,779 | 8,100 |

**DISTRICT 43, SIERRA MEADOWS #2**

061-5050-003-010 Salaries, Regular  
061-5050-003-030 Salaries, Overtime  
061-5050-003-090 Benefits  
061-5050-003-120 Building/Grounds Maintenance  
061-5050-003-230 Professional/Temp Services  
061-5050-003-420 Utilities  
061-5050-003-660 Other Expenses

TOTAL

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| 591   | 729   | 1,684 | 1,000 | 30    | 60    | 500   |
| -     | 72    | 127   | -     | -     | -     | -     |
| 187   | 223   | 661   | 250   | 12    | 24    | 200   |
| -     | 52    | 73    | 200   | -     | -     | 200   |
| 357   | 1,070 | 357   | 1,000 | -     | -     | -     |
| 6,271 | 5,907 | 6,700 | 6,000 | 3,140 | 7,512 | 7,500 |
| -     | -     | 6     | 25    | -     | -     | -     |
| 7,406 | 8,053 | 9,607 | 8,475 | 3,182 | 7,596 | 8,400 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                        |                              | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|----------------------------------------|------------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                                        |                              | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| <b>DISTRICT 44, SUMMIT ESTATES #1</b>  |                              |            |            |            |            |              |               |              |
| 061-5050-004-120                       | Building/Grounds Maintenance | -          | -          | 34         | 100        | 22           | 44            | 100          |
| 061-5050-004-230                       | Professional/Temp Services   | 731        | 813        | 1,796      | 1,500      | 778          | 1,866         | 1,800        |
| 061-5050-004-420                       | Utilities                    | 1,744      | 1,691      | 1,652      | 1,500      | 772          | 1,716         | 1,600        |
| 061-5050-004-660                       | Other Expenses               | -          | -          | 6          | 100        | -            | -             | 100          |
| TOTAL                                  |                              | 2,474      | 2,504      | 3,488      | 3,200      | 1,571        | 3,626         | 3,600        |
| <b>DISTRICT 45, NEW EXPRESSIONS #5</b> |                              |            |            |            |            |              |               |              |
| 061-5050-005-010                       | Salaries, Regular            | 1,402      | -          | -          | -          | -            | -             | -            |
| 061-5050-005-090                       | Benefits                     | 441        | -          | -          | -          | -            | -             | -            |
| 061-5050-005-120                       | Building/Grounds Maintenance | -          | -          | -          | -          | -            | -             | -            |
| 061-5050-005-230                       | Professional/Temp Services   | -          | -          | -          | -          | -            | -             | -            |
| 061-5050-005-420                       | Utilities                    | 888        | 873        | 895        | 1,000      | 374          | 827           | 950          |
| 061-5050-005-660                       | Other Expenses               | -          | -          | 6          | 25         | -            | -             | -            |
| TOTAL                                  |                              | 2,731      | 873        | 901        | 1,025      | 374          | 827           | 950          |
| <b>DISTRICT 46, MOOREA MANOR</b>       |                              |            |            |            |            |              |               |              |
| 061-5050-006-120                       | Building/Grounds Maintenance | -          | -          | -          | -          | -            | -             | -            |
| 061-5050-006-230                       | Professional/Temp Services   | 248        | 285        | 280        | 500        | 117          | 257           | 500          |
| 061-5050-006-420                       | Utilities                    | -          | 87         | 460        | 300        | 356          | 997           | 800          |
| 061-5050-006-660                       | Other Expenses               | 28         | -          | 6          | 25         | -            | -             | -            |
| TOTAL                                  |                              | 276        | 372        | 746        | 825        | 473          | 1,254         | 1,300        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

|                                           |                              | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|-------------------------------------------|------------------------------|------------|------------|------------|------------|--------------|---------------|--------------|
|                                           |                              | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| <b>DISTRICT 1, WESTWOOD ESTATES 1 - 3</b> |                              |            |            |            |            |              |               |              |
| 061-5050-036-010                          | Salaries, Regular            | -          | 1,339      | 2,094      | 2,000      | 30           | 60            | 500          |
| 061-5050-036-020                          | Salaries, Part-time          | -          | 42         | -          |            | -            | -             | -            |
| 061-5050-036-090                          | Benefits                     | -          | 405        | 758        | 900        | 12           | 24            | 125          |
| 061-5050-036-120                          | Building/Grounds Maintenance | 655        | 1,260      | 745        | 500        | 487          | 974           | 1,000        |
| 061-5050-036-230                          | Professional/Temp Services   | 2,617      | 5,019      | 3,791      | 3,000      | 1,135        | 1,841         | 3,000        |
| 061-5050-036-420                          | Utilities                    | 3,372      | 3,089      | 2,471      | 3,500      | 1,391        | 2,120         | 3,500        |
| 061-5050-036-660                          | Other Expenses               | 88         | 132        | -          | 50         | 49           | 49            | 100          |
| TOTAL                                     |                              | 6,732      | 11,285     | 9,859      | 9,950      | 3,105        | 5,068         | 8,225        |
| <b>JASMINE RANCH, ANNEX 2</b>             |                              |            |            |            |            |              |               |              |
| 061-5050-039-010                          | Salaries, Regular            | 28         | -          | 1,811      | 1,000      | 30           | 60            | 250          |
| 061-5050-039-090                          | Benefits                     | 11         | -          | 664        | 250        | 12           | 24            | 100          |
| 061-5050-039-120                          | Building/Grounds Maintenance | -          | 182        | 51         | 200        | -            | -             | 200          |
| 061-5050-039-230                          | Professional/Temp Services   | 3,262      | 3,262      | 3,262      | 3,200      | 1,359        | 3,262         | 3,500        |
| 061-5050-039-420                          | Utilities                    | 1,927      | 2,447      | 1,853      | 2,000      | 725          | 1,450         | 2,500        |
| 061-5050-039-660                          | Other Expenses               | -          | 132        | -          | 25         | 49           | 49            | 100          |
| TOTAL                                     |                              | 5,227      | 6,023      | 7,641      | 6,675      | 2,175        | 4,845         | 6,650        |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

PORTER CREEK, ANNEX 3

|                  |                              |
|------------------|------------------------------|
| 061-5050-040-010 | Salaries, Regular            |
| 061-5050-040-020 | Salaries, Part-time          |
| 061-5050-040-090 | Benefits                     |
| 061-5050-040-120 | Building/Grounds Maintenance |
| 061-5050-040-230 | Professional/Temp Services   |
| 061-5050-040-420 | Utilities                    |
| 061-5050-040-460 | Postage                      |
| 061-5050-040-660 | Other Expenses               |

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED<br>16/17 BUDGET |
|------------|------------|------------|------------|--------------|---------------|--------------------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE |                          |
| -          | 1,397      | 2,631      | 1,800      | 30           | 60            | 250                      |
| -          | 42         | -          |            | -            | -             | -                        |
| -          | 416        | 971        | 500        | 12           | 24            | 50                       |
| 236        | 6,161      | 702        | 1,000      | 174          | 349           | 2,000                    |
| 10,365     | 11,351     | 9,360      | 11,500     | 3,900        | 9,360         | 11,500                   |
| 3,938      | 3,254      | 2,693      | 3,200      | 1,301        | 2,602         | 3,200                    |
| -          | 167        | -          |            | -            | -             | -                        |
| -          | 69         | -          | 25         | 49           | 49            | 100                      |
| 14,539     | 22,857     | 16,358     | 18,025     | 5,467        | 12,444        | 17,100                   |

LA VIDA PARK, ANNEX 4

|                  |                              |
|------------------|------------------------------|
| 061-5050-041-010 | Salaries, Regular            |
| 061-5050-041-090 | Benefits                     |
| 061-5050-041-120 | Building/Grounds Maintenance |
| 061-5050-041-230 | Professional/Temp Services   |
| 061-5050-041-420 | Utilities                    |
| 061-5050-041-660 | Other Expenses               |

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| -     | -     | 1,224 | -     | 30    | 60    | 250   |
| -     | -     | 453   | -     | 12    | 24    | 100   |
| 48    | -     | -     | 100   | 348   | 375   | 500   |
| 644   | 689   | 792   | 800   | 330   | 792   | 800   |
| 959   | 1,071 | 1,008 | 1,000 | 495   | 1,016 | 1,200 |
| -     | 161   | -     | -     | 49    | 49    | 100   |
| 1,651 | 1,920 | 3,477 | 1,900 | 1,264 | 2,316 | 2,950 |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**WESTWOOD ESTATES 4 - 5, ANNEX 5**

061-5050-042-010 Salaries, Regular  
061-5050-042-020 Salaries, Part-time  
061-5050-042-090 Benefits  
061-5050-042-120 Building/Grounds Maintenance  
061-5050-042-230 Professional/Temp Services  
061-5050-042-420 Utilities  
061-5050-042-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 120        | 155        | 1,890      | 500        | 30           | 60            | 250          |
| -          | 105        | -          | -          | -            | -             | -            |
| 44         | 66         | 682        | 100        | 12           | 24            | 100          |
| -          | 368        | -          | 200        | -            | -             | 200          |
| 3,248      | 6,039      | 5,048      | 4,000      | 1,659        | 3,098         | 4,000        |
| 2,011      | 2,444      | 1,635      | 2,200      | 428          | 857           | 1,500        |
| 52         | 132        | -          | 50         | 49           | 49            | 100          |
| 5,474      | 9,309      | 9,255      | 7,050      | 2,178        | 4,088         | 6,150        |

**NORTHPOINTE 1, ANNEX 6**

061-5050-043-010 Salaries, Regular  
061-5050-043-090 Benefits  
061-5050-043-120 Building/Grounds Maintenance  
061-5050-043-230 Professional/Temp Services  
061-5050-043-420 Utilities  
061-5050-043-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | 82  | -   | -   | -   | -   |
| -   | -   | 32  | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 763 | 744 | 761 | 800 | 319 | 770 | 800 |
| -   | -   | -   | 25  | -   | -   | 25  |
| 763 | 744 | 875 | 825 | 319 | 770 | 825 |

**QUAIL PARK, PHASE 2, ANNEX 7**

061-5050-044-120 Building/Grounds Maintenance  
061-5050-044-230 Professional/Temp Services  
061-5050-044-420 Utilities  
061-5050-044-660 Other Expenses

TOTAL

|    |    |    |     |    |    |     |
|----|----|----|-----|----|----|-----|
| -  | -  | -  | -   | -  | -  | -   |
| -  | -  | -  | -   | -  | -  | -   |
| 77 | 70 | 77 | 100 | 32 | 78 | 100 |
| -  | -  | 6  | -   | -  | -  | -   |
| 77 | 70 | 83 | 100 | 32 | 78 | 100 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**WESTWOOD PARK, UN 3, ANNEX 8**

061-5050-045-010 Salaries, Regular  
061-5050-045-030 Salaries, Overtime  
061-5050-045-090 Benefits  
061-5050-045-120 Building/Grounds Maintenance  
061-5050-045-420 Utilities  
061-5050-045-610 Weed Abatement Service  
061-5050-045-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | 1,011      | -          | 30           | 60            | 200          |
| -          | -          | -          | -          | 55           | 110           | -            |
| -          | -          | 364        | -          | 40           | 81            | 80           |
| -          | -          | 1,950      | -          | -            | -             | -            |
| 238        | 239        | 245        | 200        | 103          | 247           | 250          |
| -          | -          | 20,500     | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | 100          |
| 238        | 239        | 24,070     | 200        | 228          | 497           | 630          |

**MASONIC TEMPLE, ANNEX 9**

061-5050-046-120 Building/Grounds Maintenance  
061-5050-046-230 Professional/Temp Services  
061-5050-046-420 Utilities  
061-5050-046-660 Other Expenses

TOTAL

|    |    |    |     |    |    |     |
|----|----|----|-----|----|----|-----|
| -  | -  | -  | -   | -  | -  | -   |
| -  | -  | -  | -   | -  | -  | -   |
| 50 | 49 | 51 | 50  | 21 | 52 | 100 |
| -  | -  | 6  | 50  | -  | -  | -   |
| 50 | 49 | 57 | 100 | 21 | 52 | 100 |

**WESTVIEW, ANNEX 10**

061-5050-047-010 Salaries, Regular  
061-5050-047-090 Benefits  
061-5050-047-120 Building/Grounds Maintenance  
061-5050-047-230 Professional/Temp Services  
061-5050-047-420 Utilities  
061-5050-047-660 Other Expenses

TOTAL

|     |     |       |       |     |       |       |
|-----|-----|-------|-------|-----|-------|-------|
| -   | -   | 1,333 | -     | 30  | 60    | 100   |
| -   | -   | 482   | -     | 12  | 24    | 30    |
| -   | -   | -     | -     | -   | -     | -     |
| 222 | 244 | 253   | 300   | 115 | 276   | 300   |
| 522 | 559 | 594   | 800   | 259 | 649   | 800   |
| -   | -   | -     | 25    | -   | -     | -     |
| 744 | 803 | 2,663 | 1,125 | 416 | 1,009 | 1,230 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**NEW HORIZONS, PHASE 1, ANNEX 11**

061-5050-048-120 Building/Grounds Maintenance  
061-5050-048-230 Professional/Temp Services  
061-5050-048-420 Utilities  
061-5050-048-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | -            |
| 798        | 776        | 796        | 850        | 334          | 806           | 850          |
| -          | -          | -          | 25         | -            | -             | -            |
| 798        | 776        | 796        | 875        | 334          | 806           | 850          |

**SUNRISE ESTATES, PHASE 6, ANNEX 12**

061-5050-049-010 Salaries, Regular  
061-5050-049-090 Benefits  
061-5050-049-120 Building/Grounds Maintenance  
061-5050-049-230 Professional/Temp Services  
061-5050-049-420 Utilities  
061-5050-049-660 Other Expenses

**TOTAL**

|     |     |       |     |     |     |     |
|-----|-----|-------|-----|-----|-----|-----|
| -   | -   | 1,023 | -   | 30  | 60  | 100 |
| -   | -   | 367   | -   | 12  | 24  | 30  |
| -   | -   | -     | -   | -   | -   | -   |
| -   | -   | -     | -   | -   | -   | -   |
| 329 | 326 | 336   | 300 | 164 | 334 | 500 |
| -   | -   | -     | -   | 49  | 49  | 100 |
| 329 | 326 | 1,726 | 300 | 255 | 467 | 730 |

**NORTHPOINTE II, ANNEX 15**

061-5050-052-120 Building/Grounds Maintenance  
061-5050-052-230 Professional/Temp Services  
061-5050-052-420 Utilities  
061-5050-052-660 Other Expenses

**TOTAL**

|     |     |     |     |    |     |     |
|-----|-----|-----|-----|----|-----|-----|
| -   | -   | -   | -   | -  | -   | -   |
| -   | -   | -   | -   | -  | -   | -   |
| 235 | 232 | 235 | 350 | 99 | 238 | 350 |
| -   | -   | 6   | -   | -  | -   | -   |
| 235 | 232 | 241 | 350 | 99 | 238 | 350 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**WISCONSIN MANOR I, ANNEX 14**

|                                               | ACTUAL       |              |              | BUDGET       | ACTUAL       |               | PROPOSED     |
|-----------------------------------------------|--------------|--------------|--------------|--------------|--------------|---------------|--------------|
|                                               | FY 2012/13   | FY 2013/14   | FY 2014/15   | FY 2015/16   | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 061-5050-053-010 Salaries, Regular            | -            | 102          | 1,881        | -            | 30           | 60            | 100          |
| 061-5050-053-090 Benefits                     | -            | 21           | 689          | -            | 12           | 24            | 30           |
| 061-5050-053-120 Building/Grounds Maintenance | 777          | -            | 50           | 300          | -            | -             | -            |
| 061-5050-053-230 Professional/Temp Services   | 700          | 553          | 636          | 700          | 265          | 530           | 700          |
| 061-5050-053-420 Utilities                    | 616          | 595          | 592          | 500          | 280          | 559           | 700          |
| 061-5050-053-660 Other Expenses               | -            | 132          | -            | 100          | 49           | 49            | 100          |
| <b>TOTAL</b>                                  | <b>2,093</b> | <b>1,403</b> | <b>3,848</b> | <b>1,600</b> | <b>636</b>   | <b>1,222</b>  | <b>1,630</b> |

**NEW HORIZONS, PHASE 2, ANNEX 16**

|                                               |            |            |            |            |            |            |            |
|-----------------------------------------------|------------|------------|------------|------------|------------|------------|------------|
| 061-5050-054-120 Building/Grounds Maintenance | -          | -          | -          | -          | -          | -          | -          |
| 061-5050-054-230 Professional/Temp Services   | -          | -          | -          | -          | -          | -          | -          |
| 061-5050-054-420 Utilities                    | 648        | 631        | 645        | 700        | 271        | 653        | 700        |
| 061-5050-054-660 Other Expenses               | -          | -          | -          | 25         | -          | -          | -          |
| <b>TOTAL</b>                                  | <b>648</b> | <b>631</b> | <b>645</b> | <b>725</b> | <b>271</b> | <b>653</b> | <b>700</b> |

**WESTWOOD VILLAGE MOBILE HOME PARK, ANNEX 18**

|                                               |            |            |            |            |            |            |            |
|-----------------------------------------------|------------|------------|------------|------------|------------|------------|------------|
| 061-5050-056-120 Building/Grounds Maintenance | -          | -          | -          | -          | -          | -          | -          |
| 061-5050-056-230 Professional/Temp Services   | -          | -          | -          | -          | -          | -          | -          |
| 061-5050-056-420 Utilities                    | 248        | 246        | 256        | 300        | 107        | 260        | 300        |
| 061-5050-056-660 Other Expenses               | -          | -          | 6          | -          | -          | -          | -          |
| <b>TOTAL</b>                                  | <b>248</b> | <b>246</b> | <b>261</b> | <b>300</b> | <b>107</b> | <b>260</b> | <b>300</b> |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**CASTLE WOODS, PHASE 1, ANNEX 19**

061-5050-057-120 Building/Grounds Maintenance  
061-5050-057-420 Utilities  
061-5050-057-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | 30         | -          | 500        | -            | -             | -            |
| 395        | 391        | 399        | 400        | 167          | 404           | 400          |
| -          | 63         | -          | 100        | -            | -             | 100          |
| 395        | 483        | 399        | 1,000      | 167          | 404           | 500          |

**DISTRICT 2, NORTH CREEK SUBDIVISION**

061-5050-058-010 Salaries, Regular  
061-5050-058-090 Benefits  
061-5050-058-120 Building/Grounds Maintenance  
061-5050-058-230 Professional/Temp Services  
061-5050-058-420 Utilities  
061-5050-058-660 Other Expenses

**TOTAL**

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| 679   | 988   | 1,651 | 1,000 | 30    | 60    | 1,000 |
| 221   | 303   | 610   | 200   | 12    | 24    | 400   |
| -     | 140   | 57    | 200   | 43    | 85    | 200   |
| 3,520 | 6,187 | 3,120 | 4,000 | 1,300 | 3,120 | 4,000 |
| 1,100 | 1,345 | 1,100 | 1,400 | 574   | 1,147 | 1,400 |
| -     | 129   | -     | 25    | 49    | 49    | 100   |
| 5,520 | 9,091 | 6,538 | 6,825 | 2,007 | 4,485 | 7,100 |

**DISTRICT 3, NEW EXPRESSIONS, PHASE 1**

061-5050-059-120 Building/Grounds Maintenance  
061-5050-059-230 Professional/Temp Services  
061-5050-059-420 Utilities  
061-5050-059-660 Other Expenses

**TOTAL**

|     |     |       |       |     |     |     |
|-----|-----|-------|-------|-----|-----|-----|
| 223 | 444 | 623   | 600   | -   | -   | 500 |
| -   | -   | -     | -     | -   | -   | -   |
| 384 | 379 | 387   | 400   | 162 | 391 | 400 |
| -   | -   | -     | 25    | -   | -   | -   |
| 607 | 823 | 1,009 | 1,025 | 162 | 391 | 900 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 4, RIVER SPRINGS, PHASE 1**

061-5050-060-010 Salaries, Regular  
061-5050-060-030 Salaries, Overtime  
061-5050-060-090 Benefits  
061-5050-060-120 Building/Grounds Maintenance  
061-5050-060-230 Professional/Temp Services  
061-5050-060-420 Utilities  
061-5050-060-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | 81         | 1,309      | -          | 30           | 60            | 200          |
| -          | -          | -          | -          | -            | -             | -            |
| -          | 17         | 495        | -          | 12           | 24            | 80           |
| 3,175      | -          | -          | -          | -            | -             | -            |
| 357        | 385        | 438        | 500        | 182          | 438           | 500          |
| 1,335      | 1,005      | 1,038      | 1,000      | 485          | 1,112         | 1,500        |
| -          | 69         | -          | 50         | -            | -             | 100          |
| 4,867      | 1,557      | 3,279      | 1,550      | 709          | 1,634         | 2,380        |

**DISTRICT 5, CASTLE WOODS, PHASE 2**

061-5050-061-120 Building/Grounds Maintenance  
061-5050-061-230 Professional/Temp Services  
061-5050-061-420 Utilities  
061-5050-061-660 Other Expenses

**TOTAL**

|       |       |       |       |     |       |       |
|-------|-------|-------|-------|-----|-------|-------|
| -     | -     | -     | -     | -   | -     | -     |
| 1,160 | 1,242 | 1,040 | 1,200 | 433 | 1,040 | 1,500 |
| 624   | 624   | 560   | 600   | 298 | 711   | 800   |
| -     | 132   | -     | 50    | 98  | 98    | 100   |
| 1,785 | 1,998 | 1,600 | 1,850 | 829 | 1,849 | 2,400 |

**DISTRICT 6, CREEKVIEW SUBDIVISION**

061-5050-062-010 Salaries, Regular  
061-5050-062-090 Benefits  
061-5050-062-120 Building/Grounds Maintenance  
061-5050-062-230 Professional/Temp Services  
061-5050-062-420 Utilities  
061-5050-062-660 Other Expenses

**TOTAL**

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| -     | -     | 1,755 | -     | 30    | 60    | 100   |
| -     | -     | 667   | -     | 12    | 24    | 30    |
| -     | -     | -     | -     | -     | -     | -     |
| 3,290 | 2,523 | 3,314 | 3,500 | 1,083 | 2,600 | 3,500 |
| 1,736 | 1,763 | 1,350 | 1,800 | 619   | 1,237 | 1,800 |
| -     | 179   | -     | 50    | 49    | 49    | 100   |
| 5,026 | 4,465 | 7,085 | 5,350 | 1,793 | 3,970 | 5,530 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 7, FORD ESTATES, PHASE 1**

061-5050-063-010 Salaries, Regular  
061-5050-063-090 Benefits  
061-5050-063-120 Building/Grounds Maintenance  
061-5050-063-230 Professional/Temp Services  
061-5050-063-420 Utilities  
061-5050-063-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | 1,312      | -          | 30           | 60            | 100          |
| -          | -          | 491        | -          | 12           | 24            | 30           |
| 21         | 21         | -          | 100        | -            | -             | 100          |
| 232        | 253        | 285        | 400        | 119          | 285           | 400          |
| 446        | 448        | 378        | 500        | 191          | 396           | 500          |
| -          | -          | 6          | 25         | -            | -             | -            |
| 699        | 723        | 2,471      | 1,025      | 351          | 765           | 1,130        |

**DISTRICT 8, RIVER BREEZE SUBDIVISION**

061-5050-064-010 Salaries, Regular  
061-5050-064-090 Benefits  
061-5050-064-120 Building/Grounds Maintenance  
061-5050-064-230 Professional/Temp Services  
061-5050-064-420 Utilities  
061-5050-064-660 Other Expenses

TOTAL

|       |       |       |       |     |     |       |
|-------|-------|-------|-------|-----|-----|-------|
| 611   | -     | 1,176 | 500   | 30  | 60  | 500   |
| 195   | -     | 441   | 150   | 12  | 24  | 200   |
| -     | -     | -     | 500   | 10  | 21  | 250   |
| 800   | 3,416 | 1,477 | 2,000 | 87  | 208 | 3,000 |
| 455   | 451   | 464   | 500   | 230 | 555 | 500   |
| -     | -     | 6     | 50    | -   | -   | -     |
| 2,061 | 3,867 | 3,563 | 3,700 | 369 | 867 | 4,450 |

**DISTRICT 9, ORCHARD RIDGE, PHASE 3**

061-5050-065-120 Building/Grounds Maintenance  
061-5050-065-230 Professional/Temp Services  
061-5050-065-420 Utilities  
061-5050-065-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | 191 | 64  | 200 | 64  | 128 | 200 |
| -   | -   | -   | -   | -   | -   | -   |
| 384 | 379 | 387 | 400 | 162 | 391 | 400 |
| -   | -   | -   | 50  | -   | -   | -   |
| 384 | 571 | 451 | 650 | 226 | 519 | 600 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 10, ORCHARD RIDGE, PHASE 4**

061-5050-066-120 Building/Grounds Maintenance  
061-5050-066-230 Professional/Temp Services  
061-5050-066-420 Utilities  
061-5050-066-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | -            |
| 154        | 151        | 155        | 200        | 65           | 156           | 200          |
| -          | -          | -          | -          | -            | -             | 100          |
| 154        | 151        | 155        | 200        | 65           | 156           | 300          |

**DISTRICT 11, ORCHARD RIDGE, PHASE 5**

061-5050-067-120 Building/Grounds Maintenance  
061-5050-067-230 Professional/Temp Services  
061-5050-067-420 Utilities  
061-5050-067-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 538 | 530 | 543 | 500 | 227 | 547 | 600 |
| -   | -   | -   | 100 | -   | -   | -   |
| 538 | 530 | 543 | 600 | 227 | 547 | 600 |

**DISTRICT 12, WESTWOOD ESTATES, PHASE 2**

061-5050-068-010 Salaries, Regular  
061-5050-068-090 Benefits  
061-5050-068-120 Building/Grounds Maintenance  
061-5050-068-230 Professional/Temp Services  
061-5050-068-420 Utilities  
061-5050-068-660 Other Expenses

TOTAL

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| -     | -     | 1,861 | -     | 30    | 60    | 100   |
| -     | -     | 666   | -     | 12    | 24    | 30    |
| -     | 101   | 21    | 100   | -     | -     | 100   |
| 3,104 | 3,242 | 4,129 | 3,120 | 1,276 | 2,179 | 4,200 |
| 2,413 | 2,711 | 2,041 | 2,700 | 905   | 1,811 | 2,800 |
| 46    | 69    | -     | 100   | 49    | 49    | 500   |
| 5,563 | 6,123 | 8,718 | 6,020 | 2,272 | 4,122 | 7,730 |



CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
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**DISTRICT 13, RIVER RANCH, PHASE 3**

061-5050-069-120 Building/Grounds Maintenance  
061-5050-069-230 Professional/Temp Services  
061-5050-069-420 Utilities  
061-5050-069-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | -            |
| 318        | 315        | 323        | 500        | 135          | 326           | 500          |
| -          | -          | 6          | 100        | -            | -             | -            |
| 318        | 315        | 328        | 600        | 135          | 326           | 500          |

**DISTRICT 14, RIVER SPRINGS, PHASE 2**

061-5050-070-120 Building/Grounds Maintenance  
061-5050-070-230 Professional/Temp Services  
061-5050-070-420 Utilities  
061-5050-070-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 422 | 416 | 427 | 500 | 178 | 430 | 500 |
| -   | -   | -   | -   | -   | -   | -   |
| 422 | 416 | 427 | 500 | 178 | 430 | 500 |

**DISTRICT 15, MEADOWOOD, PHASE 1**

061-5050-071-120 Building/Grounds Maintenance  
061-5050-071-230 Professional/Temp Services  
061-5050-071-420 Utilities  
061-5050-071-660 Other Expenses

TOTAL

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| -     | -     | -     | -     | -     | -     | -     |
| 3,119 | 2,215 | 2,328 | 2,300 | 867   | 2,080 | 2,500 |
| 2,351 | 2,183 | 1,977 | 2,800 | 997   | 2,060 | 2,500 |
| -     | -     | 6     | -     | -     | -     | -     |
| 5,470 | 4,398 | 4,310 | 5,100 | 1,864 | 4,140 | 5,000 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 16, NEW EXPRESSIONS, PHASE 2**

061-5050-072-010 Salaries, Regular  
061-5050-072-090 Benefits  
061-5050-072-120 Building/Grounds Maintenance  
061-5050-072-230 Professional/Temp Services  
061-5050-072-420 Utilities  
061-5050-072-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 1,362      | -          | -          | -          | -            | -             | -            |
| 425        | -          | -          | -          | -            | -             | -            |
| 223        | 424        | 584        | 1,000      | -            | -             | 1,000        |
| 856        | 856        | 856        | 900        | 357          | 856           | 900          |
| 1,453      | 1,780      | 1,394      | 2,000      | 580          | 1,159         | 2,000        |
| -          | -          | 6          | -          | -            | -             | -            |
| 4,319      | 3,059      | 2,840      | 3,900      | 936          | 2,015         | 3,900        |

**DISTRICT 17, ORCHARD RIDGE, PHASE 6**

061-5050-073-010 Salaries, Regular  
061-5050-073-030 Salaries, Overtime  
061-5050-073-090 Benefits  
061-5050-073-120 Building/Grounds Maintenance  
061-5050-073-230 Professional/Temp Services  
061-5050-073-420 Utilities  
061-5050-073-660 Other Expenses

**TOTAL**

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | 27  | -   | -   | -   | -   | -   |
| -   | 6   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 269 | 265 | 271 | 300 | 114 | 274 | 300 |
| -   | -   | -   | 100 | -   | -   | 100 |
| 269 | 298 | 271 | 400 | 114 | 274 | 400 |

**DISTRICT 18, OHIO NORTH SUBDIVISION**

061-5050-074-120 Building/Grounds Maintenance  
061-5050-074-230 Professional/Temp Services  
061-5050-074-420 Utilities  
061-5050-074-660 Other Expenses

**TOTAL**

|    |     |    |     |    |     |     |
|----|-----|----|-----|----|-----|-----|
| -  | -   | -  | -   | -  | -   | -   |
| -  | -   | -  | -   | -  | -   | -   |
| 77 | 76  | 78 | 100 | 32 | 78  | 100 |
| -  | 132 | -  | 50  | 49 | 49  | 100 |
| 77 | 208 | 78 | 150 | 82 | 127 | 200 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 19, WILLIAMS RANCH, PHASE 1**

061-5050-075-010 Salaries, Regular  
061-5050-075-030 Salaries, Overtime  
061-5050-075-090 Benefits  
061-5050-075-120 Building/Grounds Maintenance  
061-5050-075-230 Professional/Temp Services  
061-5050-075-420 Utilities  
061-5050-075-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | 1,064      | 1,749      | 800        | 30           | 60            | 500          |
| 66         | -          | -          | -          | -            | -             | -            |
| 24         | 297        | 634        | 200        | 12           | 24            | 200          |
| 21         | -          | 72         | 100        | -            | -             | 100          |
| 1,773      | 1,560      | 1,560      | 1,560      | 867          | 1,560         | 1,800        |
| 1,538      | 1,851      | 1,521      | 1,900      | 730          | 1,461         | 2,000        |
| -          | -          | -          | 50         | -            | -             | 100          |
| 3,423      | 4,771      | 5,536      | 4,610      | 1,639        | 3,104         | 4,700        |

**DISTRICT 20, WEST VIEW PLACE SUBDIVISION**

061-5050-076-120 Building/Grounds Maintenance  
061-5050-076-230 Professional/Temp Services  
061-5050-076-420 Utilities  
061-5050-076-660 Other Expenses

**TOTAL**

|     |     |     |     |    |     |     |
|-----|-----|-----|-----|----|-----|-----|
| -   | -   | -   | -   | -  | -   | -   |
| -   | -   | -   | -   | -  | -   | -   |
| 158 | 156 | 158 | 200 | 66 | 160 | 200 |
| -   | 132 | -   | 50  | -  | -   | 100 |
| 158 | 288 | 158 | 250 | 66 | 160 | 300 |

**DISTRICT 21, ORCHARD RIDGE, PHASE 7**

061-5050-077-120 Building/Grounds Maintenance  
061-5050-077-230 Professional/Temp Services  
061-5050-077-420 Utilities  
061-5050-077-660 Other Expenses

**TOTAL**

|     |     |     |     |     |     |       |
|-----|-----|-----|-----|-----|-----|-------|
| -   | 21  | -   | -   | -   | -   | -     |
| 559 | 561 | 520 | 550 | 217 | 520 | 600   |
| 230 | 227 | 233 | 250 | 97  | 235 | 300   |
| -   | -   | -   | 50  | 49  | 49  | 100   |
| 790 | 809 | 753 | 850 | 363 | 804 | 1,000 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 22, MEADOWOOD, PHASE 2**

061-5050-078-120 Building/Grounds Maintenance  
061-5050-078-230 Professional/Temp Services  
061-5050-078-420 Utilities  
061-5050-078-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| -          | -          | -          | -          | -            | -             | -            |
| 766        | 755        | 772        | 800        | 323          | 714           | 1,000        |
| -          | -          | 6          | 50         | -            | -             | -            |
| 766        | 755        | 777        | 850        | 323          | 714           | 1,000        |

**DISTRICT 23, RIVER VIEW, PHASE 3**

061-5050-079-120 Building/Grounds Maintenance  
061-5050-079-230 Professional/Temp Services  
061-5050-079-420 Utilities  
061-5050-079-660 Other Expenses

**TOTAL**

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 422 | 416 | 427 | 500 | 178 | 430 | 500 |
| -   | -   | -   | 100 | 49  | 49  | 50  |
| 422 | 416 | 427 | 600 | 228 | 479 | 550 |

**DISTRICT 24, ORCHARD RIDGE, PHASE 8**

061-5050-080-120 Building/Grounds Maintenance  
061-5050-080-230 Professional/Temp Services  
061-5050-080-420 Utilities  
061-5050-080-660 Other Expenses

