



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

Call to Order

Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: City of Porterville Water Rights. Agency Negotiators: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and Pioneer Water Company. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Steve Kabot. Employee Organizations: Porterville City Firefighters Association and Fire Officer Series.
- 3** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three Case(s) in which facts are not yet known to potential plaintiff.
- 4** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

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

Pledge of Allegiance Led by Council Member Gurrola

Invocation

AB 1234 REPORTS

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

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. **City Council Minutes of May 3, 2016**
Re: Considering approval of the draft Minutes for May 3, 2016.
2. **Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge**
Re: Considering approval to purchase water shares or surface water during the 2016/2017 fiscal year up to \$500,000.
3. **Acceptance of Project - Sludge Dewatering and Electric Blower Project**
Re: Considering acceptance of project from Cushman Contracting Corporation, and authorizing the filing of the Notice of Completion for the project consisting of the installation of a screw press dewatering machine and three electric blowers at the Waste Water Treatment Plant.
4. **Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2015-2016**
Re: Considering approval of a resolution authorizing the Finance Director to sign and submit the FY 2015-2016 RSTP Exchange Program fund claim to the Tulare County Association of Governments on behalf of the City of Porterville in the amount of \$600,057.
5. **Downtown Porterville Fire Hydrants Art Project**
Re: Consideration of the painting of fire hydrants in the downtown district and an appropriation of \$500 for paint and supplies.
6. **Approval for Community Civic Event - Porterville Breakfast Rotary - Cancer Center Run - September 10, 2016**
Re: Considering approval of an event to take place on Saturday, September 10, 2016, from 8:00 a.m. to 11 a.m.

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

PUBLIC HEARINGS

7. **Modification No. 2 to Conditional Use Permit 1-97 (PRC 2016-014-M) to Allow the Sale of Beer and Wine Under a Type 41 On-Sale Alcohol License at the Galaxy 9 Movie Theatre**
Re: Consideration of a resolution approving a second modification to Conditional Use Permit 1-97 (PRC 2016-014-M), to allow for a Type 41 On-Sale (beer and wine) alcohol license located at Galaxy 9 Theatres.
8. **Westwood Plaza Draft Environmental Impact Report**
Re: Acceptance of comments regarding the Draft Environmental Impact Report for Westwood Plaza Commercial Center Project, which consists of the construction and operation of a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 square feet of retail space, located at the southwest corner of Henderson Avenue and Westwood Street.
9. **Landscape and Lighting District Annual Assessments**
Re: Consideration of a resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2016-2017 Fiscal Year.

SCHEDULED MATTERS

10. **Consideration of Appointment to Animal Control Commission**
Re: Considering the appointment of an individual to the Animal Control Commission with a term to expire in September of 2016.
11. **Sponsorship of Documentary Ramon Rising**
Re: Consideration of the Arts Commission's recommendation to sponsor the Ramon Rising film in the amount of \$10,000.
12. **Adoption of Annual Appropriation Limit**
Re: Considering approval of a resolution adopting the appropriation limit of \$64,690,998 for the 2016-2017 fiscal year.
13. **Award of Contract for Banking Services**
Re: Considering award of contract for banking services, and authorizing staff to execute an agreement with the selected Bank for a term of five years with an option to negotiate extensions to the contract for additional two-year periods.

14. Consideration of Southern California Edison (SCE) Street Light Purchase

Re: Consideration of the purchase of the city's street lights from SCE.

15. Designation of Voting Delegates and Alternate for League of California Cities 2016 Annual Conference

Re: Considering the designation of a voting member and alternate for the League of California Cities Annual Business Meeting to take place at the Annual Conference in Long Beach, October 5-7, 2016.

16. Status and Review of Declaration of Local Emergency

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

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

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

ADJOURNMENT - to the meeting of July 19, 2016

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the Office of City Clerk at (559) 782-7464. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet.

Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection during normal business hours at the Office of City Clerk, 291 North Main Street, Porterville, CA 93257, and on the City's website at www.ci.porterville.ca.us.



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: City Council Minutes of May 3, 2016

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of May 3, 2016, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of May 3, 2016.

ATTACHMENTS: 1. Draft Minutes of May 3, 2016

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Luisa Zavala, Deputy City Clerk

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 3, 2016, 5:30 PM**

Called to Order at 5:36 p.m.

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

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1 - 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.
- 2 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

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

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

Pledge of Allegiance Led by Council Member Gurrola
Invocation – one individual participated.

PRESENTATIONS

Employee of the Month -- Jason Biagio
Introduction of New Employees

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - Council Member Gurrola reported on her trip to Washington D.C., which included seeking support for 99 Corridor improvements and Tulare County's transportation needs; and reported on her last board meeting, a workshop regarding the Long Range Transit Plan.
2. Local Agency Formation Commission (LAFCO) - City Manager Lollis clarified that there was a meeting of staff but not of the commission.
3. Tulare County Economic Development Corp. (TCEDC) - Council Member Reyes reported on a presentation by the City of Visalia, and provided an update on the status of the strategic plan.

REPORTS

I. Staff Informational Reports

1. Street Performance Measure - 3rd Quarter FY 2015/16
2. Building Permit Activity - 3rd Quarter FY 2015/16
3. Code Enforcement Report - 3rd Quarter FY 2015/16
4. Porterville Golf Course Report Third Quarter FY 2015/16
5. Report on Charitable Car Washes
6. Attendance Report for City Commissions and Committees - 3rd Quarter FY 2015/16
7. Insurance Services Office, Public Protection Classification Rating
8. Summary of Calendar for the November 8, 2016, Election

City Manager Lollis spoke regarding Item No. 7, and it was suggested that the residents be notified of the ISO rating via an insert in the utility bills.

ORAL COMMUNICATIONS

- Edith LaVonne, Porterville, thanked the Police Department for The Club, and commended them on a recent drug bust in her neighborhood; spoke in favor of the proposed water rate increase; and reported a fire hazard in the vicinity of The Barn Theater.
- Valerie (last name inaudible), spoke in opposition to the proposed water increase.
- Martha Moreno, Porterville, spoke in opposition to the proposed water increase.
- Moren Barrera spoke of efforts to conserve water, and spoke in opposition to the proposed increase in water rates.
- Brock Neeley, Porterville, spoke in support of the proposed water rate increase, and of the need of to increase the water fund for the repair and replacement of aging infrastructure.
- Scott Herrington, Porterville, spoke in opposition to the water rate increase and encouraged the City to find another means of conserving water.
- Mr. (first name inaudible) O'Dell, Porterville, stated that he wants to leave Porterville and would like all the Council members recalled if they were to approve an increase in water rates.
- Clyde Sanders, Porterville, stated that he did not understand the current water restrictions and that he was opposed to the proposed water rate increase.
- Katrina (last name not given), Porterville, reported that businesses were not adhering to watering restrictions, and that businesses should be the ones paying higher water rates.
- Teri Irish, Porterville, stated that the proposed rate increase was a necessary evil to support the City's water infrastructure.
- Jesus Hernandez, Porterville, spoke of families without water and of the need to address the issue.
- Adriana Marquez, Porterville, spoke of a notice received from the County indicating that her parent's property would be condemned if they failed to participate in the water tank program.
- Ana (last name inaudible), Porterville, spoke in support of the proposed water increase on condition that the rates go back down after needed infrastructure improvements were made; and stated that people with money should not be able to use all the water they want.

- Helen Kent, Porterville, spoke of her dead trees and landscape, her efforts to keep her roses alive, and voiced her opposition to the proposed rate increase.
- Lorenzo Avila, Porterville, spoke of conservation efforts in his west side neighborhood; and in opposition to the proposed water rate increase.
- Fred Beltran, Porterville, spoke of his involvement with drought efforts and the importance of educating the community (English/Spanish) about the need to increase water rates; and requested that the City compromise on the issue of well abandonment.
- Juan Vargas, Porterville, spoke against the proposed water rate increase; stated that money was being spent on unnecessary projects such as roundabouts and street lighting; and stated that the public needed to be made aware of the proposed rate increases.
- Martha Flores, Porterville, stated that the proposed water rate increase was an investment in the community's quality of life; and encouraged education of the community.
- Saul Ruiz Vasquez, Porterville, spoke of the poor condition of Orange Avenue by John J. Doyle and in opposition to the proposed rate increase.
- Robert Ross, Porterville, spoke in opposition to the proposed water rate increase.
- Raul Avendano, Porterville, inquired about whether the City surveyed low income residents about the proposed water rate increase; and stated that interpreters should be available at meetings for non-English speaking residents.
- Racy May Jefferies requested that the City consider an exemption on well abandonment for larger properties with animals.
- Lana Sanders spoke of her efforts to conserve water, her neighbors who do not adhere to watering restrictions, and the need for better enforcement.
- Truman Duncan voiced his opposition to the proposed water rate increase; inquired about what had changed in the last year to justify the new rates being proposed; and encouraged the Council to explore other options.
- Jodi Mossen criticized Porterville College and residents for continuing to water their grass; spoke of her own efforts to conserve; and encouraged increase enforcement of watering restrictions.
- Senora Sundry, Monache High School student, stated that the youth population was uneducated and did not care about water conservation; and stated that the proposed rate increase was unfair.
- Jeff Szeles spoke of an increased threat of water theft if the proposed rates are adopted; inquired about the Prop 218 process; and suggested smaller increases over a longer period of time.
- Kelly Simmons, Porterville, suggested that the rate increase be spread out over a longer period of time; and spoke of negligence with the bobby sox league board, and requested that the City look into the situation.

At the Council's request, and in response to comments made during Oral Communications, City Manager Lollis spoke of code enforcement activity pertaining to water abuse.

Members of the Council addressed comments made regarding money spent on street and lighting projects, County jurisdiction, the City's aging infrastructure, the Proposition 218 process, residents on the west side, and the Sustainable Groundwater Management Act. Residents were also encouraged to report residents who are not adhering to the watering restrictions.

Council Member Gurrola briefly addressed those in attendance who did not speak English.

The Council took a fifteen minute recess at 8:13 p.m.

CONSENT CALENDAR

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council approve Items Nos. 1-11. The motion carried unanimously.

1. REQUEST TO PURCHASE MOTOROLA RADIO/COMPUTER SYSTEM

Recommendation: That the City Council:

1. Authorize Department Staff to negotiate the purchase of a new Motorola Radio and Computer System for the Porterville Police Communications Center from J's Communications for approximately \$29,977.47; and
2. Authorize payment upon completion of installation of the system.

Documentation: M.O. 01-050316

Disposition: Approved.

2. REQUEST TO PURCHASE POLICE VEHICLE

Recommendation: That the City Council:

1. Authorize Police Department Staff to purchase one (1) marked police vehicle and associated emergency equipment per specifications; and
2. Authorize payment upon satisfactory delivery of the vehicle.

Documentation: M.O. 02-050316

Disposition: Approved.

3. ACCEPTANCE OF PROJECT - W. NORTH GRAND AVENUE RECONSTRUCTION PROJECT

Recommendation: That City Council:

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

Documentation: M.O. 03-050316

Disposition: Approved.

4. ACCEPTANCE OF PROJECT - SEWER ANNEXATION AREA 459A AND 459C PROJECT

Recommendation: That City Council:

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

Documentation: M.O. 04-050316

Disposition: Approved.

5. QUARTERLY PORTFOLIO SUMMARY

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

Documentation: M.O. 05-050316

Disposition: Approved.

6. INTERIM FINANCIAL STATUS REPORTS

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

Documentation: M.O. 06-050316

Disposition: Approved.

7. ASSIGNMENT OF AIRPORT LEASE - LOT 44B

Recommendation: That the City Council approve the assignment of the Lease Agreement for Lot 44B between the City of Porterville and the Estate of Al Quatacker to Mike Quatacker.

Documentation: M.O. 07-050316

Disposition: Approved.

8. CONSIDERATION FOR OPTING INTO THE CALIFORNIA HOME FINANCE AUTHORITY (YGRENE WORKS FOR CALIFORNIA) PACE PROGRAM

Recommendation: That the City Council:

1. Adopt the draft Resolution to become an associate member of the California Home Finance Authority, and authorize the Mayor to sign the Joint Exercise of Powers Agreement relating to the California Home Finance Authority; and
2. Adopt the draft Resolution opting into the California Home Finance Authority (Ygrene Works for California) PACE Programs.

Documentation: Resolution Nos. 20-2016; and 21-2016

Disposition: Approved.

9. INTENT TO SET A PUBLIC HEARING FOR JUNE 21, 2016, TO CONSIDER A WATER RATE INCREASE

Recommendation: That City Council:

1. Set a Public Hearing for June 21, 2016, to consider adoption of increases to the rates for water service fees; and
2. Authorize staff to notify the community of the Public Hearing and in accordance with Proposition 218, announce that the purpose of the Public Hearing is to take written and oral comments and consider all written protests against the proposed rate increases.

Documentation: M.O. 08-050316

Disposition: Approved.

10. APPROVAL FOR COMMUNITY CIVIC EVENT - TULARE COUNTY JR. LIVESTOCK SHOW AND COMMUNITY FAIR - PORTERVILLE FAIR - MAY 11--15, 2016

Recommendation: That the City Council approve the Community Civic Event Application and Agreement from the Tulare County Jr. Livestock Show and Community Fair, subject to the Restrictions and Requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 09-050316

Disposition: Approved.

11. CITY COUNCIL MEMBER REQUESTED AGENDA ITEM - REQUEST FOR THE CITY COUNCIL TO CONSIDER THE DEVELOPMENT OF AN ANIMAL ADOPTION CENTER WITHIN THE CITY

Recommendation: Council Member Ward makes the motion that the City Council authorize a Scheduled Matter on the next Council Agenda to consider the development of an animal adoption center within the city.

Documentation: M.O. 10-050316

Disposition: Approved.

PUBLIC HEARINGS

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

Recommendation: That the City Council open the public hearing, accept comments and continue the item to the regularly scheduled meeting of June 7, 2016.

City Manager Lollis introduced the item, and Acting City Engineer Javier Sanchez presented the staff report.

The Mayor opened the public hearing at 8:29 p.m. When no comments were made, the Mayor continued the hearing to June 7, 2016.

Documentation: None
Disposition: Item continued.

13. PUBLIC HEARING TO CONSIDER MOVING INTO PHASE III OF THE CITY'S WATER CONSERVATION PLAN

Recommendation: That City Council:

1. Conduct the public hearing;
2. Consider transitioning from Phase IV to Phase III of the City's Water Conservation Plan effective June 1, 2016; and
3. Consider directing staff to transition back to Phase IV commencing December 1, 2016.

City Manager Lollis introduced the item, and Water Utility Superintendent Mike Knight presented the staff report. Following the report, Mr. Knight addressed questions from the Council regarding watering hours, the proposed transition schedule, conservation rates, and public outreach efforts.

The public hearing was opened at 8:39 p.m. Seeing no one, the Mayor closed the public hearing at 8:39 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Gurrola that the City Council approve transitioning from Phase IV to Phase III of the City's Water Conservation Plan effective June 1, 2016, and transitioning back to Phase IV commencing December 1, 2016.

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

Documentation: M.O. 11-050316
Disposition: Approved.

14. WELL ABANDONMENT ORDINANCE

Recommendation: That the City Council:

1. Determine whether or not any exemptions should be included in the draft well abandonment ordinance, and to what extent; and

2. Adopt the draft ordinance requiring abandonment of wells for properties connected to the City's municipal water system, give first reading to the ordinance, and order the ordinance to print.

City Manager Lollis introduced the item and Acting City Engineer Sanchez presented the staff report.

The public hearing was opened at 8:48 p.m.

- Racy May Jefferies requested that the City consider an exemption on well abandonment for larger properties with animals.
- Ryan Jensen commended the Council for its efforts to adhere to the Sustainable Groundwater Management Act; requested that City Council advocate for funding to cover costs associated with abandonment; and asked that the Council consider exemptions.

The public hearing was closed at 8:52 p.m.

Staff addressed questions from the Council regarding the costs associated with abandonment of a well, metering of wells, uses of properties of five or more acres, and the County's continued issuance of well permits.

- Mike McKenzie, Department of Water Resources, spoke of the intent of the Groundwater Sustainability Act and addressed questions from the Council.

There was discussion regarding an exemption for those properties who have a functioning well, but it was determined that those with functioning wells would not qualify for emergency funding.

COUNCIL ACTION: MOVED by Council Member Gurrola, SECONDED by Vice Mayor Hamilton that the City Council approve the draft ordinance, as amended to include an exemption for properties 5+ acres in size, give first reading to the ordinance, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING THE PORTERVILLE MUNICIPAL CODE AS IT RELATES TO PRIVATE WELLS, and order the ordinance to print.

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

The ordinance was read by title only.

Documentation: Ordinance No. 1832

Disposition: Approved.

15. COMMUNITY DEVELOPMENT BLOCK GRANT 2016/2017 ACTION PLAN

Recommendation: That the City Council:

1. Adopt the draft resolution approving the CDBG 2016/2017 Action Plan and the proposed program models; and
2. Direct staff to submit the 2016/2017 Action Plan to HUD.

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

The public hearing was opened at 9:21 p.m.

- Fred Beltran, Porterville, requested that the Council re-visit donations to community non-profits by way of a round-up program.

The public hearing was closed at 9:22 p.m.

Staff addressed questions from the Council regarding the programs identified in proposed 2016 Program Year Entitlement Allocation.

COUNCIL ACTION: MOVED by Vice Mayor Hamilton, SECONDED by Council Member Ward that the City Council adopt the draft resolution approving the CDBG 2016/2017 Action Plan and the proposed program models; and direct staff to submit the 2016/2017 Action Plan to HUD. The motion carried unanimously.

Documentation: Resolution No. 22-2016

Disposition: Approved.

SCHEDULED MATTERS

16. STATUS AND REVIEW OF DECLARATION OF LOCAL EMERGENCY

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

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

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

Documentation: M.O. 12050316

Disposition: Approved.

Mayor Stowe recognized Tribal Council Member Gary Santos and thanked him for his attendance.

ORAL COMMUNICATIONS

- Brock Neeley stated that the Council should not expect the County to approve the Memorandum of Understanding for water connections in a timely fashion.