**TOTAL**

|       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|
| -     | -     | -     | -     | -     | -     | -     |
| 559   | 561   | 520   | 600   | 217   | 520   | 600   |
| 2,736 | 3,224 | 2,416 | 3,000 | 834   | 2,001 | 3,000 |
| -     | 132   | -     | -     | -     | -     | 100   |
| 3,296 | 3,917 | 2,936 | 3,600 | 1,050 | 2,521 | 3,700 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 25, CASAS DEL RIO**

061-5050-081-010 Salaries, Regular  
061-5050-081-030 Salaries, Overtime  
061-5050-081-090 Benefits  
061-5050-081-120 Building/Grounds Maintenance  
061-5050-081-230 Professional/Temp Services  
061-5050-081-420 Utilities  
061-5050-081-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 4,509      | 3,004      | 2,531      | 6,000      | 30           | 60            | 1,500        |
| -          | -          | -          | -          | -            | -             | -            |
| 1,435      | 1,036      | 950        | 2,500      | 12           | 24            | 600          |
| 2,630      | 2,937      | 3,527      | 5,000      | 126          | 251           | 5,000        |
| 8,258      | 11,118     | 8,258      | 9,600      | 3,441        | 8,258         | 9,500        |
| 3,213      | 2,635      | 2,501      | 3,500      | 990          | 1,980         | 3,500        |
| -          | -          | 6          | 50         | -            | -             | -            |
| 20,045     | 20,731     | 17,773     | 26,650     | 4,598        | 10,573        | 20,100       |

**DISTRICT 26, ORCHARD RIDGE, PHASE 9**

061-5050-082-120 Building/Grounds Maintenance  
061-5050-082-230 Professional/Temp Services  
061-5050-082-420 Utilities  
061-5050-082-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 384 | 378 | 388 | 400 | 162 | 391 | 500 |
| -   | -   | -   | -   | -   | -   | -   |
| 384 | 378 | 388 | 400 | 162 | 391 | 500 |

**DISTRICT 27, NEW EXPRESSIONS, PHASE 3**

061-5050-083-120 Building/Grounds Maintenance  
061-5050-083-420 Utilities  
061-5050-083-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | 21  | -   | 100 | -   | -   | 100 |
| 422 | 416 | 427 | 400 | 178 | 430 | 500 |
| -   | -   | 6   | 50  | -   | -   | -   |
| 422 | 437 | 432 | 550 | 178 | 430 | 600 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 28, MEADOWOOD, PHASE 3**

061-5050-084-120 Building/Grounds Maintenance  
061-5050-084-420 Utilities  
061-5050-084-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | -          | -          | -          | -            | -             | -            |
| 1,029      | 1,024      | 1,038      | 1,250      | 434          | 1,047         | 1,250        |
| -          | -          | -          | 25         | -            | -             | 100          |
| 1,029      | 1,024      | 1,038      | 1,275      | 434          | 1,047         | 1,350        |

**DISTRICT 29, RIVER SPRINGS, PHASE 3**

061-5050-085-090 Benefits  
061-5050-085-120 Building/Grounds Maintenance  
061-5050-085-420 Utilities  
061-5050-085-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| 14  | -   | -   | -   | -   | -   | -   |
| -   | 199 | -   | 100 | -   | -   | -   |
| 346 | 340 | 349 | 350 | 146 | 352 | 400 |
| -   | -   | -   | -   | -   | -   | -   |
| 360 | 539 | 349 | 450 | 146 | 352 | 400 |

**DISTRICT 30, SIERRA MEADOWS, PHASE 1**

061-5050-086-010 Salaries, Regular  
061-5050-086-030 Salaries, Overtime  
061-5050-086-090 Benefits  
061-5050-086-120 Building/Grounds Maintenance  
061-5050-086-230 Professional/Temp Services  
061-5050-086-420 Utilities  
061-5050-086-660 Other Expenses

TOTAL

|       |       |       |       |       |       |        |
|-------|-------|-------|-------|-------|-------|--------|
| -     | 845   | 1,726 | 500   | 30    | 60    | 2,000  |
| -     | -     | 73    | -     | -     | -     | -      |
| -     | 238   | 661   | 125   | 12    | 24    | 800    |
| 3,953 | 212   | 294   | 1,000 | -     | -     | 1,000  |
| -     | 3,932 | 3,932 | 4,000 | 1,638 | 3,932 | 4,200  |
| 4,195 | 3,506 | 3,280 | 4,000 | 1,685 | 3,370 | 4,000  |
| -     | -     | 6     | 100   | -     | -     | -      |
| 8,148 | 8,732 | 9,972 | 9,725 | 3,365 | 7,385 | 12,000 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 31, WILLIAMS RANCH, PHASE 2 & 3**

061-5050-087-010 Salaries, Regular  
061-5050-087-090 Benefits  
061-5050-087-120 Building/Grounds Maintenance  
061-5050-087-230 Professional/Temp Services  
061-5050-087-420 Utilities  
061-5050-087-660 Other Expenses

TOTAL

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| -          | 729        | 81         | -          | -            | -             | -            |
| -          | 207        | 32         | -          | -            | -             | -            |
| 2,383      | -          | -          | -          | -            | -             | -            |
| -          | 2,817      | 2,600      | 2,600      | 867          | 2,600         | 2,600        |
| 1,583      | 1,684      | 1,643      | 1,500      | 731          | 1,632         | 2,000        |
| -          | 132        | -          | -          | 49           | 49            | 100          |
| 3,967      | 5,569      | 4,356      | 4,100      | 1,646        | 4,281         | 4,700        |

**DISTRICT 32, SUNRISE VILLA, PHASE 1**

061-5050-088-120 Building/Grounds Maintenance  
061-5050-088-230 Professional/Temp Services  
061-5050-088-420 Utilities  
061-5050-088-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | -   | -   | -   | -   | -   | -   |
| 499 | 492 | 504 | 400 | 211 | 508 | 600 |
| -   | -   | -   | -   | -   | -   | 100 |
| 499 | 492 | 504 | 400 | 211 | 508 | 700 |

**DISTRICT 33, NEW EXPRESSIONS, PHASE 4**

061-5050-089-120 Building/Grounds Maintenance  
061-5050-089-420 Utilities  
061-5050-089-660 Other Expenses

TOTAL

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| 21  | -   | 21  | -   | -   | -   | -   |
| 508 | 501 | 511 | 500 | 214 | 515 | 600 |
| -   | -   | -   | -   | -   | -   | -   |
| 530 | 501 | 532 | 500 | 214 | 515 | 600 |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEETS  
FISCAL YEAR 2016/17

**DISTRICT 34, MEADOW BREEZE, PHASE 1**

061-5050-090-120 Building/Grounds Maintenance  
061-5050-090-420 Utilities  
061-5050-090-660 Other Expenses

**TOTAL**

| ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED     |
|------------|------------|------------|------------|--------------|---------------|--------------|
| FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 16/17 BUDGET |
| 105        | 21         | -          | 100        | -            | -             | 100          |
| 346        | 373        | 1,027      | 600        | 455          | 1,167         | 1,200        |
| -          | -          | -          | -          | -            | -             | -            |
| 450        | 394        | 1,027      | 700        | 455          | 1,167         | 1,300        |

**DISTRICT 35, MEADOW BREEZE, PHASE 2**

061-5050-091-010 Salaries, Regular  
061-5050-091-030 Salaries, Overtime  
061-5050-091-090 Benefits  
061-5050-091-120 Building/Grounds Maintenance  
061-5050-091-420 Utilities  
061-5050-091-660 Other Expenses

**TOTAL**

|     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| -   | -   | -   | -   | -   | -   | -   |
| -   | 71  | -   | -   | -   | -   | -   |
| -   | 19  | -   | -   | -   | -   | -   |
| -   | 39  | -   | -   | -   | -   | -   |
| 753 | 709 | 349 | 800 | 146 | 352 | 800 |
| -   | 132 | -   | 25  | -   | -   | -   |
| 753 | 970 | 349 | 825 | 146 | 352 | 800 |

**DISTRICT 37, RIVERVIEW ESTATES, PHASE 4**

061-5050-093-120 Building/Grounds Maintenance  
061-5050-093-420 Utilities  
061-5050-093-660 Other Expenses

**TOTAL**

|     |     |     |     |    |     |     |
|-----|-----|-----|-----|----|-----|-----|
| -   | -   | -   | -   | -  | -   | -   |
| 192 | 189 | 194 | 200 | 81 | 195 | 200 |
| -   | -   | -   | -   | -  | -   | -   |
| 192 | 189 | 194 | 200 | 81 | 195 | 200 |



# **DEPT SERVICE**

## **PROPOSED ANNUAL BUDGET**



**FY 2016/2017**

CITY OF PORTERVILLE  
REVENUE BUDGET WORKSHEET  
2016/17

|                                 |                                   | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|---------------------------------|-----------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                                 |                                   | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| GENERAL GOVERNMENT DEBT SERVICE |                                   |            |            |            |            |              |               |                |
| 041 4210                        | Transfers from Other Funds        | 1,391,473  | 1,204,419  | 1,233,296  | 1,088,344  | 521,906      | 1,088,666     | 1,432,666      |
| 041 4220                        | Transfers to Other Funds          | (225)      | -          | -          | -          |              | -             | -              |
| 041 4601                        | Interest on Investments           | (8,874)    | 9,406      | (1,239)    | 5,000      | 8            | 8             | -              |
| 041 4897                        | Interdepartmental service charges | -          | 271,880    | 513,695    | 503,280    | 235,900      | 470,000       | 480,000        |
| 041 4996                        | Other Financing Sources (Uses)    | 1,172,902  | 205,338    | 21,234,120 | -          | -            | -             | -              |
| 041 4999                        | Other Revenues                    | -          | -          | -          | -          | (49,229)     | -             | -              |
| TOTAL                           |                                   | 1,164,028  | 486,623    | 21,746,575 | 508,280    | 708,585      | 1,558,674     | 1,912,666      |

CITY OF PORTERVILLE  
EXPENDITURE BUDGET WORKSHEET  
2016/17

|                                                 | ACTUAL     |            |            | BUDGET     | ACTUAL       |               | PROPOSED       |
|-------------------------------------------------|------------|------------|------------|------------|--------------|---------------|----------------|
|                                                 | FY 2012/13 | FY 2013/14 | FY 2014/15 | FY 2015/16 | Y-T-D DEC 15 | PROJECTED FYE | 2016/17 BUDGET |
| GENERAL GOVERNMENT DEBT SERVICE                 |            |            |            |            |              |               |                |
| 041 5090-001-280 Administrative Expense         | 2,770      | 2,000      | 2,200      | 2,500      | -            | 3,250         | 3,250          |
| 041 5090-001-620 Debt Redemption/Fiscal Charges | 2,417,716  | 1,432,227  | 23,614,182 | 1,684,019  | 1,081,959    | 1,684,019     | 2,024,716      |
| TOTAL DIVISION                                  | 2,420,486  | 1,434,227  | 23,616,382 | 1,686,519  | 1,081,959    | 1,687,269     | 2,027,966      |



## CITY COUNCIL AGENDA – JUNE 7, 2016

SUBJECT: Status and Review of Declaration of Local Emergency

SOURCE: City Manager's Office

COMMENT: Governor Brown issued Executive Order B-29-15 on Wednesday, April 1, 2015, which established drought-related mandates and restrictions in addition to those already stipulated in previous Executive Orders B-26-14 and B-28-14. Of significance, the Governor directed the State Water Resources Control Board to impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016, in comparison to the amount used in 2013, and with consideration given to per capita usage as a basis. The Governor further directed the Board to impose additional restrictions on commercial, industrial, and institutional properties with significant landscaping (cemeteries, golf courses, parks, schools, etc.), to also achieve a 25% reduction in potable water usage. Also of significance, the Board 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%).

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

At its last meeting on May 17th, 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.

Representatives for the City, County, and State (CalOES, DDW, DWR, and SWB) have continued to meet in support of the feasibility study for a long-term permanent water connection plan for the entire East Porterville area and the estimated 1,800 expected future connections, the Public Draft of which will soon begin circulation. DWR 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 late 2016 to begin permanently connecting those 423 residential units to the City's water system. To provide source water for the DWR extension project, CalOES desires to expeditiously connect the new well on Olive Avenue to the City's water system instead of being first equipped as a filling station. Given the new well has an estimated water production value of 800 gallons per minute, as well as a SWB assumed 1.5 gallons per minute per residence, the new well could effectively serve up to 500 single-family residential units. The City indicated its significant interest that the E. Vandalia Avenue area and the 80 residential units be included in the water connection project, to which the State has 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 three million gallons of water per month without charge for emergency purposes.

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

A Memorandum of Understanding between the State, County, and City on the East Porterville permanent water connection project is currently being drafted, which was tentatively scheduled to be considered by the City Council at its June 7th meeting, and subsequently by the Board of Supervisors. At the time of this report, a current draft of the MOU has not been made available for Council's review.

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

ATTACHMENTS:           1. Resolution 49-2015 - Declaration of Local Emergency  
                                  2. Governor Executive Order  
                                  3. City-County Well 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

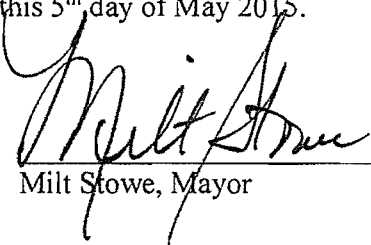
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

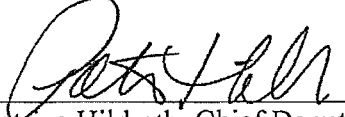
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, 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 5<sup>th</sup> 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-37-16 MAKING WATER CONSERVATION A CALIFORNIA WAY OF LIFE

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

**WHEREAS** Californians responded to the drought by conserving water at unprecedented levels, reducing water use in communities by 23.9% between June 2015 and March 2016 and saving enough water during this period to provide 6.5 million Californians with water for one year; and

**WHEREAS** severe drought conditions persist in many areas of the state despite recent winter precipitation, with limited drinking water supplies in some communities, diminished water for agricultural production and environmental habitat, and severely-depleted groundwater basins; and

**WHEREAS** drought conditions may persist in some parts of the state into 2017 and beyond, as warmer winter temperatures driven by climate change reduce water supply held in mountain snowpack and result in drier soil conditions; and

**WHEREAS** these ongoing drought conditions and our changing climate require California to move beyond temporary emergency drought measures and adopt permanent changes to use water more wisely and to prepare for more frequent and persistent periods of limited water supply; and

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

**WHEREAS** these activities are prioritized in the California Water Action Plan, which calls for concrete, measurable actions that "Make Conservation a California Way of Life" and "Manage and Prepare for Dry Periods" in order to improve use of water in our state.



**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 California Government Code sections 8567 and 8571, do hereby issue this Executive Order, effective immediately.

**IT IS HEREBY ORDERED THAT:**

The orders and provisions contained in my January 17, 2014 Emergency Proclamation, my April 25, 2014 Emergency Proclamation, Executive Orders B-26-14, B-28-14, B-29-15, and B-36-15 remain in full force and in effect except as modified herein.

State agencies shall update temporary emergency water restrictions and transition to permanent, long-term improvements in water use by taking the following actions.

**USE WATER MORE WISELY**

1. The State Water Resources Control Board (Water Board) shall, as soon as practicable, adjust emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions across the state. To prepare for the possibility of another dry winter, the Water Board shall also develop, by January 2017, a proposal to achieve a mandatory reduction in potable urban water usage that builds off of the mandatory 25% reduction called for in Executive Order B-29-15 and lessons learned through 2016.
2. The Department of Water Resources (Department) shall work with the Water Board to develop new water use targets as part of a permanent framework for urban water agencies. These new water use targets shall build upon the existing state law requirements that the state achieve a 20% reduction in urban water usage by 2020. (Senate Bill No. 7 (7th Extraordinary Session, 2009-2010).) These water use targets shall be customized to the unique conditions of each water agency, shall generate more statewide water conservation than existing requirements, and shall be based on strengthened standards for:
  - a. Indoor residential per capita water use;
  - b. Outdoor irrigation, in a manner that incorporates landscape area, local climate, and new satellite imagery data;
  - c. Commercial, industrial, and institutional water use; and
  - d. Water lost through leaks.

The Department and Water Board shall consult with urban water suppliers, local governments, environmental groups, and other partners to develop these water use targets and shall publicly issue a proposed draft framework by January 10, 2017.

3. The Department and the Water Board shall permanently require urban water suppliers to issue a monthly report on their water usage, amount of conservation achieved, and any enforcement efforts.

## **ELIMINATE WATER WASTE**

4. The Water Board shall permanently prohibit practices that waste potable water, such as:
  - Hosing off sidewalks, driveways and other hardscapes;
  - Washing automobiles with hoses not equipped with a shut-off nozzle;
  - Using non-recirculated water in a fountain or other decorative water feature;
  - Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
  - Irrigating ornamental turf on public street medians.
5. The Water Board and the Department shall direct actions to minimize water system leaks that waste large amounts of water. The Water Board, after funding projects to address health and safety, shall use loans from the Drinking Water State Revolving Fund to prioritize local projects that reduce leaks and other water system losses.
6. The Water Board and the Department shall direct urban and agricultural water suppliers to accelerate their data collection, improve water system management, and prioritize capital projects to reduce water waste. The California Public Utilities Commission shall order investor-owned water utilities to accelerate work to minimize leaks.
7. The California Energy Commission shall certify innovative water conservation and water loss detection and control technologies that also increase energy efficiency.

## **STRENGTHEN LOCAL DROUGHT RESILIENCE**

8. The Department shall strengthen requirements for urban Water Shortage Contingency Plans, which urban water agencies are required to maintain. These updated requirements shall include adequate actions to respond to droughts lasting at least five years, as well as more frequent and severe periods of drought. While remaining customized according to local conditions, the updated requirements shall also create common statewide standards so that these plans can be quickly utilized during this and any future droughts.
9. The Department shall consult with urban water suppliers, local governments, environmental groups, and other partners to update requirements for Water Shortage Contingency Plans. The updated draft requirements shall be publicly released by January 10, 2017.

10. For areas not covered by a Water Shortage Contingency Plan, the Department shall work with counties to facilitate improved drought planning for small water suppliers and rural communities.

## **IMPROVE AGRICULTURAL WATER USE EFFICIENCY AND DROUGHT PLANNING**

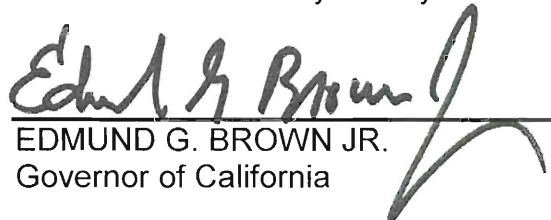
11. The Department shall work with the California Department of Food and Agriculture to update existing requirements for Agricultural Water Management Plans to ensure that these plans identify and quantify measures to increase water efficiency in their service area and to adequately plan for periods of limited water supply.
12. The Department shall permanently require the completion of Agricultural Water Management Plans by water suppliers with over 10,000 irrigated acres of land.
13. The Department, together with the California Department of Food and Agriculture, shall consult with agricultural water suppliers, local governments, agricultural producers, environmental groups, and other partners to update requirements for Agricultural Water Management Plans. The updated draft requirements shall be publicly released by January 10, 2017.

The Department, Water Board and California Public Utilities Commission shall develop methods to ensure compliance with the provisions of this Executive Order, including technical and financial assistance, agency oversight, and, if necessary, enforcement action by the Water Board to address non-compliant water suppliers.

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

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

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 9th day of May 2016.

  
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, \_\_\_\_\_ 2016, between the COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, with reference to the following:

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

### ACCORDINGLY, IT IS AGREED:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COUNTY OF TULARE

BY \_\_\_\_\_  
Mike Ennis Chairman,  
Board of Supervisors

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

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form  
County Counsel

By \_\_\_\_\_  
Deputy

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'

RESOLUTION NO. 74 -2014

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

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

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

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

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

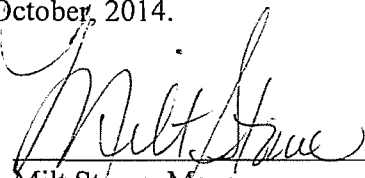
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city,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

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

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

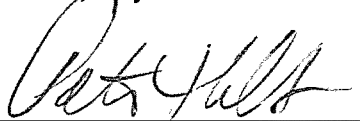
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville,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

PASSED, APPROVED AND ADOPTED this 21<sup>st</sup> day of October, 2014.

  
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By:   
Patrice Hildreth, Chief Deputy City Clerk

STATE OF CALIFORNIA     )  
CITY OF PORTERVILLE     )     SS  
COUNTY OF TULARE     )

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 21<sup>st</sup> day of October, 2014.

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

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

JOHN D. LOLLIS, City Clerk

  
By: Luisa M. Zavala, Deputy City Clerk

RESOLUTION 19-2016

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

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

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

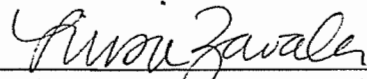
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby amend existing procedures to submit application for municipal services, and to have said application(s) processed as outlined in Exhibit "A", attached. The exemption identified for the East Porterville Feasibility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

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_  
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

BY   
\_\_\_\_\_  
Luisa Zavala, Deputy City Clerk

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

## **ANNEXATION APPLICATION PROCEDURE**

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

## **ANNEXATION EXEMPTION PROCEDURE**

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

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



## EXTRATERRITORIAL SERVICES APPLICATION PROCEDURE

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

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

Within the Urban Development Boundary:

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

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

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

Within the Urban Area Boundary:

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

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

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

## **EXEMPTIONS AND EXCEPTIONS**

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

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

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

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

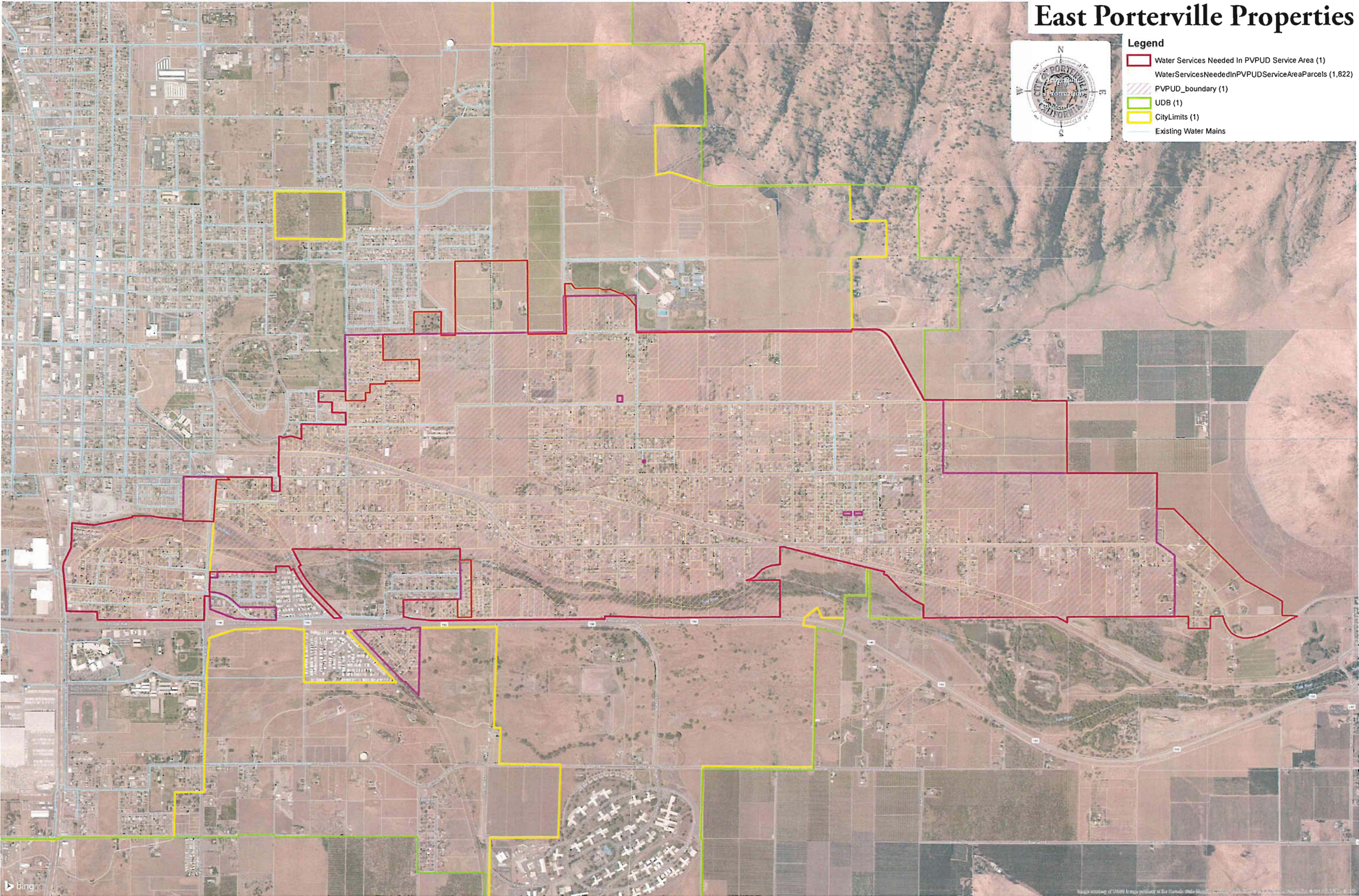
- Rather than require that the subject property be a developed single-family residence on a parcel 24,999 square feet or smaller, neither the land use nor the parcel size would be restricted neither the land use nor the parcel size would be restricted for legal and legal non-conforming structures and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



# East Porterville Properties



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





STATE OF CALIFORNIA )  
CITY OF PORTERVILLE ) SS  
COUNTY OF TULARE )

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 19<sup>th</sup> day of April, 2016.

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

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

JOHN D. LOLLIS, City Clerk

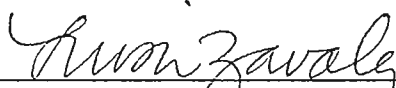
  
By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'



EXHIBIT 'D'



### Scope of Work

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

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

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



## CITY COUNCIL AGENDA – JUNE 7, 2016

**SUBJECT:** Refinancing of the 2008 Redevelopment Bond Issue

**SOURCE:** City Manager's Office

**COMMENT:** In December 1992, the Porterville Redevelopment Agency issued \$6,185,000 in Tax Allocation Bonds to finance Redevelopment Projects within the Downtown project area. In September 2008, the Agency refunded the Bonds for \$8,475,000 for the purposes of financing the Porterville Hotel Project and related housing project.

Effective February 2, 2012, pursuant to Assembly Bill x1 26 (AB 26), redevelopment agencies throughout the State were abolished and prohibited from engaging in future redevelopment activities. AB 26 enabled the formation of Successor Agencies, which have the responsibility of winding down outstanding obligations of the former redevelopment agencies. On June 27, 2012, the State passed Assembly Bill 1484 (AB 1484), which included provisions permitting Successor Agencies to refund outstanding bonds or other obligations of a former redevelopment agency to achieve savings. Successor Agencies have since refunded their existing redevelopment bonds to provide savings to taxing entities, based on the current favorable interest rate environment.

The 2008 bonds are currently outstanding in the amount of \$14,957,533, and have a final term of June 1, 2040, with existing interest rates ranging from 4.70% to 5.85% for the tax-exempt bonds and 7.125% to 8.50% for the taxable bonds. Based on current interest rates, the prior bonds could be refunded to the same term at interest rates from 2.00% to 3.00% and 1.35% to 4.30%, respectively. The refunding bonds would produce annual savings of about \$180,000, with total savings of \$4,499,329. These savings will increase the amount of residual property tax available to be redistributed to other taxing entities based on their proportionate share of the property tax levy. The City will receive a share of this savings as a residual distribution from the Redevelopment Property Tax Trust Fund, which is 16.40% of the total savings generated from the refunding bonds, which is currently estimated to be \$737,890 for the life of the bonds. All costs of the refinancing will be paid on a contingent basis from the bond proceeds.

The refunding of the current Agency bonds was discussed as an informational item during the meeting of the Successor Agency Oversight Board on May 5, 2016, which the Board was supportive of the Successor Agency pursuing the bond refunding. Given the Successor Agency's approval of proceeding with

bond refunding, the Oversight Board would also need to provide approval, with approval also necessary by the Department of Finance.

RECOMMENDATION: That the Successor Agency of the former Porterville Redevelopment Agency consider and approve the refunding of the 2008 Redevelopment Bond Issue, and authorize the Chair and Executive Director to sign all draft resolutions, agreements, and documents as may be required.

ATTACHMENTS:

1. Draft Resolution
2. Refunding Analysis
3. Indenture of Trust Agreement
4. Escrow Agreement

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. \_\_-2016

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY APPROVING THE ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE FORMER PORTERVILLE REDEVELOPMENT AGENCY, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST AND AN ESCROW AGREEMENT RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF THE ISSUANCE OF THE REFUNDING BONDS, REQUESTING CERTAIN DETERMINATIONS BY THE OVERSIGHT BOARD, AND PROVIDING FOR OTHERS MATTERS RELATING THERETO

RESOLVED, by the Successor Agency (the “Successor Agency”) of the Porterville Redevelopment Agency (the “Former Agency”) in the City of Porterville, California (the “City”):

WHEREAS, pursuant to section 34172(a) of the California Health and Safety Code (unless otherwise noted, all section references hereinafter being to such Code), the Former Agency has been dissolved and no longer exists as a public body, corporate and politic, and pursuant to section 34173, and the Successor Agency has become the successor entity to the Former Agency;

WHEREAS, a redevelopment plan for the Former Agency’s Porterville Redevelopment Project No. 1 in the City has been adopted in compliance with all requirements of the Code (the “Redevelopment Project”);

WHEREAS, prior to the dissolution of the Former Agency, the Former Agency issued the following obligations:

(a) \$4,565,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series A (Redevelopment Projects) (the “2008A Bonds”), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$3,925,000 principal amount remains outstanding,

(b) \$2,110,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series B (Redevelopment Projects) (the “2008B Bonds”), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$1,885,000 principal amount remains outstanding,

(c) \$1,160,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series C (Housing Projects) (the “2008C Bonds”), to refinance low and moderate income housing activities within the City, of which \$965,000 principal amount remains outstanding, and

(d) \$640,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series D (Housing Projects) (the “2008D Bonds” and, with the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, the “Former Agency Obligations”), to refinance low and moderate income housing activities within the City, of which \$575,000 principal amount remains outstanding;

WHEREAS, section 34177.5 authorizes the Successor Agency to issue refunding bonds pursuant to Article 11 (commencing with section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code (the “Refunding Law”) for the purpose of achieving debt service savings within the parameters set forth in section 34177.5(a)(1) (the “Savings Parameters”);

WHEREAS, to determine compliance with the Savings Parameters for purposes of the issuance by the Successor Agency of its tax allocation refunding bonds (the “Refunding Bonds”), the Successor Agency has caused its municipal advisor, Wulff Hansen & Co. (the “Municipal Advisor”), to prepare an analysis of the potential savings that will accrue to the Successor Agency and to applicable taxing entities as a result of the use of the proceeds of the Refunding Bonds to repay or refund all or a portion of the Former Agency Obligations (the “Debt Service Savings Analysis”);

WHEREAS, the Debt Service Savings Analysis has demonstrated that a refunding of all Former Agency Obligations will satisfy the Savings Parameters;

WHEREAS, the Successor Agency desires at this time to authorize the issuance of its Successor Agency of the Porterville Redevelopment Agency (Tulare County, California) Tax Allocation Refunding Bonds, Series 2016A, to refund the 2008A Bonds and the 2008C Bonds (the “2016A Bonds”), pursuant to an indenture of trust (the “Indenture”), by and between the Successor Agency and U.S. Bank National Association, as trustee (the “Trustee”), and its Successor Agency of the Porterville Redevelopment Agency (Tulare County, California) Taxable Tax Allocation Refunding Bonds, Series 2016B, to refund the 2008B Bonds and the 2008D Bonds (the “2016B Bonds” and, with the 2016A Bonds, the “Bonds”), pursuant to the Indenture;

WHEREAS, pursuant to section 34179, an oversight board (the “Oversight Board”) has been established for the Successor Agency;

WHEREAS, the Successor Agency is now requesting that the Oversight Board approve the issuance of the Bonds pursuant to this Resolution and the Indenture;

WHEREAS, the Successor Agency further requests that the Oversight Board make certain determinations described below on which the Successor Agency will rely in undertaking the refunding proceedings and the issuance of the Bonds;

WHEREAS, the Successor Agency has determined to sell the Bonds to Gates Capital Corporation (the “Underwriter”) pursuant to the terms of a bond purchase agreement to be entered into by the Successor Agency and the Underwriter; and

WHEREAS, following approval by the Oversight Board of the issuance of the Bonds by the Successor Agency and upon submission of this Resolution and a resolution of approval of the Oversight Board (the “Oversight Board Resolution”) to the California Department of Finance, the Successor Agency will, with the assistance of its disclosure counsel, the Municipal Advisor and its fiscal consultant, cause to be prepared a form of official statement for the Bonds describing the Bonds and containing material information relating to the Successor Agency and the Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Underwriter to persons and institutions interested in purchasing the Bonds, and a bond purchase agreement between the Successor Agency and the Underwriter will be prepared, the preliminary form of which will be submitted to the Successor Agency for approval.

NOW, THEREFORE, BE IT RESOLVED, as follows:

*Section 1. Determination of Savings.* The Successor Agency has determined that there are significant potential savings available to the Successor Agency and to applicable taxing entities in compliance with the Savings Parameters by the issuance by the Successor Agency of the Bonds to provide funds to refund and defease the Former Agency Obligations, all as evidenced by the Debt Service Savings Analysis on file with the Successor Agency Secretary, which Debt Service Savings Analysis is hereby approved.

*Section 2. Approval of Issuance of the Bonds.* The Successor Agency hereby authorizes and approves the issuance of the Bonds under the Law and the Refunding Law in the aggregate principal amount of not to exceed \$8,000,000, provided that the Bonds are in compliance with the Savings Parameters at the time of sale and delivery.

*Section 3. Approval of Indenture.* The Successor Agency hereby approves the Indenture prescribing the terms and provisions of the Bonds and the application of the proceeds of the Bonds in the form on file with the Successor Agency Secretary. The Chair of the Successor Agency and the Executive Director (each, an “Authorized Officer”), each acting alone, are hereby authorized and directed to execute and deliver, and the Successor Agency Secretary, is hereby authorized and directed to attest to, the Indenture for and in the name and on behalf of the Successor Agency in such form, together with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Indenture. The Successor Agency hereby authorizes the delivery and performance of the Indenture.

*Section 4. Approval of Escrow Agreement.* The form of escrow agreement, by and between the Successor Agency and U.S. Bank National Association, as escrow bank, relating to the refunding and defeasance of the Former Agency Obligations (the “Escrow Agreement”), in the form on file with the Successor Agency Secretary, is hereby approved and the Authorized Officers are, each acting alone, hereby authorized and directed, for and in the name and on

behalf of the Successor Agency, to execute and deliver the Escrow Agreement in such form together with such changes therein, deletions therefrom and additions thereto as the Authorized Officer executing the same shall approve, such approval to be conclusively evidenced by the execution and delivery of the Escrow Agreement. The Successor Agency hereby authorizes the delivery and performance of the Escrow Agreement.

*Section 5. Municipal Bond Insurance and Surety Bond.* The Authorized Officers, each acting alone, are hereby authorized and directed to take all actions necessary to obtain a municipal bond insurance policy for the Bonds and reserve account surety bond for the Bonds from a municipal bond insurance company if it is determined, upon consultation with the Municipal Advisor and the Underwriter, that such municipal bond insurance policy and/or surety bond will reduce the interest cost with respect to the Bonds.

*Section 6. Approval of Official Statement and Bond Purchase Agreement.*

(a) Following approval by the Oversight Board of the issuance of the Bonds by the Successor Agency and upon submission of this Resolution and the Oversight Board Resolution to the California Department of Finance, the Successor Agency will, with the assistance of its disclosure counsel, its fiscal consultant and the Municipal Advisor, cause to be prepared a form of official statement for the Bonds describing the Bonds and containing material information relating to the Successor Agency and the Bonds, the preliminary form of which will be submitted to the Successor Agency for approval for distribution by the Underwriter to persons and institutions interested in purchasing the Bonds.

(b) Following approval by the Oversight Board of the issuance of the Bonds by the Successor Agency and upon submission of this Resolution and the Oversight Board Resolution to the California Department of Finance, the Underwriter will cause to be prepared a form of bond purchase agreement, the preliminary form of which will be submitted to the Successor Agency for approval.

*Section 7. Oversight Board Approval of the Issuance of the Bonds.* The Successor Agency hereby requests the Oversight Board, as authorized by section 34177.5(f), to direct the Successor Agency to undertake the refunding proceedings and, as authorized by section 34177.5(f) and section 34180, to approve the issuance of the Bonds pursuant to section 34177.5(a)(1) this Resolution and the Indenture.

*Section 8. Determinations by the Oversight Board.* The Successor Agency requests that the Oversight Board make the following determinations upon which the Successor Agency will rely in undertaking the refunding proceedings and the issuance of the Bonds:

(a) The Successor Agency is authorized, as provided in section 34177.5(f), to recover its costs related to the issuance of the Bonds from the proceeds of the Bonds, including the cost of reimbursing its administrative staff for time spent with respect to the authorization, issuance, sale and delivery of the Bonds;

(b) The application of the proceeds of the Bonds by the Successor Agency to the refunding and defeasance of the Former Agency Obligations, as well as the payment by the Successor Agency of costs of issuance of the Bonds, as provided in section 34177.5(a), including municipal bond insurance and reserve fund surety bond premiums, if required, shall be implemented by the Successor Agency promptly upon sale and delivery of the Bonds, notwithstanding section 34177.3 or any other provision of law to the contrary, without the approval of the Oversight Board, the California Department of Finance, the Tulare County Auditor-Controller or any other person or entity other than the Successor Agency; and

(c) The Successor Agency shall be entitled to receive its full Administrative Cost Allowance under section 34181(a)(3) without any deductions with respect to continuing costs related to the Bonds, such as trustee's fees, auditing and fiscal consultant fees and continuing disclosure and rating agency costs (collectively, "Continuing Costs of Issuance"), and such Continuing Costs of Issuance shall be payable from property tax revenues pursuant to section 34183. In addition and as provided by section 34177.5(f), if the Successor Agency is unable to complete the issuance of the Bonds for any reason, the Successor Agency shall, nevertheless, be entitled to recover its costs incurred with respect to the refunding proceedings for the Former Agency Obligations from such property tax revenues pursuant to section 34183 without reduction in its Administrative Cost Allowance.

*Section 9. Filing of Debt Service Savings Analysis and Resolution.* The Successor Agency Secretary is hereby authorized and directed to file the Debt Service Savings Analysis, together with a certified copy of this Resolution, with the Oversight Board, and, as provided in section 34180(j) with the Tulare County Administrative Officer, the Tulare County Auditor-Controller and the California Department of Finance.

*Section 10. Official Actions.* The Authorized Officers and any and all other officers of the Successor Agency are hereby authorized and directed, for and in the name and on behalf of the Successor Agency, to do any and all things and take any and all actions, which they, or any of them, may deem necessary or advisable in obtaining the requested approvals by the Oversight Board and the California Department of Finance and in the issuance, sale and delivery of the Bonds. Whenever in this Resolution any officer of the Successor Agency is directed to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

*Section 11. Effective Date.* This Resolution shall take effect from and after the date of its passage and adoption.

*Section 12. Certification.* The Secretary shall certify to the passage and adoption hereof.



PASSED, APPROVED AND ADOPTED this 7<sup>th</sup> day of June, 2016.

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Milt Stowe, Chairman

ATTEST:  
John D. Lollis, Secretary

By: 

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Patrice Hildreth, Chief Deputy Secretary

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**

*Summary of Refunding Results*

*All figures are preliminary and subject to change*

Prepared by Wulff, Hansen & Co.

Prepared on 06/01/2016

|                                                       | Tax Exempt   | Taxable      |
|-------------------------------------------------------|--------------|--------------|
| <b>REFUNDING BONDS</b>                                |              |              |
| Escrow Requirement<br>@ Dated Date of 08/15/2016      | 4,977,064.28 | 2,502,133.75 |
| Estimated Costs of Issuance <sup>(1)</sup>            | 244,866.27   | 144,791.25   |
| Prior Reserve Fund                                    | 388,527.50   | 246,925.00   |
| Net Premium / Discount                                | 243,403.05   | -            |
| New Reserve Fund                                      | Surety       | Surety       |
| Par Amount                                            | 4,590,000    | 2,400,000    |
| Arbitrage Yield                                       | 2.868838%    | 3.959550%    |
| True Interest Cost (TIC)                              | 3.074079%    | 4.080346%    |
| All-In TIC                                            | 3.446189%    | 4.528818%    |
| Average Life (years)                                  | 13.743       | 13.751       |
| Final Maturity (June 1)                               | 2040         | 2040         |
| <b>AVERAGE ANNUAL NET DEBT SERVICE <sup>(2)</sup></b> |              |              |
| Existing Debt Service                                 | 381,595.10   | 241,635.42   |
| New Debt Service                                      | 281,260.75   | 154,497.72   |
| Average Savings                                       | 100,334.35   | 87,137.70    |
| <b>TOTAL NET DEBT SERVICE <sup>(2)</sup></b>          |              |              |
| Existing Debt Service                                 | 9,158,282.50 | 5,799,250.00 |
| New Debt Service                                      | 6,750,258.06 | 3,707,945.17 |
| Total Cashflow Savings                                | 2,408,024.44 | 2,091,304.83 |
| Net Present Value Savings                             | 1,347,404.61 | 1,104,345.24 |
| Savings of Refunded Bonds %                           | 27.386273%   | 44.892083%   |
| Savings of Refunding Bonds %                          | 29.355220%   | 46.014385%   |

(1) Includes bond counsel, disclosure counsel, fiscal consultant, verification, rating, municipal advisor, bond insurance, surety, underwriter's discount, and miscellaneous trustee,

(2) Includes prior reserve fund and interest earnings thereon.

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**  
**Refunding of 2008 Series A & C, Tax Exempt**

Prepared by Wulff, Hansen & Co.

*All figures are preliminary and subject to change*

|                           |
|---------------------------|
| <b>SOURCES &amp; USES</b> |
|---------------------------|

|                      |                  |
|----------------------|------------------|
| <b>Dated Date</b>    | <b>8/15/2016</b> |
| <b>Delivery Date</b> | <b>8/15/2016</b> |

***Sources***

|                             |                     |
|-----------------------------|---------------------|
| Par Amount                  | 4,590,000.00        |
| Premium                     | 243,403.05          |
| Prior Reserve Fund Series A | 308,242.50          |
| Prior Reserve Fund Series C | 80,285.00           |
|                             | <hr/>               |
|                             | <b>5,221,930.55</b> |

***Uses***

|                         |                     |
|-------------------------|---------------------|
| Cash Deposit            | 4,977,064.28        |
| Cost of Issuance        | 226,900.00          |
| Bond Insurance & Surety | 17,442.87           |
| Additional Proceeds     | 523.40              |
|                         | <hr/>               |
|                         | <b>5,221,930.55</b> |

*Prepared on 06-01-2016*

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**  
**Refunding of 2008 Series A & C, Tax Exempt**

Prepared by Wulff, Hansen & Co.  
*All figures are preliminary and subject to change*

| <b>Prior Bond Debt Service</b> |                  |               |                     |                     |
|--------------------------------|------------------|---------------|---------------------|---------------------|
| <b>Period Ending</b>           | <b>Principal</b> | <b>Coupon</b> | <b>Interest</b>     | <b>Debt Service</b> |
| 6/1/2017                       | 105,000          | 4.700%        | 277,610.00          | 382,610.00          |
| 6/1/2018                       | 115,000          | 4.850%        | 272,675.00          | 387,675.00          |
| 6/1/2019                       | 120,000          | 5.000%        | 267,097.50          | 387,097.50          |
| 6/1/2020                       | 120,000          | 5.150%        | 261,097.50          | 381,097.50          |
| 6/1/2021                       | 125,000          | 5.250%        | 254,917.50          | 379,917.50          |
| 6/1/2022                       | 140,000          | 5.350%        | 248,355.00          | 388,355.00          |
| 6/1/2023                       | 145,000          | 5.400%        | 240,865.00          | 385,865.00          |
| 6/1/2024                       | 150,000          | 5.500%        | 233,035.00          | 383,035.00          |
| 6/1/2027                       | 175,000          | 5.700%        | 206,580.00          | 381,580.00          |
| 6/1/2030                       | 205,000          | 5.700%        | 175,230.00          | 380,230.00          |
| 6/1/2031                       | 220,000          | 5.700%        | 163,545.00          | 383,545.00          |
| 6/1/2032                       | 230,000          | 5.700%        | 151,005.00          | 381,005.00          |
| 6/1/2033                       | 245,000          | 5.700%        | 137,895.00          | 382,895.00          |
| 6/1/2034                       | 255,000          | 5.700%        | 123,930.00          | 378,930.00          |
| 6/1/2035                       | 270,000          | 5.850%        | 109,395.00          | 379,395.00          |
| 6/1/2036                       | 285,000          | 5.850%        | 93,600.00           | 378,600.00          |
| 6/1/2037                       | 300,000          | 5.850%        | 76,927.50           | 376,927.50          |
| 6/1/2038                       | 320,000          | 5.850%        | 59,377.50           | 379,377.50          |
| 6/1/2039                       | 340,000          | 5.850%        | 40,657.50           | 380,657.50          |
| 6/1/2040                       | 355,000          | 5.850%        | 20,767.50           | 375,767.50          |
|                                | <b>4,920,000</b> |               | <b>4,238,282.50</b> | <b>9,158,282.50</b> |

*Prepared on 06-01-2016*

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**  
**Refunding of 2008 Series A & C, Tax Exempt**

Prepared by Wulff, Hansen & Co.

*All figures are preliminary and subject to change*

| <b>Bond Debt Service</b> |                  |               |              |                     |                     |
|--------------------------|------------------|---------------|--------------|---------------------|---------------------|
| <b>Period Ending</b>     | <b>Principal</b> | <b>Coupon</b> | <b>Yield</b> | <b>Interest</b>     | <b>Debt Service</b> |
| 6/1/2017                 | 180,000          | 2.000%        | 0.750%       | 123,258.06          | 303,258.06          |
| 6/1/2018                 | 135,000          | 2.000%        | 1.000%       | 151,550.00          | 286,550.00          |
| 6/1/2019                 | 135,000          | 3.000%        | 1.200%       | 148,850.00          | 283,850.00          |
| 6/1/2020                 | 135,000          | 3.000%        | 1.300%       | 144,800.00          | 279,800.00          |
| 6/1/2021                 | 140,000          | 3.000%        | 1.500%       | 140,750.00          | 280,750.00          |
| 6/1/2022                 | 150,000          | 3.000%        | 1.600%       | 136,550.00          | 286,550.00          |
| 6/1/2023                 | 155,000          | 3.000%        | 1.800%       | 132,050.00          | 287,050.00          |
| 6/1/2024                 | 155,000          | 4.000%        | 1.900%       | 127,400.00          | 282,400.00          |
| 6/1/2027                 | 170,000          | 4.000%        | 2.300%       | 108,200.00          | 278,200.00          |
| 6/1/2030                 | 190,000          | 4.000%        | 2.800%       | 87,000.00           | 277,000.00          |
| 6/1/2031                 | 205,000          | 4.000%        | 2.850%       | 79,400.00           | 284,400.00          |
| 6/1/2032                 | 210,000          | 4.000%        | 2.900%       | 71,200.00           | 281,200.00          |
| 6/1/2033                 | 220,000          | 4.000%        | 2.950%       | 62,800.00           | 282,800.00          |
| 6/1/2034                 | 225,000          | 4.000%        | 3.000%       | 54,000.00           | 279,000.00          |
| 6/1/2035                 | 235,000          | 3.000%        | 3.100%       | 45,000.00           | 280,000.00          |
| 6/1/2036                 | 240,000          | 3.000%        | 3.150%       | 37,950.00           | 277,950.00          |
| 6/1/2037                 | 245,000          | 3.000%        | 3.250%       | 30,750.00           | 275,750.00          |
| 6/1/2038                 | 255,000          | 3.000%        | 3.250%       | 23,400.00           | 278,400.00          |
| 6/1/2039                 | 265,000          | 3.000%        | 3.250%       | 15,750.00           | 280,750.00          |
| 6/1/2040                 | 260,000          | 3.000%        | 3.250%       | 7,800.00            | 267,800.00          |
|                          | <b>4,590,000</b> |               |              | <b>2,160,258.06</b> | <b>6,750,258.06</b> |

Prepared on 06-01-2016

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**  
**Refunding of 2008 Series A & C, Tax Exempt**

Prepared by Wulff, Hansen & Co.

*All figures are preliminary and subject to change*

|                |
|----------------|
| <b>Savings</b> |
|----------------|

|          |                  |                |                     | Present Value to    |
|----------|------------------|----------------|---------------------|---------------------|
|          | Prior Debt       | Refunding Debt |                     | 08/15/2016 @        |
| Date     | Service          | Service        | Savings             | 2.8688375%          |
| 6/1/2017 | 382,610          | 303,258.06     | 79,351.94           | 78,882.29           |
| 6/1/2018 | 387,675          | 286,550.00     | 101,125.00          | 96,911.41           |
| 6/1/2019 | 387,098          | 283,850.00     | 103,247.50          | 96,130.92           |
| 6/1/2020 | 381,098          | 279,800.00     | 101,297.50          | 91,668.52           |
| 6/1/2021 | 379,918          | 280,750.00     | 99,167.50           | 87,222.79           |
| 6/1/2022 | 388,355          | 286,550.00     | 101,805.00          | 86,995.18           |
| 6/1/2023 | 385,865          | 287,050.00     | 98,815.00           | 82,070.57           |
| 6/1/2024 | 383,035          | 282,400.00     | 100,635.00          | 81,205.18           |
| 6/1/2027 | 381,580          | 278,200.00     | 103,380.00          | 76,534.26           |
| 6/1/2030 | 380,230          | 277,000.00     | 103,230.00          | 70,115.37           |
| 6/1/2031 | 383,545          | 284,400.00     | 99,145.00           | 65,446.87           |
| 6/1/2032 | 381,005          | 281,200.00     | 99,805.00           | 64,009.97           |
| 6/1/2033 | 382,895          | 282,800.00     | 100,095.00          | 62,371.20           |
| 6/1/2034 | 378,930          | 279,000.00     | 99,930.00           | 60,497.94           |
| 6/1/2035 | 379,395          | 280,000.00     | 99,395.00           | 58,462.53           |
| 6/1/2036 | 378,600          | 277,950.00     | 100,650.00          | 57,499.18           |
| 6/1/2037 | 376,928          | 275,750.00     | 101,177.50          | 56,138.60           |
| 6/1/2038 | 379,378          | 278,400.00     | 100,977.50          | 54,415.25           |
| 6/1/2039 | 380,658          | 280,750.00     | 99,907.50           | 52,286.66           |
| 6/1/2040 | 375,768          | 267,800.00     | 107,967.50          | 54,867.26           |
|          | <b>9,158,283</b> |                | <b>2,408,024.44</b> | <b>1,735,408.71</b> |

|                               |                     |
|-------------------------------|---------------------|
| PV of savings from cash flow  | 1,735,408.71        |
| Less: Prior funds on hand     | (388,527.50)        |
| Plus: Refunding funds on hand | 523.40              |
|                               | -----               |
| <b>Net PV Savings</b>         | <b>1,347,404.61</b> |

**PORTERVILLE SUCCESSOR AGENCY**  
**2016 Tax Allocation Refunding Bonds**  
**Refunding of 2008 Series A & C, Tax Exempt**

Prepared by Wulff, Hansen & Co.  
*All figures are preliminary and subject to change*

|                                  |
|----------------------------------|
| <b>Savings for Each Entities</b> |
|----------------------------------|

| Date     | City of Porterville | City Cemetery    | City Memorial Hospital | Sierra View Hospital | Kern Community College | Tulare County     | Tulare Airpol/Flood C | Schools (Porterville Elem. & HS, Hope Elem., Burton Elem. Etc.) | Total Savings Cash Flow |
|----------|---------------------|------------------|------------------------|----------------------|------------------------|-------------------|-----------------------|-----------------------------------------------------------------|-------------------------|
|          | 16.40%              | 0.70%            | 1.00%                  | 1.90%                | 6.10%                  | 36.50%            | 0.60%                 | 36.80%                                                          | 100.00%                 |
| 6/1/2017 | 13,013.72           | 555.46           | 793.52                 | 1,507.69             | 4,840.47               | 28,963.46         | 476.11                | 29,201.51                                                       | 79,351.94               |
| 6/1/2018 | 16,584.50           | 707.88           | 1,011.25               | 1,921.38             | 6,168.63               | 36,910.63         | 606.75                | 37,214.00                                                       | 101,125.00              |
| 6/1/2019 | 16,932.59           | 722.73           | 1,032.48               | 1,961.70             | 6,298.10               | 37,685.34         | 619.49                | 37,995.08                                                       | 103,247.50              |
| 6/1/2020 | 16,612.79           | 709.08           | 1,012.98               | 1,924.65             | 6,179.15               | 36,973.59         | 607.79                | 37,277.48                                                       | 101,297.50              |
| 6/1/2021 | 16,263.47           | 694.17           | 991.68                 | 1,884.18             | 6,049.22               | 36,196.14         | 595.01                | 36,493.64                                                       | 99,167.50               |
| 6/1/2022 | 16,696.02           | 712.64           | 1,018.05               | 1,934.30             | 6,210.11               | 37,158.83         | 610.83                | 37,464.24                                                       | 101,805.00              |
| 6/1/2023 | 16,205.66           | 691.71           | 988.15                 | 1,877.49             | 6,027.72               | 36,067.48         | 592.89                | 36,363.92                                                       | 98,815.00               |
| 6/1/2024 | 16,504.14           | 704.45           | 1,006.35               | 1,912.07             | 6,138.74               | 36,731.78         | 603.81                | 37,033.68                                                       | 100,635.00              |
| 6/1/2027 | 16,954.32           | 723.66           | 1,033.80               | 1,964.22             | 6,306.18               | 37,733.70         | 620.28                | 38,043.84                                                       | 103,380.00              |
| 6/1/2030 | 16,929.72           | 722.61           | 1,032.30               | 1,961.37             | 6,297.03               | 37,678.95         | 619.38                | 37,988.64                                                       | 103,230.00              |
| 6/1/2031 | 16,259.78           | 694.02           | 991.45                 | 1,883.76             | 6,047.85               | 36,187.93         | 594.87                | 36,485.36                                                       | 99,145.00               |
| 6/1/2032 | 16,368.02           | 698.64           | 998.05                 | 1,896.30             | 6,088.11               | 36,428.83         | 598.83                | 36,728.24                                                       | 99,805.00               |
| 6/1/2033 | 16,415.58           | 700.67           | 1,000.95               | 1,901.81             | 6,105.80               | 36,534.68         | 600.57                | 36,834.96                                                       | 100,095.00              |
| 6/1/2034 | 16,388.52           | 699.51           | 999.30                 | 1,898.67             | 6,095.73               | 36,474.45         | 599.58                | 36,774.24                                                       | 99,930.00               |
| 6/1/2035 | 16,300.78           | 695.77           | 993.95                 | 1,888.51             | 6,063.10               | 36,279.18         | 596.37                | 36,577.36                                                       | 99,395.00               |
| 6/1/2036 | 16,506.60           | 704.55           | 1,006.50               | 1,912.35             | 6,139.65               | 36,737.25         | 603.90                | 37,039.20                                                       | 100,650.00              |
| 6/1/2037 | 16,593.11           | 708.24           | 1,011.78               | 1,922.37             | 6,171.83               | 36,929.79         | 607.07                | 37,233.32                                                       | 101,177.50              |
| 6/1/2038 | 16,560.31           | 706.84           | 1,009.78               | 1,918.57             | 6,159.63               | 36,856.79         | 605.87                | 37,159.72                                                       | 100,977.50              |
| 6/1/2039 | 16,384.83           | 699.35           | 999.08                 | 1,898.24             | 6,094.36               | 36,466.24         | 599.45                | 36,765.96                                                       | 99,907.50               |
| 6/1/2040 | 17,706.67           | 755.77           | 1,079.68               | 2,051.38             | 6,586.02               | 39,408.14         | 647.81                | 39,732.04                                                       | 107,967.50              |
|          | <b>394,916.01</b>   | <b>16,856.17</b> | <b>24,080.24</b>       | <b>45,752.46</b>     | <b>146,889.49</b>      | <b>878,928.92</b> | <b>14,448.15</b>      | <b>886,152.99</b>                                               | <b>2,408,024.44</b>     |

**PORTERVILLE SUCCESSOR AGENCY**

**2016 Tax Allocation Refunding Bonds  
Refunding of 2008 Series B & D, Taxable**

**Prepared by Wulff, Hansen & Co.**

***All figures are preliminary and subject to change***

|                           |
|---------------------------|
| <b>SOURCES &amp; USES</b> |
|---------------------------|

**Dated Date 8/15/2016**

**Delivery Date 8/15/2016**

***Sources***

|                             |                     |
|-----------------------------|---------------------|
| Par Amount                  | 2,400,000.00        |
| Prior Reserve Fund Series B | 187,600.00          |
| Prior Reserve Fund Series D | 59,325.00           |
|                             | <u>2,646,925.00</u> |

***Uses***

|                         |                     |
|-------------------------|---------------------|
| Cash Deposit            | 2,502,133.75        |
| Cost of Issuance        | 131,300.00          |
| Bond Insurance & Surety | 9,664.53            |
| Additional Proceeds     | 3,826.72            |
|                         | <u>2,646,925.00</u> |

***Prepared on 06/01/2016***



**PORTERVILLE SUCCESSOR AGENCY****2016 Tax Allocation Refunding Bonds  
Refunding of 2008 Series B & D, Taxable****Prepared by Wulff, Hansen & Co.*****All figures are preliminary and subject to change*****Prior Bond Debt Service**

| <b>Period Ending</b> | <b>Principal</b> | <b>Coupon</b> | <b>Interest</b>     | <b>Debt Service</b> |
|----------------------|------------------|---------------|---------------------|---------------------|
| 6/1/2017             | 40,000           | 7.125%        | 204,975.00          | 244,975.00          |
| 6/1/2018             | 40,000           | 7.125%        | 202,125.00          | 242,125.00          |
| 6/1/2019             | 40,000           | 8.000%        | 199,275.00          | 239,275.00          |
| 6/1/2020             | 45,000           | 8.000%        | 196,075.00          | 241,075.00          |
| 6/1/2021             | 50,000           | 8.000%        | 192,475.00          | 242,475.00          |
| 6/1/2022             | 50,000           | 8.000%        | 188,475.00          | 238,475.00          |
| 6/1/2023             | 60,000           | 8.000%        | 184,475.00          | 244,475.00          |
| 6/1/2024             | 60,000           | 8.000%        | 179,675.00          | 239,675.00          |
| 6/1/2027             | 80,000           | 8.000%        | 164,075.00          | 244,075.00          |
| 6/1/2030             | 100,000          | 8.500%        | 143,225.00          | 243,225.00          |
| 6/1/2031             | 105,000          | 8.500%        | 134,725.00          | 239,725.00          |
| 6/1/2032             | 115,000          | 8.500%        | 125,800.00          | 240,800.00          |
| 6/1/2033             | 125,000          | 8.500%        | 116,025.00          | 241,025.00          |
| 6/1/2034             | 135,000          | 8.500%        | 105,400.00          | 240,400.00          |
| 6/1/2035             | 150,000          | 8.500%        | 93,925.00           | 243,925.00          |
| 6/1/2036             | 165,000          | 8.500%        | 81,175.00           | 246,175.00          |
| 6/1/2037             | 175,000          | 8.500%        | 67,150.00           | 242,150.00          |
| 6/1/2038             | 190,000          | 8.500%        | 52,275.00           | 242,275.00          |
| 6/1/2039             | 205,000          | 8.500%        | 36,125.00           | 241,125.00          |
| 6/1/2040             | 220,000          | 8.500%        | 18,700.00           | 238,700.00          |
|                      | <b>2,460,000</b> |               | <b>3,339,250.00</b> | <b>5,799,250.00</b> |

Prepared on 06/01/2016

**PORTERVILLE SUCCESSOR AGENCY****2016 Tax Allocation Refunding Bonds  
Refunding of 2008 Series B & D, Taxable****Prepared by Wulff, Hansen & Co.*****All figures are preliminary and subject to change***

| <b>Bond Debt Service</b> |                  |               |              |                     |                     |
|--------------------------|------------------|---------------|--------------|---------------------|---------------------|
| <b>Period Ending</b>     | <b>Principal</b> | <b>Coupon</b> | <b>Yield</b> | <b>Interest</b>     | <b>Debt Service</b> |
| 6/1/2017                 | 105,000          | 1.350%        | 1.350%       | 67,972.67           | 172,972.67          |
| 6/1/2018                 | 70,000           | 1.750%        | 1.750%       | 84,142.50           | 154,142.50          |
| 6/1/2019                 | 70,000           | 2.050%        | 2.050%       | 82,917.50           | 152,917.50          |
| 6/1/2020                 | 70,000           | 2.300%        | 2.300%       | 81,482.50           | 151,482.50          |
| 6/1/2021                 | 75,000           | 2.600%        | 2.600%       | 79,872.50           | 154,872.50          |
| 6/1/2022                 | 75,000           | 2.800%        | 2.800%       | 77,922.50           | 152,922.50          |
| 6/1/2023                 | 80,000           | 3.000%        | 3.000%       | 75,822.50           | 155,822.50          |
| 6/1/2024                 | 80,000           | 3.100%        | 3.100%       | 73,422.50           | 153,422.50          |
| 6/1/2027                 | 90,000           | 3.550%        | 3.550%       | 65,452.50           | 155,452.50          |
| 6/1/2030                 | 100,000          | 3.900%        | 3.900%       | 55,180.00           | 155,180.00          |
| 6/1/2031                 | 100,000          | 3.950%        | 3.950%       | 51,280.00           | 151,280.00          |
| 6/1/2032                 | 105,000          | 4.000%        | 4.000%       | 47,330.00           | 152,330.00          |
| 6/1/2033                 | 110,000          | 4.050%        | 4.050%       | 43,130.00           | 153,130.00          |
| 6/1/2034                 | 115,000          | 4.100%        | 4.100%       | 38,675.00           | 153,675.00          |
| 6/1/2035                 | 120,000          | 4.150%        | 4.150%       | 33,960.00           | 153,960.00          |
| 6/1/2036                 | 130,000          | 4.200%        | 4.200%       | 28,980.00           | 158,980.00          |
| 6/1/2037                 | 130,000          | 4.200%        | 4.200%       | 23,520.00           | 153,520.00          |
| 6/1/2038                 | 135,000          | 4.300%        | 4.300%       | 18,060.00           | 153,060.00          |
| 6/1/2039                 | 140,000          | 4.300%        | 4.300%       | 12,255.00           | 152,255.00          |
| 6/1/2040                 | 145,000          | 4.300%        | 4.300%       | 6,235.00            | 151,235.00          |
|                          | <b>2,400,000</b> |               |              | <b>1,307,945.17</b> | <b>3,707,945.17</b> |

Prepared on 06/01/2016

**PORTERVILLE SUCCESSOR AGENCY****2016 Tax Allocation Refunding Bonds  
Refunding of 2008 Series B & D, Taxable****Prepared by Wulff, Hansen & Co.*****All figures are preliminary and subject to change*****Savings**

| <b>Date</b> | <b>Prior Debt<br/>Service</b> | <b>Refunding Debt<br/>Service</b> | <b>Savings</b>      | <b>Present Value to<br/>08/15/2016 @<br/>3.9595502%</b> |
|-------------|-------------------------------|-----------------------------------|---------------------|---------------------------------------------------------|
| 6/1/2017    | 244,975                       | 172,972.67                        | 72,002.33           | 71,277.43                                               |
| 6/1/2018    | 242,125                       | 154,142.50                        | 87,982.50           | 83,093.55                                               |
| 6/1/2019    | 239,275                       | 152,917.50                        | 86,357.50           | 78,427.83                                               |
| 6/1/2020    | 241,075                       | 151,482.50                        | 89,592.50           | 78,185.03                                               |
| 6/1/2021    | 242,475                       | 154,872.50                        | 87,602.50           | 73,513.52                                               |
| 6/1/2022    | 238,475                       | 152,922.50                        | 85,552.50           | 69,037.39                                               |
| 6/1/2023    | 244,475                       | 155,822.50                        | 88,652.50           | 68,743.51                                               |
| 6/1/2024    | 239,675                       | 153,422.50                        | 86,252.50           | 64,314.81                                               |
| 6/1/2027    | 244,075                       | 155,452.50                        | 88,622.50           | 58,680.40                                               |
| 6/1/2030    | 243,225                       | 155,180.00                        | 88,045.00           | 51,771.34                                               |
| 6/1/2031    | 239,725                       | 151,280.00                        | 88,445.00           | 49,979.19                                               |
| 6/1/2032    | 240,800                       | 152,330.00                        | 88,470.00           | 48,044.44                                               |
| 6/1/2033    | 241,025                       | 153,130.00                        | 87,895.00           | 45,870.93                                               |
| 6/1/2034    | 240,400                       | 153,675.00                        | 86,725.00           | 43,494.45                                               |
| 6/1/2035    | 243,925                       | 153,960.00                        | 89,965.00           | 43,340.70                                               |
| 6/1/2036    | 246,175                       | 158,980.00                        | 87,195.00           | 40,364.13                                               |
| 6/1/2037    | 242,150                       | 153,520.00                        | 88,630.00           | 39,409.60                                               |
| 6/1/2038    | 242,275                       | 153,060.00                        | 89,215.00           | 38,103.56                                               |
| 6/1/2039    | 241,125                       | 152,255.00                        | 88,870.00           | 36,455.43                                               |
| 6/1/2040    | 238,700                       | 151,235.00                        | 87,465.00           | 34,456.60                                               |
|             | <b>5,799,250</b>              |                                   | <b>2,091,304.83</b> | <b>1,347,443.52</b>                                     |

|                               |                     |
|-------------------------------|---------------------|
| PV of savings from cash flow  | 1,347,443.52        |
| Less: Prior funds on hand     | (246,925.00)        |
| Plus: Refunding funds on hand | 3,826.72            |
| <b>Net PV Savings</b>         | <b>1,104,345.24</b> |

**PORTERVILLE SUCCESSOR AGENCY****2016 Tax Allocation Refunding Bonds  
Refunding of 2008 Series B & D, Taxable**

Prepared by Wulff, Hansen &amp; Co.