OTHER MATTERS

- Council Member Gurrola stated that she would be attending the San Joaquin Valley Air Pollution Control Board retreat on Thursday and Friday.
- Vice Mayor Hamilton congratulated the Chamber on a successful Iris Festival event.
- Council Member Ward spoke of his participation in the Cinco de Mayo Parade.
- Council Member Reyes spoke of recent Día de los Niños festivities.
- Mayor Stowe spoke of his experience judging the Chili Cook-off; his attendance at the Man Alive event; and announced that he was going to be a grandfather.
- City Manager Lollis lauded Parks and Leisure Services Director Moore and his staff for improvements to the Main Street planters; announced that it was Municipal Clerk's Week; congratulated Deputy City Clerk Luisa Zavala for earning her Certified Municipal Clerk designation; announced that Secretary to the City Manager Debbie Salter would be retiring July 1st; and voiced his appreciation for Ms. Salter's dedication over the years.

CLOSED SESSION

None

ADJOURNMENT -

The Council adjourned at 9:38 p.m. to the meeting of May 17, 2016.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Authorization to Purchase Water Shares or Surface Water for Groundwater Recharge

SOURCE: Public Works

COMMENT: Staff annually requests authorization to purchase water shares or surface water for groundwater recharge; Council has in the past approved the purchase of surface water and/or water shares, when available, from surrounding water entities to be used for groundwater recharge.

The City currently owns 468 shares of Pioneer Water Company (PWC) and it has been Council's direction to increase the City's holdings and water rights when the opportunities arise. If approved, when water shares become available, the Public Works Director will be authorized to submit bids for share purchases. Authorization will also be given to negotiate surface water purchases with local irrigation districts who may have water available for sale to be used as groundwater recharge.

Staff recommends that City Council authorize the Public Works Director to purchase or bid on any available shares in the 2016/2017 fiscal year, with PWC and/or other water entities who may have available water for purchase, also allowing for surface water being offered for sale at his discretion.

RECOMMENDATION: That City Council authorize the Public Works Director to purchase water shares or surface water during the 2016/2017 fiscal year up to \$500,000.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Acceptance of Project - Sludge Dewatering and Electric Blower Project

SOURCE: Public Works

COMMENT: Cushman Contracting Corporation has completed the Sludge Dewatering and Electric Blower Project per plans and specifications. The project consisted of installing a screw press dewatering machine and three electric blowers at the Waste Water Treatment Plant. The sludge dewatering machine, known as a screw press, compresses the water content from the sludge, allowing staff to truck the much drier sludge to the sludge drying beds. The electric blowers replaced the Waukesha methane driven blowers that were nearing the end of their useful life. The electric blowers are more efficient and easily meet and exceed all air quality performance requirements.

Staff carefully tracks construction costs of all Capital Improvements Projects and reports project construction expenditures when the project is accepted by the City Council. On May 5, 2015, City Council authorized expenditure of \$4,095,999.85 for construction, construction management, construction design and quality control services for the Sludge Dewatering and Electric Blower Project. On April 5, 2016, City Council authorized an additional contingency of \$33,964 for a total authorized expenditure of \$4,129,963.85. The following itemizes the construction-related costs in two categories: 1) the construction contract, and 2) a combination of construction management, design and quality control.

1) Final construction cost is \$3,951,786.16.

2) Construction management, design and quality control costs are \$91,100.92.

Total project construction costs equate to \$4,042,887.08, which is less than the \$4,129,963.85 overall budget approved by Council at the time of award.

Funding for the project was allocated by Wastewater Treatment Facility Capital Reserve and was approved in the 2014/2015 Annual Budget for the Sludge Dewatering and Electric Blower Project.

Cushman Contracting Corporation requests that the City accept the project as complete. Staff reviewed the work and found it acceptable.

RECOMMENDATION: That City Council:

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

ATTACHMENTS: 1. Locator Map - Sludge Dewatering and Blower Project

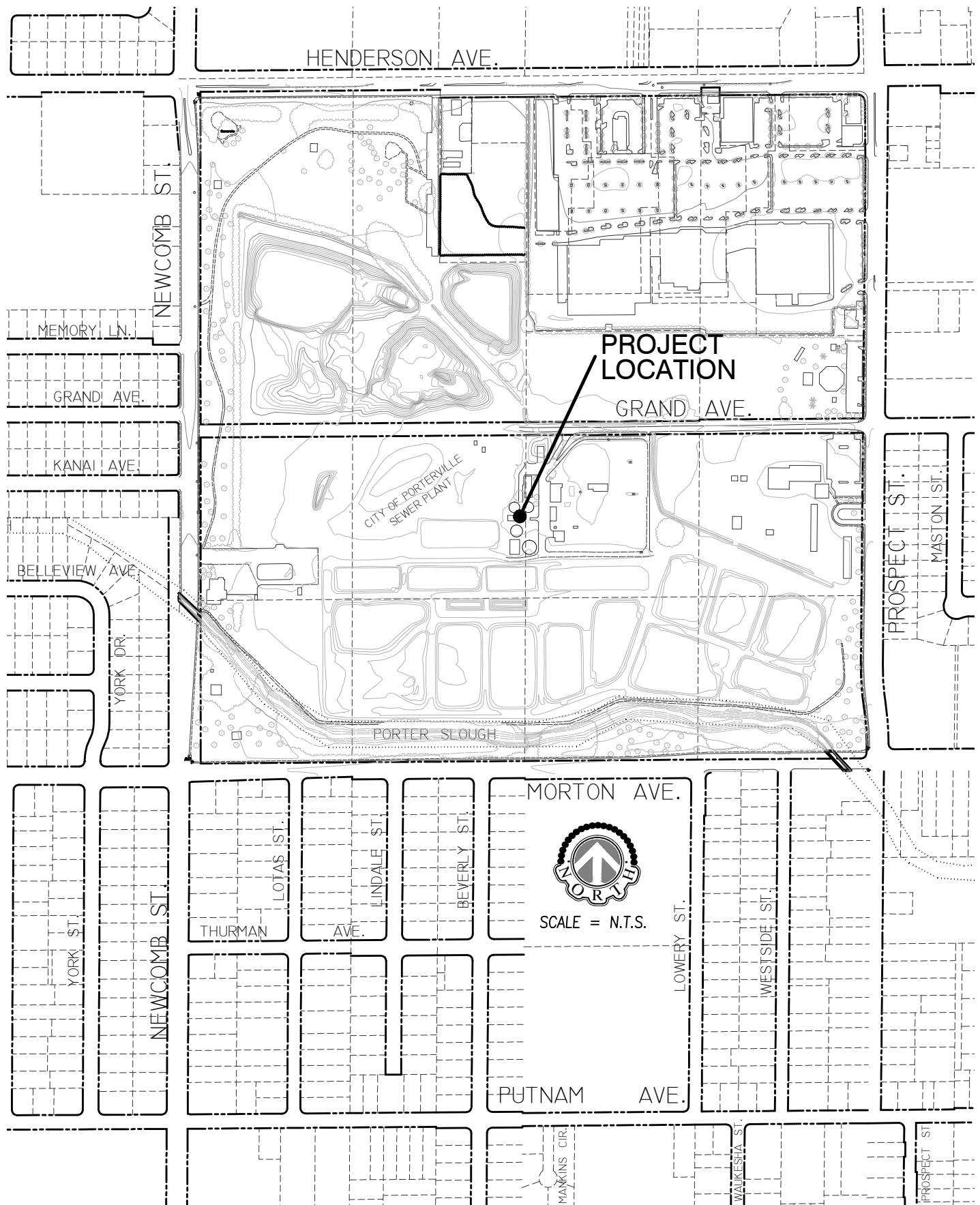
Appropriated/Funded: MB

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

WWTF SLUDGE DE-WATERING AND ELECTRIC AIR BLOWER PROJECT

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



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2015-2016

SOURCE: Finance

COMMENT: Every year, the City receives an apportionment of Regional Surface Transportation Program (RSTP) funds in exchange for State Highway Account funds from the Tulare County Association of Governments (TCAG). For fiscal year 2015-2016, the amount of RSTP funds available to claim is \$600,057.

In order for the City to receive distribution of the RSTP funds, TCAG requires a resolution of the City Council authorizing a specific person to file the claim form. Attached is a draft resolution authorizing the Finance Director to sign and submit the claim to TCAG for RSTP funds in the amount of \$600,057 for the fiscal year 2015-2016.

RECOMMENDATION: That the City Council authorize and direct the Finance Director to sign and submit the FY 2015-2016 RSTP Exchange Program fund claim to the Tulare County Association of Governments on behalf of the City of Porterville in the amount of \$600,057.

ATTACHMENTS:

1. Draft Resolution
2. RSTP claim form

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2016

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AUTHORIZING THE FINANCE DIRECTOR
TO FILE A REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)
EXCHANGE FUND CLAIM FORM FOR FISCAL YEAR 2015-2016

WHEREAS: The Tulare County Association of Governments (TCAG) and the California Department of Transportation (Caltrans) have entered into a Standard Agreement contract to exchange unobligated balances of federal Regional Surface Transportation Program (RSTP) funds with non-federal State Highway Account funds; and

WHEREAS: Caltrans Division of Programming releases a 5-year ESTIMATE of RSTP Exchange Program apportionments for inclusion in the Federal Transportation Improvement Program (FTIP) Programming document every 2 years to California Metropolitan Planning Organizations (MPOs); and

WHEREAS: TCAG is the designated MPO for Tulare; and

WHEREAS: The Annual RSTP Exchange Program fund apportionment is an ESTIMATE and subject to change during the Fiscal Year 2015-2016 due to many Federal Surface Transportation Bill variables including the annual appropriations act as well as other Congressional actions (i.e., rescissions); and

WHEREAS: The FINAL RSTP Exchange apportionment amount is published at the end of Fiscal Year 2015-2016 and can be different than the ESTIMATE of RSTP Exchange apportionment figure; and

WHEREAS: Annually, Caltrans sends TCAG a Standard Agreement contract that includes and RSTP Exchange Program apportionment figure; and

WHEREAS: TCAG applies a population-based distribution formula using current Department of Finance (DOF) population estimates (January 2016) to the RSTP apportionment to determine the amount of RSTP Exchange funds to be distributed to TCAG member jurisdictions; and

WHEREAS: The ESTIMATE of RSTP Exchange Program fund apportionment amount available to claim in Fiscal Year 2015-2016 for the City of Porterville is \$600,057; and

WHEREAS: Payment of the ESTIMATE of RSTP Exchange fund claim will be subject to all conditions specified in the fully executed standard contract agreement between TCAG and Caltrans, as well as the TCAG RSTP Exchange claim form requirements: Projects to be funded with this claim are only those projects that are defined under Sections 133(b) and 133(c) of Title 23 of the United States Code and Article XIX of the California State Constitution, implemented in accordance with the requirements of Section 182.6(d)(1) of the Streets and Highways Code; and

WHEREAS: If the FINAL RSTP Exchange apportionment figure is higher for Fiscal Year 2015-2016 than the ESTIMATE of RSTP Exchange apportionment figure, Caltrans would have to revise the RSTP Exchange Standard Agreement contract with the higher RSTP figure before TCAG could instruct the Tulare County Auditor-Controller's Office to distribute a greater amount of RSTP Exchange Program funds to member agencies, than identified in this resolution; and

WHEREAS: If the FINAL RSTP Exchange apportionment figure is lower for Fiscal Year 2015-2016 than the ESTIMATE of RSTP Exchange apportionment amount, Caltrans does not have to revise the RSTP Exchange contract with the lower amount before TCAG could recalculate the available RSTP Exchange Program funds using the same population-based formula and then instruct the Tulare County Auditor-Controller's Office to distribute the lower Fiscal Year 2015-2016 FINAL RSTP Exchange Program fund amount to member agencies; and

WHEREAS: The City of Porterville has established special gas tax street improvement fund as a requirement to receive the RSTP Exchange Program funds; and

WHEREAS: It is deemed in the best interest of the City of Porterville to authorize the Finance Director to sign the Fiscal Year 2015-2016 RSTP Exchange Program fund claim form and to submit said claim form to TCAG for processing.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby authorize and direct the Finance Director to sign and submit the above described Fiscal Year 2015-2016 RSTP Exchange Program fund claim on behalf of the City of Porterville in the amount of \$600,057.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

**Claim to the Tulare County Association of Governments
for Regional Surface Transportation Program (RSTP) Funds in Exchange for
State Highway Account Funds FY2015-2016**

Claimant: **City of Porterville**

FY15/16 Claim Amount: **\$600,057**

Claim Guidelines:

Projects outlined in the table below to be funded with this claim are only those projects that are defined under Sections 133(b) and 133(c) of Title 23, United States Code and Article XIX of the California State Constitution, implemented in accordance with the requirements of Section 182.6(d)(1) of the Streets and Highways Code.

Claim Instructions:

1. List (print or type) each **INDIVIDUAL** project to be funded with this claim.
2. List the amount of funds to be used for each project.
3. If the project is not a capacity expanding project and is exempt from the air quality conformance analysis check the "Exempt" box. (☒)
4. If the project is a capacity expanding project and the "build" alternative of the air quality conformance analysis has been completed for the project as required check the "Air Quality" box. (☒)

Project	Cost of Project	Air Quality	Exempt
1. Asphalt overlay program	\$ 550,000	☐	☐
2. Miscellaneous curb, gutter and sidewalk improvements	\$ 50,057	☐	☐
3.	\$	☐	☐
4.	\$	☐	☐

**Claim to the Tulare County Association of Governments
for Regional Surface Transportation Program (RSTP) Funds in Exchange for
State Highway Account Funds FY 2015-2016**

Claimant: **City of Porterville**

FY 2015-2016 Claim Amount: **\$600,057**

It is understood by **City of Porterville**, (claimant) that payment of this claim is subject to approval by the TCAG Governing Board and must be in accordance with the TCAG and Caltrans Agreement. Said monies (and the interest earned on such monies subsequent to allocation) will be used only for those purposes for which the claim is approved.

The undersigned claimant, by accepting these funds agrees to establish a special account for the purpose of depositing funds received from TCAG pursuant to this agreement:

- a. For cities, within their Special Gas Tax Street Improvement Fund; or
- b. For the county, within their County Road Fund

The undersigned claimant, by accepting these funds, agrees to grant the State of California auditors access to their books and records for the purpose of verifying that funds paid hereunder are properly accounted for and proceeds are expended in accordance with the terms of this agreement. All documents will be available for inspection by authorized Caltrans agents at any time during the project development and for a four-year period from the date of completion of the project, or one year after the audit is completed or waived by Caltrans, whichever is later.

If the undersigned claimant fails to use funds received hereunder in accordance with the terms of the agreement, the claimant agrees to return the exchange funds to TCAG for credit to the special account described above.

Further, the **Finance Director** of the claimant certifies that the financial information contained herein, is reasonable and accurate to the best of his/her knowledge.

Authorized Representative:

Signature

Maria Bemis

Print Name

Finance Director

Title

July 5, 2016

Date

Executive Director, TCAG

Print Name

[Type here]



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Downtown Porterville Fire Hydrants Art Project

SOURCE: Community Development

COMMENT: The Arts Commission was established in August 2013, with the primary duties identified as making recommendations to the City Council regarding development and promotion of practices and policies pertaining to the arts and fostering the development and enjoyment of visual, cultural, performing, and other arts in the city of Porterville. One of the goals of the Arts commission has been to bring art to the downtown district.

At the May 17, 2016, City Council Meeting in Other Matters, Vice Mayor Cameron Hamilton made a suggestion to paint the fire hydrants in patriotic colors, not only along Main Street, but also in the downtown business area. The downtown business district is typically defined as the boundaries of Morton Avenue to Olive Avenue and 2nd Street to Hockett Street. Staff presented the Vice Mayor's suggestion to the Arts Commission at the regularly scheduled meeting on May 25, 2016. The Arts Commission directed staff to bring an item back to City Council to approve the Fire Hydrant Art Project ("Project").

The Commissioners' recommendation is to paint the fire hydrants in an Americana theme to match the Veteran's banners placed on Main Street. The fire hydrants would all be painted, with the caveat from the Fire Department that the identifiers currently on the fire hydrants shall remain clearly visible. There is no intention of modifying the fire hydrants' functionality. The Project is strictly restricted to painting the fire hydrants in an Americana theme with no alteration to the functionality of the fire hydrants.

If approved, staff would work with the Fire Department to ensure that any other visual indicators remain intact so as to not interfere with the original intended purpose of the fire hydrants during an emergency. This may result in the exclusion of specific fire hydrants from this project. Additionally, staff would propose recommendations from the various departments to safeguard the participants during the community painting event.

The Arts Commission proposes having three community events to bring people to the downtown area to paint the hydrants with the approved theme on specified dates and times to be determined.

At their June 22, 2016, meeting, the Arts Commission gave staff direction to split the project into three phases:

Phase 1:

10 fire hydrants on Main Street, between Morton Avenue and Olive Avenue;

Phase 2:

11 fire hydrants on North Hockett Street, between Morton Avenue and Olive Avenue, and 1 fire hydrant on the corner of North Division Street and West Oak Avenue;

Phase 3:

8 fire hydrants on North 2nd Street, between Morton Avenue and Olive Avenue.

The estimated cost of the project is \$500 to be used for supplies and paint durable to withstand the elements. As staff is unsure of actual costs, staff could bring a report back to Council to report on the success of Phase 1 and the actual costs for that phase. The Arts Commission requests that the City Council appropriate \$500 from City Council's operating expenditure account for this project.

RECOMMENDATION:

That the City Council:

1. Direct the Arts Commission to proceed with the Fire Hydrant Art Project; and
2. Appropriate the amount of \$500 to the Arts Commission for the Fire Hydrant Art Project.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Approval for Community Civic Event - Porterville Breakfast Rotary - Cancer Center Run - September 10, 2016

SOURCE: Finance

COMMENT: Porterville Breakfast Rotary is requesting approval to hold their annual 5K Cancer Center Run on Saturday, September 10, 2016, from 8:00 a.m. to 11 a.m. The 5K run will start at Tulsa Street and Putnam Avenue, head south to Olive Avenue, turn west on Olive Avenue, turn north on Crestview Street, then east on Morton Avenue, turn south on Conner Street, and turn east on Putnam to finish at Tulsa Street. No street closures are requested.