*All figures are preliminary and subject to change***Savings for Each Entities**

| Date     | City of Porterville | City Cemetery    | City Memorial Hospital | Sierra View Hospital | Kern Community College | Tulare County     | Tulare Airpol/Flood C | Schools (Porterville Elem. & HS, Hope Elem., Burton Elem. Etc.) | Total Savings Cash Flow |
|----------|---------------------|------------------|------------------------|----------------------|------------------------|-------------------|-----------------------|-----------------------------------------------------------------|-------------------------|
|          | 16.40%              | 0.70%            | 1.00%                  | 1.90%                | 6.10%                  | 36.50%            | 0.60%                 | 36.80%                                                          | 100.00%                 |
| 6/1/2017 | 11,808.38           | 504.02           | 720.02                 | 1,368.04             | 4,392.14               | 26,280.85         | 432.01                | 26,496.86                                                       | 72,002.33               |
| 6/1/2018 | 14,429.13           | 615.88           | 879.83                 | 1,671.67             | 5,366.93               | 32,113.61         | 527.90                | 32,377.56                                                       | 87,982.50               |
| 6/1/2019 | 14,162.63           | 604.50           | 863.58                 | 1,640.79             | 5,267.81               | 31,520.49         | 518.15                | 31,779.56                                                       | 86,357.50               |
| 6/1/2020 | 14,693.17           | 627.15           | 895.93                 | 1,702.26             | 5,465.14               | 32,701.26         | 537.56                | 32,970.04                                                       | 89,592.50               |
| 6/1/2021 | 14,366.81           | 613.22           | 876.03                 | 1,664.45             | 5,343.75               | 31,974.91         | 525.62                | 32,237.72                                                       | 87,602.50               |
| 6/1/2022 | 14,030.61           | 598.87           | 855.53                 | 1,625.50             | 5,218.70               | 31,226.66         | 513.32                | 31,483.32                                                       | 85,552.50               |
| 6/1/2023 | 14,539.01           | 620.57           | 886.53                 | 1,684.40             | 5,407.80               | 32,358.16         | 531.92                | 32,624.12                                                       | 88,652.50               |
| 6/1/2024 | 14,145.41           | 603.77           | 862.53                 | 1,638.80             | 5,261.40               | 31,482.16         | 517.52                | 31,740.92                                                       | 86,252.50               |
| 6/1/2027 | 14,534.09           | 620.36           | 886.23                 | 1,683.83             | 5,405.97               | 32,347.21         | 531.74                | 32,613.08                                                       | 88,622.50               |
| 6/1/2030 | 14,439.38           | 616.32           | 880.45                 | 1,672.86             | 5,370.75               | 32,136.43         | 528.27                | 32,400.56                                                       | 88,045.00               |
| 6/1/2031 | 14,504.98           | 619.12           | 884.45                 | 1,680.46             | 5,395.15               | 32,282.43         | 530.67                | 32,547.76                                                       | 88,445.00               |
| 6/1/2032 | 14,509.08           | 619.29           | 884.70                 | 1,680.93             | 5,396.67               | 32,291.55         | 530.82                | 32,556.96                                                       | 88,470.00               |
| 6/1/2033 | 14,414.78           | 615.27           | 878.95                 | 1,670.01             | 5,361.60               | 32,081.68         | 527.37                | 32,345.36                                                       | 87,895.00               |
| 6/1/2034 | 14,222.90           | 607.08           | 867.25                 | 1,647.78             | 5,290.23               | 31,654.63         | 520.35                | 31,914.80                                                       | 86,725.00               |
| 6/1/2035 | 14,754.26           | 629.76           | 899.65                 | 1,709.34             | 5,487.87               | 32,837.23         | 539.79                | 33,107.12                                                       | 89,965.00               |
| 6/1/2036 | 14,299.98           | 610.37           | 871.95                 | 1,656.71             | 5,318.90               | 31,826.18         | 523.17                | 32,087.76                                                       | 87,195.00               |
| 6/1/2037 | 14,535.32           | 620.41           | 886.30                 | 1,683.97             | 5,406.43               | 32,349.95         | 531.78                | 32,615.84                                                       | 88,630.00               |
| 6/1/2038 | 14,631.26           | 624.51           | 892.15                 | 1,695.09             | 5,442.12               | 32,563.48         | 535.29                | 32,831.12                                                       | 89,215.00               |
| 6/1/2039 | 14,574.68           | 622.09           | 888.70                 | 1,688.53             | 5,421.07               | 32,437.55         | 533.22                | 32,704.16                                                       | 88,870.00               |
| 6/1/2040 | 14,344.26           | 612.26           | 874.65                 | 1,661.84             | 5,335.37               | 31,924.73         | 524.79                | 32,187.12                                                       | 87,465.00               |
|          | <b>342,973.99</b>   | <b>14,639.13</b> | <b>20,913.05</b>       | <b>39,734.79</b>     | <b>127,569.59</b>      | <b>763,326.26</b> | <b>12,547.83</b>      | <b>769,600.18</b>                                               | <b>2,091,304.83</b>     |

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**INDENTURE OF TRUST**

**Dated as of September 1, 2016**

**by and between the**

**SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY**

**and**

**U.S. BANK NATIONAL ASSOCIATION, as Trustee**

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Relating to

\$\_\_\_\_\_

Successor Agency of the Porterville Redevelopment Agency  
(Tulare County, California)

Tax Allocation Refunding Bonds, Series 2016A

\$\_\_\_\_\_

Successor Agency of the Porterville Redevelopment Agency  
(Tulare County, California)

Taxable Tax Allocation Refunding Bonds, Series 2016B

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## INDENTURE OF TRUST

THIS INDENTURE OF TRUST (this “Indenture”) is dated as of September 1, 2016, by and between the SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY, a public body duly organized and existing under the laws of the State of California (the “Successor Agency”), and U.S. BANK NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, as trustee (the “Trustee”);

### R E C I T A L S :

WHEREAS, the Redevelopment Agency of the City of Porterville (the “Former Agency”) was a public body, corporate and politic, duly established and authorized to transact business and exercise powers under and pursuant to the provisions of the Community Redevelopment Law of the State of California, constituting Part 1 of Division 24 of the California Health and Safety Code (the “Law”), including the power to issue bonds for any of its corporate purposes;

WHEREAS, a redevelopment plan for the Former Agency’s Porterville Redevelopment Project in the City of Porterville (the “City”) has been adopted in compliance with all requirements of the Law (the “Redevelopment Project”);

WHEREAS, the Former Agency issued the following obligations:

(a) \$4,565,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series A (Redevelopment Projects) (the “2008A Bonds”), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$3,925,000 principal amount remains outstanding,

(b) \$2,110,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series B (Redevelopment Projects) (the “2008B Bonds”), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$1,885,000 principal amount remains outstanding,

(c) \$1,160,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series C (Housing Projects) (the “2008C Bonds”), to refinance low and moderate income housing activities within the City, of which \$965,000 principal amount remains outstanding, and

(d) \$640,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series D (Housing Projects) (the “2008D Bonds” and, with the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, the “2008 Bonds”), to refinance low and moderate income housing activities within the City, of which \$575,000 principal amount remains outstanding;

WHEREAS, on June 28, 2011, the California Legislature adopted ABx1 26 (the “Dissolution Act”) and ABx1 27 (the “Opt-in Bill”);

WHEREAS, the California Supreme Court subsequently upheld the provisions of the Dissolution Act and invalidated the Opt-in Bill resulting in the Former Agency being dissolved as of February 1, 2012;



WHEREAS, the powers, assets and obligations of the Former Agency were transferred on February 1, 2012, to the Successor Agency;

WHEREAS, on or about June 27, 2012, the California Legislature adopted AB 1484 as a trailer bill in connection with the 2012-13 California Budget;

WHEREAS, AB 1484 added various provisions to the Law, including section 34177.5(a)(1) thereof which specifically authorizes the issuance of refunding bonds by the Successor Agency in certain circumstances to refund bonds and indebtedness of the Former Agency;

WHEREAS, on or about September 17, 2015, the California Legislature adopted SB 107 as a trailer bill in connection with the 2015-16 California Budget;

WHEREAS, SB 107 revised various provisions of the Law, including removing certain time limits affecting the number of tax dollars and other statutory limitations on redevelopment plans;

WHEREAS, section 34179 of the Law established an oversight board (the "Oversight Board") for the Successor Agency;

WHEREAS, the Successor Agency has determined that, due to prevailing financial market conditions, it is in the best interests of the Successor Agency at this time to refinance redevelopment activities within and for the benefit of the Redevelopment Project and, in particular, to refund the 2008 Bonds;

WHEREAS, to provide moneys to refund the 2008A Bonds and the 2008C Bonds, the Successor Agency has determined to issue its Successor Agency of the Porterville Redevelopment Agency (Tulare County, California), Tax Allocation Refunding Bonds, Series 2016A, in the aggregate principal amount of \$\_\_\_\_\_ (the "2016A Bonds"), and to provide moneys to refund the 2008B Bonds and the 2008D Bonds, the Successor Agency has determined to issue its Successor Agency of the Porterville Redevelopment Agency (Tulare County, California), Taxable Tax Allocation Refunding Bonds, Series 2016B, in the aggregate principal amount of \$\_\_\_\_\_ (the "2016B Bonds" and, with the 2016A Bonds, the "Bonds"), under the provisions of section 34177.5(g) of the Law and Article 11 (commencing with Section 53580) of Chapter 3 of Part 1 of Division 2 of Title 5 of the California Government Code;

WHEREAS, the Successor Agency has determined that the total net interest cost to maturity of the Bonds plus the principal amount of the Bonds will not exceed the total net interest cost to maturity of the 2008 Bonds to be refunded plus the principal amount of the 2008 Bonds to be refunded;

WHEREAS, in order to provide for the authentication and delivery of the Bonds, to establish and declare the terms and conditions upon which the Bonds are to be issued and secured and to secure the payment of the principal thereof and interest and redemption premium (if any) thereon, the Successor Agency and the Trustee have duly authorized the execution and delivery of this Indenture; and

WHEREAS, the Successor Agency has determined that all acts and proceedings required by law necessary to make the Bonds when executed by the Successor Agency and authenticated and delivered by the Trustee, the valid, binding and legal special obligations of the Successor Agency, and to constitute this Indenture a legal, valid and binding agreement for the uses and purposes herein set forth in accordance with its terms, have been done or taken;

## A G R E E M E N T :

NOW, THEREFORE, THIS INDENTURE WITNESSETH, that in order to secure the payment of the principal of and the interest and redemption premium (if any) on all the Bonds issued and Outstanding under this Indenture, according to their tenor, and to secure the performance and observance of all the covenants and conditions therein and herein set forth, and to declare the terms and conditions upon and subject to which the Bonds are to be issued and received, and in consideration of the premises and of the mutual covenants herein contained and of the purchase and acceptance of the Bonds by the Owners thereof, and for other valuable consideration, the receipt of which is hereby acknowledged, the Successor Agency and the Trustee do hereby covenant and agree with one another, for the benefit of the respective Owners from time to time of the Bonds, as follows:

## ARTICLE I

### DETERMINATIONS; DEFINITIONS

Section 1.01. Findings and Determinations. The Successor Agency has reviewed all proceedings heretofore taken and has found, as a result of such review, and hereby finds and determines that all things, conditions and acts required by law to exist, happen or be performed precedent to and in connection with the issuance of the Bonds do exist, have happened and have been performed in due time, form and manner as required by law, and the Successor Agency is now duly empowered, pursuant to each and every requirement of law, to issue the Bonds in the manner and form provided in this Indenture.

Section 1.02. Definitions. Unless the context otherwise requires, the terms defined in this Section 1.02 shall, for all purposes of this Indenture, of any Supplemental Indenture, and of any certificate, opinion or other document herein mentioned, have the meanings herein specified.

*“Annual Debt Service”* means, for each Bond Year, the sum of (a) the interest payable on the Outstanding Bonds and any Parity Debt in such Bond Year, assuming that the Outstanding Bonds and Parity Debt are retired as scheduled, and (b) the principal or sinking fund amount of the Outstanding Bonds and Parity Debt payable by their terms in such Bond Year.

*“Bond Proceeds Account”* means the temporary account on the Trustee’s records to facilitate the deposits and transfers of the proceeds of the Bonds.

*“Bond Year”* means any twelve-month period beginning on June 2 in any year and ending on the next succeeding June 1, both dates inclusive, except that the first Bond Year shall begin on the Closing Date, and end on June 1, 2017.

*“Bonds”* means, collectively, the 2016A Bonds and the 2016B Bonds.

*“Business Day”* means a day of the year, other than a Saturday or Sunday, on which banks in Los Angeles and San Francisco, California, are not required or permitted to be closed and on which the New York Stock Exchange is not closed.

*“City”* means City of Porterville, California.

*“Closing Date”* means September \_\_, 2016, the date on which the Bonds are delivered by the Successor Agency to the original purchaser thereof.

*“Code”* means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

*“Continuing Disclosure Certificate”* means the Continuing Disclosure Certificate executed by the Successor Agency dated as of the Closing Date, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

*“Costs of Issuance”* means all items of expense directly or indirectly payable by or reimbursable to the Successor Agency relating to the authorization, issuance, sale and delivery of the Bonds and the refunding of the 2008 Bonds, including but not limited to printing

expenses, operating expenses, rating agency fees, filing and recording fees, initial fees and charges and first annual administrative fee of the Trustee and fees and expenses of its counsel, Escrow Bank fees and those of its counsel, fees, charges and disbursements of attorneys, financial advisors, fiscal consultants, accounting firms, consultants and other professionals, fees and charges for preparation, execution and safekeeping of the Bonds, premiums for the Municipal Bond Insurance Policies and the Reserve Policy and any other cost, charge or fee in connection with the issuance of the Bonds and the refunding of the 2008 Bonds.

*"Costs of Issuance Fund"* means the fund by that name established and held by the Trustee pursuant to Section 3.03.

*"County"* means Tulare County, California.

*"Debt Service Fund"* means the fund by that name established and held by the Trustee pursuant to Section 4.03.

*"Defeasance Obligations"* means (a) cash, (b) direct non-callable obligations of the United States of America, (c) securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, to which direct obligation or guarantee the full faith and credit of the United States of America has been pledged, (d) Refcorp interest strips, (e) CATS, TIGRS, STRPS, (f) defeased municipal bonds rated AAA by S&P or Aaa by Moody's, and (g) or any combination of the foregoing.

*"Dissolution Act"* means Parts 1.8 (commencing with section 34161) and 1.85 (commencing with section 34170) of Division 24 of the California Health and Safety Code, as amended.

*"Escrow Agreement"* means that certain Escrow Agreement, dated the Closing Date, by and between the Successor Agency and the Escrow Bank, to provide for the defeasance and redemption of the 2008 Bonds.

*"Escrow Bank"* means U.S. Bank National Association, as escrow bank under the Escrow Agreement, or any successor thereto appointed as escrow bank thereunder.

*"Escrow Fund"* means the escrow fund held by the Escrow Bank under and pursuant to the Escrow Agreement.

*"Event of Default"* means any of the events described in Section 8.01.

*"Federal Securities"* means (a) cash (insured at all times by the Federal Deposit Insurance Corporation), and (b) obligations of, or obligations guaranteed as to principal and interest by, the United States or any agency or instrumentality thereof, when such obligations are backed by the full faith and credit of the United States including: (i) United States treasury obligations, (ii) all direct or fully guaranteed obligations, (iii) Farmers Home Administration, (iv) General Services Administration, (v) Guaranteed Title XI financing, (vi) Government National Mortgage Association (GNMA), and (vi) State and Local Government Series.

*"Fiscal Year"* means any twelve-month period beginning on July 1 in any year and extending to the next succeeding June 30, both dates inclusive, or any other twelve month period selected and designated by the Successor Agency to the Trustee in writing as its official fiscal year period.

*"Former Agency"* means the former Porterville Redevelopment Agency.

*"Indenture"* means this Indenture of Trust by and between the Successor Agency and the Trustee, as originally entered into or as it may be amended or supplemented by any Supplemental Indenture entered into pursuant to the provisions hereof.

*"Independent Accountant"* means any accountant or firm of such accountants duly licensed or registered or entitled to practice and practicing as such under the laws of the State, appointed by the Successor Agency, and who, or each of whom: (a) is in fact independent and not under domination of the Successor Agency; (b) does not have any substantial interest, direct or indirect, with the Successor Agency; and (c) is not connected with the Successor Agency as an officer or employee of the Successor Agency, but who may be regularly retained to make reports to the Successor Agency.

*"Independent Financial Consultant"* means any financial consultant or firm of such consultants appointed by the Successor Agency, and who, or each of whom: (a) is in fact independent and not under domination of the Successor Agency; (b) does not have any substantial interest, direct or indirect, with the Successor Agency, other than as original purchaser of the Bonds or any Parity Debt; and (c) is not connected with the Successor Agency as an officer or employee of the Successor Agency, but who may be regularly retained to make reports to the Successor Agency.

*"Independent Redevelopment Consultant"* means any consultant or firm of such consultants appointed by the Successor Agency, and who, or each of whom: (a) is judged by the Successor Agency to have experience in matters relating to the collection of Tax Revenues or otherwise with respect to the financing of Redevelopment Project; (b) is in fact independent and not under domination of the Successor Agency; (c) does not have any substantial interest, direct or indirect, with the Successor Agency; and (d) is not connected with the Successor Agency as an officer or employee of the Successor Agency, but who may be regularly retained to make reports to the Successor Agency.

*"Information Services"* means the Electronic Municipal Market Access System (referred to as "EMMA"), a facility of the Municipal Securities Rulemaking Board (at <http://emma.msrb.org>) or, in accordance with then current guidelines of the Securities and Exchange Commission, such other addresses and/or such other national information services providing information with respect to called bonds as the Successor Agency may designate in a Written Certificate of the Successor Agency delivered to the Trustee.

*"Interest Account"* means the account by that name established and held by the Trustee pursuant to Section 4.03(a).

*"Interest Payment Date"* means June 1 and December 1 in each year, commencing December 1, 2016, so long as any of the Bonds remain Outstanding hereunder.

*"Late Payment Rate"* means the lesser of (a) the greater of (i) the per annum rate of interest, publicly announced from time to time by JPMorgan Chase Bank at its principal office in the City of New York, as its prime or base lending rate ("Prime Rate") (any change in such Prime Rate to be effective on the date such changes are announced by JPMorgan Chase Bank) plus 3%, and (ii) the then applicable highest rate of interest on the Bonds, and (b) the maximum rate permissible under applicable usury or similar laws limiting interest rates. The Late Payment Rate shall be computed on the basis of the actual number of days elapsed over a year of 360 days. In the event JPMorgan Chase Bank ceases to announce its Prime Rate publicly, Prime Rate shall be the publicly announced prime or base lending rate of such bank, banking

association or trust company bank as the Municipal Bond Insurer in its sole and absolute discretion shall specify.

*"Law"* means the Community Redevelopment Law of the State, constituting Part 1 of Division 24 of the California Health and Safety Code, and the acts amendatory thereof and supplemental thereto.

*"Maximum Annual Debt Service"* means, as of the date of calculation, the largest Annual Debt Service for the current or any future Bond Year following the anticipated issuance of Bonds and Parity Debt.

*"Moody's"* means Moody's Investors Service, its successors and assigns.

*"Municipal Bond Insurance Policies"* means, collectively, the 2016A Municipal Bond Insurance Policy and the 2016B Municipal Bond Insurance Policy.

*"Municipal Bond Insurer"* means \_\_\_\_\_, or any successor thereto.

*"Original Purchaser"* means Gates Capital Corporation, the original purchaser of the Bonds upon their delivery by the Trustee on the Closing Date.

*"Outstanding"* when used as of any particular time with reference to Bonds, means (subject to the provisions of Section 10.05) all Bonds except: (a) Bonds theretofore canceled by the Trustee or surrendered to the Trustee for cancellation; (b) Bonds paid or deemed to have been paid within the meaning of Section 10.03; and (c) Bonds in lieu of or in substitution for which other Bonds shall have been authorized, executed, issued and delivered by the Successor Agency pursuant hereto.

*"Oversight Board"* means the oversight board to the Successor Agency duly constituted from time to time pursuant to section 34179 of the Dissolution Act.

*"Owner" or "Bondowner" or "Bond Owner,"* when used with respect to the Bonds, means the person in whose name the ownership of the Bonds shall be registered on the Bond Registration Books.

*"Parity Debt"* means any loans, advances or indebtedness issued or incurred by the Successor Agency on a parity with the Bonds pursuant to Section 3.04.

*"Participating Underwriter"* has the meaning ascribed thereto in the Continuing Disclosure Certificate.

*"Pass-Through Agreements"* means, collectively, (a) that certain agreement, dated as of April 11, 1990, by and between the Agency and the Porterville Elementary School District, (b) that certain agreement, dated as of April 12, 1990, by and between the Agency and the Porterville Union High School District, (c) that certain agreement, dated as of May 8, 1990, by and between the Agency and the County, (d) that certain agreement, dated as of May 8, 1990, by and between the Agency and the Tulare County Air Pollution Control District, (e) that certain agreement, dated as of May 8, 1990, by and between the Agency and the Tulare County Flood Control District, (f) that certain agreement, dated as of May 8, 1990, by and between the Agency and the Tulare County Free Public Library, (g) that certain agreement, dated as of May 14, 1990, by and between the Agency and the Porterville Memorial District, (h) that certain agreement, dated as of May 16, 1990, by and between the Agency and the Tulare County Board of Education, (i) that certain agreement, dated as of July 2, 1990, by and between the Agency and

the Porterville Public Cemetery District; including any amendments to any of the foregoing agreements; and (j) payments to affected taxing agencies pursuant to Section 33607.5 or Section 33607.7 of the Law (including, but not limited to, mandatory pass-through payments to Kern Community College District and Sierra View Hospital District as a result of the adoption on July 7, 2004 of Ordinance No. 1655 of the City which eliminated the time limit for incurring debt theretofore contained in the Redevelopment Plan), together with any amendments thereof hereafter duly authorized pursuant to the Law.

*"Permitted Investments"* means the following, but only to the extent that the same are acquired at Fair Market Value:

(a) Federal Securities.

(b) Bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by any of the following federal agencies and provided such obligations are backed by the full faith and credit of the United States of America (stripped securities are only permitted if they have been stripped by the agency itself):

1. U.S. Export-Import Bank (Eximbank)  
Direct obligations or fully guaranteed certificates of beneficial ownership
2. U.S. Farmers Home Administration (FmHA)  
Certificates of Beneficial Ownership
3. Federal Financing Bank
4. Federal Housing Administration Debentures (FHA)
5. General Services Administration  
Participation Certificates
6. Government National Mortgage Association (GNMA or Ginnie Mae)  
GNMA—guaranteed mortgage-backed bonds  
GNMA—guaranteed pass-through obligations
7. U.S. Maritime Administration  
Guaranteed Title XI financing
8. U.S. Department of Housing and Urban Development (HUD)  
Project Notes  
Local Authority Bonds  
New Communities Debentures - U.S. government guaranteed debentures  
U.S. Public Housing Notes and Bonds - U.S. government guaranteed public housing notes and bonds

(c) Bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by any of the following federal agencies which are not backed by the full faith and credit of the United States of America (stripped securities are only permitted if they have been stripped by the agency itself):

1. Federal Home Loan Bank System  
Senior debt obligations

2. Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac)  
Participation Certificate  
Senior debt obligations
3. Federal National Mortgage Association (FNMA or Fannie Mae)  
Mortgage-backed securities and senior debt obligations
4. Student Loan Marketing Association (SLMA or Sallie Mae)  
Senior debt obligations
5. Resolution Funding Corp. (REFCORP) obligations
6. Farm Credit System  
Consolidated systemwide bonds and notes

(d) Money market funds registered under the Federal Investment Company Act of 1940, whose shares are registered under the Federal Securities Act of 1933, which invest solely in Federal Securities, if rated by S&P, having a rating of AAAM-G; and if rated by Moody's having a rating of Aaa, including such funds for which the Trustee, its affiliates or subsidiaries provide investment advisory or other management services or for which the Trustee or an affiliate of the Trustee serves as investment administrator, shareholder servicing agent, and/or custodian or subcustodian, notwithstanding that (i) the Trustee or an affiliate of the Trustee receives fees from funds for services rendered, (ii) the Trustee collects fees for services rendered pursuant to this Indenture, which fees are separate from the fees received from such funds, and (iii) services performed for such funds and pursuant to this Indenture may at times duplicate those provided to such funds by the Trustee or an affiliate of the Trustee.

(e) Certificates of deposit secured at all times by collateral described in (A) and/or (B) above. Such certificates must be issued by commercial banks or savings and loan associations (including the Trustee or its affiliates). The collateral must be held by a third party and the bondholders must have a perfected first security interest in the collateral.

(f) Certificates of deposit, savings accounts, deposit accounts or money market deposits which are fully insured by FDIC including those of the Trustee or its affiliates or secured at all times by collateral described in (a) and/or (b) above.

(g) Commercial paper rated, at the time of purchase, "Prime-1" by Moody's and "A-1" or better by S&P.

(h) Federal funds or bankers acceptances with a maximum term of 180 days of any bank which has an unsecured, uninsured and unguaranteed obligation rating of "Prime-1" or better by Moody's and "A-1" or better by S&P.

(i) The Local Agency Investment Fund of the State, created pursuant to section 16429.1 of the California Government Code.

(j) Other forms of investments that satisfy the Successor Agency's Statement of Investment Policy.

*"Principal Account"* means the account by that name established and held by the Trustee pursuant to Section 4.03(b).



*"Principal Corporate Trust Office"* means such principal corporate trust office of the Trustee as may be designated from time to time by written notice from the Trustee to the Successor Agency, initially being at 633 West Fifth Street, 24th Floor, Los Angeles, CA 90071, except that, with respect to presentation of Bonds for payment or for registration of transfer and exchange, such term shall mean the office or agency of the Trustee at which, at any particular time, its corporate trust agency business shall be conducted, initially in Los Angeles, California.

*"Rating Category"* means any generic rating category of Moody's or S&P, without regard to any refinement of such category by plus or minus sign or by numerical or other qualifying designation.

*"Recognized Obligation Payment Schedule"* or *"ROPS"* means a Recognized Obligation Payment Schedule, prepared and approved from time to time pursuant to subdivision (l) of section 34177 of the Dissolution Act.

*"Record Date"* means, with respect to any Interest Payment Date, the close of business on the fifteenth (15th) calendar day of the month preceding such Interest Payment Date, whether or not such fifteenth (15th) calendar day is a Business Day.

*"Redemption Account"* means the account by that name established and held by the Trustee pursuant to Section 4.03(c).

*"Redevelopment Obligation Retirement Fund"* means the fund by that name referenced in Section 4.02 of this Indenture.

*"Redevelopment Plan"* means the Redevelopment Plan for Porterville Redevelopment Project Area No. 1 of the Agency, approved by Ordinance No. 1436 adopted by the City Council of the City on July 3, 1990, together with any amendments thereof heretofore or hereafter duly authorized pursuant to the Law, including, but not limited to, Ordinance No. 1655 adopted by the City Council of the City on July 7, 2004 (to remove the time limit on the establishment of loans, advances and indebtedness theretofore contained in the Redevelopment Plan).

*"Redevelopment Project"* means the Porterville Redevelopment Project Area No. 1, the area of the undertaking pursuant to the Redevelopment Plan, together with any amendments of such redevelopment plan at any time duly authorized pursuant to the Law.

*"Refunding Bond Law"* means, collectively, section 34177.5(g) of the Law and section 53580 *et seq.* of the California Government Code

*"Registration Books"* means the records maintained by the Trustee pursuant to Section 2.08 for the registration and transfer of ownership of the Bonds.

*"Report"* means a document in writing signed by an Independent Financial Consultant or an Independent Redevelopment Consultant and including: (a) a statement that the person or firm making or giving such Report has read the pertinent provisions of this Indenture to which such Report relates; (b) a brief statement as to the nature and scope of the examination or investigation upon which the Report is based; and (c) a statement that, in the opinion of such person or firm, sufficient examination or investigation was made as is necessary to enable said consultant to express an informed opinion with respect to the subject matter referred to in the Report.

*"Reserve Account"* means the account by that name established and held by the Trustee pursuant to Section 4.03(d).

*"Reserve Agreement"* means the Debt Service Reserve Agreement, dated the Closing Date, by and between the Successor Agency and the Municipal Bond Insurer.

*"Reserve Policy"* means the Municipal Bond Debt Service Reserve Insurance Policy issued by the Municipal Bond Insurer in lieu of a cash funded reserve fund for the Bonds in an amount equal to the Reserve Requirement.

*"Reserve Requirement"* means, as of any date of calculation, to be equal to the least of (a) Maximum Annual Debt Service for the then current or every subsequent Bond Year, (b) 125% of average Annual Debt Service for the then current or every subsequent Bond Year, and (c) 10% of the original principal amount of the Bonds and any Parity Debt. On the Closing Date, such amount is being \$\_\_\_\_\_.

*"Responsible Officer"* means any Vice President, Assistant Vice President or Trust Officer of the Trustee with responsibility for matters related to this Indenture.

*"S&P"* means Standard & Poor's Global Ratings, a Standard & Poor's Financial Services LLC business, New York, New York, or its successors.

*"Securities Depositories"* means The Depository Trust Company, 55 Water Street, 50th Floor, New York, NY 10041-0099, Attention: Call Notification Department, Fax (212) 855-7232; and, in accordance with then current guidelines of the Securities and Exchange Commission, such other addresses and/or such other securities depositories as the Successor Agency may designate in a Certificate of the Successor Agency delivered to the Trustee.

*"Semi Annual Period"* means (a) each six month period beginning on January 1 of any calendar year and ending on June 30 of such calendar year, and (b) each six month period beginning on July 1 of any calendar year and ending on December 31 of such calendar year.

*"Sinking Account"* means the account by that name established and held by the Trustee pursuant to Section 4.03.

*"State"* means the State of California.

*"Statutory Pass-Through Amounts"* means all amounts required to be paid to affected taxing agencies pursuant to sections 33607.5 and/or 33607.7 of the Law and section 34183 of the Dissolution Act.

*"Successor Agency"* means the Successor Agency of the Porterville Redevelopment Agency, as successor to the Former Agency, a public body corporate and politic duly organized and existing under the Law.

*"Supplemental Indenture"* means any resolution, agreement or other instrument which has been duly adopted or entered into by the Successor Agency, but only if and to the extent that such Supplemental Indenture is specifically authorized hereunder.

*"Tax Revenues"* means the moneys deposited from time to time in the Redevelopment Property Tax Trust Fund established pursuant to subdivision (c) of section 34172 of the Dissolution Act, as provided in paragraph (2) of subdivision (a) of section 34183 of the Dissolution Act, after payment of (a) County administrative fees pursuant to section 34183(a) of the Dissolution Act, (b) the Statutory Pass-Through Amounts, to the extent not subordinated to the use of Tax Revenues for the payment of amounts due under this Indenture, and (c) all

amounts due under the Pass-Through Agreements. If, and to the extent, that the provisions of section 34172 or paragraph (2) of subdivision (a) of section 34183 of the Dissolution Act are invalidated by a final judicial decision, then Tax Revenues shall include all tax revenues allocated to the payment of indebtedness of the Successor Agency pursuant to section 33670 of the Law or such other section as may be in effect at the time providing for the allocation of tax increment revenues to the Successor Agency in accordance with Article XVI, Section 16 of the California Constitution.

*"Trustee"* means U.S. Bank National Association, as trustee hereunder, or any successor thereto appointed as trustee hereunder in accordance with the provisions of Article VI.

*"2008 Bonds"* means, collectively, the 2008A Bonds, the 2008B Bonds, the 2008C Bonds and the 2008D Bonds.

*"2008A Bonds"* means the \$4,565,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series A (Redevelopment Projects), issued to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$3,925,000 principal amount remains outstanding.

*"2008B Bonds"* means the \$2,110,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series B (Redevelopment Projects), issued to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$1,885,000 principal amount remains outstanding.

*"2008C Bonds"* means the \$1,160,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series C (Housing Projects), issued to refinance low and moderate income housing activities within the City, of which \$965,000 principal amount remains outstanding.

*"2008A Bonds"* means the \$640,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series D (Housing Projects), issued to refinance low and moderate income housing activities within the City, of which \$575,000 principal amount remains outstanding.

*"2016A Bonds"* means the \$\_\_\_\_\_ Successor Agency of the Porterville Redevelopment Agency (Tulare County, California) Tax Allocation Refunding Bonds, Series 2016A, and, when the context requires, any Parity Debt.

*"2016B Bonds"* means the \$\_\_\_\_\_ Successor Agency of the Porterville Redevelopment Agency (Tulare County, California) Taxable Tax Allocation Refunding Bonds, Series 2016B, and, when the context requires, any Parity Debt.

*"2016A Municipal Bond Insurance Policy"* means the Municipal Bond Insurance Policy issued by the Municipal Bond Insurer that guarantees the scheduled payment of principal of and interest on the 2016A Bonds when due.

*"2016B Municipal Bond Insurance Policy"* means the Municipal Bond Insurance Policy issued by the Municipal Bond Insurer that guarantees the scheduled payment of principal of and interest on the 2016B Bonds when due.

*"Written Request of the Successor Agency"* or *"Written Certificate of the Successor Agency"* means a request or certificate, in writing signed by the Chairman, the Executive Director or the

Treasurer of the Successor Agency or by any other officer of the Successor Agency duly authorized by the Successor Agency for that purpose.

Section 1.03. Rules of Construction. All references herein to “Articles,” “Sections” and other subdivisions are to the corresponding Articles, Sections or subdivisions of this Indenture, and the words “herein,” “hereof,” “hereunder” and other words of similar import refer to this Indenture as a whole and not to any particular Article, Section or subdivision hereof.

## ARTICLE II

### AUTHORIZATION AND TERMS

#### Section 2.01. Authorization of Bonds.

(a) 2016A Bonds in the aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_) are hereby authorized to be issued by the Successor Agency under and subject to the terms of this Indenture and the Refunding Bond Law. The 2016A Bonds shall be designated the "Successor Agency of the Porterville Redevelopment Agency Tax Allocation Refunding Bonds, Series 2016A."

(b) 2016B Bonds in the aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_) are hereby authorized to be issued by the Successor Agency under and subject to the terms of this Indenture and the Refunding Bond Law. The 2016B Bonds shall be designated the "Successor Agency of the Porterville Redevelopment Agency Taxable Tax Allocation Refunding Bonds, Series 2016B."

(c) This Indenture constitutes a continuing agreement with the Owners of all of the Bonds issued or to be issued hereunder and then Outstanding to secure the full and final payment of principal and redemption premiums (if any) and the interest on all Bonds which may from time to time be executed and delivered hereunder, subject to the covenants, agreements, provisions and conditions herein contained.

#### Section 2.02. Terms of Bonds.

(a) The 2016A Bonds shall be issued in fully registered form without coupons in the denomination of \$5,000 or any integral multiple thereof. The 2016A Bonds shall mature on June 1 in the years and shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) at the rates per annum as follows:

| Maturity Date<br>(June 1) | Principal<br>Amount | Interest<br>Rate |
|---------------------------|---------------------|------------------|
| _____                     | _____               | _____            |

(b) The 2016B Bonds shall be issued in fully registered form without coupons in the denomination of \$5,000 or any integral multiple thereof. The 2016B Bonds shall mature on June 1 in the years and shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) at the rates per annum as follows:

| <u>Maturity Date<br/>(June 1)</u> | <u>Principal<br/>Amount</u> | <u>Interest<br/>Rate</u> |
|-----------------------------------|-----------------------------|--------------------------|
|-----------------------------------|-----------------------------|--------------------------|

(c) Interest on the Bonds (including the final interest payment upon maturity or earlier redemption) shall be payable on each Interest Payment Date to the person whose name appears on the Registration Books as the Owner thereof as of the Record Date immediately preceding each such Interest Payment Date, such interest to be paid by check of the Trustee mailed by first class mail, postage prepaid, on the Interest Payment Date, to such Owner at the address of such Owner as it appears on the Registration Books as of such Record Date; *provided however*, that payment of interest may be by wire transfer to an account in the United States of America to any registered owner of Bonds in the aggregate principal amount of \$1,000,000 or more who shall furnish written wire instructions to the Trustee on or before the applicable Record Date. Such instructions shall remain in effect until rescinded in writing by the Owner. Principal of and redemption premium (if any) on any Bond shall be paid upon presentation and surrender thereof, at maturity or redemption (except for Sinking Account redemptions which do not require presentment for payment), at the Principal Corporate Trust Office. Both the principal of and interest and premium (if any) on the Bonds shall be payable in lawful money of the United States of America.

(d) The Bonds shall be dated as of their date of delivery and shall bear interest from the Interest Payment Date next preceding the date of authentication thereof, unless (a) it is authenticated after a Record Date and on or before the following Interest Payment Date, in which event it shall bear interest from such Interest Payment Date; or (b) the Bonds are authenticated on or before November 15, 2016, in which event they shall bear interest from their date of delivery; *provided, however*, that if, as of the date of authentication of the Bonds, interest thereon is in default, the Bonds shall bear interest from the Interest Payment Date to which interest has previously been paid or made available for payment thereon.

Section 2.03. Redemption of Bonds.

(a) *Optional Redemption.*

(i) **2016A Bonds.** The 2016A Bonds maturing on or before June 1, \_\_\_\_, are not subject to optional redemption prior to maturity. The 2016A Bonds maturing on or after June 1, \_\_\_\_, are subject to redemption, at the option of the Successor Agency on any date on or after June 1, \_\_\_\_, as a whole or in part, by such maturities as shall be determined by the Successor Agency (and, in lieu of such determination, *pro rata* among maturities), and by lot within a maturity, from any available source of funds, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium.

(ii) **2016B Bonds.** The 2016B Bonds maturing on or before June 1, \_\_\_\_, are not subject to optional redemption prior to maturity. The 2016B Bonds maturing on or after June 1, \_\_\_\_, are subject to redemption, at the option of the Successor Agency on any date on or after June 1, \_\_\_\_, as a whole or in part, by such maturities as shall be determined by the Successor Agency (and, in lieu of such determination, *pro rata* among maturities), and by lot within a maturity, from any available source of funds, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium.

The Successor Agency shall be required to give the Trustee written notice of its intention to redeem Bonds under this subsection (a) with a designation of the series and maturities to be redeemed at least forty-five (45), but not more than seventy-five (75) days, prior to the date fixed for such redemption, or such lesser number of days as shall be agreed to by the Trustee in the sole determination of the Trustee.

(b) *Sinking Account Redemption.*

(i) **2016A Bonds.** The 2016A Bonds maturing on June 1, \_\_\_\_ ("2016A Term Bonds"), are subject to mandatory redemption from Sinking Account payments set forth in the following schedule on June 1, \_\_\_\_, and on each June 1 thereafter, to and including June 1, \_\_\_\_, at a redemption price equal to the principal amount thereof to be redeemed (without premium), together with interest accrued thereon to the date fixed for redemption; *provided, however*, that if some but not all of the 2016A Term Bonds have been redeemed pursuant to subsection (a)(i) above, the total amount of Sinking Account payments to be made subsequent to such redemption shall be reduced in an amount equal to the principal amount of the 2016A Term Bonds so redeemed by reducing each such future Sinking Account payment on a pro rata basis (as nearly as practicable) in integral multiples of \$5,000, as shall be designated pursuant to written notice filed by the Successor Agency with the Trustee. If any Sinking Account redemption date is not a Business Day, such payment shall be made on the next succeeding Business Day.

| Redemption Date<br>(June 1) | Principal<br>Amount |
|-----------------------------|---------------------|
|-----------------------------|---------------------|

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† Maturity.

(ii) **2016B Bonds.** The 2016B Bonds maturing on June 1, \_\_\_\_ (“2016B Term Bonds”), are subject to mandatory redemption from Sinking Account payments set forth in the following schedule on June 1, \_\_\_\_, and on each June 1 thereafter, to and including June 1, \_\_\_\_, at a redemption price equal to the principal amount thereof to be redeemed (without premium), together with interest accrued thereon to the date fixed for redemption; *provided, however*, that if some but not all of the 2016B Term Bonds have been redeemed pursuant to subsection (a)(ii) above, the total amount of Sinking Account payments to be made subsequent to such redemption shall be reduced in an amount equal to the principal amount of the 2016B Term Bonds so redeemed by reducing each such future Sinking Account payment on a pro rata basis (as nearly as practicable) in integral multiples of \$5,000, as shall be designated pursuant to written notice filed by the Successor Agency with the Trustee. If any Sinking Account redemption date is not a Business Day, such payment shall be made on the next succeeding Business Day.

| Redemption Date<br>(June 1) | Principal<br>Amount |
|-----------------------------|---------------------|
|-----------------------------|---------------------|

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† Maturity.

(c) *Notice of Redemption.* The Trustee on behalf of and at the expense of the Successor Agency will mail (by first class mail, postage prepaid) notice of any redemption at least twenty (20) but not more than sixty (60) days prior to the redemption date, to (i) the Owners of any Bonds designated for redemption at their respective addresses appearing on the Registration Books, and (ii) to the Securities Depositories and to the Information Services designated in a Written Request of the Successor Agency filed with the Trustee at the time the Successor Agency notifies the Trustee of its intention to redeem Bonds; but such mailing will not be a condition precedent to such redemption and neither failure to receive any such notice nor any defect therein will affect the validity of the proceedings for the redemption of such Bonds or the cessation of the accrual of interest thereon. Such notice will state the redemption date and the redemption price, will designate the CUSIP number of the Bonds to be redeemed, state the individual number of each Bond to be redeemed or state that all Bonds between two stated numbers (both inclusive) or all of the Bonds Outstanding (or all Bonds of a maturity) are to be redeemed, and will require that such Bonds be then surrendered (except for mandatory Sinking Account redemptions) at the Principal Corporate Trust Office of the Trustee for redemption at



the said redemption price, giving notice also that further interest on such Bonds will not accrue from and after the redemption date.

Notwithstanding the foregoing, in the case of any optional redemption of the Bonds under Section 2.03(a) above, the notice of redemption shall state that the redemption is conditioned upon receipt by the Trustee of sufficient moneys to redeem the Bonds on the anticipated redemption date, and that the optional redemption shall not occur if, by no later than the scheduled redemption date, sufficient moneys to redeem the Bonds have not been deposited with the Trustee. In the event that the Trustee does not receive sufficient funds by the scheduled optional redemption date to so redeem the Bonds to be optionally redeemed, such event shall not constitute an Event of Default; the Trustee shall send written notice to the Owners to the effect that the redemption did not occur as anticipated, and the Bonds for which notice of optional redemption was given shall remain Outstanding for all purposes of this Indenture.

Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall, to the extent practicable, bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(d) *Effect of Redemption.* From and after the date fixed for redemption, if funds available for the payment of the redemption price of and interest on the Bonds so called for redemption shall have been duly deposited with the Trustee, such Bonds so called shall cease to be entitled to any benefit under this Indenture other than the right to receive payment of the redemption price and accrued interest to the redemption date, and no interest shall accrue thereon from and after the redemption date specified in such notice.

(e) *Manner of Redemption.* Whenever any Bonds or portions thereof are to be selected for redemption by lot, the Trustee shall make such selection, in such manner as the Trustee shall deem appropriate, and shall notify the Successor Agency thereof. All Bonds redeemed or purchased pursuant to this Section 2.03 shall be canceled and destroyed as provided in Section 10.07 hereof.

(f) *Selection of Bonds for Redemption.* Whenever provision (other than pursuant to Section 2.03(b)) is made in this Indenture for the redemption of Bonds and less than all Bonds then currently outstanding are called for redemption, the Trustee will select Bonds for redemption from Bonds then currently Outstanding and not previously called for redemption, at the written direction of the Successor Agency in such order of maturity as shall be designated by the Successor Agency, and in the absence of such direction, *pro rata* among maturities and by lot within a maturity. The Trustee will promptly notify the Successor Agency in writing of the Bonds so selected for redemption.

Section 2.04. Forms of Bonds. The Bonds, the form of Trustee's Certificate of Authentication, and the form of Assignment to appear thereon, shall be substantially in the form set forth in Exhibits A and B, which are attached hereto and by this reference incorporated herein, with necessary or appropriate variations, omissions and insertions, as permitted or required by this Indenture.

Section 2.05. Execution of Bonds. The Bonds shall be executed on behalf of the Successor Agency by the signature of its Chairman and the signature of its Secretary who are in office on the date of execution and delivery of this Indenture or at any time thereafter. Either or both of such signatures may be made manually or may be affixed by facsimile thereof. If any officer whose signature appears on any Bond ceases to be such officer before delivery of the Bonds to

the purchaser, such signature shall nevertheless be as effective as if the officer had remained in office until the delivery of the Bonds to the purchaser. Any Bond may be signed and attested on behalf of the Successor Agency by such persons as at the actual date of the execution of such Bond shall be the proper officers of the Successor Agency although on the date of such Bond any such person shall not have been such officer of the Successor Agency.

Only such of the Bonds as shall bear thereon a Certificate of Authentication in the form hereinafter set forth, manually executed and dated by the Trustee, shall be valid or obligatory for any purpose or entitled to the benefits of this Indenture, and such Certificate shall be conclusive evidence that such Bonds have been duly authenticated and delivered hereunder and are entitled to the benefits of this Indenture. In the event temporary Bonds are issued pursuant to Section 2.09 hereof, the temporary Bonds may bear thereon a Certificate of Authentication executed and dated by the Trustee, may be initially registered by the Trustee, and, until so exchanged as provided under Section 2.09 hereof, the temporary Bonds shall be entitled to the same benefits pursuant to this Indenture as definitive Bonds authenticated and delivered hereunder.

Section 2.06. Transfer of Bonds. Any Bond may, in accordance with its terms, be transferred, upon the Registration Books, by the person in whose name it is registered, in person or by a duly authorized attorney of such person, upon surrender of such Bond to the Trustee at its Principal Corporate Trust Office for cancellation, accompanied by delivery of a written instrument of transfer in a form acceptable to the Trustee, duly executed. Whenever any Bond or Bonds shall be surrendered for registration of transfer, the Successor Agency shall execute and the Trustee shall deliver a new Bond or Bonds, of like series, interest rate, maturity and principal amount of authorized denominations. The Trustee shall collect from the Owner any tax or other governmental charge on the transfer of any Bonds pursuant to this Section 2.06. The cost of printing Bonds and any services rendered or expenses incurred by the Trustee in connection with any transfer shall be paid by the Successor Agency.

The Trustee may refuse to transfer, under the provisions of this Section 2.06, either (a) any Bonds during the period fifteen (15) days prior to the date established by the Trustee for the selection of Bonds for redemption, or (b) any Bonds selected by the Trustee for redemption.

Section 2.07. Exchange of Bonds. Bonds may be exchanged at the Principal Corporate Trust Office for a like aggregate principal amount of Bonds of other authorized denominations of the same series, interest rate and maturity. The Trustee shall collect any tax or other governmental charge on the exchange of any Bonds pursuant to this Section 2.07. The cost of printing Bonds and any services rendered or expenses incurred by the Trustee in connection with any exchange shall be paid by the Successor Agency.

The Trustee may refuse to exchange, under the provisions of this Section 2.07, either (a) any Bonds during the fifteen (15) days prior to the date established by the Trustee for the selection of Bonds for redemption or (b) any Bonds selected by the Trustee for redemption.

Section 2.08. Registration of Bonds. The Trustee will keep or cause to be kept, at its Principal Corporate Trust Office, sufficient records for the registration and registration of transfer of the Bonds, which shall at all times during normal business hours be open to inspection by the Successor Agency, upon reasonable prior notice to the Trustee; and, upon presentation for such purpose, the Trustee shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on the Registration Books Bonds as hereinbefore provided.

Section 2.09. Temporary Bonds. The Bonds may be initially issued in temporary form exchangeable for definitive Bonds when ready for delivery. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the Successor Agency, and may contain such reference to any of the provisions of this Indenture as may be appropriate. Every temporary Bond shall be executed by the Successor Agency upon the same conditions and in substantially the same manner as the definitive Bonds. If the Successor Agency issues temporary Bonds, it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds shall be surrendered, for cancellation, in exchange therefor at the Principal Corporate Trust Office, and the Trustee shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds of authorized denominations, interest rates and like maturities. Until so exchanged, the temporary Bonds shall be entitled to the same benefits pursuant to this Indenture as definitive Bonds authenticated and delivered hereunder.

Section 2.10. Bonds Mutilated, Lost, Destroyed or Stolen. If any Bond shall become mutilated, the Successor Agency, at the expense of the Owner of such Bond, shall execute, and the Trustee shall thereupon deliver, a new Bond of like tenor and amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Trustee of the Bond so mutilated. Every mutilated Bond so surrendered to the Trustee shall be canceled by it. If any Bond shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Trustee and, if such evidence be satisfactory to the Trustee and indemnity for the Trustee and the Successor Agency satisfactory to the Trustee shall be given, the Successor Agency, at the expense of the Owner, shall execute, and the Trustee shall thereupon deliver, a new Bond of like tenor and amount in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond has matured or has been called for redemption, instead of issuing a substitute Bond, the Trustee may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Trustee and the Successor Agency). The Successor Agency may require payment by the Owner of a sum not exceeding the actual cost of preparing each new Bond issued under this Section 2.10 and of the expenses which may be incurred by the Successor Agency and the Trustee in the premises. Any Bond issued under the provisions of this Section 2.10 in lieu of any Bond alleged to be lost, destroyed or stolen shall constitute an original additional contractual obligation on the part of the Successor Agency whether or not the Bond so alleged to be lost, destroyed or stolen be at any time enforceable by anyone, and shall be equally and proportionately entitled to the benefits of this Indenture with all other Bonds issued pursuant to this Indenture.

Section 2.11. CUSIP Numbers. The Trustee and the Successor Agency shall not be liable for any defect or inaccuracy in the CUSIP number that appears on any Bond, check, advise of payment or redemption notice and any such document may contain a statement to the effect that CUSIP numbers have been assigned by an independent service for convenience of reference and that neither the Successor Agency nor the Trustee shall be liable for any inaccuracy in such numbers.

Section 2.12. Book-Entry Only System. It is intended that the Bonds, be registered so as to participate in a securities depository system with DTC (the "DTC System"), as set forth herein. The Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities of the Bonds in the name of Southwest Securities, Inc. and shall thereafter be assigned to and registered in the name of Cede & Co., as nominee of DTC. The Successor Agency and the Trustee are authorized to execute and deliver such letters to or agreements with DTC as shall be necessary to effectuate the DTC System, including a representation letter in the form required by DTC (the "Representation Letter"). In the event of any conflict between the terms of any such letter or agreement, including the Representation Letter, and the terms of this Indenture, the terms of this Indenture shall control. DTC may

exercise the rights of a Bondholder only in accordance with the terms hereof applicable to the exercise of such rights.

With respect to the Bonds registered in the books of the Trustee in the name of Cede & Co., as nominee of DTC, the Successor Agency and the Trustee, shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which DTC holds Bonds from time to time as securities depository (each such broker-dealer, bank or other financial institution being referred to herein as a "DTC Participant") or to any person on behalf of whom such a DTC Participant directly or indirectly holds an interest in the Bonds (each such person being herein referred to as an "Indirect Participant"). Without limiting the immediately preceding sentence, Successor Agency and the Trustee shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC Participant or any Indirect Participant or any other person, other than a Bondholder, as shown in the Register, of any notice with respect to the Bonds, including any notice of redemption, (c) the payment to any DTC Participant or Indirect Participant or any other Person, other than a Bondholder, as shown in the Register, of any amount with respect to principal of, premium, if any, or interest on, the Bonds or (d) any consent given by DTC as registered owner. So long as certificates for the Bonds are not issued pursuant to Section 2.12 and the Bonds are registered to DTC, the Successor Agency, and the Trustee shall treat DTC or any successor securities depository as, and deem DTC or any successor securities depository to be, the absolute owner of the Bonds for all purposes whatsoever, including without limitation (i) the payment of principal and interest on the Bonds, (ii) giving notice of redemption and other matters with respect to the Bonds, (iii) registering transfers with respect to the Bonds and (iv) the selection of Bonds for redemption. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a Bond certificate with respect to any Bond. Notwithstanding any other provision of this Indenture to the contrary, so long as any of the Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds and all notices with respect to such Bonds shall be made and given, respectively, in the manner provided in the Representation Letter.

Upon delivery by DTC to the Trustee of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Indenture with respect to interest checks being mailed to the registered owner at the close of business on the Record Date applicable to any Interest Payment Date, the name "Cede & Co." in this Indenture shall refer to such new nominee of DTC.

Section 2.13. Successor Securities Depository; Transfers Outside Book Entry-Only System. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the Successor Agency and the Trustee and discharging its responsibilities with respect thereto under applicable law. The Successor Agency, without the consent of any other person, but following written notice to the Successor Agency and the Trustee, may terminate the services of DTC with respect to the Bonds. Upon the discontinuance or termination of the services of DTC with respect to the Bonds pursuant to the foregoing provisions, unless a substitute securities depository is appointed to undertake the functions of DTC hereunder, the Successor Agency, at the expense of the Successor Agency, is obligated to deliver Bond certificates to the beneficial owners of the Bonds, as described in this Indenture, and the Bonds shall no longer be restricted to being registered in the books of the Trustee in the name of Cede & Co. as nominee of DTC, but may be registered in whatever name or name Bondowner transferring or exchanging Bonds shall designate to the Trustee in writing, in accordance with the provisions of this Indenture. The Successor Agency may determine that the Bonds shall be registered in the name of and deposited with a successor depository operating a securities depository system, qualified to act as such under Section 17(a) of the Securities

Exchange Act of 1934, as amended, as may be acceptable to the Successor Agency, or such depository's agent or designee.

### ARTICLE III

#### DEPOSIT AND APPLICATION OF PROCEEDS OF BONDS; PARITY DEBT

Section 3.01. Issuance of Bonds. Upon the execution and delivery of this Indenture, the Successor Agency shall execute and deliver the 2016A Bonds to the Trustee in the aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_) and shall execute and deliver the 2016B Bonds to the Trustee in the aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_) and the Trustee shall authenticate and deliver the Bonds upon the Written Request of the Successor Agency.

#### Section 3.02. Application of Proceeds of Sale.

(a) Upon the receipt of payment for the 2016A Bonds on the Closing Date of \$\_\_\_\_\_, being the principal amount of the 2016A Bonds of \$\_\_\_\_\_.00, less an underwriter's discount of \$\_\_\_\_\_, plus a net original issue premium of \$\_\_\_\_\_, less \$\_\_\_\_\_ being the premium for the 2016A Municipal Bond Insurance Policy and less \$\_\_\_\_\_ being a portion of the premium for the Reserve Policy (which premiums were paid by the Original Purchaser as an accommodation to the Successor Agency), the Trustee shall deposit the proceeds of sale thereof in the Bond Proceeds Account and then apply such proceeds as follows:

(i) The Trustee shall deposit the amount of \$\_\_\_\_\_ in the Costs of Issuance Fund;

(ii) The Trustee shall transfer the amount of \$\_\_\_\_\_ to the Escrow Bank for deposit in the Escrow Fund.

(b) Upon the receipt of payment for the 2016B Bonds on the Closing Date of \$\_\_\_\_\_, being the principal amount of the 2016B Bonds of \$\_\_\_\_\_.00, less an underwriter's discount of \$\_\_\_\_\_, plus a net original issue premium of \$\_\_\_\_\_, less \$\_\_\_\_\_ being the premium for the 2016B Municipal Bond Insurance Policy and less \$\_\_\_\_\_ being a portion of the premium for the Reserve Policy (which premiums were paid by the Original Purchaser as an accommodation to the Successor Agency), the Trustee shall deposit the proceeds of sale thereof in the Bond Proceeds Account and then apply such proceeds as follows:

(i) The Trustee shall deposit the amount of \$\_\_\_\_\_ in the Costs of Issuance Fund;

(ii) The Trustee shall transfer the amount of \$\_\_\_\_\_ to the Escrow Bank for deposit in the Escrow Fund.

(c) Upon the application of the proceeds as set forth above, the Trustee shall close the Bond Proceeds Account. The Trustee may establish, as it deems necessary, a temporary fund or account on its records to facilitate the deposits and transfers set forth herein.

Section 3.03. Costs of Issuance Fund. There is hereby established a separate fund to be known as the "Costs of Issuance Fund," which shall be held by the Trustee in trust. The moneys in the Costs of Issuance Fund shall be used and withdrawn by the Trustee from time to time to pay the Costs of Issuance upon submission of a Written Request of the Successor Agency stating the person to whom payment is to be made, the amount to be paid, the purpose for which the obligation was incurred and that such payment is a proper charge against said fund. Each such Written Request of the Successor Agency shall be sufficient evidence to the Trustee of the facts stated therein and the Trustee shall have no duty to confirm the accuracy of such facts. On

November 30, 2016, or upon the earlier Written Request of the Successor Agency, any moneys remaining on deposit in the Costs of Issuance Fund shall be withdrawn therefrom by the Trustee and transferred to the Interest Account and the Costs of Issuance Fund shall be closed.

Section 3.04. Issuance of Parity Debt. In addition to the Bonds, the Successor Agency may issue or incur Parity Debt only to refund the Bonds in such principal amount as shall be determined by the Successor Agency, pursuant to a separate or Supplemental Indenture adopted or entered into by the Successor Agency and Trustee. The Successor Agency may issue or incur such Parity Debt subject to the following specific conditions precedent:

(a) The Successor Agency will be in compliance with all covenants set forth in this Indenture;

(b) The Oversight Board shall have approved the issuance of the Parity Debt.

(c) The Parity Debt will be on such terms and conditions as may be set forth in a separate or Supplemental Indenture, which will provide for bonds substantially in accordance with this Indenture, and the deposit of moneys or a surety bond into the Reserve Account in an amount sufficient, together with the balance of the Reserve Account, to equal the Reserve Requirement on all Bonds expected to be outstanding including the Parity Debt;

(d) Receipt of a certificate or opinion of an Independent Financial Consultant stating that the total net interest cost to maturity of the Parity Debt plus the principal amount of the Parity Debt will not exceed the total net interest cost to maturity of the Bonds or previously issued Parity Debt to be refunded plus the principal amount of the Bonds or previously issued Parity Debt to be refunded.

(e) The Parity Debt will mature on and interest will be payable on the same dates as the Bonds (except the first interest payment may be from the date of the Parity Debt until either the next succeeding June 1 or December 1).

Section 3.05. Validity of Bonds. The validity of the authorization and issuance of the Bonds shall not be dependent upon the completion of the Redevelopment Project or upon the performance by any person of his obligation with respect to the Redevelopment Project.

## ARTICLE IV

### SECURITY OF BONDS; FLOW OF FUNDS

Section 4.01. Security of Bonds; Equal Security. Except as provided in Section 6.06, the Bonds and any additional Parity Debt shall be equally secured by a pledge and lien on all of the Tax Revenues and by a first and exclusive pledge and lien upon all of the moneys in the Debt Service Fund (including the Interest Account, the Principal Account, the Sinking Account, the Reserve Account and the Redemption Account therein) without preference or priority for series, issue, number, dated date, sale date, date of execution or date of delivery. Except for the Tax Revenues and such moneys, no funds or properties of the Successor Agency shall be pledged to, or otherwise liable for, the payment of principal of or interest or redemption premium (if any) on the Bonds.

In consideration of the acceptance of the Bonds by those who shall own the same from time to time, this Indenture shall be deemed to be and shall constitute a contract between the Successor Agency and the Trustee for the benefit of the Owners from time to time of the Bonds, and the covenants and agreements herein set forth to be performed on behalf of the Successor Agency shall be for the equal and proportionate benefit, security and protection of all Owners of the Bonds without preference, priority or distinction as to security or otherwise of any of the Bonds over any of the others by reason of the number or date thereof or the time of sale, execution and delivery thereof, or otherwise for any cause whatsoever, except as expressly provided therein or herein.

Section 4.02. Redevelopment Obligation Retirement Fund; Deposit of Tax Revenues. There has been established a special trust fund known as the "Redevelopment Obligation Retirement Fund," which shall be held by the Successor Agency pursuant to section 34170.5 of the Dissolution Act. There is hereby established a special trust fund known as the "Debt Service Fund" and the accounts therein referred to below which shall be held by the Trustee. The Successor Agency shall deposit all of the Tax Revenues received in any Bond Year in the Redevelopment Obligation Retirement Fund promptly upon receipt thereof by the Successor Agency, and promptly thereafter shall transfer amounts received therein to the Debt Service Fund established and held by the Trustee under this Indenture until such time during such Bond Year as the amounts so transferred to the Debt Service Fund hereunder equal the aggregate amounts required to be deposited by the Trustee into the Interest Account, the Principal Account, the Sinking Account and the Redemption Account of the Debt Service Fund in such Bond Year pursuant to Section 4.03 of this Indenture and for deposit in such Bond Year in the funds and accounts established with respect to Parity Debt, as provided in any Supplemental Indenture.

Section 4.03. Deposit of Amounts by Trustee. There are hereby created accounts within the Debt Service Fund as set forth below, to be known respectively as the Interest Account, the Principal Account, the Sinking Account, the Reserve Account and the Redemption Account. Moneys in the Debt Service Fund will be transferred by the Trustee in the following amounts at the following times, for deposit by the Trustee in the following respective accounts within the Debt Service Fund, in the following order of priority:

(a) *Interest Account.* On or before the fifth Business Day preceding each Interest Payment Date, commencing with the February 1, 2017, Interest Payment Date, to the extent there are moneys available, the Trustee shall transfer funds from the Debt Service Fund for deposit in the Interest Account an amount which, when added to the amount contained in the Interest Account on that date, will be equal to the aggregate amount of the interest becoming due and



payable on the Outstanding Bonds and Parity Debt on such Interest Payment Date. No such transfer and deposit need be made to the Interest Account if the amount contained therein is at least equal to the interest to become due on the next succeeding Interest Payment Date upon all of the Outstanding Bonds and Parity Debt. Subject to this Indenture, all moneys in the Interest Account will be used and withdrawn by the Trustee solely for the purpose of paying the interest on the Bonds and Parity Debt as it becomes due and payable (including accrued interest on any Bonds and Parity Debt redeemed prior to maturity pursuant to this Indenture).

(b) *Principal Account.* On or before the fifth (5th) Business Day preceding June 1, 2017 and December 1, 2017, to the extent there are moneys available, the Trustee shall transfer funds from the Debt Service Fund for deposit in the Principal Account an amount which, when added to the amount then contained in the Principal Account, will be equal to the principal becoming due and payable on the Outstanding Bonds on June 1, 2017. On or before the fifth (5th) Business Day preceding June 1 and December 1 in each year beginning June 1, 2017, the Successor Agency shall transfer to the Trustee on or before May 1 of such year fifty percent (50%) of the principal amount due on the following June 1, and shall transfer on or before November 1 of such year the remaining fifty percent (50%) of the principal amount due on December 1 of such year. No such transfer and deposit need be made to the Principal Account if the amount contained therein is at least equal to the principal to become due on the next June 1. All moneys in the Principal Account shall be used and withdrawn by the Trustee solely for the purpose of paying the principal of the Bonds (including principal being paid pursuant to mandatory sinking fund redemption) as it shall become due and payable.

(c) *Sinking Account.* On or before the fifth (5th) Business Day preceding June 1, \_\_\_\_ and December 1, \_\_\_\_, to the extent there are moneys available, the Trustee shall transfer funds from the Debt Service Fund for deposit in the Sinking Account an amount which, when added to the amount then contained in the Sinking Account, will be equal to the sinking fund payment becoming due and payable on the Outstanding Bonds on June 1, \_\_\_\_\_. On or before the fifth (5th) Business Day preceding May 1 and November 1 in each year beginning May 1, \_\_\_\_, the Successor Agency shall transfer to the Trustee on or before May 1 of such year fifty percent (50%) of the sinking fund amount due on the following June 1, and shall transfer on or before November 1 of such year the remaining fifty percent (50%) of the sinking fund amount due on June 1 of such year. No such transfer and deposit need be made to the Sinking Account if the amount contained therein is at least equal to the sinking fund payment to become due on the next June 1. Subject to this Indenture, all moneys in the Sinking Account will be used and withdrawn by the Trustee solely for the purpose of paying the aggregate principal amount of the Bonds and term bonds relating to Parity Debt required to be redeemed on such September 1 pursuant to Section 2.03(b).

(d) *Reserve Account.*

(i) In lieu of a cash deposit to the Reserve Account, the Reserve Policy shall be delivered to the Trustee on the Closing Date. The prior written consent of the Municipal Bond Insurer shall be a condition precedent to the deposit of any credit instrument in lieu of a cash deposit into the Reserve Account.

If, on any Interest Payment Date, the moneys available in the Interest Account and/or the Principal Account do not equal the amount of the principal or interest with respect to the Bonds then coming due and payable, the Trustee shall apply the moneys available in the Reserve Account to make delinquent amounts by transferring the amount necessary for this purpose to the Interest Account and/or the Principal Account or shall draw on the Reserve Policy and apply amounts received from such draw to make delinquent amounts by transferring the amount necessary for this purpose to the

Interest Account and/or the Principal Account. To the extent there is cash or investments on deposit in the Reserve Account, such cash or investments shall be applied first before there is any draw on the Reserve Policy or any other credit facility credited to the Reserve Account in lieu of cash (a "Credit Facility"). Payment of any Policy Costs (hereinafter defined) shall be made prior to replenishment of any such cash amounts. Draws on all Credit Facilities (including the Reserve Policy) on which there is available coverage shall be made on a *pro rata* basis (calculated by reference to the coverage then available thereunder) after applying all available cash and investments in the Reserve Account. Payment of Policy Costs and reimbursement of amounts with respect to other Credit Facilities shall be made on a *pro rata* basis prior to replenishment of any cash drawn from the Reserve Account. For the avoidance of doubt, "available coverage" means the coverage then available for disbursement pursuant to the terms of the applicable alternative credit instrument without regard to the legal or financial ability or willingness of the provider of such instrument to honor a claim or draw thereon or the failure of such provider to honor any such claim or draw. Upon receipt of any delinquent amount with respect to which moneys have been advanced from the Reserve Account or there has been a draw on the Reserve Policy, such amount shall be deposited in the Reserve Account to the extent of such advance and first applied to reimburse a draw on the Reserve Policy and then to replenish any cash drawn therefrom.

The Reserve Account may be maintained at the specific direction of the Successor Agency in the form of one or more separate sub-accounts which are established for the purpose of holding the proceeds of separate issues of the Bonds and Parity Debt in conformity with applicable provisions of the Tax Code.

The Successor Agency has no obligation to replace the Reserve Policy or to fund the Reserve Account with cash if, at any time the Bonds are outstanding, amounts are unavailable under the Reserve Policy.

(ii) The Successor Agency shall repay any draws under the Reserve Policy and pay all related reasonable expenses incurred by the Municipal Bond Insurer. Interest shall accrue and be payable on such draws and expenses from the date of payment by the Municipal Bond Insurer at the Late Payment Rate.

Repayment of draws and payment of expenses and accrued interest thereon at the Late Payment Rate (collectively, the "Policy Costs") shall commence in the first month following each draw, and each such monthly payment shall be in an amount at least equal to 1/12 of the aggregate of Policy Costs related to such draw.

Amounts in respect of Policy Costs paid to the Municipal Bond Insurer shall be credited first to interest due, then to the expenses due and then to principal due. As and to the extent that payments are made to the Municipal Bond Insurer on account of principal due, the coverage under the Reserve Policy will be increased by a like amount, subject to the terms of the Reserve Policy.

All cash and investments in the Reserve Account shall be transferred to the Debt Service Fund for payment of the debt service on the Bonds before any drawing may be made on the Reserve Policy or any other Reserve Fund Credit Instrument in lieu of cash.

Payment of any Policy Cost shall be made prior to replenishment of any cash amounts. Draws on all Reserve Fund Credit Instruments (including the Reserve Policy) on which there is available coverage shall be made on a pro-rata basis (calculated by

reference to the coverage then available thereunder) after applying all available cash and investments in the Debt Service Reserve Fund. Payment of Policy Costs and reimbursement of amounts with respect to other Reserve Fund Credit Instruments shall be made on a pro rata basis prior to replenishment of any cash drawn from the Reserve Account. For the avoidance of doubt, "available coverage" means the coverage then available for disbursement pursuant to the terms of the applicable alternative credit instrument without regard to the legal or financial ability or willingness of the provider of such instrument to honor a claim or draw thereon or the failure of such provider to honor any such claim or draw.

(iii) Draws under the Reserve Policy may only be used to make payments on Bonds (but not Parity Debt).

(iv) If the Successor Agency shall fail to pay any Policy Costs in accordance with the requirements of paragraph (a) above, the Municipal Bond Insurer shall be entitled to exercise any and all legal and equitable remedies available to it, including those provided under this Indenture other than (i) acceleration of the maturity of the Bonds, or (ii) remedies which would adversely affect owners of the Bonds.

(v) This Indenture shall not be discharged until all Policy Costs owing to the Municipal Bond Insurer shall have been paid in full. The Successor Agency's obligation to pay such amount shall expressly survive payment in full of the Bonds.

(vi) The Trustee shall ascertain the necessity for a claim upon the Reserve Policy in accordance with the provisions of paragraph (a) hereof and provide notice to the Municipal Bond Insurer at least three business days prior to each date upon which interest or principal is due on the Bonds.