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

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from Porterville Breakfast Rotary, subject to the restrictions and requirements contained in the Application, Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: Maria Bemis, Finance Director

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:

6/22/16

Event date:

9/10/16

Event time:

8:00 Am

Name of Event:

Porterville Breakfast Rotary Cancer Center Run

Sponsoring organization:

Porterville Breakfast Rotary

Phone # 788-6104

Address:

934 W. Henderson #202 Porterville, CA 93257

Authorized representative:

Jarrice Castle

Phone # 359-0194

Address:

11831 Road 244

Event chairperson:

Ramona Chiapa

Phone #

Location of event

Granite Hills High School

(Location map must be attached)

Type of event:

5K Run/Walk

Non-profit organization status:

BL# 004608

(IRS Determination)

City services requested

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

Barricades (quantity):

Street sweeping

Yes

No

☒

Police protection

Yes

No

Refuse pickup

Yes

No

☒

Other:

Parks facility application required:

Yes

No

☒

Attached

Assembly permit required:

Yes

No

☒

Attached

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

Appr.

Deny

Bus. Lic. Spvr:

Pub. Works Dir

Comm. Dev. Dir.

Field Svcs. Mgr.

Fire Chief

Parks Dir.

Police Chief

Admin. Svcs. Dir.

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

R.C. 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.**

R.C. 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.

R.C. 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.

R.C. Authorized Representative Initials

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

Porterville Breakfast Rotary

(Name of Organization)

R.C.

(Signature)

6/22/16

(Date)

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

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

[illegible]

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

CITY OF PORTERVILLE

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

Name of event: Porterville Breakfast Rotary Cancer Center 5k run/walk

Sponsoring organization: Porterville Breakfast Rotary

Event date: 9/10/16 Hours: 6am to 11am

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity
Putnam Ave			5k run/walk
Olive Ave			
Crestview Ave			
Morton Ave			
Cancer St.			

Sidewalks	From	To	Activity
Putnam Ave			5k run/walk
Olive Ave			
Crestview Ave			
Morton Ave			
Cancer St.			

Parking lots and spaces	Location	Activity
Granite Hills High School		Participant parking

Requirements for Community Civic Event

Porterville Breakfast Rotary

Cancer Center Run

September 10, 2016

Finance Director:

M. Bemis

Public Works Director:

M. Reed

Community Development Manager:

J. Phillips

No comments.

Field Services Manager:

B. Styles

Fire Chief:

G. Irish

No comments.

Parks and Leisure Services Director:

D. Moore

No comments.

Police Captain:

J. Hall

See Conditions/Requirements for
Special Event in Exhibit B.

Administrative Services Director:

P. Hildreth

See attached Exhibit A, page 2.

Requirements for Community Civic Event

Sponsor: Porterville Breakfast Rotary
Event: Cancer Center Run
Event Chairman: Ramona Chiapa
Location: Granite Hills High School
Date of Event: September 10, 2016
Time of Event: 8:00 a.m. to 11:00 a.m.

RISK MANAGEMENT: Conditions of Approval

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

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

Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

PORTERVILLE POLICE DEPARTMENT

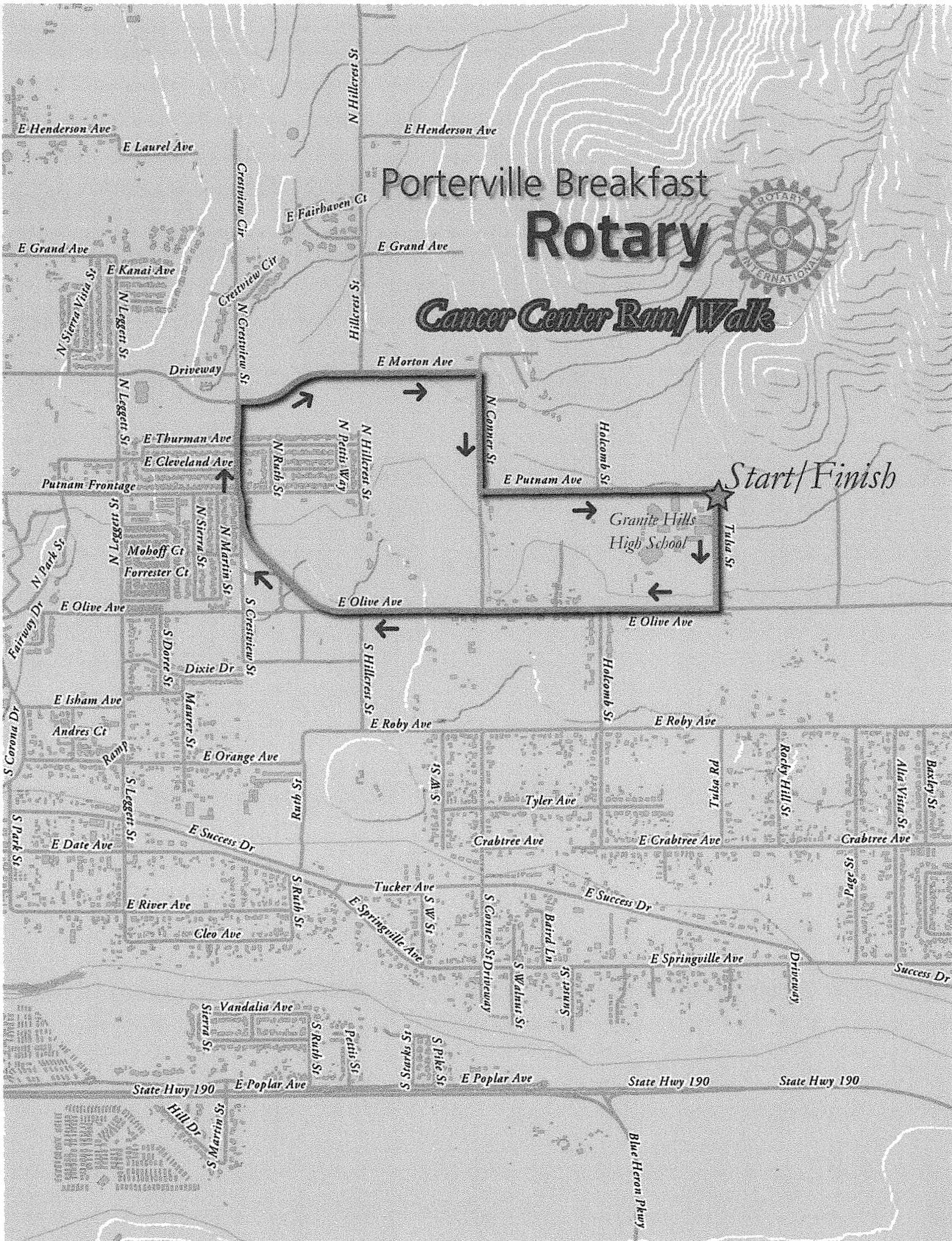
Conditions/Requirements for Special Event

Porterville Breakfast Rotary Cancer Run September 10, 2016

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

John Hall, Captain
Porterville Police Department

Start/Finish



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: Ramona Chiapa
64 S. Holcomb St. Porterville, CA 93257
- 2 Address where amplification equipment is to be used: Granite Hills High School
1701 E. Putnam, Porterville, CA 93257
- 3 Names and addresses of all persons who will use or operate the amplification equipment: _____
- 4 Type of event for which amplification equipment will be used: 5 K Run/Walk
- 5 Dates and hours of operation of amplification equipment: Sept September 10, 2016 6am to 11am
- 6 A general description of the sound amplifying equipment to be used: _____

Section 18-9

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

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

(Ord. Code § 6311)

Section 18-14

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

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

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

[Signature]
Signature of Applicant

6/22/16
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

6/24/16
Date



CERTIFICATE OF LIABILITY INSURANCE

7/1/2017

DATE (MM/DD/YYYY)

06/24/2016

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

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

PRODUCER LOCKTON COMPANIES 500 West Monroe, Suite 3400 CHICAGO IL 60661 (312) 669-6900	CONTACT NAME: Lockton Companies	
	PHONE (A/C, No, Ext): 1-800-921-3172 FAX (A/C, No): 1-312-681-6769	
	E-MAIL ADDRESS: rotary@lockton.com	
INSURED 1393456 All Active US Rotary Clubs & Districts Porterville Breakfast Rotary Club Attn: Risk Management Department 1560 Sherman Ave. Evanston, IL 60201-3698	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Lexington Insurance Company	19437
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ <u>Liquor Liability</u> ☐ Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:		015375594	7/1/2016	7/1/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS		015375594	7/1/2016	7/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	☐ UMBRELLA LIAB ☐ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$		NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N ☐ N/A		NOT APPLICABLE			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

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

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

CERTIFICATE HOLDER**CANCELLATION**

Porterville Breakfast Rotary Club, 934 W. Henderson, PMB 222,
Porterville, CA 93257
City of Porterville and Successor Agency to the Porterville
Redevelopment Agency, 291 N. Main St, Porterville, CA 93257
Granite Hills High School, 1701 E. Putnam, Porterville, CA 93257
Porterville Unified School District, 600 W. Grand Ave, Porterville, CA
93257
~~Porterville Breakfast Rotary Club/MLK, September 10, 2016~~

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

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CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Modification No. 2 to Conditional Use Permit 1-97 (PRC 2016-014-M) to Allow the Sale of Beer and Wine Under a Type 41 On-Sale Alcohol License at the Galaxy 9 Movie Theatre

SOURCE: Community Development

BACKGROUND:

On April 15, 1997, the City Council of the City of Porterville approved Conditional Use Permit 1-97 (Resolution 34-97) to allow the development of a 30,728 square foot Cinema 8 Movie Theatre on a 3+/- acre site within a 21.25 acre developed shopping center in the then zoning of P-D(C) (Planned Unit Development – Commercial District). Two years later, on February 2, 1999, Council approved Modification No. 1 to Conditional Use Permit 1-97 (Resolution 11-99) to allow a 6,635+/- square foot addition to accommodate an additional screen within the movie theater, located at 631 N. Indiana Street.

COMMENT: The applicant is requesting approval of a second modification to Conditional Use Permit 1-97 (PRC 2016-014-M), to allow for a Type 41 On-Sale (beer and wine) alcohol license located at Galaxy 9 Theatre. To date, all Galaxy Theatres in California serve alcohol, except the Porterville location. Galaxy Theatres began serving beer and wine in 2005 and have not had any alcohol related incidents during this time. Due to their recent growth, and requests of patrons in the area, the applicant hopes to be able to provide this service to the residents of Porterville to enjoy at their local home theatre. Attached to this staff report are the operational standards and fact sheet prepared by Galaxy 9 Theatres specifically for the Porterville location.

ANALYSIS: The California Department of Alcoholic Beverage Control District (ABC) allows a specific number of licenses per census tract population. In Census Tract 37.00, four on-sale and five off-sale licenses are permitted. Census Tract 37.00 contains 16 licenses for alcohol licenses; ten on-sale and six off-sale. Due to the over concentration of on-sale licenses, a Letter of Public Convenience or Necessity will be required. Additionally, staff has confirmed with the California Department of Alcoholic Beverage Control District that this is the appropriate license for a movie theatre.

On May 25, 2016, Project Review Committee (PRC) met with the applicant to discuss the proposed Type 41 On-Sale (beer and wine) alcohol license. At PRC, the applicant provided staff with operational policies relating to the sale and consumption of alcohol with some of the key standards being: all employees

serving alcohol must be 21 years of age and must complete the LEAD (License on Alcohol and Drugs) training, all patrons are required to show identification regardless of age (Galaxy Theatres has a zero tolerance policy on this issue and noncompliance from employees can result in immediate discharge), all beer and wine is sold in the concession area and consumed in the auditorium, alcoholic beverages are sold by the glass in distinctive cups and Galaxy staff will monitor inside theatres every 30 minutes. The applicant has indicated that all alcohol shall be kept and maintained in a secure area accessible only by employees.

There is a proposed condition to only sell alcoholic beverages 30 minutes before the first show time, and 30 minutes after the last show time, and that all activities associated with the proposed use shall be exclusively confined to the interior of the building. The Porterville Police Department proposed the applicant provide training for its employees that will help Galaxy security identify signs and how to handle intoxicated or belligerent guests. Additionally, staff is proposing the conditional use permit be reviewed twelve months from the date of approval by City Council to determine whether the applicant has complied with the conditions set forth to regulate alcohol sales and consumption inside the building.

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

The site is consistent with the PD (Planned Development) zoning and General Plan Land Use Designation of Commercial Mixed Use that promote a mix of uses easily accessible to serve both local and regional needs. The movie theatre is a permitted use in this zone district and the sale of alcohol may be permitted with review and approval of a conditional use permit.

ENVIRONMENTAL REVIEW:

On June 15, 2016, the Environmental Coordinator made a preliminary determination that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301, Existing Facilities, Class 1.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving Modification No. 2 to Conditional Use Permit 1-97 (PRC 2016-014-M); and
2. Authorize the Mayor to sign the Letter of Public Convenience or Necessity.

ATTACHMENTS: 1. Locator Map

2. Floor Plan
3. Existing Licenses in Census Tract 37
4. Resolution 34-97
5. Resolution 11-99
6. Operational Standards and Fact Sheet
7. Draft Resolution
8. Letter of Public Convenience

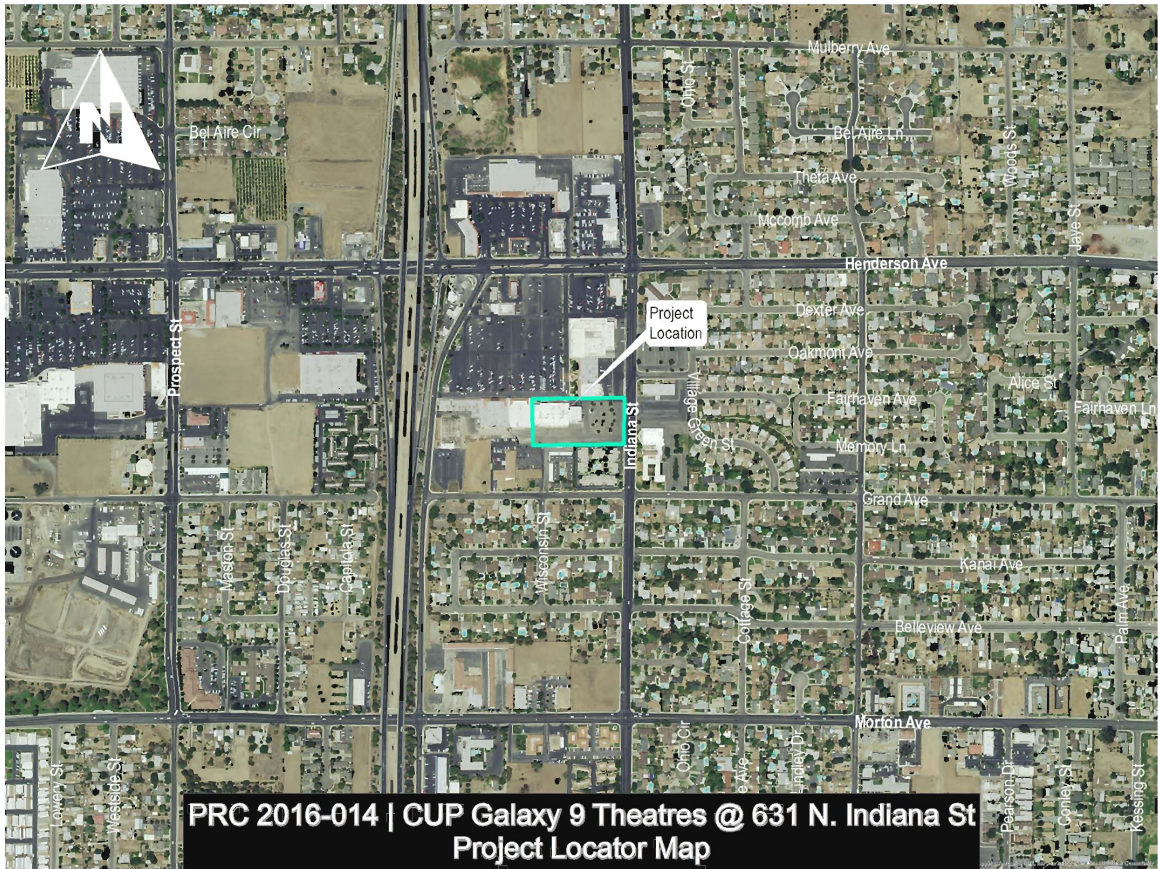
Appropriated/Funded:

Review By:

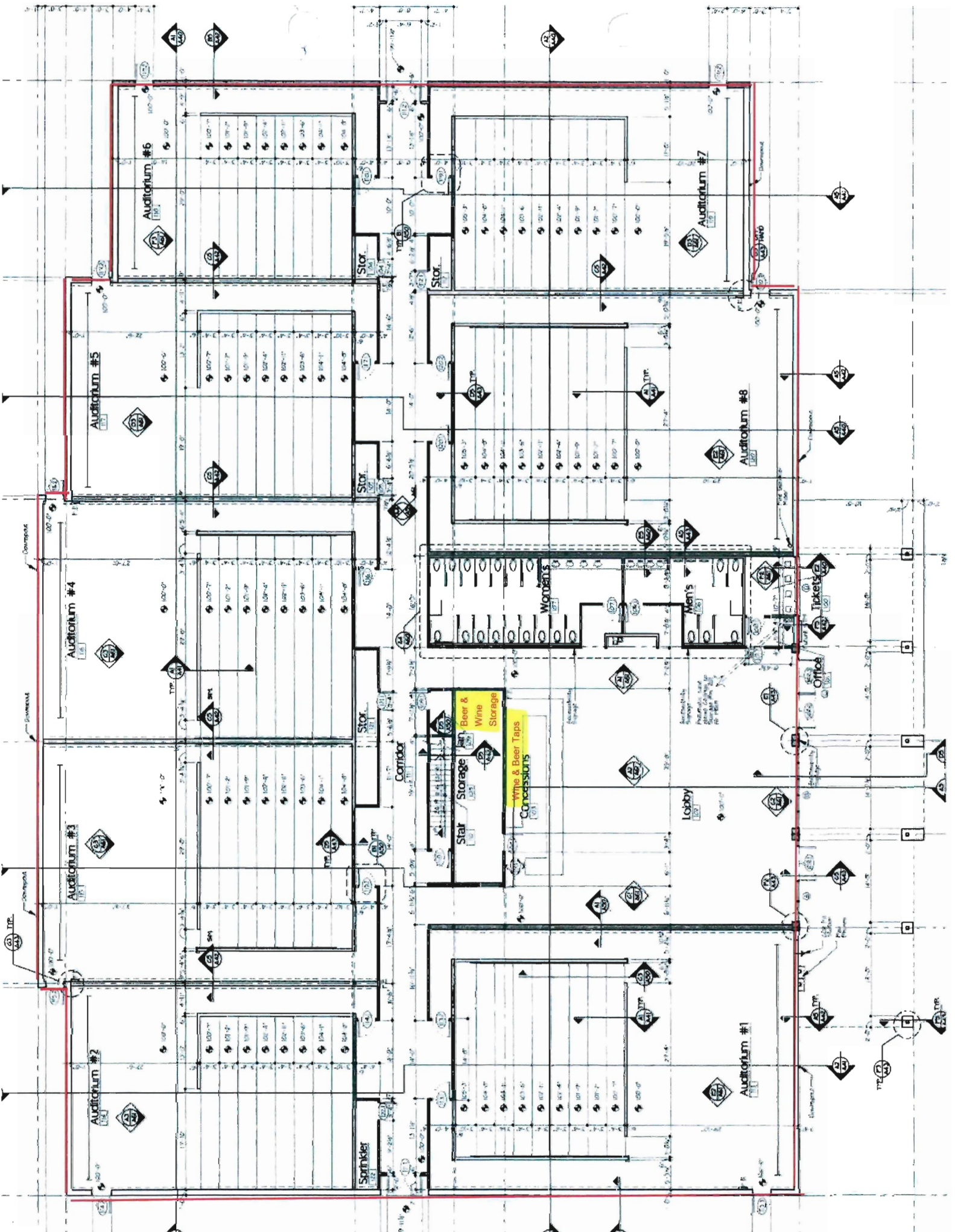
Department Director:

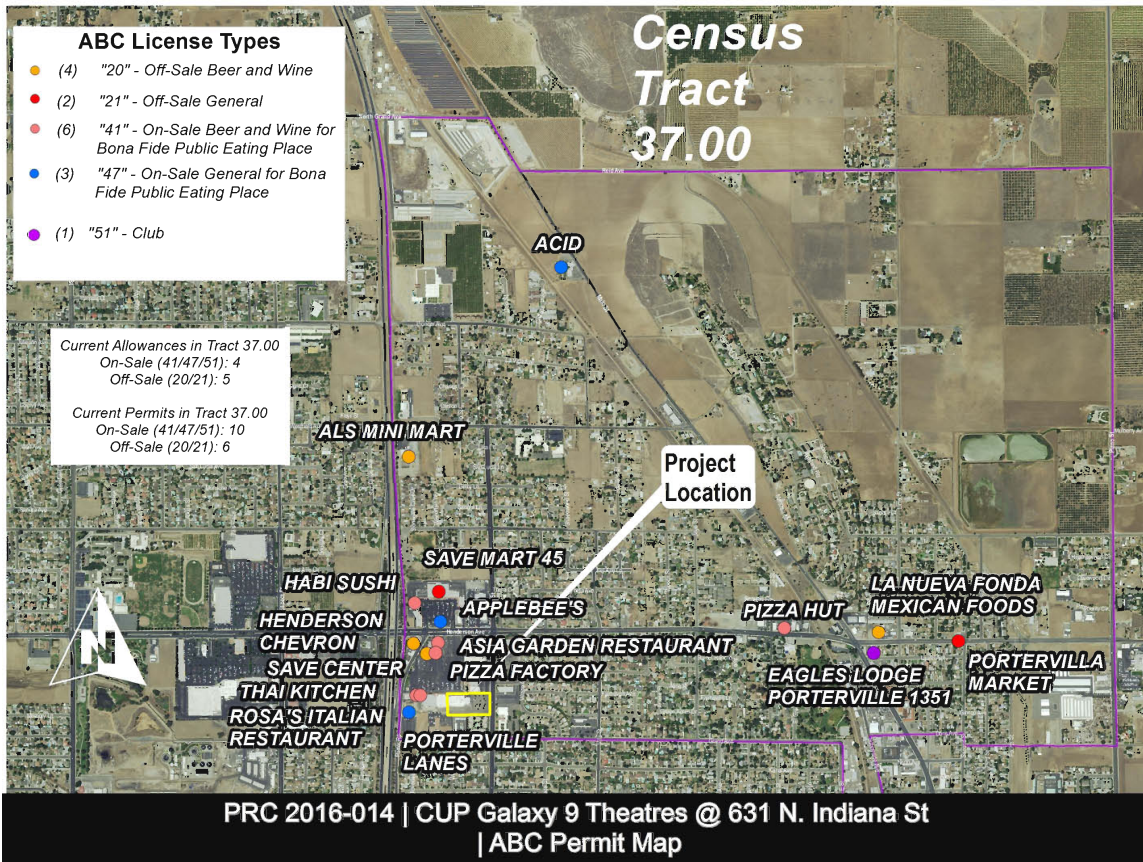
Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



PRC 2016-014 | CUP Galaxy 9 Theatres @ 631 N. Indiana St
Project Locator Map





RESOLUTION NO. 34-97

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE CONTAINING FINDINGS
IN SUPPORT OF APPROVAL OF CONDITIONAL USE PERMIT 1-97
TO ALLOW THE DEVELOPMENT OF A 30,728 SQUARE
FOOT CINEMA 8 MOVIE THEATER ON A 3± ACRE SITE LOCATED
WITHIN A 21.25± ACRE DEVELOPED SHOPPING CENTER,
GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HENDERSON
AVENUE AND PORTER ROAD

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of April 15, 1997, conducted a public hearing to consider Conditional Use Permit 1-97 to allow the development of a 30,728 square foot Cinema 8 Movie Theater on a 3± acre site within a 21.25± acre developed shopping center, generally located within the P-D(C) (Planned Unit Development - Commercial District) at the southeast corner of Henderson Avenue and Porter Road; and

WHEREAS: The City Council received testimony from all interested parties relative to Conditional Use Permit 1-97 to allow the development of the 30,728 square foot Cinema 8 Movie Theater.

NOW, THEREFORE, BE IT RESOLVED: That the Porterville City Council does hereby approve Conditional Use Permit 1-97 subject to the following conditions:

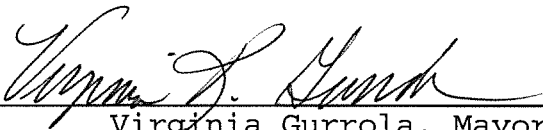
1. Unless otherwise noted, the developer/applicant shall obey the City Master Plans, Standard Specifications for Public Works Construction (1994 Edition), Standard Plans and Specifications, and the Manual of Traffic Controls.
2. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that he has the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a).

3. The developer/applicant shall follow Chapter 70 of the Uniform Building Code including provision of a grading and drainage plan signed by a licensed civil engineer. The engineer must provide calculations that show that the drainage system for the shopping center complies with current City standards. The developer/applicant shall follow City Retaining Wall Standards at lot lines adopted by the City Council on January 3, 1989.
4. The developer/applicant shall construct drainage facilities that comply with current City Standards, as required, to serve the property (Ordinance No. 1306).
5. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc., along the full Indiana Street frontage of the development, except where they exist and are in good condition in the opinion of the City Engineer (Ordinance No. 1306).
6. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 of the Zoning Ordinance.
7. The developer/applicant shall follow Ordinance No. 1288 on Waste Water Discharge requirements and before issuance of a building permit, shall complete and submit the following:
 - a. Waste Water Discharge Permit;
 - b. Payment of the application fee.

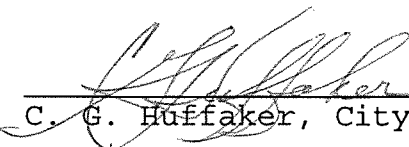
If Ordinance No. 1288 requires monitoring, based on the responses in the Waste Water Discharge Permit, then the developer/applicant shall provide monitoring facilities to allow inspection, sampling, and flow measurement of the flows in the building sewer and drainage system.

8. The developer/applicant shall install a double sized refuse container enclosure to accommodate two (2) City refuse bins, according to City standards.
9. The developer/applicant shall construct the pipe connecting to on-site fire hydrants to City water main standards and shall provide easements for maintenance to the on-site water mains.
10. The developer/applicant shall perform maintenance work on the portion of the existing parking lot between the south property line and the new parking lot (e.g., a minimum of a slurry seal and restriping).

11. All Landscaping Irrigation must be in compliance with Ordinance 1483. A total of 35 landscaping trees in the parking area are required, and must be provided with root barriers. Four (4) Evergreen Pear trees are required along the Indiana Street frontage, within a five (5) foot wide fully landscaped strip.
12. The color scheme for the exterior walls and roof of the theater building shall consist of light tan stucco with rust color bands and red tile roofing.
13. Freestanding signage for the theater complex shall be limited to additions to the existing shopping center identification signs along Porter Road and Henderson Avenue as shown in Exhibit "A" and one (1) monument sign not exceeding eight (8) feet in height and sixteen (16) feet in length along the Indiana Street frontage, provided the sign is parallel to Indiana Street.
14. Removal of the existing masonry wall along the Indiana Street frontage shall be allowed only across the theater site's frontage. The wall shall remain in place from the north boundary of the theater site to its existing northerly terminous. The five foot strip between the sidewalk and theater parking lot shall be fully landscaped, inclusive of the trees required in Condition No. 11.
15. Unless otherwise stated herein, specific plans of all or any portion of the proposed development shall substantially conform to the site Specific Plan, Building Elevations and Signage Plan shown and incorporated herein as Exhibit "A".
16. The developer/applicant shall construct a median island in Indiana Street accross from the most northerly driveway exit of the theater parking lot in accordance with a design approved by the City Engineer, if after one (1) year from the opening of the theater, City Council determines that construction of a median island is warranted. The developer/applicant shall also install a "No Left Turn" sign at the northerly exit of the theater's east parking lot onto Indiana Street.


Virginia Gurrola, Mayor

ATTEST:


C. G. Huffaker, City Clerk

STATE OF CALIFORNIA)
(SS
COUNTY OF TULARE)

I, C. G. HUFFAKER, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council regularly called and held on the 15th day of April, 1997.

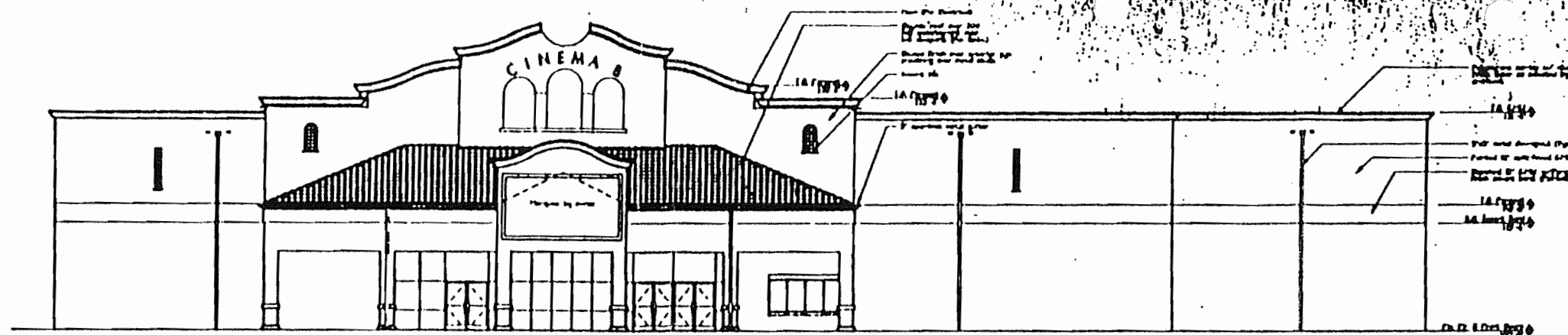
THAT said resolution was duly passed adopted by the following vote:

Councilmen:	IRISH	GIBBONS	LEAVITT	CHOATE	GURROLA
AYES:	X	X	X		X
NOES:					
ABSENT:					
ABSTAIN:				X	

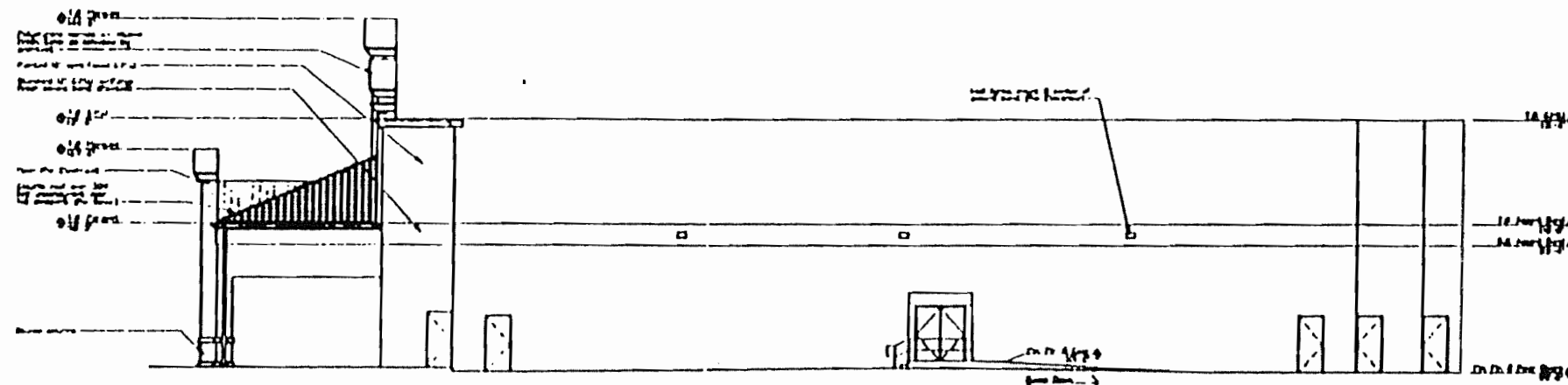
C. G. HUFFAKER, City Clerk

By Georgia Hawley
Georgia Hawley, Deputy City Clerk

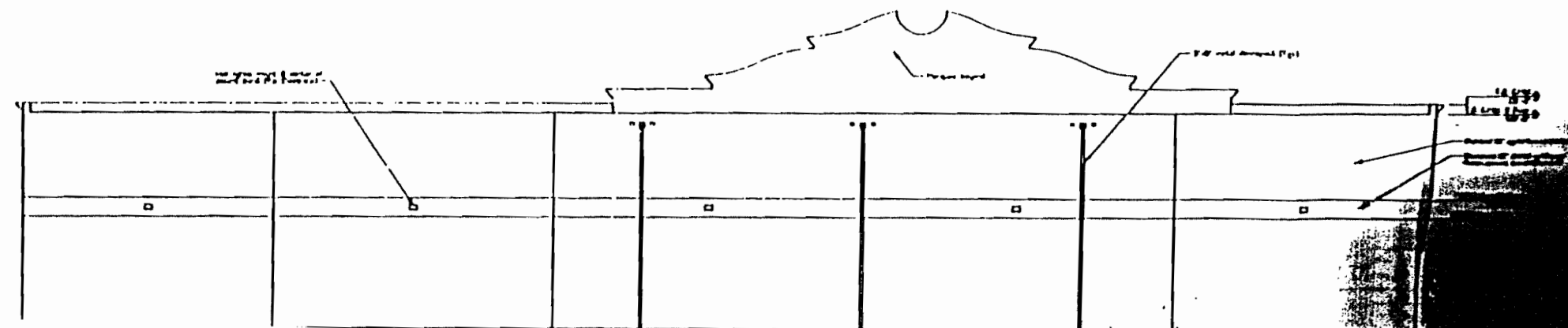
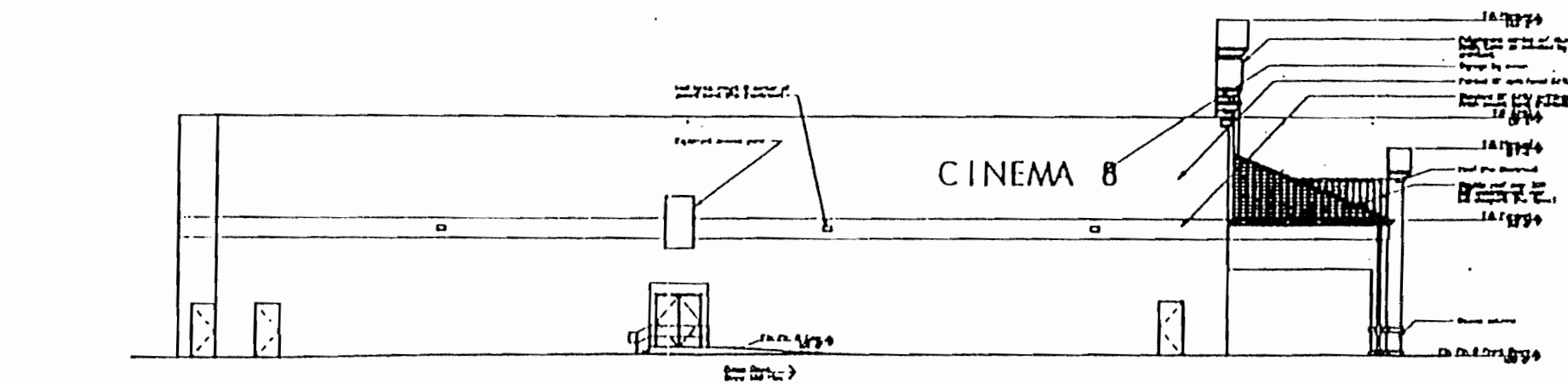
North Elevation