(vii) The Reserve Policy shall expire on the earlier of the date the Bonds are no longer outstanding and the final maturity date of the Bonds.

With respect to the Reserve Policy, notwithstanding anything to the contrary set forth in this Indenture, the Successor Agency and the Trustee agree to comply with the terms of the Reserve Agreement.

(e) *Redemption Account.* On or before the fifth Business Day preceding any date on which Bonds are to be redeemed, other than through mandatory Sinking Account redemption, the Trustee shall withdraw from the Debt Service Fund and transfer to the Redemption Account (which the Trustee shall thereupon establish and hold in trust hereunder) an amount required to pay the principal of and premium, if any, on the Bonds to be redeemed on such date, taking into account any funds then on deposit in the Redemption Account. The Trustee shall also deposit in the Redemption Account any other amounts received by it from the Successor Agency designated by the Successor Agency in writing to be deposited in the Redemption Account. All moneys in the Redemption Account shall be used and withdrawn by the Trustee solely for the purpose of paying the principal of and premium, if any, on the Bonds to be redeemed on the respective dates set for such redemption.

## ARTICLE V

### COVENANTS OF THE SUCCESSOR AGENCY

Section 5.01. Covenants of the Successor Agency. As long as the Bonds are outstanding and unpaid, the Successor Agency shall (through its proper members, officers, agents or employees) faithfully perform and abide by all of the covenants, undertakings and provisions contained in this Indenture or in any Bond issued hereunder, including the following covenants and agreements for the benefit of the Bondowners which are necessary, convenient and desirable to secure the Bonds and any Parity Debt and will tend to make them more marketable; *provided, however*, that the covenants do not require the Successor Agency to expend any funds other than the Tax Revenues:

(a) *Use of Proceeds; Management and Operation of Properties*. The Successor Agency covenants and agrees that the proceeds of the sale of the Bonds will be deposited and used as provided in this Indenture and that it will manage and operate all properties owned by it comprising any part of the Redevelopment Project in a sound and businesslike manner.

(b) *No Priority*. The Successor Agency covenants and agrees that it will not issue any obligations payable, either as to principal or interest, from the Tax Revenues which have any lien upon the Tax Revenues prior or superior to the lien of the Bonds. Except as permitted by Section 3.04 hereof, it will not issue any obligations, payable as to principal or interest, from the Tax Revenues, which have any lien upon the Tax Revenues on a parity with the Bonds authorized herein. Notwithstanding the foregoing, nothing in this Indenture shall prevent the Successor Agency (i) from issuing and selling pursuant to law, refunding obligations payable from and having any lawful lien upon the Tax Revenues, if such refunding obligations are issued for the purpose of, and are sufficient for the purpose of, refunding all of the Outstanding Bonds and Parity Debt, (ii) from issuing and selling obligations which have, or purport to have, any lien upon the Tax Revenues which is junior to the Bonds, or (iii) from issuing and selling bonds or other obligations which are payable in whole or in part from sources other than the Tax Revenues. As used herein "obligations" includes, without limitation, bonds, notes, interim certificates, debentures or other obligations.

(c) *Punctual Payment*. The Successor Agency covenants and agrees that it will duly and punctually pay or cause to be paid the principal of and interest on each of the Bonds on the date, at the place and in the manner provided in the Bonds.

(d) *Payment of Taxes and Other Charges*. The Successor Agency covenants and agrees that it will from time to time pay and discharge, or cause to be paid and discharged, all payments in lieu of taxes, service charges, assessments or other governmental charges which may lawfully be imposed upon the Successor Agency or any of the properties then owned by it in the Redevelopment Project, or upon the revenues and income therefrom, and will pay all lawful claims for labor, materials and supplies which if unpaid might become a lien or charge upon any of the properties, revenues or income or which might impair the security of the Bonds or the use of Tax Revenues or other legally available funds to pay the principal of and interest on the Bonds, all to the end that the priority and security of the Bonds shall be preserved; provided, however, that nothing in this covenant shall require the Successor Agency to make any such payment so long as the Successor Agency in good faith shall contest the validity of the payment.

(e) *Books and Accounts; Financial Statements*. The Successor Agency covenants and agrees that it will at all times keep, or cause to be kept, proper and current books and accounts

(separate from all other records and accounts) in which complete and accurate entries shall be made of all transactions relating to the Redevelopment Project and the Tax Revenues and other funds relating to the Redevelopment Project. The Successor Agency will prepare within one hundred eighty (180) days after the close of each of its Fiscal Years a post-audit of the financial transactions and records of the Successor Agency for the Fiscal Year to be made by an Independent Certified Public Accountant appointed by the Successor Agency, and will furnish a copy of the post-audit to the Trustee and any rating agency which maintains a rating on the Bonds, and, upon written request, to any Bondowner. The Trustee shall have no duty to review such post-audits.

(f) *Eminent Domain Proceeds.* The Successor Agency covenants and agrees that if all or any part of the Redevelopment Project should be taken from it without its consent, by eminent domain proceedings or other proceedings authorized by law, for any public or other use under which the property will be tax exempt, it shall take all steps necessary to adjust accordingly the base year property tax roll of the Redevelopment Project.

(g) *Disposition of Property.* The Successor Agency covenants and agrees that it will not dispose of land area in the Redevelopment Project (except property in effect on the date this Indenture is adopted as planned for public use, or property to be used for public streets, public off-street parking, sewage facilities, parks, easements or right-of-way for public utilities, or other similar uses) to public bodies or other persons or entities whose property is tax exempt, unless such disposition will not result in Tax Revenues to be less than 1.25 times Maximum Annual Debt Service, based upon the certificate or opinion of an Independent Financial Consultant appointed by the Successor Agency.

(h) *Protection of Security and Rights of Bondowners.* The Successor Agency covenants and agrees to preserve and protect the security of the Bonds and the rights of the Bondowners and to contest by court action or otherwise (i) the assertion by any officer of any government unit or any other person whatsoever against the Successor Agency that (A) the Law is unconstitutional or (B) that the Tax Revenues pledged under this Indenture cannot be paid to the Successor Agency for the debt service on the Bonds or (ii) any other action affecting the validity of the Bonds or diluting the security therefor, including, with respect to the Tax Revenues, the senior lien position of the Bonds to the Statutory Pass-Through Amounts.

(i) *Tax Covenants.* The Successor Agency covenants and agrees to contest by court action or otherwise any assertion by the United States of America or any departments or agency thereof that the interest received by the Bondowners is includable in gross income of the recipient under federal income tax laws on the date of issuance of the Bonds. Notwithstanding any other provision of this Indenture, absent an opinion of Bond Counsel that the exclusion from gross income of interest with respect to the Bonds and tax-exempt Parity Debt will not be adversely affected for federal income tax purposes, the Successor Agency covenants to comply with all applicable requirements of the Tax Code necessary to preserve such exclusion from gross income and specifically covenants, without limiting the generality of the foregoing, as follows:

(i) **Rebate Requirement.** The Successor Agency shall take any and all actions necessary to assure compliance with section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government. In the event that the Successor Agency shall determine that any amounts are due and payable to the United States of America hereunder and that the Trustee has on deposit an amount of available moneys (excluding moneys on deposit in the Interest Account, the Principal Account, the Sinking Account and excluding any other moneys required to pay the principal of or interest or redemption premium, if any, on the Bonds) to make such payment, the

Successor Agency shall promptly pay from available Tax Revenues or any other source of legally available funds the sum of (a) one hundred percent (100%) of the amounts determined to be due and payable to the United States of America as a result of the investment of amounts on deposit in any fund or account established hereunder, plus (b) all other amounts due and payable to the United States of America.

(ii) **Private Business Use Limitation.** The Successor Agency shall assure that the proceeds of the Bonds are not used in a manner which would cause the Bonds to become "private activity bonds" within the meaning of section 141(a) of the Tax Code.

(iii) **Private Loan Limitation.** The Successor Agency shall assure that no more than five percent (5%) of the net proceeds of the Bonds are used, directly or indirectly, to make or finance a loan (other than loans constituting nonpurpose obligations as defined in the Tax Code or constituting assessments) to persons other than state or local government units.

(iv) **Federal Guarantee Prohibition.** The Successor Agency shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Bonds to be "federally guaranteed" within the meaning of section 149(b) of the Tax Code.

(v) **No Arbitrage.** The Successor Agency shall not take, or permit or suffer to be taken by the Trustee or otherwise, any action with respect to the Bond proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the Closing Date of the Bonds, would have caused the Bonds to be "arbitrage bonds" within the meaning of section 148(a) of the Tax Code.

(j) *Further Assurances.* The Successor Agency covenants and agrees to adopt, make, execute and deliver any and all such further resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention or to facilitate the performance of this Indenture, and for the better assuring and confirming unto the Owners of the rights and benefits provided in this Indenture.

(k) *Compliance with Dissolution Act.* The Successor Agency covenants that it will comply with the requirements of the Dissolution Act. Without limiting the generality of the foregoing, the Successor Agency covenants and agrees to file all required statements and hold all public hearings required under the Dissolution Act to assure compliance by the Successor Agency with its covenants hereunder and under the Reserve Agreement. The Successor Agency shall take all actions required under the Dissolution Act to prepare and file Recognized Obligation Payment Schedules for each Semi-Annual Period debt service on the Bonds so as to enable the County Auditor-Controller to distribute from the Redevelopment Property Tax Trust Fund for deposit in the Redevelopment Obligation Retirement Fund on each January 2 and July 1, as applicable, all amounts as shall be required to enable the Successor Agency to pay timely (i) principal of, and interest on, the Bonds coming due in such Bond Year, including the inclusion on the applicable Recognized Obligation Schedule the amounts set forth in the Recognized Obligation Debt Service Schedule attached hereto as Exhibit C and hereby made a part hereof and (ii) all amounts due and payable to the Municipal Bond Insurer in connection with the Municipal Bond Insurance Policies and the Reserve Policy.

(l) *Processing ROPS.* Not later than February 1 in each year, the Successor Agency shall submit an Oversight Board-approved Recognized Obligation Payment Schedule to the State Department of Finance and to the County Auditor-Controller which shall include the following: (i) all scheduled interest payments on all Outstanding Bonds and Parity Debt of the Successor

Agency that are due and payable during the next calendar year, (ii) all scheduled principal and mandatory sinking fund redemption payments on all Outstanding Bonds an Parity Debt of the Successor Agency that are due and payable during the next calendar year, (iii) any amount required to cure any deficiency in the Reserve Account pursuant to this Indenture or in any indenture relating to Parity Debt, and (v) and all amounts due and payable to the Municipal Bond Insurer in connection with the Municipal Bond Insurance Policies and the Reserve Policy.

In the event that the Successor Agency fails to timely file any Recognized Obligation Payment Schedule related to the Bonds for any period, the Successor Agency designates the Municipal Bond Insurer as its attorney in fact with the power to file a Recognized Obligation Payment Schedule with respect to the Bonds.

The Successor Agency further agrees (a) to the extent permitted by law, to amend any ROPS filing for any period during which amounts owned to the Municipal Bond Insurer either with respect to the Bond Insurance Policy or the Reserve Policy are not included on such ROPS filing, and (b) not to submit a last and final ROPS under the Dissolution Act without the prior written consent of the Municipal Bond Insurer.

Notwithstanding the foregoing, also commencing with the Recognized Obligation Schedule to be submitted no later than February 1, 2017, the Successor Agency shall include on each Recognized Obligation Payment Schedule that is payable by the County Auditor-Controller on January 2 one-half of the principal payment of the Bonds that is payable on the following September 1 as a reserve for the principal payment payable on such September 1, commencing with the January 2, 2018, deposit into Redevelopment Obligation Retirement Fund

(m) *Dissolution Act Invalid; Maintenance of Tax Revenues.* In the event that the applicable property tax revenues provisions of the Dissolution Act are determined by a court in a final judicial decision to be invalid and, in place of the invalid provisions, provisions of the Law or the equivalent become applicable to the Bonds, the Successor Agency shall comply with all requirements of the Law or the equivalent to insure the allocation and payment to it of the Tax Revenues, including without limitation the timely filing of any necessary statements of indebtedness with appropriate officials of the County and, in the case of amounts payable by the State, appropriate officials of the State..

(n) *Continuing Disclosure.* The Successor Agency hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this Indenture, failure of the Successor Agency to comply with the Continuing Disclosure Certificate shall not be an Event of Default hereunder. However, any Participating Underwriter or any holder or beneficial owner of the Bonds may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Successor Agency to comply with its obligations under this Section 5.01(o).

ARTICLE VI  
THE TRUSTEE

Section 6.01. Duties, Immunities and Liabilities of Trustee.

(a) The Trustee shall, prior to the occurrence of an Event of Default, and after the curing or waiver of all Events of Default which may have occurred, perform such duties and only such duties as are specifically set forth in this Indenture and no implied covenants, duties or obligations shall be read into this Indenture against the Trustee. The Trustee shall, during the existence of any Event of Default (which has not been cured or waived), exercise such of the rights and powers vested in it by this Indenture, and use the same degree of care and skill in their exercise, as a reasonable person would exercise or use under the circumstances in the conduct of its own affairs.

(b) The Successor Agency may remove the Trustee at any time and shall remove the Trustee (i) if at any time requested to do so by an instrument or concurrent instruments in writing signed by the Owners of not less than a majority in aggregate principal amount of the Bonds then Outstanding (or their attorneys duly authorized in writing), or (ii) if at any time the Successor Agency has knowledge that the Trustee shall cease to be eligible in accordance with subsection (e) of this Section 6.01, or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or a receiver of the Trustee or its property shall be appointed, or any public officer shall take control or charge of the Trustee or of its property or affairs for the purpose of rehabilitation, conservation or liquidation. In each case such removal shall be accomplished by the giving of written notice of such removal by the Successor Agency to the Trustee, whereupon the Successor Agency shall immediately appoint a successor Trustee by an instrument in writing.

(c) The Trustee may at any time resign by giving written notice of such resignation to the Successor Agency and by giving the Owners notice of such resignation by first class mail, postage prepaid, at their respective addresses shown on the Registration Books. Upon receiving such notice of resignation, the Successor Agency shall promptly appoint a successor Trustee by an instrument in writing.

(d) Any removal or resignation of the Trustee and appointment of a successor Trustee shall become effective only upon acceptance of appointment by the successor Trustee. If no successor Trustee shall have been appointed and have accepted appointment within forty-five (45) days of giving notice of removal or notice of resignation as aforesaid, the resigning Trustee or any Owner (on behalf of such Owner and all other Owners) may petition any court of competent jurisdiction at the expense of the Successor Agency for the appointment of a successor Trustee, and such court may thereupon, after such notice (if any) as it may deem proper, appoint such successor Trustee. Any successor Trustee appointed under this Indenture shall signify its acceptance of such appointment by executing, acknowledging and delivering to the Successor Agency and to its predecessor Trustee a written acceptance thereof, and thereupon such successor Trustee, without any further act, deed or conveyance, shall become vested with all the moneys, estates, properties, rights, powers, trusts, duties and obligations of such predecessor Trustee, with like effect as if originally named Trustee herein; but, nevertheless at the Written Request of the Successor Agency or the request of the successor Trustee, such predecessor Trustee shall execute and deliver any and all instruments of conveyance or further assurance and do such other things as may reasonably be required for more fully and certainly vesting in and confirming to such successor Trustee all the right, title and interest of such predecessor Trustee in and to any property held by it under this Indenture



and shall pay over, transfer, assign and deliver to the successor Trustee any money or other property subject to the trusts and conditions herein set forth. Upon request of the successor Trustee, the Successor Agency shall execute and deliver any and all instruments as may be reasonably required for more fully and certainly vesting in and confirming to such successor Trustee all such moneys, estates, properties, rights, powers, trusts, duties and obligations. Upon acceptance of appointment by a successor Trustee as provided in this subsection, the Successor Agency shall mail a notice of the succession of such Trustee to the trusts hereunder to each rating agency which then has a current rating on the Bonds and to the Owners at their respective addresses shown on the Registration Books. If the Successor Agency fails to mail such notice within fifteen (15) days after acceptance of appointment by the successor Trustee, the successor Trustee shall cause such notice to be mailed at the expense of the Successor Agency.

(e) Any Trustee appointed under the provisions of this Section 6.01 in succession to the Trustee shall be a financial institution having a corporate trust office in the State, having (or in the case of a corporation, national banking association or trust company included in a bank holding company system, the related bank holding company shall have) a combined capital and surplus of at least \$75,000,000, and subject to supervision or examination by federal or state authority. If such financial institution publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purpose of this subsection the combined capital and surplus of such financial institution shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published. In case at any time the Trustee shall cease to be eligible in accordance with the provisions of this subsection (e), the Trustee shall resign immediately in the manner and with the effect specified in this Section 6.01.

Section 6.02. Merger or Consolidation. Any bank, national banking association, corporation or trust company into which the Trustee may be merged or converted or with which either of them may be consolidated or any bank, national banking association, corporation or trust company resulting from any merger, conversion or consolidation to which it shall be a party or any bank, national banking association, corporation or trust company to which the Trustee may sell or transfer all or substantially all of its corporate trust business, provided such bank, national banking association, corporation or trust company shall be eligible under subsection (e) of Section 6.01, shall be the successor to such Trustee without the execution or filing of any paper or any further act, anything herein to the contrary notwithstanding.

Section 6.03. Liability of Trustee.

(a) The recitals of facts herein and in the Bonds contained shall be taken as statements of the Successor Agency, and the Trustee shall not assume responsibility for the correctness of the same, nor make any representations as to the validity or sufficiency of this Indenture or of the security for the Bonds or the tax status of interest thereon nor shall incur any responsibility in respect thereof, other than as expressly stated herein. The Trustee shall, however, be responsible for its representations contained in its certificate of authentication on the Bonds. The Trustee shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or intentional misconduct. The Trustee shall not be liable for the acts of any agents of the Trustee selected by it with due care. The Trustee and its officers and employees may become the Owner of any Bonds with the same rights it would have if they were not Trustee and, to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as a member of, or in any other capacity with respect to, any committee formed to protect the rights of the Owners, whether or not such committee shall represent the Owners of a majority in principal amount of the Bonds then Outstanding.

(b) The Trustee shall not be liable for any error of judgment made by a responsible employee or officer, unless the Trustee shall have been negligent in ascertaining the pertinent facts.

(c) The Trustee shall not be liable with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the Owners of not less than a majority in aggregate principal amount of the Bonds at the time Outstanding relating to the time, method and place of conducting any proceeding for any remedy available to the Trustee, or exercising any trust or power conferred upon the Trustee under this Indenture.

(d) The Trustee shall not be liable for any action taken by it and believed by it to be authorized or within the discretion or rights or powers conferred upon it by this Indenture, except for actions arising from the negligence or intentional misconduct of the Trustee. The permissive right of the Trustee to do things enumerated hereunder shall not be construed as a mandatory duty.

(e) The Trustee shall not be deemed to have knowledge of any Event of Default hereunder unless and until a Responsible Officer shall have actual knowledge thereof, or shall have received written notice thereof from the Successor Agency at its Principal Corporate Trust Office. In the absence of such actual knowledge or notice, the Trustee may conclusively assume that no default has occurred and is continuing under this Indenture. Except as otherwise expressly provided herein, the Trustee shall not be bound to ascertain or inquire as to the performance or observance of any of the terms, conditions, covenants or agreements herein or of any of the documents executed in connection with the Bonds, or as to the existence of an Event of Default thereunder. The Trustee shall not be responsible for the validity or effectiveness of any collateral given to or held by it. Without limiting the generality of the foregoing, the Trustee may rely conclusively on the Successor Agency's certificates to establish the Successor Agency's compliance with its financial covenants hereunder, including, without limitation, its covenants regarding the deposit of Tax Revenues into the Special Fund and the investment and application of moneys (other than its covenants to transfer such moneys to the Trustee when due hereunder).

The Trustee shall have no liability or obligation to the Bond Owners with respect to the payment of debt service by the Successor Agency or with respect to the observance or performance by the Successor Agency to the other conditions, covenants and terms contained in this Indenture, or with respect to the investment of any moneys in any fund or account established, held or maintained by the Successor Agency pursuant to this Indenture or otherwise.

No provision of this Indenture shall require the Trustee to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers. The Trustee shall be entitled to interest on all amounts advanced by it at the maximum rate permitted by law.

The Trustee may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys or receivers and shall be entitled to opinion and advice of counsel concerning all matters of trust and its duties hereunder. The Trustee shall not be responsible for any action taken or not taken on the part of any agent, attorney or receiver appointed with due care by it hereunder.

The Trustee shall have no responsibility, opinion, or liability with respect to any information, statements or recital in any offering memorandum or other disclosure material prepared or distributed with respect to the issuance of these Bonds.

Before taking any action under Article VIII or this Article at the written request of a majority of the Owners, the Trustee may require that a satisfactory indemnity bond be furnished by the Owners for the reimbursement of all expenses to which it may be put and to protect it against all liability, except liability which is adjudicated to have resulted from its negligence or willful misconduct in connection with any action so taken.

Under no circumstances shall the Trustee be liable in its individual capacity for the obligations evidenced by the Bonds. The Trustee shall not be accountable for the use or application by the Successor Agency or any other party of any funds which the Trustee has released in accordance with the terms of this Indenture. The immunities and exceptions from liability of the Trustee shall extend to its officers, directors, employees, agents and attorneys. Whether or not expressly so provided, every provision of this Indenture relating to the conduct or affecting the liability of the Trustee shall be subject to the provisions of this Article VI.

The Trustee shall not be considered in breach of or in default in its obligations hereunder or progress in respect thereto in the event of delay in the performance of such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not limited to, Acts of God or of the public enemy or terrorists, acts of a government, acts of the other party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, earthquakes, explosion, mob violence, riot, inability to procure or general sabotage or rationing of labor, equipment, facilities, sources of energy, material or supplies in the open market, litigation or arbitration involving a party or others relating to zoning or other governmental action or inaction pertaining to the project, malicious mischief, condemnation, and unusually severe weather or delays of suppliers or subcontractors due to such causes or any similar event and/or occurrences beyond the control of the Trustee.

Section 6.04. Right to Rely on Documents and Opinions. The Trustee shall be protected in acting upon any notice, resolution, request, consent, order, certificate, report, facsimile transmission, electronic mail, opinion or other paper or document believed by it to be genuine and to have been signed or prescribed by the proper party or parties, and shall not be required to make any investigation into the facts or matters contained thereon. The Trustee may consult with counsel, including, without limitation, counsel of or to the Successor Agency, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by the Trustee hereunder in accordance therewith.

Whenever in the administration of the trusts imposed upon it by this Indenture the Trustee shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may be deemed to be conclusively proved and established by a Written Certificate of the Successor Agency, which shall be full warrant to the Trustee for any action taken or suffered under the provisions of this Indenture in reliance upon such Written Certificate, but in its discretion the Trustee may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may deem reasonable. The Trustee may conclusively rely on any certificate or Report of any Independent Accountant or Independent Redevelopment Consultant appointed by the Successor Agency.

The Trustee agrees to accept and act upon instructions or directions pursuant to this Indenture sent by unsecured e-mail, facsimile transmission or other similar unsecured

electronic methods, provided, however, that, the Trustee shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the Authority or Successor Agency elects to give the Trustee e-mail or facsimile instructions (or instructions by a similar electronic method) and the Trustee acts upon such instructions, the Trustee's understanding of such instructions shall be deemed controlling. The Trustee shall not be liable for any losses, costs or expenses arising directly or indirectly from the Trustee's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The Authority and the Successor Agency agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Trustee, including without limitation the risk of the Trustee acting on unauthorized instructions, and the risk of interception and misuse by third parties.

Section 6.05. Preservation and Inspection of Documents. All documents received by the Trustee under the provisions of this Indenture shall be retained in its possession as provided in Section 6.08 hereof and shall be subject at all reasonable times upon reasonable notice to the inspection of the Successor Agency and any Owner, and their agents and representatives duly authorized in writing, during regular business hours and under reasonable conditions.

Section 6.06. Compensation and Indemnification. The Successor Agency shall pay to the Trustee from time to time reasonable compensation for all services rendered under this Indenture in accordance with the letter proposal from the Trustee approved by the Successor Agency and also all reasonable expenses, charges, legal and consulting fees and other disbursements and those of its attorneys (including the allocated costs and disbursement of in-house counsel to the extent such services are not redundant with those provided by outside counsel), agents and employees, incurred in and about the performance of its powers and duties under this Indenture. The Trustee shall have a first lien on the Tax Revenues and all funds and accounts held by the Trustee hereunder to secure the payment to the Trustee of all fees, costs and expenses, including reasonable compensation to its experts, attorneys and counsel (including the allocated costs and disbursement of in-house counsel to the extent such services are not redundant with those provided by outside counsel).

The Successor Agency further covenants and agrees to indemnify, defend and save the Trustee and its officers, directors, agents and employees, harmless from and against any loss, expense and liabilities, including legal fees and expenses, which it may incur arising out of or in connection with the exercise and performance of its powers and duties hereunder, including the costs and expenses of defending against any claim of liability, but excluding any and all losses, expenses and liabilities which are due to the negligence or intentional misconduct of the Trustee, its officers, directors, agents or employees. The obligations of the Successor Agency and the rights of the Trustee under this Section 6.06 shall survive resignation or removal of the Trustee under this Indenture and payment of the Bonds and discharge of this Indenture.

Section 6.07. Deposit and Investment of Moneys in Funds. Subject to the provisions of Article V hereof, all moneys held by the Trustee in the Debt Service Fund, Costs of Issuance Fund or the Redemption Account, shall, at the written direction of the Successor Agency, be invested only in Permitted Investments. If the Trustee receives no written directions from the Successor Agency as to the investment of moneys held in any fund or account, the Trustee shall request such written direction from the Successor Agency and, pending receipt of instructions, shall invest such moneys solely in Permitted Investments described in subsection (d) of the definition thereof; provided, however, that any such investment shall be made by the Trustee only if, prior to the date on which such investment is to be made, the Trustee shall have received a written direction from the Successor Agency specifying a specific money market

fund and, if no such written direction is so received, the Trustee shall hold such moneys uninvested.

(a) Moneys in the Redevelopment Obligation Retirement Fund shall be invested by the Successor Agency only in obligations permitted by the Law which will by their terms mature not later than the date the Successor Agency estimates the moneys represented by the particular investment will be needed for withdrawal from the Redevelopment Obligation Retirement Fund.

(b) Moneys in the Interest Account, the Principal Account, the Sinking Account and the Redemption Account of the Debt Service Fund shall be invested only in obligations which will by their terms mature on such dates as to ensure that before each interest and principal payment date, there will be in such account, from matured obligations and other moneys already in such account, cash equal to the interest and principal payable on such payment date.

(c) Moneys in the Reserve Account shall be invested in (i) obligations which will by their terms mature on or before the date of the final maturity of the Bonds or five (5) years from the date of investment, whichever is earlier or (ii) an investment agreement which permits withdrawals or deposits without penalty at such time as such moneys will be needed or in order to replenish the Reserve Account.

Obligations purchased as an investment of moneys in any of the funds or accounts shall be deemed at all times to be a part of such respective Fund or Account and the interest accruing thereon and any gain realized from an investment shall be credited to such Fund or Account and any loss resulting from any authorized investment shall be charged to such Fund or Account without liability to the Trustee. The Successor Agency or the Trustee, as the case may be, shall sell or present for redemption any obligation purchased whenever it shall be necessary to do so in order to provide moneys to meet any payment or transfer from such Fund or Account as required by this Indenture and shall incur no liability for any loss realized upon such a sale. All interest earnings received on any monies invested in the Interest Account, the Principal Account, the Sinking Account, the Redemption Account or the Reserve Account, to the extent they exceed the amount required to be in such Account, shall be transferred on each Interest Payment Date to the Debt Service Fund. The Trustee may purchase or sell to itself or any affiliate, as principal or agent, investments authorized by this Section 6.07. The Trustee shall not be responsible or liable for any loss suffered in connection with any investment of funds made by it in accordance with Section 6.07 hereof. The Successor Agency acknowledges that to the extent regulations of the Comptroller of the Currency or other applicable regulatory entity grant the Successor Agency the right to receive brokerage confirmations of security transactions as they occur, the Successor Agency specifically waives receipt of such confirmations to the extent permitted by law. The Trustee will furnish the Successor Agency, at least monthly, cash transaction statements which shall include detail for all investment transactions made by the Trustee hereunder.

The Trustee or any of its affiliates may act as sponsor, advisor or manager in connection with any investments made by the Trustee hereunder.

The value of Permitted Investments shall be determined as follows: (i) as to investments the bid and asked prices of which are published on a regular basis in *The Wall Street Journal* (or, if not there, then in *The New York Times*): the average of the bid and asked prices for such investments so published on or most recently prior to such time of determination; (ii) as to investments the bid and asked prices of which are not published on a regular basis in *The Wall Street Journal* or *The New York Times*: the average bid price at such time of determination for such investments by any two nationally recognized government securities dealers (selected by the

Successor Agency in its absolute discretion) at the time making a market in such investments or the bid price published by a nationally recognized pricing service; (iii) as to certificates of deposit and bankers acceptances: the face amount thereof, plus accrued interest; and (iv) as to any investment not specified above: the value thereof established by prior agreement between the Successor Agency and the Trustee. If more than one provision of this definition of "value" shall apply at any time to any particular investment, the value thereof at such time shall be determined in accordance with the provision establishing the lowest value for such investment; provided, notwithstanding the foregoing, in making any valuations hereunder, the Trustee may utilize and conclusively rely upon such pricing services as may be regularly available to it, including, without limitation, those within its regular accounting system.

Section 6.08. Accounting Records and Financial Statements. The Trustee shall at all times keep, or cause to be kept, proper books of record and account, prepared in accordance with corporate trust industry standards, in which complete and accurate entries shall be made of all transactions relating to the proceeds of the Bonds made by it and all funds and accounts held by the Trustee established pursuant to this Indenture. Such books of record and account shall be available for inspection by the Successor Agency upon reasonable prior notice, at reasonable hours and under reasonable circumstances. The Trustee shall furnish to the Successor Agency, at least monthly, an accounting of all transactions in the form of its customary statements relating to the proceeds of the Bonds and all funds and accounts held by the Trustee pursuant to this Indenture and which include detail for all investment transactions effected by the Trustee or brokers selected by the Successor Agency. Upon the Successor Agency's election, such statements will be delivered via the Trustee's online service and upon electing such service, paper statements will be provided only upon request. The Successor Agency waives the right to receive brokerage confirmations of security transactions effected by the Trustee as they occur, to the extent permitted by law. The Successor Agency further understands that trade confirmations for securities transactions effected by the Trustee will be available upon request and at no additional cost and other trade confirmations may be obtained from the applicable broker. The Trustee shall maintain and store such records for a period of one year after the stated maturity of the Bonds.

Section 6.09. Appointment of Co-Trustee or Agent. It is the purpose of this Indenture that there shall be no violation of any law of any jurisdiction (including particularly the law of the State) denying or restricting the right of banking corporations or associations to transact business as Trustee in such jurisdiction. It is recognized that in the case of litigation under this Indenture, and in particular in case of the enforcement of the rights of the Trustee on default, or in the case the Trustee deems that by reason of any present or future law of any jurisdiction it may not exercise any of the powers, rights or remedies herein granted to the Trustee or hold title to the properties, in trust, as herein granted, or take any other action which may be desirable or necessary in connection therewith, it may be necessary that the Trustee appoint an additional individual or institution as a separate trustee or co-trustee. The following provisions of this Section 6.09 are adopted to these ends.

In the event that the Trustee appoints an additional individual or institution as a separate or co-trustee, each and every remedy, power, right, claim, demand, cause of action, immunity, estate, title, interest and lien expressed or intended by this Indenture to be exercised by or vested in or conveyed to the Trustee with respect thereto shall be exercisable by and vest in such separate or co-trustee but only to the extent necessary to enable such separate or co-trustee to exercise such powers, rights and remedies, and every covenant and obligation necessary to the exercise thereof by such separate or co-trustee shall run to and be enforceable by either of them; *provided, however*, in no event shall the Trustee be responsible or liable for the acts or omissions of any co-trustee.

Should any instrument in writing from the Successor Agency be required by the separate trustee or co-trustee so appointed by the Trustee for more fully and certainly vesting in and confirming to it such properties, rights, powers, trusts, duties and obligations, any and all such instruments in writing shall, on request, be executed, acknowledged and delivered by the Successor Agency. In case any separate trustee or co-trustee, or a successor to either, shall become incapable of acting, resign or be removed, all the estates, properties, rights, powers, trusts, duties and obligations of such separate trustee or co-trustee, so far as permitted by law, shall vest in and be exercised by the Trustee until the appointment of a new trustee or successor to such separate trustee or co-trustee.

Section 6.10. Other Transactions with Successor Agency. The Trustee, either as principal or agent, may engage in or be interested in any financial or other transaction with the Successor Agency.

## ARTICLE VII

### MODIFICATION OR AMENDMENT OF THIS INDENTURE

Section 7.01. Amendment. This Indenture and the rights and obligations of the Successor Agency and of the Owners may be modified or amended at any time by a Supplemental Indenture which shall become binding upon adoption, without the consent of any Owners, to the extent permitted by law and only for any one or more of the following purposes:

(a) to add to the covenants and agreements of the Successor Agency in this Indenture contained, other covenants and agreements thereafter to be observed, or to limit or surrender any rights or powers herein reserved to or conferred upon the Successor Agency; or

(b) to make such provisions for the purpose of curing any ambiguity, or of curing, correcting or supplementing any defective provision contained in this Indenture, or in any other respect whatsoever as the Successor Agency may deem necessary or desirable, provided under any circumstances that such modifications or amendments shall not, in the reasonable determination of the Successor Agency, materially adversely affect the interests of the Owners; or

(c) to provide for the issuance of Parity Debt in accordance with Section 3.04; or

(d) to amend any provision hereof relating to the requirements of or compliance with the Code, to any extent whatsoever but only if and to the extent such amendment will not adversely affect the exemption from federal income taxation of interest on any of the Bonds, in the opinion of nationally recognized bond counsel.