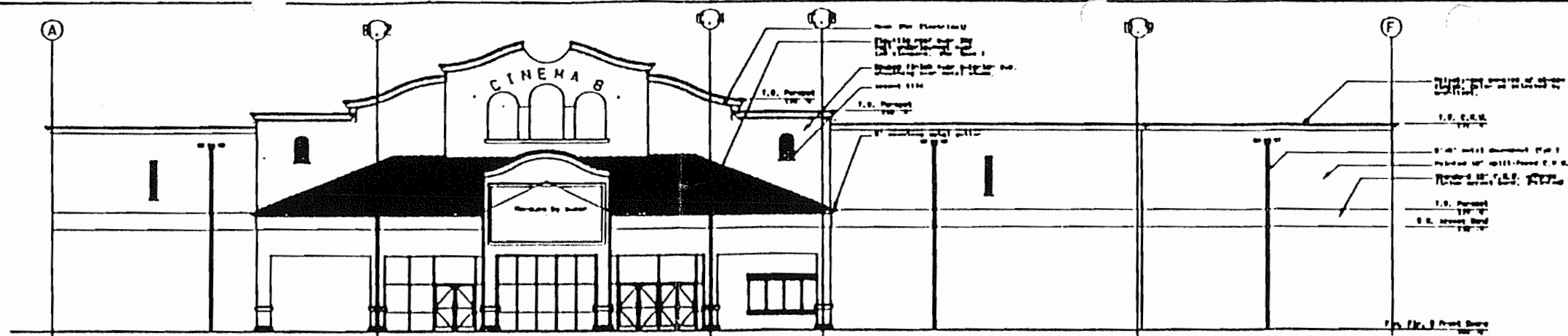


West Elevation

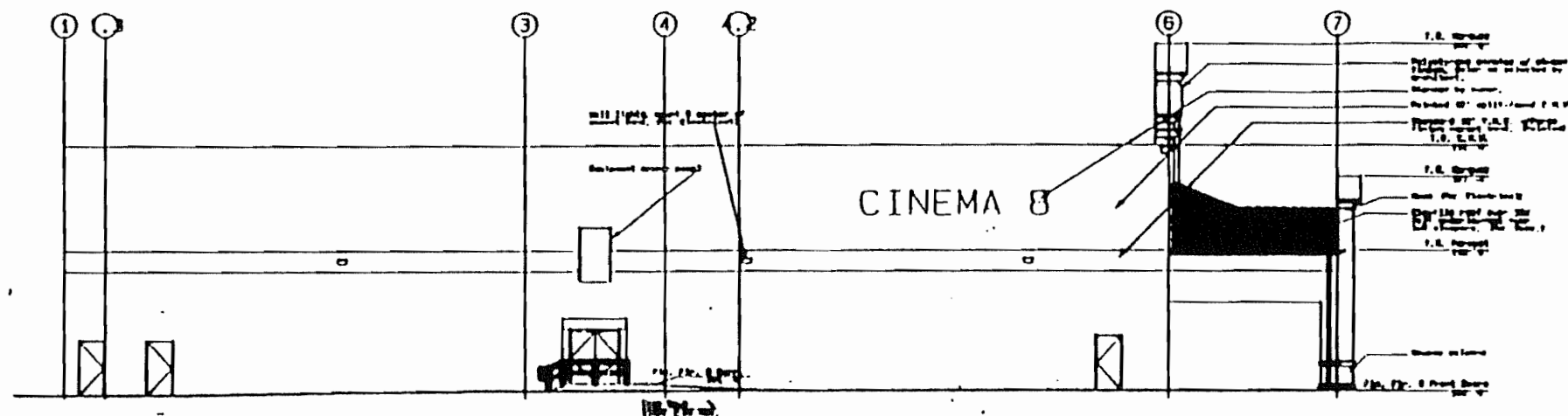


East Elevation

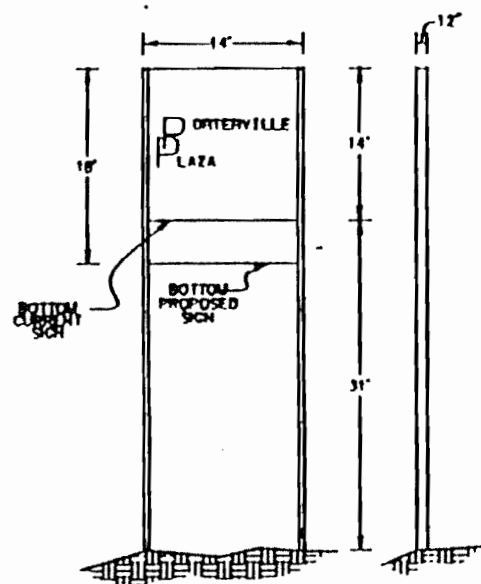




NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



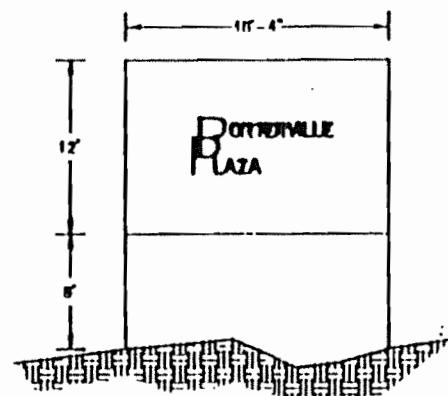
SIGN AREA CALCULATION:

$$\text{Porter Road Frontage } 855' \times \frac{30 \text{ sq. ft. sign}}{100' \text{ street frontage}} = 256.5 \text{ sq. ft. sign}$$

Sign graphics shown hereon for illustration purposes only. Final version of graphics to be determined. Sign Standard to remain; sign square footage will increase to allowable area (see calculation for area).

PORTER ROAD SIGN DETAIL

HTS



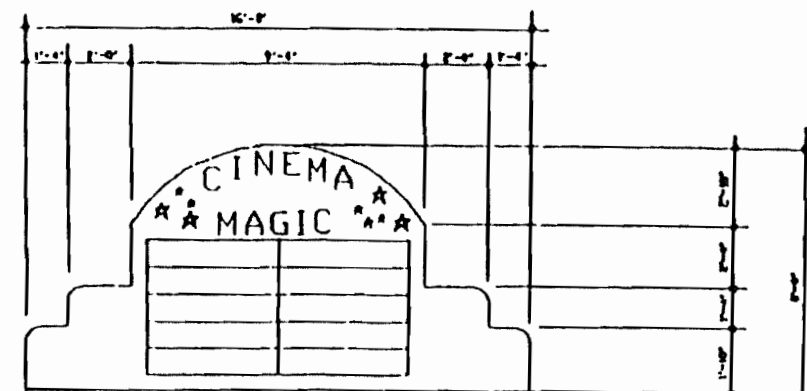
SIGN AREA CALCULATION:

$$\text{Henderson Avenue Frontage } 738' \times \frac{30 \text{ sq. ft. sign}}{100' \text{ street frontage}} = 220.9 \text{ sq. ft. sign}$$

Sign graphics shown hereon for illustration purposes only. Final version of graphics to be determined. Existing sign will be replaced with a sign of a size allowable under current ordinance requirements (see calculation for area).

HENDERSON AVE SIGN DETAIL

HTS



INDIANA ST. SIGN DETAIL

HTS

RESOLUTION NO. 11-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVAL OF CONDITIONAL USE PERMIT 1-97 (MODIFICATION NO. 1) TO ALLOW A 6,635± SQUARE FOOT ADDITION TO ACCOMMODATE AN ADDITIONAL SCREEN WITHIN AN EXISTING EIGHT (8) SCREEN MOVIE THEATER LOCATED WITHIN THE PD(C) (PLANNED DEVELOPMENT - COMMERCIAL DISTRICT) ZONED SHOPPING CENTER AT THE SOUTHEAST CORNER OF WEST HENDERSON AVENUE AND PORTER ROAD

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of February 2, 1999 conducted a public hearing to consider Conditional Use Permit 1-97 (Modification No. 1) being a request to modify an approved PD (Planned Development) Zone "Specific Plan" to allow a 6,635± square foot building addition accommodating an additional screen within an existing eight (8) screen movie theater located within the PD(C) (Planned Development - Commercial District) Zoned Shopping Center at the southeast corner of West Henderson Avenue and Porter Road; and

WHEREAS: The City Council received testimony from all interested parties relative to said Specific Plan modification; and

WHEREAS: The City Council made the following findings:

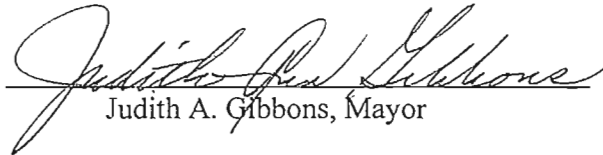
1. That the proposed project is consistent with the General Plan.
2. That the design and operation of the proposed project will be consistent with the General Plan.
3. That the design of the project and the proposed improvements are not likely to cause substantial environmental damage.

4. That a Negative Declaration was previously approved for this project in compliance with the California Environmental Quality Act and that said Negative Declaration was subsequently reaffirmed as adequate for the proposed modification of the subject project.
5. That the proposed location of the project and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
6. That the standards of population density, site area, dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities, and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance.

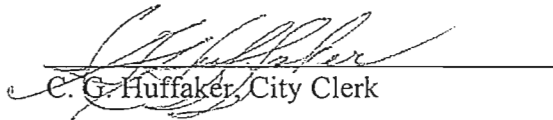
NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit 1-97, Modification No. 1 subject to the following conditions:

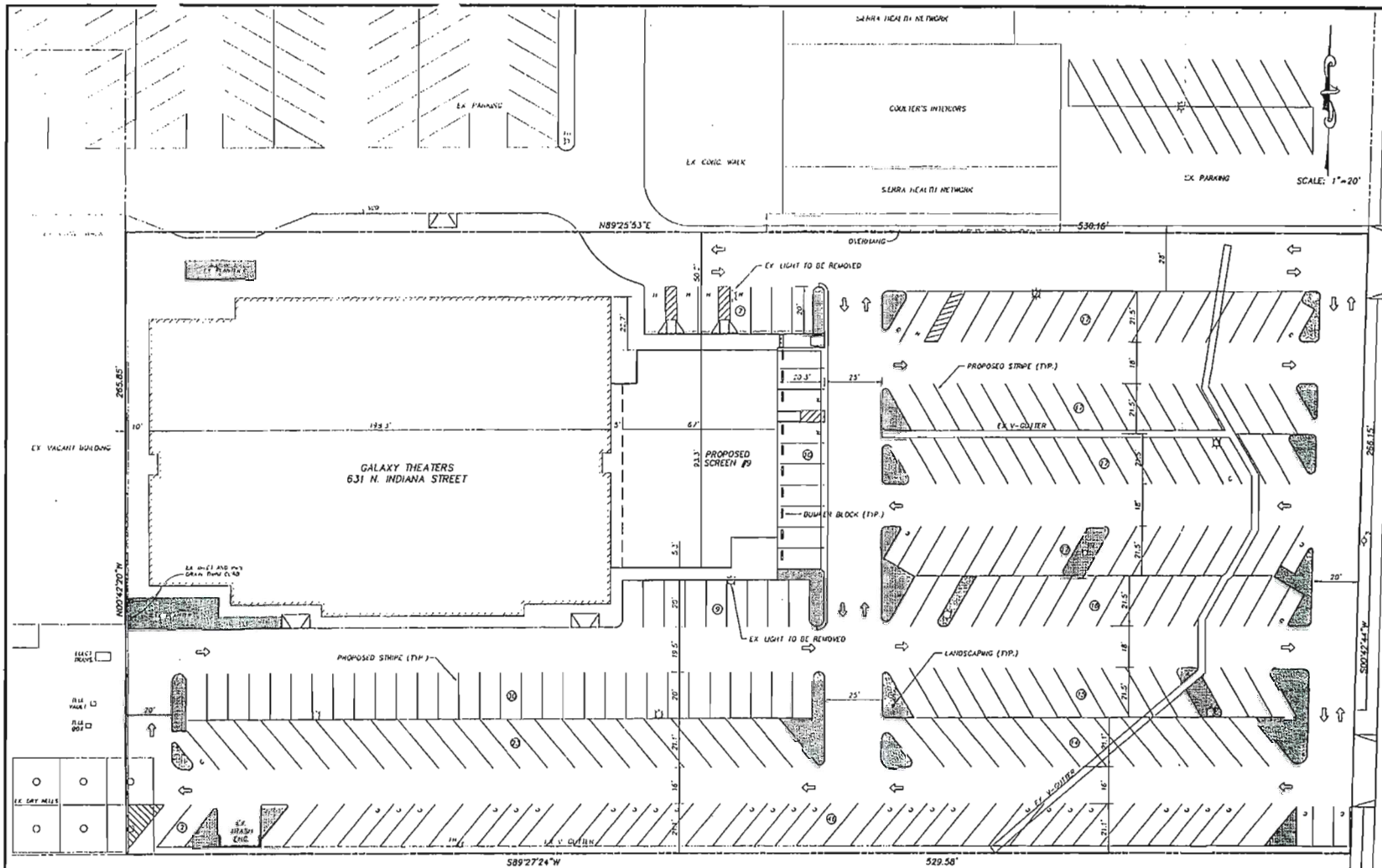
1. Unless otherwise noted, the developer/applicant shall obey the City Master Plans, Standard Specifications for Public Works Construction (1994 Edition), Standard Plans and Specifications, and the Manual of Traffic Controls.
2. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that he has the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a).
3. The developer/applicant shall follow Chapter 70 of the Uniform Building Code including provision of a grading and drainage plan signed by a licensed civil engineer. The engineer must provide calculations that show that the drainage system for the shopping center complies with current City standards. The developer/applicant shall follow City Retaining Wall Standards at lot lines adopted by the City Council on January 3, 1989.
4. The developer/applicant shall construct drainage facilities that comply with current City Standards, as required, to serve the property (Ordinance No. 1306).
5. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc., along the full Indiana Street frontage of the development, except where they exist and are in good condition in the opinion of the City Engineer (Ordinance No. 1306).

6. The developer/applicant shall design and improve the parking lot in conformance with Section 2206 of the Zoning Ordinance.
7. All landscaping and the irrigation system must be in compliance with Ordinance 1483 and as shown on the "Planting Plan", considered and approved in conjunction with CUP 1-97 (Modification No. 1) as Attachment No. 7 to the complete City Council Staff Report.
8. The color scheme for the exterior walls and roof of the 6,635± square foot theater building addition shall consist of the same scheme as the existing building.
9. Unless otherwise stated herein, specific plans of all or any portion of the proposed development shall substantially conform to the Specific Plan, Building Elevations and Signage Plan shown and incorporated herein as Exhibit "A".


Judith A. Gibbons, Mayor

ATTEST:


C. G. Huffaker, City Clerk



N. Indiana Street

LEGEND

- ➔ DIRECTION OF TRAFFIC
- ⊙ EXISTING LIGHT STANDARD
- ⊙ EXISTING FIRE HYDRANT
- ⊙ NUMBER OF PARKING SPACES PER ROW
- ⊙ MANICAP STALL
- ⊙ COMPACT STALL

GENERAL NOTES:

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTERVILLE STANDARD PLANS AND SPECIFICATIONS.
2. EXISTING DRIVE AISLES CONSIST OF 3' A.C. OVER 3' A.B. PAVED PARKING SPACES ARE 2.5' A.C. OVER 8' A.B.
3. PROPOSED LANDSCAPING WILL MATCH EXISTING THEME.
4. NEWLY CREATED FLOWLINES WILL BE INSTALLED WITH A 3-FOOT HIGH CONC. VEE-GUTTER TO MATCH EXISTING GUTTERS UPON VERIFICATION OF AS-BUILT GRAD'S. EXISTING DRAINAGE PATTERNS WILL BE MAINTAINED IF POSSIBLE. SEE SHEET C3.0.
5. THEATER EXPANSION WILL NOT REQUIRE ADDITIONAL PUBLIC WATER OR SEWER CONNECTIONS.

PROJECT SUMMARY

1. PARKING PROVIDED	
COMPACT (7'X18')	35
STANDARD (8'X20')	188
MANICAP	7
OTHER	114
TOTAL	344
2. LANDSCAPING	4708 S.F. (3.43)
3. LANDSCAP PARKING-2% OF TOTAL PARKING (8'X20' SPACE W/5 LANDSC)	
PROVIDED AS A CROSS-PARKING AGREEMENT	

EXHIBIT "A"

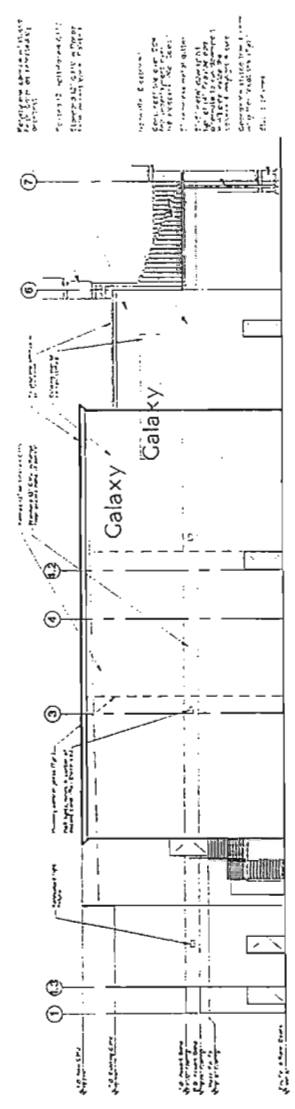
DATE	01/10/99	SCALE	1"=20'
DESIGNER	CKK	PROJECT	Porterville Cinema Expansion
CHECKED	CKK	SHEET	C2.0
DATE	01/10/99	TIME	14:31
JOB NO.	98191		

CKK Giuliani & Kull, Inc.
 400 N. Yosemite Avenue, Suite 3, Oakdale, CA 95361
 (209) 847-8750 Fax (209) 847-2325
 Auburn • San Jose • Colton

Porterville Cinema Expansion
Galaxy Theatres
 Porterville, California

SITE PLAN

East Elevation
Scale: 3/32" = 1'-0"



STATE OF CALIFORNIA)
(SS
COUNTY OF TULARE)

I, C. G. HUFFAKER, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council regularly called and held on the 2nd day of February, 1999.

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

Councilmen:	IRISH	GURROLA	LEAVITT	CHOATE	GIBBONS
AYES:		X	X	X	X
NOES:					
ABSENT:					
ABSTAIN:	X				

C. G. HUFFAKER, City Clerk

By Georgia Hawley
Georgia Hawley, Deputy City Clerk

Galaxy Theatre, Porterville
Fact Sheet



15060 Ventura Blvd.
Suite 350
Sherman Oaks
California 91403
Tel (818) 986-9000
Fax (818) 784-0106

1. Galaxy Theatre, Porterville

- a. Opened May 1998
- b. First Theatre in the Galaxy Theatre chain
- c. 9 screens, 1700 seats
- d. Veronica Garcia, General Manager
- e. Service area approximately 120,000
- f. Examples of Community Involvement
 - Member of Chamber of Commerce
 - General Manager has served on Executive Board
 - Friends of Education Award from Porterville Unified School District
 - Rotary Club member, Theatre hosts career day
 - Allows police services to use theatre for such activities as active shooter training and canine training.
 - Involved with School Pathway program where youngsters in the PUSD evaluate career options.
 - Allows non-profit organizations, such as Family Crisis Center and Leadership Porterville to use the auditoriums at no cost for fundraising.

2. Experience in Operating a Theatre Where Alcohol Beverages are Served

- a. Galaxy Theatre has been serving beer and wine at its Theatres since 2005.
- b. Galaxy Theatre has 2 Theatres in Washington, 5 Theatres in Nevada, 6 Theatres in California, and 2 Theatres in Texas.. 10 of the Theatres serve wine and beer.
- c. The other 2 Theatres in the Central Valley, Riverbank and Tulare, both serve beer and wine.
- d. All California Theatres, that serve beer and wine, have an ABC Type 41 license for sale of beer and wine as a bona fide eating establishment.
- e. Galaxy Theatre has had no major incidents in it's years of serving alcoholic beverages.

3. Operational Format

- a. All employees serving alcohol must be 21 years of age. All must complete the LEAD (License on Alcohol and Drugs) training. The license is for two years and employee will not be scheduled once a license expires. Corporate audits each Theatre to insure compliance.
- b. All patrons, regardless of age, are required to show a legitimate form of identification. Not carding a patron can result in immediate discharge as Galaxy has a zero tolerance policy on this issue. Our training emphasizes recognizing the signs of an intoxicated patron. If there is the slightest indication the patron is intoxicated, they will be refused service.

- c. All beer and wine is sold in the concession area and consumed in the auditorium. No employee under the age of 21 will remove any cups containing alcohol from auditoriums, restrooms, etc. In keeping with our positive image, any staff of age visiting the theatre, on off-duty hours will not be sold beer and wine.
- d. All alcoholic beverages are sold by the glass. All beer is poured into a distinctive plastic cup, and wine into a glass.
- e. Staff monitors the theatre before the movie, and on a regular basis, not less than once every thirty minutes.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF MODIFICATION NO. 2
TO CONDITIONAL USE PERMIT 1-97 (PRC 2016-014-M) TO ALLOW FOR A TYPE 41
ON-SALE (BEER AND WINE) LICENSE IN CONJUNCTION WITH AN EXISTING MOVIE
THEATRE, AT GALAXY 9 PORTERVILLE LOCATED AT 631 N. INDIANA STREET

WHEREAS: On April 15, 1997, the City Council of the City of Porterville approved Conditional Use Permit 1-97 to allow the development of a 30,728 square foot, Cinema 8 Movie Theatre on a 3+/- acre site located within a 21.25+/- acre developed shopping center; and

WHEREAS: On February 2, 1999, the City Council of the City of Porterville approved Modification No. 1 to Conditional Use Permit 1-97 to allow a 6,635+/- square foot addition to accommodate an additional screen within an eight screen movie theatre; and

WHEREAS: On June 15, 2016, the Environmental Coordinator made a preliminary determination that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301, Existing Facilities, Class 1; and

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

WHEREAS: The City Council made the following findings:

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

The site is consistent with the PD (Planned Development) zone and General Plan Land Use Designation of Commercial Mixed Use policies that promote a mix of uses easily accessible to serve both local and regional needs.

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

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

3. This project is Categorical Exempt pursuant to CEQA Guidelines §15301, Existing Facilities, Class 1.
4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined to exist. The subject site is located within Census Tract 37.00; this tract contains 16 licenses for alcohol sales: ten on-sale and six off-sale. In Census Tract 37.00, four on-sale and five off-sale are permitted without being deemed over-concentrated.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Modification No. 2 to Conditional Use Permit 1-97 (PRC 2016-014-M) subject to the following conditions:

1. Census Tract 37 contains 16 licenses for alcohol sales; ten on-sale and six off-sale. The California Department of Alcoholic Beverage Control allows a specific number of licenses per census tract population. In Census Tract 37, four on-sale and five off-sale are allowed. Due to the over-concentration of on-sale licenses, a findings of public convenience or necessity will be required.
2. Upon approval of the conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council if such modification involves the sale of alcoholic beverages.
3. Due to proximity of sensitive uses, no alcohol advertising shall be displayed and/or viewed from the outside of the building.
4. Any future violations of regulations of the codes relating to the sales or consumption of alcohol, and/or excessive service calls by the Police Department resulting from the sales of alcohol, may result in revocation of the Conditional Use Permit.
5. The elements of the conditional use permit approving on-site alcohol sales may be subject to modification if the State of California imposes sanctions on the on-sale license.
6. 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.
7. This conditional use permit shall be reviewed 12 months from the date of approval at which time the City Council will review the application to determine whether the applicant has met adequate measures to control alcohol consumption and customer activities inside the building.
8. Unless an extension of time is granted by the City Council, the conditional use permit shall expire two years after the date of approval if the on-sale Type 41 (on-sale beer and wine for a bona fide public eating place) is not active or actively pursued. The City Council may approve a one year extension of any permit or approval granted under this ordinance upon receipt of a

written application with the required fee before the permit expires.

9. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in Section 601.10 of the Porterville Development Ordinance.
10. The entire site shall be permanently maintained free of accumulated dirt and litter and in an otherwise neat and attractive manner.
11. The hours of operation during which alcoholic beverages may be sold are 30 minutes before the first show time, and 30 minutes after the last show time.
12. The applicant/owner shall maintain all exterior lighting that illuminates the associated parking lot and surrounding service area during business hours of darkness. The maintenance of existing lighting or, if needed, the installation of additional security lighting on the exterior of the building and in the parking lot, must be sufficient to allow reasonable surveillance of the parking area to the satisfaction of the Porterville Police Department and shall comply with Section 306.07 (b), (Lighting and Glare) of the Porterville Development Ordinance.
13. All activities associated with the proposed use, specifically the sale and consumption of alcohol at the theatre, shall occur within the interior of the building.
14. The operational requirements provided by the applicant shall be used as policies and shall be kept on file once alcohol sales and consumption begins.
15. Building permits shall be required for any remodeling work.
16. After the applicant has acquired security personnel, the applicant shall schedule a meeting with Porterville Police Department to receive training on identifying and handling intoxicated and belligerent guests.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk

July 5, 2016

California Department of Alcoholic Beverage Control
Fresno District Office
3640 East Ashlan Ave.
Fresno, CA 93726
ATTN: Christine Weldon

RE: Galaxy 9 Theatre - 631 N. Indiana Street, Porterville, CA

Dear Ms. Weldon:

The City Council of the City of Porterville has elected to approve submittal of this letter regarding the public convenience or necessity to be served through issuance of a Type 41 On-Sale (beer and wine) for Galaxy 9 Theatre located at 631 N. Indiana Street.

Approval of this letter was based on the following:

1. Per Section 23958.4 of the "Business and Professions Code," the subject site is located within Census Tract 37.00 which allows four (4) on-sale licenses. At the present time, ten (10) on-sale licenses exist in this tract. Due to the over concentrated of on-sale licenses, a Letter of Public Convenience or Necessity was required.
2. On July 5, 2016, the City Council conditionally approved Modification No. 2 to Conditional Use Permit 1-97 (PRC 2016-014-M) (review attached resolution) to allow the on-sale of beer and wine located at 631 N. Indiana Street. As a condition of approval, a Letter of Public Convenience or Necessity was required to be approved by the City Council.
3. In consideration of the above, the City Council determined that public convenience or necessity would be served by the issuance of a Type 41 On-Sale (beer and wine) alcohol license in conjunction with an existing movie theatre.

Further issuance of an on-sale license allowing beer and wine sales represents a viable economic asset to the community which will contribute tax revenues to the local economy. The site is consistent with the Planned Development zoning and General Plan Commercial Mixed Use policies that promote accessibility of services and goods within a convenient distance. The proposed Type 41 On-Sale, (beer and wine), license would suit the purpose of the zone.

designation as well as meeting the economic development guiding policy needed to retain, improve and promote existing businesses in Porterville. The movie theatre is permitted in the planned development zone and alcohol sales may be permitted with review and approval of a Conditional Use Permit.

For these reasons, the City Council of the City of Porterville supports issuance of a Type 41 On-Sale, (beer and wine), license for Galaxy 9 Theatre located at 631 N. Indiana Street, Porterville.

Sincerely,

Milt Stowe, Mayor

Attachment: Resolution



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Westwood Plaza Draft Environmental Impact Report

SOURCE: Community Development

BACKGROUND:

The Westwood Plaza Commercial Center Project (“Project”) is located at the southwest corner of Henderson Avenue and Westwood Street. The Project intends to construct and operate a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 square feet of retail space located on a single lot.

COMMENT: An Initial Study was prepared and determined the Project could have potentially significant impacts in the areas of air quality, hydrology and transportation. Therefore, it concluded that an Environmental Impact Report (“EIR”) would be required for the project. This EIR is a “Focused EIR” that concentrates on the three noted potentially significant impacts of the project. The Draft EIR has been prepared in accordance with the California Environmental Quality Act (“CEQA”) of 1970.

ANALYSIS: Based on the analysis in the EIR and accompanying Initial Study, the proposed Project would not result in any significant, unavoidable contributions to any impact areas. Mitigation measures are included in the Mitigation Monitoring Program. Any comments received during the review period will be addressed in the upcoming Final Environmental Impact Report.

ENVIRONMENTAL REVIEW:

The Draft EIR has been transmitted to the State Clearinghouse (SCH 2015121037), interested agencies, groups, and individuals for review and comment. The Draft EIR has been noticed to the public and was made available for public review from May 20, 2016, through July 5, 2016.

RECOMMENDATION: That the City Council hold a public meeting to accept comments on the Draft Environmental Impact Report for the Westwood Plaza Project.

ATTACHMENTS: 1. Draft Environmental Document

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: Maria Bemis, Finance Director



DRAFT FOCUSED ENVIRONMENTAL IMPACT REPORT

Westwood Plaza Commercial Development

May 2016

PREPARED FOR:



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

PREPARED BY:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Draft Focused Environmental Impact Report
Westwood Plaza Commercial Development

Prepared for:



City of Porterville
291 North Main Street
Porterville, California 93257
(559) 782-7460
Contact: Fernando Rios

Prepared by:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291
(559) 840-4414
Contact: Travis Crawford, AICP

May 2016

State Clearinghouse Number: 2015121037



Project Reference No. 013-1506

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- A – Notice of Preparation/Initial Study
- B – California Emissions Estimator Model Output Files
- C – Traffic Study

Chapter 1

INTRODUCTION

INTRODUCTION

This Focused Environmental Impact Report (EIR) has been prepared on behalf of the City of Porterville (City) in accordance with the California Environmental Quality Act (CEQA). This chapter outlines the purpose of and overall approach to the preparation of the EIR for the construction and operation of the Westwood Plaza Commercial Development Project (Project). The City of Porterville is the Lead Agency responsible for ensuring that the proposed Project complies with CEQA.

It is the intent of this EIR to provide the City of Porterville, decision makers, and the general public with the relevant environmental information to use in considering the required approval for the proposed Project. The City will use this EIR for the discretionary approvals of entitlements required to develop the proposed Project.

1.1 Purpose of EIR

This document is an Environmental Impact Report (EIR) prepared in accordance with the California Environmental Quality Act CEQA of 1970 and CEQA Guidelines, as amended. This EIR has been prepared by the City of Porterville as the "Lead Agency," in consultation with the appropriate local, regional and state agencies.

The purpose of the EIR is to inform the public generally of the significant environmental effects of the project, identify possible ways to minimize the significant effects, and describe reasonable alternatives that support the objectives of the project. As defined by the CEQA Guidelines, Section 15382, a "significant effect on the environment" is as follows:

"... a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."

An Initial Study was prepared by the City of Porterville (City) for the Westwood Development Project (Project). The Initial Study determined the Project could have potentially significant impacts in the areas of air quality, hydrology and transportation. The City, therefore, determined that an EIR would be required for the project. This EIR is a "Focused EIR" that concentrates on the potentially significant impacts of the project on three environmental issue areas: air quality, hydrology and transportation. All other impact areas were determined to either have no impact or have a less than significant impact (with or without mitigation). This Focused EIR references

the Initial Study prepared for the project for all other areas of impact analysis not provided in this Focused EIR (see Appendix A).

1.2 Environmental Process

A Notice of Preparation of the EIR was circulated to the public and public agencies from December 5, 2015 to January 6, 2016 (State Clearinghouse #2015121037) (refer to Appendix A). This Draft EIR will be circulated for agency and public review during a 45-day public review period prior to certification of the document by the lead agency. Comments received by the City on the Draft EIR will be formally addressed by the City in the Final EIR.

The decision making body must certify that it has reviewed and considered the information in the Final EIR and that the EIR has been completed in conformity with the requirements of CEQA. Although the EIR does not control the lead agency's ultimate decision on the project, the City must consider the information in the EIR and respond to each significant effect identified in the EIR. If significant adverse environmental effects are identified in the EIR, approval of the project must be accompanied by written findings.

State law requires that a public agency adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the project, a Mitigation Monitoring Program will be included in the project's Final EIR.

1.3 EIR Summary

Project Description Summary

The Project Applicant intends to construct and operate a 4,501 sq. ft. convenience store with gas station, a 3,018 sq. ft. restaurant, 24,990 sq. ft. of retail space, and associated improvements located on a single 4.51 acre lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville.

Environmental Impacts and Mitigation Summary

Based on the analysis in this EIR and accompanying Initial Study, the proposed Project would not result in any significant, unavoidable contributions to any impact areas. Mitigation measures are included in the MMRP.

Alternatives Evaluated

The EIR analyzed the No Project Alternative and a Reduced Project Alternative. The Reduced Project Alternative consists of decreasing the size of the proposed project. The EIR determined that the Reduced Project Alternative would be the environmentally superior alternative, although it would not fully meet the project's objectives.

Areas of Controversy

During the environmental review process, the City of Porterville identified the following as areas of concern: air quality, hydrology, and traffic.

Chapter 2

PROJECT DESCRIPTION

Project Description

2.1 Project Background

The Project Applicant intends to construct and operate a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 square feet of retail space located on a single lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street. The development is an allowed use within the CR Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

2.2 Objectives

The following are the primary goals of the City of Porterville's Westwood Plaza Commercial Development Project (Project):

- To create an economically sustainable commercial retail complex that will provide business and job opportunities within the City of Porterville.
- Ensure the provision of services and facilities needed to accommodate planned population densities in the project area.

2.3 Location

The proposed Project is located on single parcel (240-270-035) totaling approximately 4.51 acres at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville. The Project address is 643 N. Westwood Street. The site is approximately 1.73 miles west of SR65. See Figures 1 and 2– Regional Map and Site Aerial, respectively.