Except as set forth in the preceding paragraph, this Indenture and the rights and obligations of the Successor Agency and of the Owners may be modified or amended at any time by a Supplemental Indenture which shall become binding when the written consent of the Owners of a majority in aggregate principal amount of the Bonds then Outstanding are filed with the Trustee. No such modification or amendment shall (a) extend the maturity of or reduce the interest rate on any Bond or otherwise alter or impair the obligation of the Successor Agency to pay the principal, interest or redemption premiums (if any) at the time and place and at the rate and in the currency provided therein of any Bond without the express written consent of the Owner of such Bond, or (b) reduce the percentage of Bonds required for the written consent to any such amendment or modification. In no event shall any Supplemental Indenture modify any of the rights or obligations of the Trustee without its prior written consent. In addition, the Trustee shall be entitled to an opinion of counsel concerning the Supplemental Indenture's lack of any material adverse effect on the Owners and that all conditions precedent for any supplement or amendment have been satisfied.

Section 7.02. Effect of Supplemental Indenture. From and after the time any Supplemental Indenture becomes effective pursuant to this Article VII, this Indenture shall be deemed to be modified and amended in accordance therewith, the respective rights, duties and obligations of the parties hereto or thereto and all Owners, as the case may be, shall thereafter be determined, exercised and enforced hereunder subject in all respects to such modification and amendment, and all the terms and conditions of any Supplemental Indenture shall be deemed to be part of the terms and conditions of this Indenture for any and all purposes.

Section 7.03. Endorsement or Replacement of Bonds After Amendment. After the effective date of any amendment or modification hereof pursuant to this Article VII, the



Successor Agency may determine that any or all of the Bonds shall bear a notation, by endorsement in form approved by the Successor Agency, as to such amendment or modification and in that case upon demand of the Successor Agency, the Owners of such Bonds shall present such Bonds for that purpose at the Principal Corporate Trust Office, and thereupon a suitable notation as to such action shall be made on such Bonds. In lieu of such notation, the Successor Agency may determine that new Bonds shall be prepared at the expense of the Successor Agency and executed in exchange for any or all of the Bonds, and in that case, upon demand of the Successor Agency, the Owners of the Bonds shall present such Bonds for exchange at the Principal Corporate Trust Office, without cost to such Owners.

Section 7.04. Amendment by Mutual Consent. The provisions of this Article VII shall not prevent any Owner from accepting any amendment as to the particular Bond held by such Owner, provided that due notation thereof is made on such Bond.

## ARTICLE VIII

### EVENTS OF DEFAULT AND REMEDIES OF OWNERS

Section 8.01. Events of Default. The following events shall constitute Events of Default hereunder:

(a) if default shall be made by the Successor Agency in the due and punctual payment of the principal or sinking fund payment of or interest or redemption premium (if any) on any Bond when and as the same shall become due and payable, whether at maturity as therein expressed, by declaration or otherwise;

(b) if default shall be made by the Successor Agency in the observance of any of the covenants, agreements or conditions on its part in this Indenture or in the Bonds contained, other than a default described in the preceding clause (a), and such default shall have continued for a period of sixty (60) days following receipt by the Successor Agency of written notice from the Trustee or any Owner of the occurrence of such default provided that if in the reasonable opinion of the Successor Agency the failure stated in the notice can be corrected, but not within such 60 day period, such failure will not constitute an event of default if corrective action is instituted by the Successor Agency within such 60 day period and the Successor Agency thereafter diligently and in good faith cures such failure within 120 days; or

(c) if the Successor Agency files a petition seeking reorganization or arrangement under the federal bankruptcy laws or any other applicable law of the United States of America, or if a court of competent jurisdiction will approve a petition seeking reorganization under the federal bankruptcy laws or any other applicable law of the United States of America, or, if under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction will approve a petition, seeking reorganization under the federal bankruptcy laws or any other applicable law of the United States of America, or, if under the provisions of any other law for the relief or aid of debtors, any court of competent jurisdiction will assume custody or control of the Successor Agency or of the whole or any substantial part of its property.

Section 8.02. Remedies of Bondowners. Any Bondowner shall have the right, for the equal benefit and protection of all Bondowners similarly situated:

(a) by mandamus, suit, action or proceeding, to compel the Successor Agency and its Board members, officers, agents or employees to perform each and every term, provision and covenant contained in this Resolution and in the Bonds, and to require the carrying out of any or all such covenants and agreements of the Successor Agency and the fulfillment of all duties imposed upon it;

(b) by suit, action or proceeding in equity, to enjoin any acts or things which are unlawful, or the violation of any of the Bondowners' rights; or

(c) upon the happening of any Event of Default, by suit, action or proceeding in any court of competent jurisdiction, to require the Successor Agency and its Board members and employees to account as if it and they were the trustees of an express trust.

Nothing herein shall be deemed to authorize the Trustee to authorize or consent to or accept or adopt on behalf of any Bondowner any plan of reorganization, arrangement, adjustment, or composition affecting the Bonds or the rights of any Bondowner thereof, or to

authorize the Trustee to vote in respect of the claim of any Bondowner in any such proceeding without the approval of the Bondowners so affected.

Section 8.03. Application of Funds. All of the Tax Revenues and all sums in the funds and accounts established and held by the Trustee hereunder upon the date of the declaration of, and during the continuation of, an Event of Default, and all sums thereafter received by the Trustee hereunder, shall be applied by the Trustee in the following order:

*First*, to the payment of the fees, costs and expenses of the Trustee in declaring such Event of Default and in exercising the rights and remedies set forth in this Article VIII, including reasonable compensation to its agents, attorneys (including the allocated costs and disbursements of its in-house counsel to the extent such services are not redundant with those provided by outside counsel) and counsel and any outstanding fees, expenses of the Trustee; and

*Second*, to the payment of the whole amount then owing and unpaid upon the Bonds for principal and interest, with interest on the overdue principal and installments of interest at the net effective rate then borne by the Outstanding Bonds (to the extent that such interest on overdue installments of principal and interest shall have been collected), and in case such moneys shall be insufficient to pay in full the whole amount so owing and unpaid upon the Bonds, then to the payment of such principal and interest without preference or priority of principal over interest, or interest over principal, or of any installment of interest over any other installment of interest, ratably to the aggregate of such principal and interest.

Section 8.04. Limitation on Owner's Right to Sue. No Owner of any Bond issued hereunder shall have the right to institute any suit, action or proceeding at law or in equity, for any remedy under or upon this Indenture, unless (a) such Owner shall have previously given to the Trustee written notice of the occurrence of an Event of Default; (b) the Owners of a majority in aggregate principal amount of all the Bonds then Outstanding shall have made Written Request upon the Trustee to exercise the powers hereinbefore granted or to institute such action, suit or proceeding in its own name; (c) said Owners shall have tendered to the Trustee indemnity reasonably acceptable to the Trustee against the costs, expenses and liabilities to be incurred in compliance with such request; and (d) the Trustee shall have refused or omitted to comply with such request for a period of sixty (60) days after such Written Request shall have been received by, and said tender of indemnity shall have been made to, the Trustee.

Such notification, request, tender of indemnity and refusal or omission are hereby declared, in every case, to be conditions precedent to the exercise by any Owner of any remedy hereunder; it being understood and intended that no one or more Owners shall have any right in any manner whatever by his or their action to enforce any right under this Indenture, except in the manner herein provided, and that all proceedings at law or in equity to enforce any provision of this Indenture shall be instituted, had and maintained in the manner herein provided and for the equal benefit of all Owners of the Outstanding Bonds.

The right of any Owner of any Bond to receive payment of the principal of (and premium, if any) and interest on such Bond as herein provided, shall not be impaired or affected without the written consent of such Owner, notwithstanding the foregoing provisions of this Section 8.04 or any other provision of this Indenture.

Section 8.05. Non-Waiver. Nothing in this Article VIII or in any other provision of this Indenture or in the Bonds, shall affect or impair the obligation of the Successor Agency, which is absolute and unconditional, to pay from the Tax Revenues and other amounts pledged

hereunder, the principal of and interest and redemption premium (if any) on the Bonds to the respective Owners on the respective Interest Payment Dates, as herein provided, or affect or impair the right of action, which is also absolute and unconditional, of the Owners or the Trustee to institute suit to enforce such payment by virtue of the contract embodied in the Bonds.

A waiver of any default by any Owner or the Trustee shall not affect any subsequent default or impair any rights or remedies on the subsequent default. No delay or omission of any Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or an acquiescence therein, and every power and remedy conferred upon the Owners and the Trustee by the Law or by this Article VIII may be enforced and exercised from time to time and as often as shall be deemed expedient by the Owners and the Trustee.

If a suit, action or proceeding to enforce any right or exercise any remedy shall be abandoned or determined adversely to the Owners or the Trustee, the Successor Agency, the Trustee and the Owners shall be restored to their former positions, rights and remedies as if such suit, action or proceeding had not been brought or taken.

Section 8.06. Actions by Trustee as Attorney-in-Fact. Any suit, action or proceeding which any Owner shall have the right to bring to enforce any right or remedy hereunder may be brought by the Trustee for the equal benefit and protection of all Owners similarly situated and the Trustee is hereby appointed (and the successive respective Owners by taking and holding the Bonds or Parity Debt shall be conclusively deemed so to have appointed it) the true and lawful attorney-in-fact of the respective Owners for the purpose of bringing any such suit, action or proceeding and to do and perform any and all acts and things for and on behalf of the respective Owners as a class or classes, as may be necessary or advisable in the opinion of the Trustee as such attorney-in-fact; *provided, however*, the Trustee shall have no duty or obligation to exercise any such right or remedy unless it has been indemnified to its satisfaction from any loss, liability or expense (including fees and expenses of its outside counsel and the allocated costs and disbursements of its in-house counsel).

Section 8.07. Remedies Not Exclusive. No remedy herein conferred upon or reserved to the Owners is intended to be exclusive of any other remedy. Every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing, at law or in equity or by statute or otherwise, and may be exercised without exhausting and without regard to any other remedy conferred by the Law or any other law.

Section 8.08. Parties Interested Herein. Nothing in this Indenture expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Successor Agency, the Trustee, their officers, employees and agents, and the Owners any right, remedy or claim under or by reason of this Indenture, or any covenant, condition or stipulation of this Indenture, and all covenants, stipulations, promises and agreements in this Indenture shall be for the sole and exclusive benefit of the Successor Agency, the Trustee, their officers, employees and agents, and the Owners.

ARTICLE X

PROVISIONS RELATING TO THE MUNICIPAL BOND  
INSURER AND THE MUNICIPAL BOND INSURANCE  
POLICIES

[TO COME]

ARTICLE X  
MISCELLANEOUS

Section 10.01. Benefits Limited to Parties. Nothing in this Indenture, expressed or implied, is intended to give to any person other than the Successor Agency, the Trustee and the Owners, any right, remedy or claim under or by reason of this Indenture. Any covenants, stipulations, promises or agreements in this Indenture contained by and on behalf of the Successor Agency shall be for the sole and exclusive benefit of the Trustee and the Owners.

Section 10.02. Successor is Deemed Included in All References to Predecessor. Whenever in this Indenture or any Supplemental Indenture either the Successor Agency or the Trustee is named or referred to, such reference shall be deemed to include the successors or assigns thereof, and all the covenants and agreements in this Indenture contained by or on behalf of the Successor Agency or the Trustee shall bind and inure to the benefit of the respective successors and assigns thereof whether so expressed or not.

Section 10.03. Discharge of Indenture. If the Successor Agency shall pay and discharge the entire indebtedness on all Bonds or any portion thereof in any one or more of the following ways:

(a) by well and truly paying or causing to be paid the principal of and interest and premium (if any) on all or the applicable portion of Outstanding Bonds, as and when the same become due and payable;

(b) by irrevocably depositing with the Trustee or an escrow agent, in trust or in escrow, as applicable, at or before maturity, money which, together with the available amounts then on deposit in the funds and accounts established pursuant to this Indenture, is fully sufficient to pay all or the applicable portion of Outstanding Bonds, including all principal, interest and redemption premiums, or;

(c) by irrevocably depositing with the Trustee or another fiduciary, in trust, Defeasance Obligations in such amount as an Independent Accountant shall determine will, together with the interest to accrue thereon and available moneys then on deposit in the funds and accounts established pursuant to this Indenture, be fully sufficient to pay and discharge the indebtedness on all Bonds or the applicable portion of (including all principal, interest and redemption premiums) at or before maturity;

and, if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given pursuant to Section 2.03(c) or provision satisfactory to the Trustee shall have been made for the giving of such notice, then, at the election of the Successor Agency, and notwithstanding that any Bonds shall not have been surrendered for payment, the pledge of the Tax Revenues and other funds provided for in this Indenture and all other obligations of the Trustee and the Successor Agency under this Indenture shall cease and terminate with respect to all Outstanding Bonds or, if applicable, with respect to that portion of the Bonds which has been paid and discharged, except only (a) the covenants of the Successor Agency hereunder with respect to the Code, (b) the obligation of the Trustee to transfer and exchange Bonds hereunder, (c) the obligations of the Successor Agency under Section 6.06 hereof, and (d) the obligation of the Successor Agency to pay or cause to be paid to the Owners, from the amounts so deposited with the Trustee, all sums due thereon and to pay the Trustee all fees, expenses and costs of the Trustee. In the event the Successor Agency shall, pursuant to the foregoing provision, pay and discharge any portion or all of the Bonds then Outstanding, the Trustee shall

be authorized to take such actions and execute and deliver to the Successor Agency all such instruments as may be necessary or desirable to evidence such discharge, including, without limitation, selection by lot of Bonds of any maturity of the Bonds that the Successor Agency has determined to pay and discharge in part.

In the case of a defeasance or payment of all of the Bonds Outstanding, any funds thereafter held by the Trustee which are not required for said purpose or for payment of amounts due to the Trustee pursuant to Section 6.06 shall be paid over to the Successor Agency.

Section 10.04. Execution of Documents and Proof of Ownership by Owners. Any request, declaration or other instrument which this Indenture may require or permit to be executed by any Owner may be in one or more instruments of similar tenor, and shall be executed by such Owner in person or by their attorneys appointed in writing.

Except as otherwise herein expressly provided, the fact and date of the execution by any Owner or his attorney of such request, declaration or other instrument, or of such writing appointing such attorney, may be proved by the certificate of any notary public or other officer authorized to take acknowledgments of deeds to be recorded in the state in which he purports to act, that the person signing such request, declaration or other instrument or writing acknowledged to him the execution thereof, or by an affidavit of a witness of such execution, duly sworn to before such notary public or other officer.

The ownership of Bonds and the amount, maturity, number and date of ownership thereof shall be proven by the Registration Books.

Any request, declaration or other instrument or writing of the Owner of any Bond shall bind all future Owners of such Bond in respect of anything done or suffered to be done by the Successor Agency or the Trustee and in accordance therewith, *provided, however*, that the Trustee shall not be deemed to have knowledge that any Bond is owned by or for the account of the Successor Agency unless the Successor Agency is the registered Owner or the Trustee has received written notice that any other registered Owner is such an affiliate.

Section 10.05. Disqualified Bonds. In determining whether the Owners of the requisite aggregate principal amount of Bonds have concurred in any demand, request, direction, consent or waiver under this Indenture, Bonds which are owned or held by or for the account of the Successor Agency or the City (but excluding Bonds held in any employees' retirement fund) shall be disregarded and deemed not to be Outstanding for the purpose of any such determination. Upon request of the Trustee, the Successor Agency shall specify to the Trustee those Bonds disqualified pursuant to this Section 10.05.

Section 10.06. Waiver of Personal Liability. No member, officer, agent or employee of the Successor Agency shall be individually or personally liable for the payment of the principal of or interest or any premium on the Bonds; but nothing herein contained shall relieve any such member, officer, agent or employee from the performance of any official duty provided by law.

Section 10.07. Destruction of Canceled Bonds. Whenever in this Indenture provision is made for the surrender to the Trustee of any Bonds which have been paid or canceled pursuant to the provisions of this Indenture, the Trustee shall destroy such bonds and upon request of the Successor Agency provide the Successor Agency a certificate of destruction.

Section 10.08. Notices. Any notice, request, complaint, demand, communication or other paper shall be sufficiently given and shall be deemed given when delivered or mailed by first

class, registered or certified mail, postage prepaid, or sent by overnight mail, courier, fax or other electronic transmission, addressed as follows:

If to the Successor Agency: Successor Agency of the Porterville Redevelopment Agency  
c/o City of Porterville  
291 North Main Street  
Porterville, CA 93257  
Attention: City Manager  
Phone: (559) 782-7499

If to the Trustee: U.S. Bank National Association  
633 West Fifth Street, 24th Floor  
Los Angeles, CA 90071  
Attention: Global Corporate Trust Services  
Phone: (213) 615-6051

If to the Municipal Bond Insurer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attention: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_

The Successor Agency and the Trustee, by notice given hereunder, may designate different addresses to which subsequent notices, certificates or other communications will be sent.

Section 10.09. Partial Invalidity. If any Section, paragraph, sentence, clause or phrase of this Indenture shall for any reason be held illegal, invalid or unenforceable, such holding shall not affect the validity of the remaining portions of this Indenture. The Successor Agency hereby declares that it would have adopted this Indenture and each and every other Section, paragraph, sentence, clause or phrase hereof and authorized the issue of the Bonds pursuant thereto irrespective of the fact that any one or more Sections, paragraphs, sentences, clauses, or phrases of this Indenture may be held illegal, invalid or unenforceable. If, by reason of the judgment of any court, the Trustee is rendered unable to perform its duties hereunder, all such duties and all of the rights and powers of the Trustee hereunder shall, pending appointment of a successor Trustee in accordance with the provisions of Section 6.01 hereof, be assumed by and vest in the Treasurer of the Successor Agency in trust for the benefit of the Owners. The Successor Agency covenants for the direct benefit of the Owners that its Treasurer in such case shall be vested with all of the rights and powers of the Trustee hereunder, and shall assume all of the responsibilities and perform all of the duties of the Trustee hereunder, in trust for the benefit of the Bonds, pending appointment of a successor Trustee in accordance with the provisions of Section 6.01 hereof.

Section 10.10. Unclaimed Moneys. Anything contained herein to the contrary notwithstanding, any money held by the Trustee for the payment and discharge of the interest or premium (if any) on or principal of the Bonds which remains unclaimed for two (2) years after the date when the payments of such interest, premium and principal have become payable, if such money was held by the Trustee at such date, or for two (2) years after the date of deposit of such money if deposited with the Trustee after the date when the interest and premium (if any) on and principal of such Bonds have become payable, shall be repaid by the Trustee to the Successor Agency as its absolute property free from trust, and the Trustee shall thereupon be released and discharged with respect thereto and the Bond Owners shall look only to the Successor Agency for the payment of the principal of and interest and redemption premium (if any) on of such Bonds.



Section 10.11. Execution in Counterparts. This Indenture may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 10.12. Governing Law. This Indenture shall be construed and governed in accordance with the laws of the State.

IN WITNESS WHEREOF, the SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY, has caused this Indenture to be signed in its name by its Executive Director and attested by its Secretary, and U.S. BANK NATIONAL ASSOCIATION in token of its acceptance of the trusts created hereunder, has caused this Indenture to be signed in its corporate name by its officer thereunto duly authorized, all as of the day and year first above written.

SUCCESSOR AGENCY OF THE  
PORTERVILLE REDEVELOPMENT  
AGENCY

By \_\_\_\_\_  
John D. Lollis  
Executive Director

Attest:

\_\_\_\_\_  
Patrice Hildreth  
Deputy Secretary

U.S. BANK NATIONAL ASSOCIATION, as  
Trustee

By \_\_\_\_\_  
Ilse Vlach, CCTS  
Assistant Vice President

**EXHIBIT A**  
**FORM OF 2016A BONDS**

United States of America  
State of California  
County of Tulare

**SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY**  
**Tax Allocation Refunding Bond, Series 2016A**

| INTEREST RATE | MATURITY DATE | DATED DATE         | CUSIP |
|---------------|---------------|--------------------|-------|
| _____ %       | June 1, ____  | September __, 2016 | _____ |

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

The SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY, a public body duly organized and existing under and by virtue of the laws of the State of California (the "Successor Agency"), for value received hereby promises to pay to the Registered Owner stated above, or registered assigns (the "Registered Owner"), on the Maturity Date stated above (subject to any right of prior redemption hereinafter provided for), the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money from the Interest Payment Date (as hereinafter defined) next preceding the date of authentication of this Bond, unless (i) this Bond is authenticated on or before an Interest Payment Date and after the close of business on the fifteenth (15th) day of the month immediately preceding an Interest Payment Date (the "Record Date"), in which event it shall bear interest from such Interest Payment Date, or (ii) this Bond is authenticated on or before November 15, 2016, in which event it shall bear interest from the Dated Date above; *provided however*, that if at the time of authentication of this Bond, interest is in default on this Bond, this Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on this Bond, until payment of such Principal Sum in full, at the Interest Rate per annum stated above, payable semiannually on each June 1 and December 1, commencing December 1, 2016 (each an "Interest Payment Date"), calculated on the basis of 360-day year comprised of twelve 30-day months.

Principal hereof and premium, if any, upon early redemption hereof are payable upon surrender of this Bond at the Principal Corporate Trust Office (as such term is defined in the Indenture) of U.S. Bank National Association, as trustee (the "Trustee"), or at such other place as designated by the Trustee. Interest hereon (including the final interest payment upon maturity or earlier redemption) is payable by check of the Trustee mailed by first class mail, postage prepaid, on the Interest Payment Date to the Registered Owner hereof at the Registered Owner's address as it appears on the registration books maintained by the Trustee as of the Record Date for which such Interest Payment Date occurs; provided however, that payment of interest may be by wire transfer to an account in the United States of America to any registered owner of Bonds in the aggregate principal amount of \$1,000,000 or more upon written

instructions of any such registered owner filed with the Trustee for that purpose on or before the Record Date preceding the applicable Interest Payment Date.

This Bond is one of a duly authorized issue of bonds of the Successor Agency designated as "Successor Agency of the Porterville Redevelopment Agency Tax Allocation Refunding Bonds, Series 2016" (the "Bonds"), of an aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_), all of like tenor and date (except for such variation, if any, as may be required to designate varying series, numbers, maturities, interest rates, or redemption and other provisions) and all issued pursuant to the provisions of section 34177.5 of the California Health and Safety Code and section 53580 *et seq.* of the California Government Code and pursuant to a resolution of the Successor Agency adopted on June 7, 2016, a resolution of the Oversight Board of the Successor Agency of the Porterville Redevelopment Agency, adopted on June \_\_, 2016, and an Indenture of Trust, dated as of September 1, 2016, entered into by and between the Successor Agency and the Trustee (the "Indenture"), authorizing the issuance of the Bonds. Additional bonds or other obligations may be issued on a parity with the Bonds, but only subject to the terms of the Indenture. Reference is hereby made to the Indenture (copies of which are on file at the office of the Successor Agency) and all indentures supplemental thereto and to the provisions of the Community Redevelopment Law of the State of California, constituting Part 1 of Division 24 of the California Health and Safety Code (the "Redevelopment Law") for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Tax Revenues (as that term is defined in the Indenture), and the rights thereunder of the registered owners of the Bonds and the rights, duties and immunities of the Trustee and the rights and obligations of the Successor Agency thereunder, to all of the provisions of which Indenture the Registered Owner of this Bond, by acceptance hereof, assents and agrees.

The Bonds are being issued for the purpose of (a) providing funds to the Successor Agency to refund certain outstanding obligations incurred by the former Porterville Redevelopment Agency (the "Former Agency"), payable from tax increment revenue generated in the Porterville Redevelopment Project No. 1 established in the City of Porterville (the "City"), as identified in the Indenture, (b) funding a reserve fund for the Bonds, and (c) paying the costs of issuing the Bonds.

The Bonds are special obligations of the Successor Agency and this Bond and the interest hereon and on all other Bonds and the interest thereon (to the extent set forth in the Indenture), are payable from, and are secured by a pledge of, security interest in and lien on the Tax Revenues being the moneys deposited from time to time in the Redevelopment Property Tax Trust Fund established pursuant to subdivision (c) of section 34172 the California Health and Safety Code, as provided in paragraph (2) of subdivision (a) of section 34183 of the California Health and Safety Code. If, and to the extent, that the provisions of section 34172 or paragraph (2) of subdivision (a) of section 34183 the California Health and Safety Code are invalidated by a final judicial decision, then Tax Revenues shall include all tax revenues allocated to the payment of indebtedness pursuant to section 33670 of the California Health and Safety Code or such other section as may be in effect at the time providing for the allocation of tax increment revenues in accordance with Article XVI, Section 16 of the California Constitution.

There has been created and will be maintained by the Successor Agency, the Redevelopment Obligation Retirement Fund (as defined in the Indenture) into which Tax Revenues shall be deposited and from which the Successor Agency shall transfer amounts to the Trustee for payment of the principal of and the interest and redemption premium, if any, on the Bonds when due. As and to the extent set forth in the Indenture, all such Tax Revenues are exclusively and irrevocably to and constitute a trust fund, in accordance with the terms hereof and the provisions of the Indenture and the Redevelopment Law, for the security and payment or redemption of, including any premium upon early redemption, and for the security and

payment of interest on, the Bonds. In addition, the Bonds shall be additionally secured at all times by a first and exclusive pledge of, security interest in and lien upon all of the moneys in the Redevelopment Obligation Retirement Fund, the Debt Service Fund, the Interest Account, the Principal Account, the Sinking Account and the Redemption Account (as such terms are defined in the Indenture). Except for the Tax Revenues and such moneys, no funds or properties of the Successor Agency shall be to, or otherwise liable for, the payment of principal of or interest or redemption premium, if any, on the Bonds.

The Bonds maturing on or before June 1, \_\_\_\_, are not subject to optional redemption prior to maturity. The Bonds maturing on or after June 1, \_\_\_\_, are subject to redemption, at the option of the Successor Agency on any date on or after June 1, \_\_\_\_, as a whole or in part, by such maturities as shall be determined by the Successor Agency (and, in lieu of such determination, *pro rata* among maturities), and by lot within a maturity, from any available source of funds, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium.

The Bonds maturing on June 1, \_\_\_\_, are also subject to mandatory redemption from sinking fund payments made by the Successor Agency, in part by lot, on June 1, \_\_\_\_, and on each June 1 to and including June 1, \_\_\_\_, at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium, as set forth in the following table:

| <u>Redemption Date</u><br><u>(June 1)</u> | <u>Principal</u><br><u>Amount</u> |
|-------------------------------------------|-----------------------------------|
|-------------------------------------------|-----------------------------------|

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† Maturity.

As provided in the Indenture, notice of redemption shall be given by first class mail no less than twenty (20) nor more than sixty (60) days prior to the redemption date to the respective registered owners of any Bonds designated for redemption at their addresses appearing on the Bond registration books maintained by the Trustee, but neither failure to receive such notice nor any defect in the notice so mailed shall affect the sufficiency of the proceedings for redemption. Notices of optional redemption may be conditioned upon receipt by the Trustee of sufficient moneys to redeem the Bonds on the anticipated redemption date, and if the Trustee does not receive sufficient funds by the scheduled redemption date the redemption shall not occur and the Bonds for which notice of redemption was given shall remain outstanding for all purposes of the Indenture.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Indenture, interest shall cease to accrue hereon from and after the date fixed for redemption.

If an Event of Default, as defined in the Indenture, shall occur, the principal of all Bonds may be declared due and payable upon the conditions, in the manner and with the effect provided in the Indenture, but such declaration and its consequences may be rescinded and annulled as further provided in the Indenture.

The Bonds are issuable as fully registered Bonds without coupons in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and conditions and upon

payment of the charges, if any, as provided in the Indenture, Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations and of the same maturity.

This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, at the Principal Corporate Trust Office of the Trustee, but only in the manner and subject to the limitations provided in the Indenture, and upon surrender and cancellation of this Bond. Upon registration of such transfer a new fully registered Bond or Bonds, of any authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor. The Trustee may refuse to transfer or exchange (a) any Bonds during the fifteen (15) days prior to the date established for the selection of Bonds for redemption, or (b) any Bonds selected for redemption.

The Successor Agency and the Trustee may treat the Registered Owner hereof as the absolute owner hereof for all purposes, and the Successor Agency and the Trustee shall not be affected by any notice to the contrary.

The rights and obligations of the Successor Agency and the registered owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Indenture, but no such modification or amendment shall (a) extend the maturity of or reduce the interest rate on any Bond or otherwise alter or impair the obligation of the Successor Agency to pay the principal, interest or redemption premiums (if any) at the time and place and at the rate and in the currency provided herein of any Bond without the express written consent of the registered owner of such Bond, (b) reduce the percentage of Bonds required for the written consent to any such amendment or modification or (c) without its written consent thereto, modify any of the rights or obligations of the Trustee.

This Bond is not a debt of the City of Porterville, the State of California, or any of its political subdivisions, and neither said City, said State, nor any of its political subdivisions is liable hereon, nor in any event shall this Bond be payable out of any funds or properties other than those of the Successor Agency. The Bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

It is hereby certified that all of the things, conditions and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time and manner as required by the Redevelopment Law and the laws of the State of California, and that the amount of this Bond, together with all other indebtedness of the Successor Agency, does not exceed any limit prescribed by the Redevelopment Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Indenture.

Unless this certificate is presented by an authorized representative of The Depository Trust Company; a New York corporation ("DTC"), to the Successor Agency or the Trustee for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This Bond shall not be entitled to any benefit under the Indenture or become valid or obligatory for any purpose until the Trustee's Certificate of Authentication hereon shall have been manually signed by the Trustee.

IN WITNESS WHEREOF, the Successor Agency to the Former Redevelopment Agency of the City of Porterville has caused this Bond to be executed in its name and on its behalf with the facsimile signature of its Chair and attested by the facsimile signature of its Secretary, all as of Dated Date stated above.

SUCCESSOR AGENCY OF THE  
PORTERVILLE REDEVELOPMENT  
AGENCY

By \_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary

#### TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This is one of the Bonds described in the within-mentioned Indenture.

Authentication Date: \_\_\_\_\_

U.S. BANK NATIONAL ASSOCIATION, as  
Trustee

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned do(es) hereby sell, assign and transfer unto

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(Name, Address and Tax Identification or Social Security Number of Assignee)

the within Bond and do(es) hereby irrevocably constitute and appoint

\_\_\_\_\_,  
attorney, to transfer the same on the registration books of the Trustee, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution (banks, stock brokers, savings and loan associations and credit unions with membership in an approved signature guarantee medallion program) pursuant to Securities and Exchange Commission Rule 17 Ad-15.

NOTICE: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.



**EXHIBIT B**  
**FORM OF 2016B BONDS**

United States of America  
State of California  
County of Tulare

**SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY**  
**Taxable Tax Allocation Refunding Bond, Series 2016B**

| INTEREST RATE | MATURITY DATE | DATED DATE         | CUSIP |
|---------------|---------------|--------------------|-------|
| _____ %       | June 1, _____ | September __, 2016 | _____ |

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

The SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY, a public body duly organized and existing under and by virtue of the laws of the State of California (the "Successor Agency"), for value received hereby promises to pay to the Registered Owner stated above, or registered assigns (the "Registered Owner"), on the Maturity Date stated above (subject to any right of prior redemption hereinafter provided for), the Principal Sum stated above, in lawful money of the United States of America, and to pay interest thereon in like lawful money from the Interest Payment Date (as hereinafter defined) next preceding the date of authentication of this Bond, unless (i) this Bond is authenticated on or before an Interest Payment Date and after the close of business on the fifteenth (15th) day of the month immediately preceding an Interest Payment Date (the "Record Date"), in which event it shall bear interest from such Interest Payment Date, or (ii) this Bond is authenticated on or before November 15, 2016, in which event it shall bear interest from the Dated Date above; *provided however*, that if at the time of authentication of this Bond, interest is in default on this Bond, this Bond shall bear interest from the interest payment date to which interest has previously been paid or made available for payment on this Bond, until payment of such Principal Sum in full, at the Interest Rate per annum stated above, payable semiannually on each June 1 and December 1, commencing December 1, 2016 (each an "Interest Payment Date"), calculated on the basis of 360-day year comprised of twelve 30-day months.

Principal hereof and premium, if any, upon early redemption hereof are payable upon surrender of this Bond at the Principal Corporate Trust Office (as such term is defined in the Indenture) of U.S. Bank National Association, as trustee (the "Trustee"), or at such other place as designated by the Trustee. Interest hereon (including the final interest payment upon maturity or earlier redemption) is payable by check of the Trustee mailed by first class mail, postage prepaid, on the Interest Payment Date to the Registered Owner hereof at the Registered Owner's address as it appears on the registration books maintained by the Trustee as of the Record Date for which such Interest Payment Date occurs; provided however, that payment of interest may be by wire transfer to an account in the United States of America to any registered owner of Bonds in the aggregate principal amount of \$1,000,000 or more upon written

instructions of any such registered owner filed with the Trustee for that purpose on or before the Record Date preceding the applicable Interest Payment Date.

This Bond is one of a duly authorized issue of bonds of the Successor Agency designated as "Successor Agency of the Porterville Redevelopment Agency Taxable Tax Allocation Refunding Bonds, Series 2016B" (the "Bonds"), of an aggregate principal amount of \_\_\_\_\_ dollars (\$\_\_\_\_\_), all of like tenor and date (except for such variation, if any, as may be required to designate varying series, numbers, maturities, interest rates, or redemption and other provisions) and all issued pursuant to the provisions of section 34177.5 of the California Health and Safety Code and section 53580 *et seq.* of the California Government Code and pursuant to a resolution of the Successor Agency adopted on June 7, 2016, a resolution of the Oversight Board of the Successor Agency of the Porterville Redevelopment Agency, adopted on June \_\_, 2016, and an Indenture of Trust, dated as of September 1, 2016, entered into by and between the Successor Agency and the Trustee (the "Indenture"), authorizing the issuance of the Bonds. Additional bonds or other obligations may be issued on a parity with the Bonds, but only subject to the terms of the Indenture. Reference is hereby made to the Indenture (copies of which are on file at the office of the Successor Agency) and all indentures supplemental thereto and to the provisions of the Community Redevelopment Law of the State of California, constituting Part 1 of Division 24 of the California Health and Safety Code (the "Redevelopment Law") for a description of the terms on which the Bonds are issued, the provisions with regard to the nature and extent of the Tax Revenues (as that term is defined in the Indenture), and the rights thereunder of the registered owners of the Bonds and the rights, duties and immunities of the Trustee and the rights and obligations of the Successor Agency thereunder, to all of the provisions of which Indenture the Registered Owner of this Bond, by acceptance hereof, assents and agrees.

The Bonds are being issued for the purpose of (a) providing funds to the Successor Agency to refund certain outstanding obligations incurred by the former Porterville Redevelopment Agency (the "Former Agency"), payable from tax increment revenue generated in the Porterville Redevelopment Project No. 1 established in the City of Porterville (the "City"), as identified in the Indenture, (b) funding a reserve fund for the Bonds, and (c) paying the costs of issuing the Bonds.

The Bonds are special obligations of the Successor Agency and this Bond and the interest hereon and on all other Bonds and the interest thereon (to the extent set forth in the Indenture), are payable from, and are secured by a pledge of, security interest in and lien on the Tax Revenues being the moneys deposited from time to time in the Redevelopment Property Tax Trust Fund established pursuant to subdivision (c) of section 34172 the California Health and Safety Code, as provided in paragraph (2) of subdivision (a) of section 34183 of the California Health and Safety Code. If, and to the extent, that the provisions of section 34172 or paragraph (2) of subdivision (a) of section 34183 the California Health and Safety Code are invalidated by a final judicial decision, then Tax Revenues shall include all tax revenues allocated to the payment of indebtedness pursuant to section 33670 of the California Health and Safety Code or such other section as may be in effect at the time providing for the allocation of tax increment revenues in accordance with Article XVI, Section 16 of the California Constitution.

There has been created and will be maintained by the Successor Agency, the Redevelopment Obligation Retirement Fund (as defined in the Indenture) into which Tax Revenues shall be deposited and from which the Successor Agency shall transfer amounts to the Trustee for payment of the principal of and the interest and redemption premium, if any, on the Bonds when due. As and to the extent set forth in the Indenture, all such Tax Revenues are exclusively and irrevocably to and constitute a trust fund, in accordance with the terms hereof and the provisions of the Indenture and the Redevelopment Law, for the security and payment or redemption of, including any premium upon early redemption, and for the security and

payment of interest on, the Bonds. In addition, the Bonds shall be additionally secured at all times by a first and exclusive pledge of, security interest in and lien upon all of the moneys in the Redevelopment Obligation Retirement Fund, the Debt Service Fund, the Interest Account, the Principal Account, the Sinking Account and the Redemption Account (as such terms are defined in the Indenture). Except for the Tax Revenues and such moneys, no funds or properties of the Successor Agency shall be to, or otherwise liable for, the payment of principal of or interest or redemption premium, if any, on the Bonds.

The Bonds maturing on or before June 1, \_\_\_\_, are not subject to optional redemption prior to maturity. The Bonds maturing on or after June 1, \_\_\_\_, are subject to redemption, at the option of the Successor Agency on any date on or after June 1, \_\_\_\_, as a whole or in part, by such maturities as shall be determined by the Successor Agency (and, in lieu of such determination, *pro rata* among maturities), and by lot within a maturity, from any available source of funds, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium.

The Bonds maturing on June 1, \_\_\_\_, are also subject to mandatory redemption from sinking fund payments made by the Successor Agency, in part by lot, on June 1, \_\_\_\_, and on each June 1 to and including June 1, \_\_\_\_, at a redemption price equal to the principal amount thereof to be redeemed together with accrued interest thereon to the redemption date, without premium, as set forth in the following table:

| <u>Redemption Date</u><br><u>(June 1)</u> | <u>Principal</u><br><u>Amount</u> |
|-------------------------------------------|-----------------------------------|
|-------------------------------------------|-----------------------------------|

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† Maturity.

As provided in the Indenture, notice of redemption shall be given by first class mail no less than twenty (20) nor more than sixty (60) days prior to the redemption date to the respective registered owners of any Bonds designated for redemption at their addresses appearing on the Bond registration books maintained by the Trustee, but neither failure to receive such notice nor any defect in the notice so mailed shall affect the sufficiency of the proceedings for redemption. Notices of optional redemption may be conditioned upon receipt by the Trustee of sufficient moneys to redeem the Bonds on the anticipated redemption date, and if the Trustee does not receive sufficient funds by the scheduled redemption date the redemption shall not occur and the Bonds for which notice of redemption was given shall remain outstanding for all purposes of the Indenture.

If this Bond is called for redemption and payment is duly provided therefor as specified in the Indenture, interest shall cease to accrue hereon from and after the date fixed for redemption.

If an Event of Default, as defined in the Indenture, shall occur, the principal of all Bonds may be declared due and payable upon the conditions, in the manner and with the effect provided in the Indenture, but such declaration and its consequences may be rescinded and annulled as further provided in the Indenture.

The Bonds are issuable as fully registered Bonds without coupons in denominations of \$5,000 and any integral multiple thereof. Subject to the limitations and conditions and upon

payment of the charges, if any, as provided in the Indenture, Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations and of the same maturity.

This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, at the Principal Corporate Trust Office of the Trustee, but only in the manner and subject to the limitations provided in the Indenture, and upon surrender and cancellation of this Bond. Upon registration of such transfer a new fully registered Bond or Bonds, of any authorized denomination or denominations, for the same aggregate principal amount and of the same maturity will be issued to the transferee in exchange herefor. The Trustee may refuse to transfer or exchange (a) any Bonds during the fifteen (15) days prior to the date established for the selection of Bonds for redemption, or (b) any Bonds selected for redemption.

The Successor Agency and the Trustee may treat the Registered Owner hereof as the absolute owner hereof for all purposes, and the Successor Agency and the Trustee shall not be affected by any notice to the contrary.

The rights and obligations of the Successor Agency and the registered owners of the Bonds may be modified or amended at any time in the manner, to the extent and upon the terms provided in the Indenture, but no such modification or amendment shall (a) extend the maturity of or reduce the interest rate on any Bond or otherwise alter or impair the obligation of the Successor Agency to pay the principal, interest or redemption premiums (if any) at the time and place and at the rate and in the currency provided herein of any Bond without the express written consent of the registered owner of such Bond, (b) reduce the percentage of Bonds required for the written consent to any such amendment or modification or (c) without its written consent thereto, modify any of the rights or obligations of the Trustee.

This Bond is not a debt of the City of Porterville, the State of California, or any of its political subdivisions, and neither said City, said State, nor any of its political subdivisions is liable hereon, nor in any event shall this Bond be payable out of any funds or properties other than those of the Successor Agency. The Bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

It is hereby certified that all of the things, conditions and acts required to exist, to have happened or to have been performed precedent to and in the issuance of this Bond do exist, have happened or have been performed in due and regular time and manner as required by the Redevelopment Law and the laws of the State of California, and that the amount of this Bond, together with all other indebtedness of the Successor Agency, does not exceed any limit prescribed by the Redevelopment Law or any laws of the State of California, and is not in excess of the amount of Bonds permitted to be issued under the Indenture.

Unless this certificate is presented by an authorized representative of The Depository Trust Company; a New York corporation ("DTC"), to the Successor Agency or the Trustee for registration of transfer, exchange, or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

This Bond shall not be entitled to any benefit under the Indenture or become valid or obligatory for any purpose until the Trustee's Certificate of Authentication hereon shall have been manually signed by the Trustee.

IN WITNESS WHEREOF, the Successor Agency to the Former Redevelopment Agency of the City of Porterville has caused this Bond to be executed in its name and on its behalf with the facsimile signature of its Chair and attested by the facsimile signature of its Secretary, all as of Dated Date stated above.

SUCCESSOR AGENCY OF THE  
PORTERVILLE REDEVELOPMENT  
AGENCY

By \_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary

#### TRUSTEE'S CERTIFICATE OF AUTHENTICATION

This is one of the Bonds described in the within-mentioned Indenture.

Authentication Date: \_\_\_\_\_

U.S. BANK NATIONAL ASSOCIATION, as  
Trustee

By: \_\_\_\_\_  
Authorized Signatory

## ASSIGNMENT

For value received, the undersigned do(es) hereby sell, assign and transfer unto

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(Name, Address and Tax Identification or Social Security Number of Assignee)

the within Bond and do(es) hereby irrevocably constitute and appoint

\_\_\_\_\_,  
attorney, to transfer the same on the registration books of the Trustee, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution (banks, stock brokers, savings and loan associations and credit unions with membership in an approved signature guarantee medallion program) pursuant to Securities and Exchange Commission Rule 17 Ad-15.

NOTICE: The signature(s) on this Assignment must correspond with the name(s) as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

## EXHIBIT C

### RECOGNIZED OBLIGATION DEBT SERVICE PAYMENT SCHEDULE

| Interest<br>Payment<br>Date | Principal | Interest | Total |
|-----------------------------|-----------|----------|-------|
| 12/1/16                     |           |          |       |
| 6/1/17                      |           |          |       |
| 12/1/17                     |           |          |       |
| 6/1/18                      |           |          |       |
| 12/1/18                     |           |          |       |
| 6/1/19                      |           |          |       |
| 12/1/19                     |           |          |       |
| 6/1/20                      |           |          |       |
| 12/1/20                     |           |          |       |
| 6/1/21                      |           |          |       |
| 12/1/21                     |           |          |       |
| 6/1/22                      |           |          |       |
| 12/1/22                     |           |          |       |
| 6/1/23                      |           |          |       |
| 12/1/23                     |           |          |       |
| 6/1/24                      |           |          |       |
| 12/1/24                     |           |          |       |
| 6/1/25                      |           |          |       |
| 12/1/25                     |           |          |       |
| 6/1/26                      |           |          |       |
| 12/1/26                     |           |          |       |
| 6/1/27                      |           |          |       |
| 12/1/27                     |           |          |       |
| 6/1/28                      |           |          |       |
| 12/1/28                     |           |          |       |
| 6/1/29                      |           |          |       |
| 12/1/29                     |           |          |       |
| 6/1/30                      |           |          |       |
| 12/1/30                     |           |          |       |
| 6/1/31                      |           |          |       |
| 12/1/31                     |           |          |       |
| 6/1/32                      |           |          |       |
| 12/1/32                     |           |          |       |
| 6/1/33                      |           |          |       |
| 12/1/33                     |           |          |       |
| 6/1/34                      |           |          |       |
| 12/1/34                     |           |          |       |
| 6/1/35                      |           |          |       |
| 12/1/35                     |           |          |       |
| 6/1/36                      |           |          |       |
| 12/1/36                     |           |          |       |
| 6/1/37                      |           |          |       |
| 12/1/37                     |           |          |       |
| 6/1/38                      |           |          |       |
| 12/1/38                     |           |          |       |
| 6/1/39                      |           |          |       |
| 12/1/39                     |           |          |       |
| 6/1/40                      |           |          |       |
| Total                       |           |          |       |

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**ESCROW AGREEMENT**

**by and between the**

**SUCCESSOR AGENCY OF THE CITY OF THE PORTERVILLE**

**and**

**U.S. BANK NATIONAL ASSOCIATION, as Escrow Bank**

**Dated September \_\_, 2016**

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Relating to the current refunding of the outstanding

Porterville Redevelopment Agency  
Porterville Redevelopment Project No. 1  
Tax Allocation Refunding Bonds, 2008 Series A  
(Redevelopment Projects)

Porterville Redevelopment Agency  
Porterville Redevelopment Project No. 1  
Taxable Tax Allocation Refunding Bonds, 2008 Series B  
(Redevelopment Projects)

Porterville Redevelopment Agency  
Porterville Redevelopment Project No. 1  
Tax Allocation Refunding Bonds, 2008 Series C  
(Housing Projects)

Porterville Redevelopment Agency  
Porterville Redevelopment Project No. 1  
Taxable Tax Allocation Refunding Bonds, 2008 Series D  
(Housing Projects)



## ESCROW AGREEMENT

This ESCROW AGREEMENT is made and entered into this \_\_\_\_ day of September 2016, by and between the SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY, as successor to the former Porterville Redevelopment Agency, a public entity, organized and existing under the laws of the State of California (the "Successor Agency"), and U.S. BANK NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, with a corporate trust office in Phoenix, Arizona, and being qualified to accept and administer the funds and accounts hereby created, as successor trustee with respect to the hereinafter described 2008 Bonds and as escrow agent hereunder (the "Escrow Bank");

### WITNESSETH:

WHEREAS, the Porterville Redevelopment Agency (the "Former Agency") was a public body, corporate and politic, duly established and authorized to transact business and exercise powers under and pursuant to the provisions of the Community Redevelopment Law of the State of California, constituting Part 1 of Division 24 of the California Health and Safety Code (the "Law"), including the power to issue bonds for any of its corporate purposes;

WHEREAS, the Former Agency has previously issued the following obligations:

(a) \$4,565,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series A (Redevelopment Projects) (the "2008A Bonds"), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$3,925,000 principal amount remains outstanding,

(b) \$2,110,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series B (Redevelopment Projects) (the "2008B Bonds"), to refinance redevelopment activities within and for the benefit of the Redevelopment Project, of which \$1,885,000 principal amount remains outstanding,

(c) \$1,160,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Tax Allocation Refunding Bonds, 2008 Series C (Housing Projects) (the "2008C Bonds"), to refinance low and moderate income housing activities within the City, of which \$965,000 principal amount remains outstanding, and

(d) \$640,000 Porterville Redevelopment Agency, Porterville Redevelopment Project No. 1, Taxable Tax Allocation Refunding Bonds, 2008 Series D (Housing Projects) (the "2008D Bonds" and, with the 2008A Bonds, the 2008B Bonds and the 2008C Bonds, the "2008 Bonds"), to refinance low and moderate income housing activities within the City, of which \$575,000 principal amount remains outstanding;

WHEREAS, the 2008A Bonds and the 2008B Bonds were issued pursuant to an indenture of trust, dated as of September 1, 2008 (the "2008AB Indenture"), by and between the Former Agency and U.S. Bank National Association, as trustee (the "2008 Trustee");

WHEREAS, the 2008AB Indenture provides that if the Successor Agency shall pay and provide for the entire indebtedness on all or any portion of the 2008A Bonds and/or the 2008B Bonds by irrevocably depositing cash or non-callable Defeasance Obligations (as defined in the 2008AB Indenture) with the 2008 Trustee in such amount as will, together with the interest to accrue thereon and available moneys then on deposit in the funds and accounts established

pursuant to the 2008AB Indenture, be fully sufficient to pay and discharge the indebtedness on all or such portion of the 2008A Bonds and/or the 2008B Bonds (including all principal, interest and redemption premiums) at or before maturity, and if the the 2008A Bonds and/or the 2008B are to be redeemed prior to the maturity thereof, and notice of such redemption is given pursuant to the 2008AB Indenture or provision satisfactory to the 2008 Trustee shall have been made for the giving of such notice, then, at the election of the Successor Agency, and notwithstanding that any 2008A Bonds or 2008B Bonds shall not have been surrendered for payment, the pledge of the Tax Revenues (as defined in the 2008AB Indenture) and other funds provided for in the 2008AB Indenture and all other obligations of the 2008 Trustee and the Successor Agency under the 2008AB Indenture with respect to all or such portion of the 2008A Bonds and/or the 2008B Bonds shall cease and terminate, except only the obligations of the 2008 Trustee to transfer and exchange the 2008A Bonds and the 2008B Bonds thereunder and except the obligations of the Successor Agency to pay or cause to be paid to the owners of the 2008A Bonds and/or the 2008B Bonds not so surrendered and paid all sums due thereon and all expenses and costs of the 2008 Trustee; and thereafter Tax Revenues shall not be payable to the 2008 Trustee;

WHEREAS, the 2008C Bonds and the 2008D Bonds were issued pursuant to an indenture of trust, dated as of September 1, 2008 (the "2008CD Indenture") and, with the 2008AB Indenture, the "2008 Indentures"), by and between the Former Agency and the 2008 Trustee;

WHEREAS, the 2008CD Indenture provides that if the Successor Agency shall pay and provide for the entire indebtedness on all or any portion of the 2008C Bonds and/or the 2008D Bonds by irrevocably depositing cash or non-callable Defeasance Obligations (as defined in the 2008CD Indenture) with the 2008 Trustee in such amount as will, together with the interest to accrue thereon and available moneys then on deposit in the funds and accounts established pursuant to the 2008CD Indenture, be fully sufficient to pay and discharge the indebtedness on all or such portion of the 2008C Bonds and/or the 2008D Bonds (including all principal, interest and redemption premiums) at or before maturity, and if the the 2008C Bonds and/or the 2008D are to be redeemed prior to the maturity thereof, and notice of such redemption is given pursuant to the 2008CD Indenture or provision satisfactory to the 2008 Trustee shall have been made for the giving of such notice, then, at the election of the Successor Agency, and notwithstanding that any 2008C Bonds or 2008D Bonds shall not have been surrendered for payment, the pledge of the Tax Revenues (as defined in the 2008CD Indenture) and other funds provided for in the 2008CD Indenture and all other obligations of the 2008 Trustee and the Successor Agency under the 2008CD Indenture with respect to all or such portion of the 2008C Bonds and/or the 2008D Bonds shall cease and terminate, except only the obligations of the 2008 Trustee to transfer and exchange the 2008C Bonds and the 2008D Bonds thereunder and except the obligations of the Successor Agency to pay or cause to be paid to the owners of the 2008C Bonds and/or the 2008D Bonds not so surrendered and paid all sums due thereon and all expenses and costs of the 2008 Trustee; and thereafter Tax Revenues shall not be payable to the 2008 Trustee;

WHEREAS, the Successor Agency has determined that, due to prevailing financial market conditions, it is in the best interests of the Successor Agency at this time to provide for the redemption of the 2008 Bonds in full on October \_\_, 2016 (the "Redemption Date") at a redemption price equal to 100% of the principal amount thereof, plus accrued interest to such date (the "Redemption Price");

WHEREAS, to raise funds necessary to effectuate the refunding of the 2008A Bonds and the 2008C Bonds, and for other purposes, the Successor Agency has issued its Successor Agency of the Porterville Redevelopment Agency Tax Allocation Refunding Bonds, Series 2016A (the "2016A Bonds"), pursuant to an Indenture of Trust, dated as of September 1, 2016 (the "2016

Indenture”), by and between the Successor Agency and U.S. Bank National Association, as trustee (the “2016 Trustee”);

WHEREAS, to raise funds necessary to effectuate the refunding of the 2008B Bonds and the 2008D Bonds, and for other purposes, the Successor Agency has issued its Successor Agency of the Porterville Redevelopment Agency Taxable Tax Allocation Refunding Bonds, Series 2016B (the “2016B Bonds” and, with the 2016A Bonds, the “2016 Bonds”), pursuant to the 2016 Indenture;

WHEREAS, the Successor Agency wishes to make a deposit with the Escrow Bank and to enter into this Escrow Agreement for the purpose of providing the terms and conditions for the deposit and application of amounts so deposited; and

WHEREAS, the Escrow Bank has full powers to act with respect to the irrevocable escrow and escrow created herein and to perform the duties and obligations to be undertaken pursuant to this Escrow Agreement;

NOW, THEREFORE, in consideration of the above premises and of the mutual promises and covenants herein contained and for other valuable consideration, the parties hereto do hereby agree as follows:

*Section 1. Appointment of Escrow Bank.* The Successor Agency hereby appoints the Escrow Bank as escrow agent for all purposes of this Escrow Agreement and in accordance with the terms and provisions of this Escrow Agreement, and the Escrow Bank hereby accepts such appointment.

*Section 2. Establishment of Escrow Fund.* There is hereby created by the Successor Agency with, and to be held by, the Escrow Bank, as security for the defeasance and redemption of the 2008 Bonds, as hereinafter set forth, an irrevocable escrow to be maintained by the Escrow Bank on behalf of the Successor Agency and for the benefit of the owners of the 2008 Bonds, said escrow to be designated the “Escrow Fund.” All moneys deposited in the Escrow Fund shall constitute a special fund for the defeasance and redemption of the 2008 Bonds in accordance with the provisions of the 2008 Indentures. If at any time the Escrow Bank shall receive actual knowledge that the moneys in the Escrow Fund will not be sufficient to make any payment required by Section 4 hereof, the Escrow Bank shall notify the Successor Agency of such fact and the Successor Agency shall immediately cure such deficiency.

*Section 3. Deposit into Escrow Fund.*

(a) Concurrently with delivery of the 2016 Bonds, the Successor Agency shall cause to be transferred to the Escrow Bank for deposit into the Escrow Fund the amount of \$\_\_\_\_\_, derived as follows:

(i) from the proceeds of the 2016A Bonds, the sum of \$\_\_\_\_\_;

(ii) from the proceeds of the 2016B Bonds, the sum of \$\_\_\_\_\_;

(iii) from amounts on deposit in the reserve account created for the 2008A Bonds and the 2008B Bonds (the “2008AB Reserve Account”), the sum of \$\_\_\_\_\_; and

(iv) from amounts on deposit in the reserve account created for the 2008C Bonds and the 2008D Bonds (the “2008CD Reserve Account”), the sum of \$\_\_\_\_\_.

(b) The Escrow Bank shall hold all amounts deposited in the Escrow Fund in cash, uninvested. The moneys held by the Escrow Bank in the Escrow Fund shall be used solely for the uses and purposes set forth herein.

(c) The Escrow Bank shall not be liable or responsible for any loss resulting from its full compliance with the provisions of this Escrow Agreement.

(d) Any money left on deposit in the Escrow Fund after payment in full of the 2008 Bonds, and the payment of all amounts due to the Escrow Bank hereunder, shall be paid to the Successor Agency.

Section 4. Instructions as to Application of Deposit; Redemption Notice.

(a) The moneys deposited in the Escrow Fund pursuant to Section 3 shall be applied by the Escrow Bank for the sole purpose of redeeming the outstanding 2008 Bonds in full on the Redemption Date at the Redemption Price, all as set forth in Exhibit B attached hereto and by this reference incorporated herein.

(b) The Escrow Bank, in its capacity as 2008 Trustee, has been previously requested, and the Escrow Bank, as 2008 Trustee, previously agreed to give timely notice of the redemption of the 2008 Bonds on the Redemption Date in accordance with the applicable provisions of the 2008 Indentures.

Section 5. Application of 2008 Funds.

(a) On the date of deposit of amounts in the Escrow Fund pursuant to Section 3, the Escrow Bank, as 2008 Trustee, is hereby directed to (i) withdraw all amounts on deposit in the 2008AB Reserve Account (\$\_\_\_\_\_) and transfer such sum to the Escrow Fund, and (ii) withdraw all amounts on deposit in the 2008CD Reserve Account (\$\_\_\_\_\_) and transfer such sum to the Escrow Fund.

(b) Any amounts remaining on deposit in any fund or account established under the 2008 Indentures relating to the 2008 Bonds, including any investment earnings received after the date of original delivery of the 2016 Bonds, shall be transferred by the Escrow Bank to the Successor Agency for deposit in the Redevelopment Obligation Retirement Fund established under the 2016 Indenture.

Section 6. Application of Certain Terms of 2008 Indentures. All of the terms of the 2008 Indentures relating to the making of payments of principal and interest with respect to the 2008 Bonds are incorporated in this Escrow Agreement as if set forth in full herein. The provisions of the 2008 Indentures relating to the limitations from liability and protections afforded the 2008 Trustee and the resignation and removal of the 2008 Trustee are also incorporated in this Escrow Agreement as if set forth in full herein and shall be the procedure to be followed with respect to any resignation or removal of the Escrow Bank hereunder.

Section 7. Compensation to Escrow Bank. The Successor Agency shall pay the Escrow Bank full compensation for its duties under this Escrow Agreement, including out-of-pocket costs such as publication costs, prepayment or redemption expenses, legal fees and other costs and expenses relating hereto. Under no circumstances shall amounts deposited in the Escrow Fund be deemed to be available for said purposes.

Section 8. Liabilities and Obligations of Escrow Bank. The Escrow Bank shall have no obligation to make any payment or disbursement of any type or incur any financial liability in the performance of its duties under this Escrow Agreement unless the Successor Agency shall

have deposited sufficient funds with the Escrow Bank. The Escrow Bank may rely and shall be protected in acting upon the written instructions of the Successor Agency or its agents relating to any matter or action as Escrow Bank under this Escrow Agreement.

The Escrow Bank and its respective successors, assigns, agents and servants shall not be held to any personal liability whatsoever, in tort, contract, or otherwise, in connection with the execution and delivery of this Escrow Agreement, the establishment of the Escrow Fund, the acceptance of the moneys deposited therein, the sufficiency of the uninvested moneys held hereunder to accomplish the purposes set forth in Section 3 hereof, or any payment, transfer or other application of moneys by the Escrow Bank in accordance with the provisions of this Escrow Agreement or by reason of any non-negligent act, non-negligent omission or non-negligent error of the Escrow Bank made in good faith in the conduct of its duties. The recitals of fact contained in the "whereas" clauses herein shall be taken as the statement of the Successor Agency, and the Escrow Bank assumes no responsibility for the correctness thereof. The Escrow Bank makes no representations as to the sufficiency of the uninvested moneys to accomplish the purposes set forth in Section 3 hereof or to the validity of this Escrow Agreement as to the Successor Agency and, except as otherwise provided herein, the Escrow Bank shall incur no liability in respect thereof. The Escrow Bank shall not be liable in connection with the performance of its duties under this Escrow Agreement except for its own negligence, willful misconduct or default, and the duties and obligations of the Escrow Bank shall be determined by the express provisions of this Escrow Agreement. The Escrow Bank may consult with counsel, who may or may not be counsel to the Successor Agency, and in reliance upon the written opinion of such counsel shall have full and complete authorization and protection in respect of any action taken, suffered or omitted by it in good faith in accordance therewith. Whenever the Escrow Bank shall deem it necessary or desirable that a matter be proved or established prior to taking, suffering, or omitting any action under this Escrow Agreement, such matter (except the matters set forth herein as specifically requiring a certificate of a nationally recognized firm of independent certified public accountants or an opinion of counsel) may be deemed to be conclusively established by a written certification of the Successor Agency.

Anything in this Escrow Agreement to the contrary notwithstanding, in no event shall the Escrow Bank be liable for special, indirect, punitive or consequential loss or damage of any kind whatsoever (including but not limited to lost profits), even if the Escrow Bank has been advised of the likelihood of such loss or damage and regardless of the form of action.

The Escrow Bank agrees to accept and act upon instructions or directions pursuant to this Escrow Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that, the Escrow Bank shall have received an incumbency certificate listing persons designated to give such instructions or directions and containing specimen signatures of such designated persons, which such incumbency certificate shall be amended and replaced whenever a person is to be added or deleted from the listing. If the Successor Agency elects to give the Escrow Bank e-mail or facsimile instructions (or instructions by a similar electronic method) and the Escrow Bank in its discretion elects to act upon such instructions, the Escrow Bank's understanding of such instructions shall be deemed controlling. The Escrow Bank shall not be liable for any losses, costs or expenses arising directly or indirectly from the Escrow Bank's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The Successor Agency agrees to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Escrow Bank, including without limitation the risk of the Escrow Bank acting on unauthorized instructions, and the risk of interception and misuse by third parties.

The Successor Agency hereby assumes liability for, and hereby agrees (whether or not any of the transactions contemplated hereby are consummated), to the extent permitted by law,

to indemnify, protect, save and hold harmless the Escrow Bank and its respective successors, assigns, agents and servants from and against any and all liabilities, obligations, losses, damages, penalties, claims, actions, suits, costs, expenses and disbursements (including legal fees and disbursements) of whatsoever kind and nature which may be imposed on, incurred by, or asserted against, at any time, the Escrow Bank (whether or not also indemnified against by any other person under any other agreement or instrument) and in any way relating to or arising out of the execution and delivery of this Escrow Agreement, the establishment of the Escrow Fund, the retention of the moneys therein and any payment, transfer or other application of moneys by the Escrow Bank in accordance with the provisions of this Escrow Agreement, or as may arise by reason of any act, omission or error of the Escrow Bank made in good faith in the conduct of its duties; provided, however, that the Successor Agency shall not be required to indemnify the Escrow Bank against its own negligence or misconduct. The indemnities contained in this Section 8 shall survive the termination of this Escrow Agreement or the resignation or removal of the Escrow Bank.

The Successor Agency acknowledges that to the extent regulations of the Comptroller of the Currency or other applicable regulatory entity grant the Successor Agency the right to revive brokerage confirmations of security transactions as they occur, the Successor Agency specifically waives receipt of such confirmations to the extent permitted by law. The Escrow Bank will furnish the Successor Agency periodic cash transaction statements which include detail for all investment transactions made by the Escrow Bank hereunder.

No provision of this Escrow Agreement shall require the Escrow Bank to expend or risk its own funds or otherwise incur any financial liability in the performance or exercise of any of its duties hereunder, or in the exercise of its rights or powers.

The Escrow Bank may execute any of the obligations or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care and shall not be responsible for any willful misconduct or negligence on the part of any agent, attorney, custodian or nominee so appointed.

The Escrow Bank shall furnish the Successor Agency periodic cash transaction statements which include detail for all investment transactions effected by the Escrow Bank. Upon the Successor Agency's election, such statements will be delivered via the Trustee's online service and upon electing such service, paper statements will be provided only upon request. The Successor Agency further understands that trade confirmations for securities transactions effected by the Escrow Bank will be available upon request and at no additional cost and other trade confirmations may be obtained from the applicable broker.

*Section 9. Amendment.* This Escrow Agreement may be modified or amended at any time by a supplemental agreement which shall become effective when the written consents of the owners of one hundred percent (100%) in aggregate principal amount of the 2008 Bonds shall have been filed with the Escrow Bank. This Escrow Agreement may be modified or amended at any time by a supplemental agreement, without the consent of any such owners, but only (1) to add to the covenants and agreements of any party, other covenants to be observed, or to surrender any right or power herein or therein reserved to the Successor Agency and the Successor Agency, (2) to cure, correct or supplement any ambiguous or defective provision contained herein, (3) in regard to questions arising hereunder or thereunder, as the parties hereto or thereto may deem necessary or desirable and which, in the opinion of counsel, shall not materially adversely affect the interests of the owners of the 2008 Bonds or the 2016A Bonds, and that such amendment will not cause interest on the 2008A Bonds, the 2008C Bonds or the 2016A Bonds to become subject to federal income taxation. In connection with any contemplated amendment or revocation of this Escrow Agreement, prior written notice thereof

and draft copies of the applicable legal documents shall be provided by the Successor Agency to each rating agency then rating the 2008 Bonds.

*Section 10. Severability.* If any section, paragraph, sentence, clause or provision of this Escrow Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, sentence clause or provision shall not affect any of the remaining provisions of this Escrow Agreement. Notice of any such invalidity or unenforceability shall be provided to each rating agency then rating the 2008 Bonds.

*Section 11. Notice of Escrow Bank, Agency and Successor Agency.* Any notice to or demand upon the Escrow Bank may be served and presented, and such demand may be made, at the Principal Corporate Trust Office of the Escrow Bank as specified by the Escrow Bank as 2008 Trustee in accordance with the provisions of the 2008 Indentures. Any notice to or demand upon the Successor Agency shall be deemed to have been sufficiently given or served for all purposes by being mailed by first class mail, and deposited, postage prepaid, in a post office letter box, addressed to such party as provided in the 2008 Indentures (or such other address as may have been filed in writing by the Successor Agency with the Escrow Bank).

*Section 12. Merger or Consolidation of Escrow Bank.* Any company into which the Escrow Bank may be merged or converted or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which it shall be a party or any company to which the Escrow Bank may sell or transfer all or substantially all of its corporate trust business, provided such company shall be eligible to act as trustee under the 2008 Indentures, shall be the successor hereunder to the Escrow Bank without the execution or filing of any paper or any further act.

*Section 13. Execution in Several Counterparts.* This Escrow Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts shall together constitute but one and the same instrument.

*Section 14. Governing Law.* This Escrow Agreement shall be construed and governed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the SUCCESSOR AGENCY OF THE PORTERVILLE REDEVELOPMENT AGENCY has caused this Escrow Agreement to be signed in its name by its Executive Director and U.S. BANK NATIONAL ASSOCIATION in token of its acceptance of the escrow created hereunder, has caused this Escrow Agreement to be signed in its corporate name by its officer identified below, all as of the day and year first above written.

SUCCESSOR AGENCY OF THE  
PORTERVILLE REDEVELOPMENT  
AGENCY

By \_\_\_\_\_  
John D. Lollis  
Executive Director

Attest:

\_\_\_\_\_  
Patrice Hildreth  
Deputy Secretary

U.S. BANK NATIONAL ASSOCIATION, as  
Escrow Bank and 2008 Trustee

By \_\_\_\_\_  
Ilse Vlach, CCTS  
Assistant Vice President



**EXHIBIT A**

**REDEMPTION SCHEDULES**

2008A Bonds

| Redemption Date | Scheduled Principal | Called Principal | Interest | Redemption Premium | Total Payment |
|-----------------|---------------------|------------------|----------|--------------------|---------------|
| 10/__/16        | —                   | \$3,925,000      |          | —                  |               |

2008B Bonds

| Redemption Date | Scheduled Principal | Called Principal | Interest | Redemption Premium | Total Payment |
|-----------------|---------------------|------------------|----------|--------------------|---------------|
| 10/__/16        | —                   | \$1,185,000      |          | —                  |               |

2008C Bonds

| Redemption Date | Scheduled Principal | Called Principal | Interest | Redemption Premium | Total Payment |
|-----------------|---------------------|------------------|----------|--------------------|---------------|
| 10/__/16        | —                   | \$995,000        |          | —                  |               |

2008D Bonds

| Redemption Date | Scheduled Principal | Called Principal | Interest | Redemption Premium | Total Payment |
|-----------------|---------------------|------------------|----------|--------------------|---------------|
| 10/__/16        | —                   | \$575,000        |          | —                  |               |