Figure 1
Regional Map

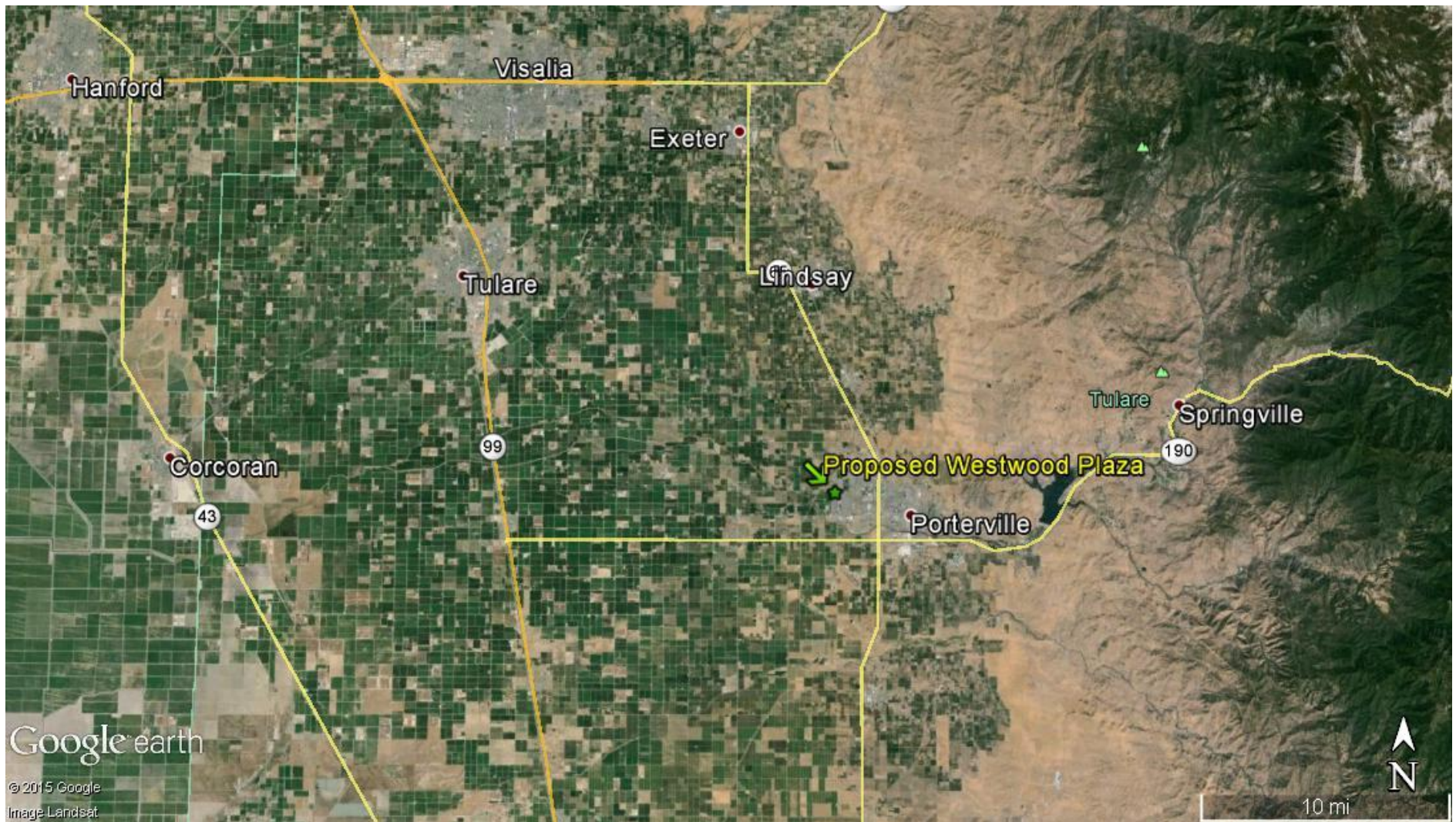
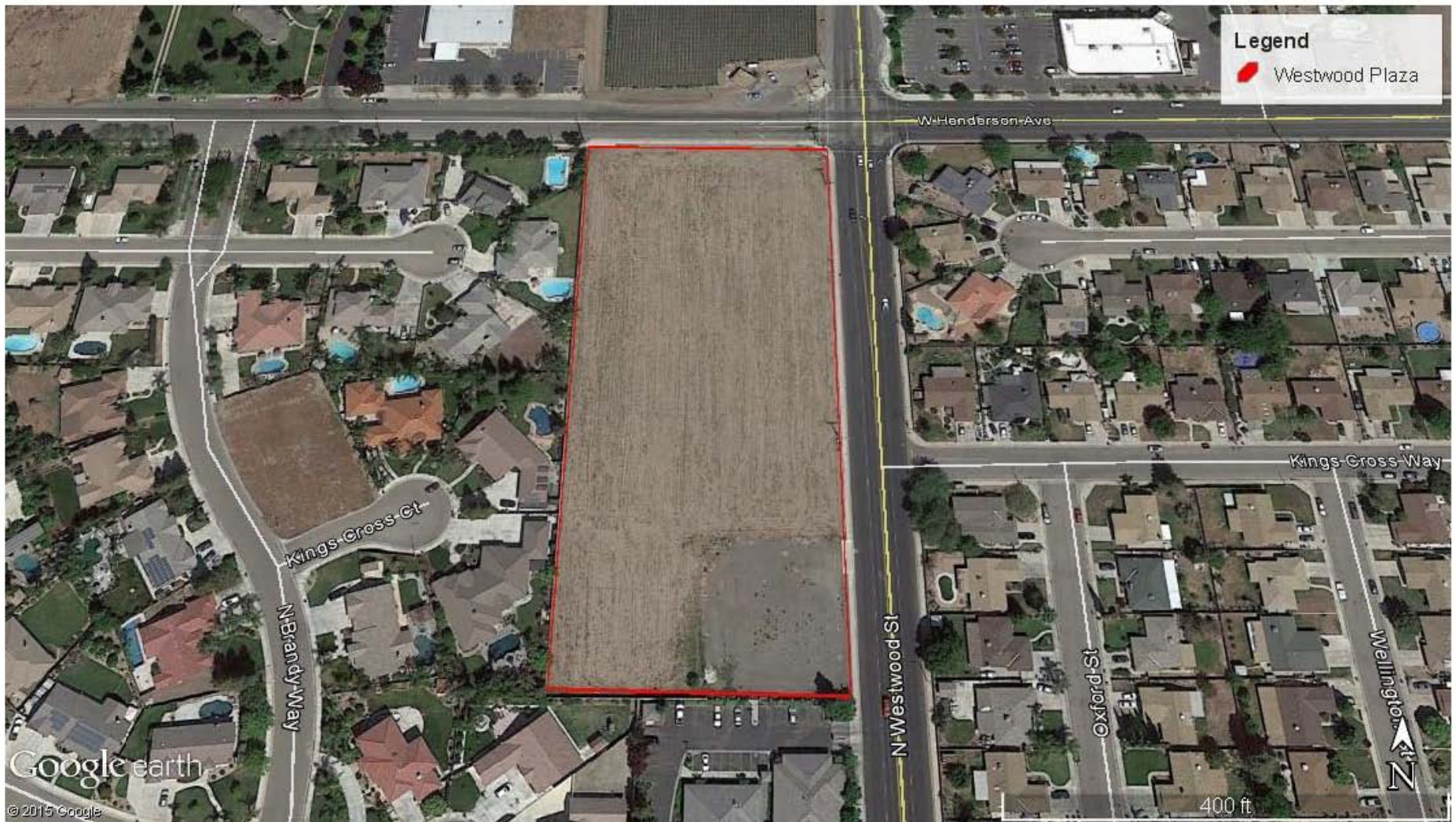


Figure 2
Site Aerial



2.4 Setting and Surrounding Land Use

The proposed Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) are located to the south and a strawberry field/stand is located to the north (across Henderson Avenue).

The site is currently zoned CR (Retail Center) and is designated by the General Plan as Retail Center. Land use and zoning surrounding the site are demonstrated in Table 2-1.

Table 2-1
Existing Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification	General Plan Designation
North	Henderson Ave. and strawberry field/stand	CN – Neighborhood Commercial	Neighborhood Commercial
South	Professional offices – dentist office	PO – Professional Office	Professional Office
West	Single-family residential units	RS-2 – Low Density Residential	Low Density Residential
East	Westwood Street and single-family residential units	RS-2 – Low Density Residential	Low Density Residential

2.5 Project Description

The Project Applicant intends to construct and operate a 4,501 sq. ft. convenience store with gas station, a 3,018 sq. ft. restaurant, 24,990 sq. ft. of retail space, and associated improvements located on a single 4.51 acre lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street (see Figure 3 – Site Plan). The Project Applicant intends to construct the Project over two phases and the proposed Project components are broken down as follows:

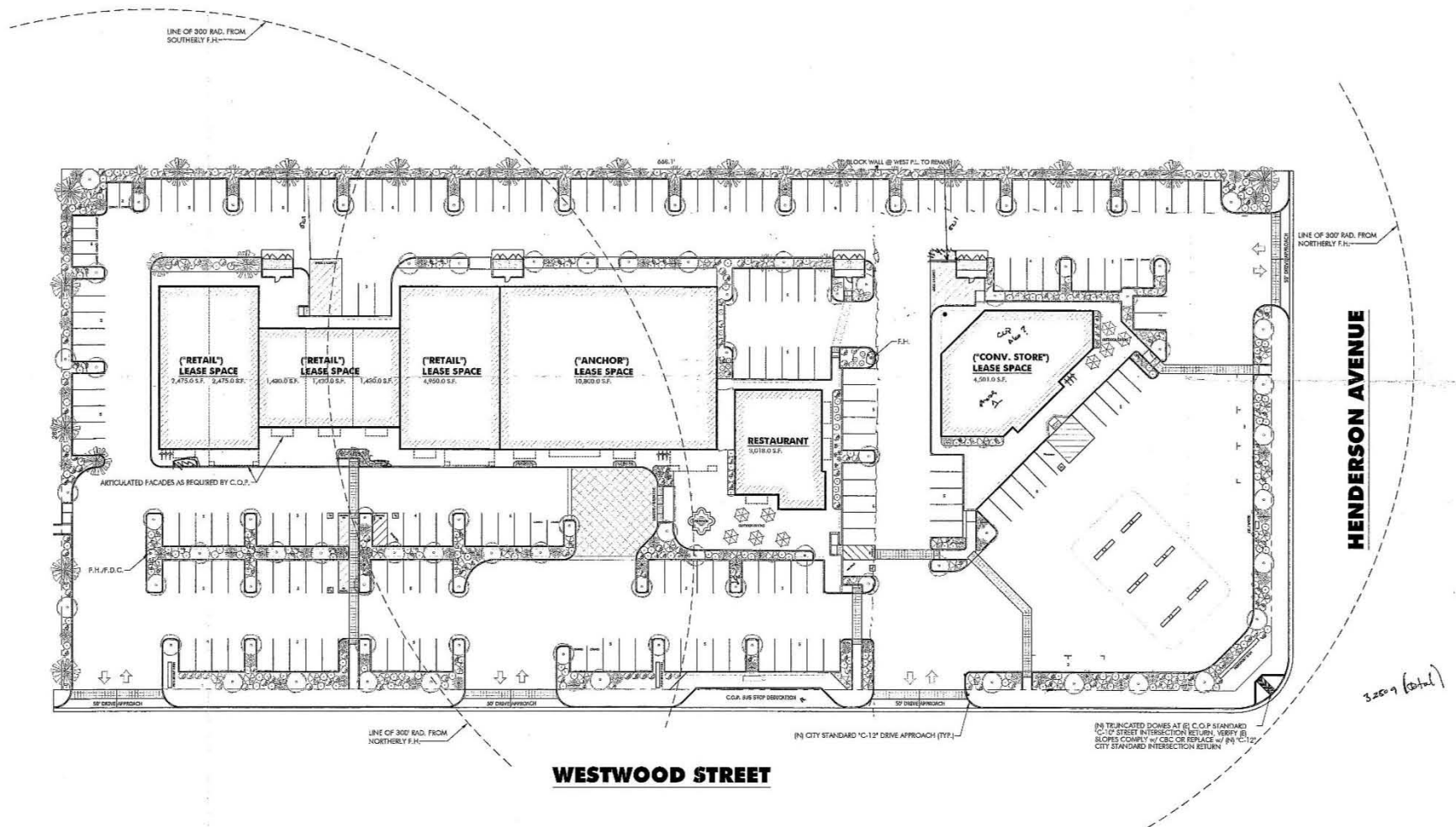
- Construction and operation of:

- 4,501 sq. ft. convenience store with 12 pump gas station (Phase 1)
- 3,018 sq. ft. restaurant (Phase 2)
- Retail space totaling 24,990 sq. ft. divided into seven (7) spaces (Phase 2) as follows:
 - Parcel 2 - 10,800 sq. ft. retail (anchor store)
 - Parcel 3 – 4,950 sq. ft. retail
 - Parcel 4 – three retail spaces @ 1,430 sq. ft. each
 - Parcel 5 – two retail spaces @ 2,475 sq. ft. each
- Installation of off-site road frontage improvements, including a median island, along the site perimeter along Henderson Avenue and Westwood Street. (Phase 1)
- Construction of a parking lot, including the required ADA compliant spaces and four driveways for ingress/egress. (Phase 1)
- Installation of landscaping and associated site improvements. (Phase 1 and Phase 2)

Phase 1 will include the gas station and convenience store (within 2-3 years) and Phase 2 will include the restaurant and retail stores (within 3-10 years depending on market conditions). Existing City services (water, sewer and stormwater) are located in both Henderson Avenue and Westwood Street. The Applicant will be required to tie into these existing facilities.

The development is an allowed use within the CR Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

**Figure 3
Site Plan**



2.6 Other Required Approvals

The proposed Project would include, but not be limited to, the following regulatory requirements:

- The certification of an Environmental Impact Report by the City of Porterville
- Approval of a Conditional Use Permit by the City of Porterville
- Approval of a Stormwater Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board
- Dust Control Plan Approval letter from the San Joaquin Valley Air Pollution Control District
- Compliance with Rule 9510 of the San Joaquin Valley Air Pollution Control District
- Compliance with other federal, state and local requirements

Chapter 3

ENVIRONMENTAL SETTING, IMPACTS & MITIGATION

Environmental Setting, Impacts & Mitigation

3.1 Air Quality

The California Emissions Estimator Model was utilized to quantify potential criteria pollutants as a result of the proposed Project. Output files are provided in Appendix B of this EIR and results of the model are presented in the discussion below.

Environmental Setting

The climate of the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy, winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

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

Regulatory Setting

Clean Air Act

The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb).

California Air Resources Board.

The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H₂S), and vinyl chloride.

The proposed Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the SJVAPCD.

Air basins are classified as attainment, nonattainment, or unclassified. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in Table 3-1. Note that both state and federal standards are presented.

Table 3-1
Standards and Attainment Status for Listed Pollutants in the Air District

	Federal Standard	California Standard
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1hr avg)
Lead	1.5 µg/m3 (calendar quarter) 0.15 µg/m3 (rolling 3-month avg)	1.5 µg/m3 (30-day avg)
Particulate Matter (PM10)	150 µg/m3 (24-hr avg)	20 µg/m3 (annual avg) 50 µg/m3 (24-hr avg)
Particulate Matter (PM2.5)	15 µg/m3 (annual avg)	35 µg/m3 (24-hr avg) 12 µg/m3 (annual avg)

µg/m3 = micrograms per cubic meter

Additional State regulations include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off-road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California’s GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

In addition, the proposed Project is being evaluated pursuant to CEQA.

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The SJVAPCD has several rules and regulations that may apply to the Project:

- Rule 3135 (Dust Control Plan Fees) – This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the SJVAPCD’s cost for reviewing these plans and conducting compliance inspections.
- Rules 4101 (Visible Emissions) and 4102 (Nuisance) – These rules apply to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.
- Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) – This rule applies to use of asphalt for paving new roadways or restoring existing roadways disturbed by project activities.
- Regulation VIII (Fugitive PM₁₀ Prohibitions) – This regulation, a series of eight regulations, is designed to reduce PM₁₀ emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The control measures are summarized in Table 3-2.
- Rule 9510 (Indirect Source Review) – This rule is designed to achieve emission reduction from the construction and use of development projects through design features and on-site measures.

Table 3-2
San Joaquin Valley Air Pollution Control District
Regulation VIII Control Measures for Construction PM₁₀ Emissions

The following are required to be implemented at all construction sites:
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative ground cover.
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer suppressant.
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

Porterville General Plan Policies

- OSC-G-9: Improve and protect Porterville's air quality by making air quality a priority in land use and transportation planning and in development review.
- OSC-I-59: Require preparation of a Health Risk Assessment for any development subject to the Air Toxics "Hot Spots" Act.

- OSC-I-61: Coordinate air quality planning efforts with other local, regional and State agencies.
- OSC-I-63: Notify local and regional jurisdictions of proposed projects that may affect regional air quality.
- OSC-G-10: Reduce and conserve energy use in existing and new commercial, industrial, and public structures.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- **Conflict with or obstruct implementation of the applicable air quality plan; or**
- **Violate any air quality standard or contribute substantially to an existing or projected air quality violation; or**
- **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); or**
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

Note the bolded thresholds of significance are discussed below. All other thresholds have been analyzed in the Initial Study (see Appendix A) and have been determined to have no significant impact, thus the analysis of those impact areas is not repeated here.

Impact: *Conflict with or obstruct implementation of the applicable air quality plan; or Violate any air quality standard or contribute substantially to an existing or projected air quality violation; or Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).*

The proposed Project lies within the San Joaquin Valley Air Basin (SJVAB). At the Federal level, the SJVAB is designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM₁₀ and CO, and nonattainment for PM_{2.5}. At the State level, the SJVAB is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards. Although the Federal 1-hour ozone standard was revoked in 2005, areas must still attain this standard, and the SJVAPCD

recently requested an EPA finding that the SJVAB has attained the standard based on 2011-2013 data¹. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM₁₀ Maintenance Plan and Request for Redesignation; and
- 2008 PM_{2.5} Plan.

Because of the region's non-attainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NO_x), PM₁₀, or PM_{2.5} were to exceed the SJVAPCD's significance thresholds, then the project uses would be considered to conflict with the attainment plans. In addition, if the project uses were to result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

The annual significance thresholds to be used for the Project for construction and operational emissions are as follows²:

- 10 tons per year ROG;
- 10 tons per year NO_x;
- 15 tons per year PM₁₀; and
- 15 tons per year PM_{2.5}.

The estimated annual construction and operational emissions are shown below. The California Emissions Estimator (CalEEMod), Version 2013.2.2, was used to estimate construction and operational (vehicle trips) emissions resulting from both phases of the proposed Project, including the 4,501 square feet of convenience store with gas pumps in Phase 1, and the 3,018 square feet of restaurant, and 24,990 square feet of retail space included in Phase 2. Modeling results are provided in Table 3-3 and the CalEEMod output files are provided in Appendix B.

¹ San Joaquin Valley Air Pollution Control District. Guide to Assessing and Mitigating Air Quality Impacts. March 19, 2015. Page 28. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed January 2016.

² San Joaquin Valley Air Control District – Air Quality Threshold of Significance – Criteria Pollutants. <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed January 2016.

Table 3-3
Proposed Project Construction and Operation Emissions

	VOC (ROG) (tons/year)	NO_x (tons/year)	PM₁₀ (tons/year)	PM_{2.5} (tons/year)
2017- Phase 1 Construction	0.1012	0.6853	0.6485	0.0432
2018- Phase 1 Operation	2.8992	4.4156	0.8642	0.2592
2019- Phase 2 Construction	0.2508	0.5494	0.0419	0.0330
2020- Phase 2 Operation	1.0101	2.3110	0.8202	0.2418
Total Estimated Emissions	4.2613	7.9613	2.3748	0.5772
Threshold of Significance	10	10	15	15
Significant?	No	No	No	No

As demonstrated in Table 3-3, estimated construction and operational emissions would not exceed the SJVAPCD's significance thresholds for ROG, NO_x, PM₁₀, and PM_{2.5}. As a result, the Project uses would not conflict with emissions inventories contained in regional air quality attainment plans, and would not result in a significant contribution to the region's air quality non-attainment status³.

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the level of service (LOS) of roadways in the Project vicinity.

As further discussed in the Transportation/Traffic checklist evaluation, the Project would not generate, or substantially contribute to, additional traffic that would reduce the level of surface on local roadways⁴. Therefore, the Project would not significantly contribute to an exceedance that would exceed state or federal CO standards. Additionally, as the estimated construction and operational emissions are below SJVAPCD thresholds, any cumulative considerable increase in criteria pollutants would be less than significant.

Any impacts to air resources would be considered *less than significant*.

Mitigation

None required.

³ San Joaquin Valley Air Pollution Control District. Guide to Assessing and Mitigating Air Quality Impacts. March 19, 2015. Page 65. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed January 2016.

⁴ San Joaquin Valley Air Pollution Control District. Guide to Assessing and Mitigating Air Quality Impacts. March 19, 2015. Page 98. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed January 2016.

3.2 Hydrology and Water Quality

Environmental Setting

The City of Porterville has a dry climate with evaporation rates that exceed rainfall. The local climate is considered warm desert with annual precipitation between approximately seven to nine inches, and rainfall rates are highly variable. The majority of precipitation (roughly 84%) falls during the months of November through April.

The Porterville area is underlain by an unconfined aquifer that is part of the Tule Sub-basin of the San Joaquin Valley Groundwater Basin.

Regulatory Setting

Clean Water Act

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the

implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region.

Regional Water Quality Board

The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Porterville General Plan Policies

- OSC-I-43: Work with agricultural and industrial uses to ensure that water contamination and waste products are handled in a manner that protects the long-term viability of water resources.
- OSC-I-44: Work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the CEQA review and project approval process) and monitored to ensure long-term compliance.
- OSC-I-45: Continue to require use of feasible and practical best management practices (BMPs) and other mitigation measures designed to protect surface water

and groundwater from the adverse effects of construction activities and urban runoff in coordination with the Regional Water Quality Control Board.

- OSC-I-51: Prior to the approval of individual projects, require the City Engineer and/or Building Official to verify that the provisions of applicable point source pollution programs have been satisfied.
- PHS-G-2: Protect the community from risks to life and property posed by flooding and stormwater runoff.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- Violate any water quality standards or waste discharge requirements; or
- **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); or**
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off—site; or
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site; or
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
- Otherwise substantially degrade water quality; or
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map; or
- Place within a 100-year flood hazard area structures which would impede or redirect flood flows; or

- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or
- Inundation by seiche, tsunami, or mudflow?

Note the bolded significant threshold is discussed below. All other thresholds have been analyzed in the Initial Study (see Appendix A) and have been determined to have no significant impact, thus the analysis of those impact areas is not repeated here.

Impact: *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).*

Background and Existing Conditions

The City of Porterville (and proposed Project site) is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The proposed Project site is located within the Tule Sub-basin portion of the greater San Joaquin Valley Groundwater Basin. According to the City's General Plan EIR, wells in and around the city have shown a moderate groundwater level decline of about 0.75 feet per year over the past 20 years. The City's municipal wells are generally scattered west of Plano Avenue and south of Westfield Avenue and the distribution system is operated under pressure.

The City of Porterville receives all of its municipal water from groundwater.⁵ The current source capacity from the system's wells is 11,965 gallons per minute (gpm). The City's current water demands are estimated to be:⁶

Average Day Demand = 7,388 gpm

Maximum Day Demand = 12,250 gpm

Peak Hour Demand = 26,882 gpm

The system maintains 10.1 million gallons of above-ground storage which is allowing it to sufficiently meet the peak hour demand. Current well production is at approximately 51% of the

⁵ City of Porterville – Hydraulic Analysis, page 1. Dee Jaspar & Associates, Inc. (May 2015).

⁶ Ibid. Page 1.

original well design capacity. Due to drought conditions and aging wells, the capacities of the wells have declined over recent years.

The City's peak hour demand is being adequately met through storage and source water supplies.⁷ The City's source water supply appears to be just adequate to meet current maximum day demand, however there is no room for failure of any sources. The well capacity is necessary to refill the storage tanks after they are depleted during peak hour periods. During months of peak water use and with an increase in demand, the current well production may be insufficient for filling the tanks prior to the next day. Additional water sources are recommended in anticipation of water levels continuing to decline and to add a factor of safety to the system.⁸

Planned Improvements

Well 32 was recently constructed which provides an additional 400 gpm into the central zone. Continuous pumping of this well could provide an additional 400,000 to 500,000 gallons of water per day.⁹ The City also has a number of projects planned to increase water availability within the City limits over the coming decades. These projects include the Beverly Grand and Akin Water Consolidation Projects. The City also does its own groundwater recharge through a system of ponding basins and waterways. Other potential projects include construction of a surface water treatment plant, water distribution system improvements and ongoing water conservation efforts. It is estimated that these improvements, along with continued groundwater pumping, will allow the City to provide adequate water supplies through Year 2030 and beyond.

Estimated Water Use (City-wide)

The City's Master Water Study had information regarding total water demand through the mid 1990's. Water production records from the past 5 years were provided by Dee Jaspar & Associates Inc. in May 2015. As shown in Table 3-4, it appears that water production¹⁰ hasn't increased significantly since 1997. The table shows the historical water use of the City.

⁷ Ibid. Page 7.

⁸ City of Porterville – Hydraulic Analysis, page 7. Dee Jaspar & Associates, Inc. (May 2015).

⁹ Ibid.

¹⁰ Ibid. Page 4.

Table 3-4
Annual Water Use (Million Gallons)

Year	Water Use
1993	3,027
1994	3,203
1995	3,426
1996	3,444
1997	4,150
2010	4,037
2011	3,958
2012	4,243
2013	4,290
2014	3,883

Similar estimates are provided in the City's General Plan EIR. For example, according to Table 4 above, Year 2010 had a production of approximately 4 million gallons/year, which converts to roughly 12.5 acre/feet/year. The City's General Plan EIR estimated that Year 2010 had a consumption of approximately 13 acre/feet/year. According to Porterville's General Plan EIR (Table 3.10-3) the City's water demand was and/or is projected as follows:

- Year 2005 12,700 ac/ft/yr
- Year 2010 13,000 ac/ft/yr
- Year 2015 15,100 ac/ft/yr
- Year 2020 (projected) 16,580 ac/ft/yr
- Year 2030 (projected) 30,000 ac/ft/yr

Anticipated Water Use (Project Specific)

The Westwood Commercial Project is anticipated to utilize the City's water system (groundwater) to support the restaurant, gas station, retail stores, and landscaping. Because precise tenants are unknown at this time, general assumptions are made with regard to future water use projections. Metered water data from similar developments was used to estimate the Project's indoor water usage and City Ordinance 1830 was used to estimate the maximum outdoor water usage. Metered indoor water usage data from an existing convenience store / gas station, restaurant, and retail spaces of similar size to the proposed Project was used to estimate the proposed indoor water use. Maximum outdoor water usage was estimated from the non-residential "Maximum Applied Water Allowance" equation found in City Ordinance 1830 Sections 25-54. Based on these estimates, the proposed Project will use approximately 2,774

gallons per day (indoor) and 876 gallons per day (outdoor). This equates to 1,332,250 gallons per year or 4.09 acre-feet/year.

Water use on site will be from four primary sources:

1. **Convenience store / gas station (4,501 sq. ft.):** The convenience store will include kitchen facilities, restrooms, cooling system and miscellaneous water use (for cleaning, etc.). Estimated water consumption from this use is 974 gallons per day.
2. **Restaurant (3,018 sq. ft.):** The restaurant water use includes kitchen and restroom facilities, cooling systems and miscellaneous water use (for cleaning, etc.). Estimated water consumption from this use is 1,439 gallons per day.
3. **Retail spaces (totaling 24,990 sq. ft.):** The majority of the project site consists of retail spaces. These project components will utilize the least amount of water on site. Water use will consist of individual restrooms and minor water use for cleaning, etc. Estimated water consumption from this use is 361 gallons per day.
4. **Landscaping / Other:** The project will include landscaping in and around the site. The project will utilize drought-tolerant landscaping and efficient sprinkler/watering systems in order to minimize water use. A landscaping plan will be developed in accord with the City's Development / Landscape Ordinance and will be required to adhere to restrictions set forth in the City's Drought Response Plan. Construction of the project will require minimal water for dust control. Estimated water consumption from this use is 876 gallons per day.

As identified above, the Westwood Commercial Project is projected to require approximately 1,332,250 gallons per year or 4.09 acre-feet/year of potable water. This total would represent approximately 0.0003% of total City water use in 2015 and 0.0001% of total City water use in 2030.

Water Use Comparison

For comparison purposes, using the City's Water Master Plan land use / water use projections, if the proposed 4.51-acre site were to be developed as medium density residential, the estimated water use would be approximately 14,287 gallons/day, or 5,215,003 gallons/year, or 16 acre/feet/year (this is based on an estimated 3,168 gallons/day/acre¹¹). Similarly, if the project were to be developed with strawberries (like the parcel to the north), it would require approximately 14.5 acre/feet/year of water (3.2 acre feet per year¹² X 4.51 acres). Land uses and associated water demand compared on the Project site is summarized as follows:

¹¹ Porterville Water Master Plan, Table 3.14.

¹² Ventura Farm Bureau – Agriculture in the Watershed. www.farmbureauvc.com, accessed February 2016.

- Proposed Westwood Project (4.51 acres) 4.09 acre-feet/year
- Med. Density Residential (4.51 acres) 16.0 acre-feet/year
- Strawberry Field (4.51 acres) 14.5 acre-feet/year

Water Availability

The Westwood Commercial Project is anticipated to utilize City groundwater to support the restaurant, gas station and retail shops. The City has historically used groundwater to meet all of their water demands. Although the City's aquifer is in a state of overdraft, they could still meet their water demands for several more years solely with groundwater.¹³ However, the City recognizes that continued overdraft of the City's groundwater is not sustainable. As such, the City has and/or is planning to implement several mechanisms to address this shortfall. These include reliance on surface water, increased groundwater recharge projects, and consolidated water projects. The City's General Plan EIR indicates that by 2030, total water demand by the City will be 30,000 acre feet per year, which will exceed the groundwater availability. The Urban Water Management Plan (UWMP) indicates that future demand can be met with continued groundwater pumping, surface water purchases and conservation measures.

The project site (designated as CR – Retail Center) was included in the both the UWMP and the City's General Plan land use / water use projections. Since there are no land use changes proposed, the project will not result in additional use of groundwater that was not already accounted for in the City's infrastructure planning documents (and subsequently analyzed in their respective CEQA documents). As such, there is *a less than significant impact* to this impact area.

Mitigation Measures: None are required.

¹³ Porterville UWMP, page 42. (2010)

3.3 Transportation/Traffic

Environmental Setting

The project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry stand is located to the north (across Henderson Avenue). The site is approximately 1.73 miles west of SR65. See Figures 1 and 2– Regional Map and Site Aerial, respectively.

The nearest airport to the proposed Project site is the Porterville Municipal Airport, which is located approximately 2.9 miles south of the site.

Henderson Avenue is classified as a four-lane arterial. It provides east-west access for Porterville residents and has an interchange at SR65. Henderson Avenue bisects North Main Street and provides access to businesses and residences to the east.

Westwood Street is a four-lane road in the Project vicinity that provides for important north-south circulation in Porterville.

Regulatory Setting

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
- 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

State of California Transportation Department Transportation Concept Reports

Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCR) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

State Route 190 is designated as Segment 3 in the proposed Project vicinity. Route 190 is classified by Caltrans as rural except for the portion in Porterville that is designated urban. The route is also predominately indicated as a Minor Arterial and Major Collector. Therefore, the Route Concept LOS of D has been assigned to the entire route. Segment 3 is a 4-lane expressway and there are no changes expected to this segment.

SR 65 is designated as Segment 7 in the vicinity of the proposed Project site and has a LOS of C. The route concept for Segment 7 of Route 65 is described by Caltrans as a two-lane expressway, with improvements potentially being a four-lane expressway over the next 10 years.

In addition, the proposed Project is being evaluated pursuant to CEQA.

City of Porterville and Tulare County

The City of Porterville and the Tulare County Regional Transportation Plan designate level of service "D" as the minimum acceptable intersection peak hour level of service standard.

City Porterville General Plan Policies

- C-G-6: Maintain acceptable levels of service and ensure that future development and the circulation system are in balance.
- C-G-7: Ensure that new development pays its fair share of the costs of transportation facilities.

- C-I-12: Continue to require that new development pay a fair share of the costs of street and other traffic and local transportation improvements based on traffic generated and impacts on traffic service levels.

Thresholds of Significance

In accordance with the CEQA Guidelines, a project impact would be considered significant if the project would:

- **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or**
- **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; or**
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks ; or
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Result in inadequate emergency access.

Note the bolded significant thresholds are discussed below. All other thresholds have been analyzed in the Initial Study (see Appendix A) and have been determined to have no significant impact, thus the analysis of those impact areas is not repeated here.

Impact: *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; or Conflict with an applicable congestion management program, including,*

but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

Ruettgers & Schuler Civil Engineers provided a Traffic Study (see Appendix C) analyzing potential impacts the proposed Project would have on the existing road system. Study results are summarized in the text below.

Trip Generation

Trip generation and design hour volumes for the proposed Project, Phase 1 and 2, were calculated using the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition and are demonstrated in Tables 3-5 and 3-6, respectively.

**Table 3-5
Westwood Plaza Trip Generation Phase 1**

General Information			Daily Trips		AM Peak Hour Trips			PM Peak Hour Trips		
ITE Code	Development Type	Variable	ADT Rate	ADT	Rate	In % Split/ Trips	Out % Split/ Trips	Rate	In % Split/ Trips	Out % Split/ Trips
945	Gasoline/Service Station w/ Convenience Market	12 Vehicle Fueling Positions	162.78	1953	50%	50%	50%	13.51	50%	50%
Sub-total				1,953		61	61		81	81
Adjustments Pass-by		15%		293		9	9		12	12
Total				1,660		52	52		69	69

**Table 3-6
Westwood Plaza Trip Generation Phase 2**

General Information			Daily Trips		AM Peak Hour Trips			PM Peak Hour Trips		
ITE Code	Development Type	Variable	ADT Rate	ADT	Rate	In % Split/ Trips	Out % Split/ Trips	Rate	In % Split/ Trips	Out % Split/ Trips
820	Shopping Center	24.99 1000 sq ft GLA	eq	2757	eq	62% 41	38% 25	32.65	48% 114	52% 123
934	Fast-Food Restaurant w/ Drive-Thru	3.018 1000 sq ft GFA	496.12	1497	45.4 2	51% 70	49% 67	32.65	52% 51	48% 47
945	Gasoline/Service Station w/ Convenience Market	12 Vehicle Fueling Positions	162.78	1953	50%	50%	50%	13.51	50%	50%
Sub-total				6,208		172	153		246	251
<i>Adjustments</i>										
Capture¹		5%		98		3	3		4	4
Pass-by²		15%		931		26	23		37	38
Total				5,179		143	127		205	209

¹ Gasoline/Service Station only

² Applied to entire commercial center

Intersection Level of Service (LOS)

An analysis was done to determine the levels of service for the intersection at Westwood Street and Henderson Avenue, as well as the proposed Project entrances for both phases. Peak hour traffic counts were conducted in October 2015 from 7:30 AM to 8:30 AM and 4:30 PM to 5:30 PM (see Appendix C).

Future traffic was estimated based on the TCAG traffic model data. Based on this data, average annual growth rates ranging from approximately 2% to 3% were applied to existing traffic volumes to estimate future traffic volumes. The AM and PM level of service tables are shown in Table 3-7 below.

Table 3-7
Intersection AM/PM Peak Hour LOS

#	Intersection	Movement	AM/PM 2015	AM/PM 2015+ Project Phase 1	AM/PM 2025	AM/PM 2025 + Project Phase 2
1	Project Entrance & W Henderson Ave	NB	—*	A/B	—*	B/B
2	N Westwood St & W Henderson Ave	Signalized	C/B	C/B	C/C	C/C
3	N Westwood St & Project Entrance	EB	—*	B/A	—*	B/B
4	N Westwood St & Project Entrance/Kings Cross Way	EB WB	—* B/B	C/C C/B	—* C/B	D/C C/C
5	N Westwood St & Project Entrance (South)	EB	—*	A/A	—*	B/B

* Only exists with “+project” scenarios.

The City of Porterville and the Tulare County Regional Transportation Plan designate LOS "D" as the minimum acceptable intersection peak hour level of service standard. As can be seen in Table 3-7 above, the intersection of Westwood Street and Henderson Avenue, as well as the proposed Project entrances are anticipated to operate at or above acceptable LOS in the existing year, as well as the future year for all scenarios.

Queue Length

Queue lengths were evaluated at the intersection of Westwood Street and Henderson Avenue, as well as at the intersection of Westwood Street and Kings Cross Way/Project Entrance using Synchro 8 software by Trafficware. Queue lengths for the study scenarios are shown in Table 3-8.

Table 3-8
Queue Length

Scenario	Henderson Ave & Westwood St		Westwood St & Kings Cross Way/ Project Entrance	
	Eastbound Left Q- Length (Ft.)	Northbound Left Q- Length (Ft.)	Northbound Left Q- Length (Ft.)	Southbound Left Q- Length (Ft.)
Existing Storage	85	110	-2	-2
AM Existing	74	36	-1	0
AM Existing + Project Phase 1	82	41	20	24
AM Future	96	42	-1	10
AM Future + Project Phase 2	123	52	59	15
PM Existing	63	47	-1	16
PM Existing + Project Phase 1	72	53	21	20
PM Future	85	58	-1	25
PM Future + Project Phase 2	118	71	47	21

¹ Left turn only exists with Project

² Future with Project

Based on a review of the queue length analysis, left turn storage lengths and driveway movement recommendations are listed in Table 3-9.

Table 3-9
Intersection Recommendations

#	Intersection	Recommendation
1	Project Entrance & W Henderson Ave	Restrict to Right-In/Right-Out movements only
2	N Westwood St & W Henderson Ave	<i>Eastbound Left-Turn:</i> Provide for 150 feet of storage (Modified Striping) <i>Northbound Left-Turn:</i> Provide for 150 feet of storage (Construct raised concrete median along the frontage of the property on Westwood Street)
3	N Westwood St & Project Entrance	Restrict to Right-in/Right-Out movements only
4	N Westwood St & Project Entrance/Kings Cross Way	<i>Northbound Left-Turn:</i> Provide for 100 feet of storage (Construct concrete median) <i>Southbound Left-Turn:</i> Provide for 100 feet of storage (Construct concrete median)
5	N Westwood St & Project Entrance	Restrict to Right-In/Right-Out movements only

Conclusion

As shown in the LOS analysis, the proposed Project will not create any significant impacts to the roadway system in the proposed Project vicinity; however, implementation of Mitigation Measure TRA-1 will ensure impacts remain Less Than Significant.

Mitigation**TRA 1**

The Applicant shall pay their Fair Share Portion to the City of Porterville (50%) to contribute to the construction of the roadway improvements described in Table 3-9.

Chapter 4

CUMULATIVE IMPACTS

CUMULATIVE IMPACTS

4.1 Introduction

Section 15130 of the CEQA Guidelines requires an EIR to discuss cumulative impacts of a proposed project when the project's incremental effect is cumulatively considerable. Cumulative impacts refer to two or more individual effects that, when combined, are considerable or that compound or increase other environmental impacts. The purpose of the cumulative impact analysis is to identify and summarize the environmental impacts of the proposed project in conjunction with existing, approved, and anticipated development in the project area. Since air quality, hydrology/water resources, and traffic/transportation are the only potentially significant issues of concern for this project, only the cumulative effects related to air quality, hydrology/water resources, and traffic/transportation are evaluated in this analysis.

The CEQA Guidelines allow for the use of two alternative methods to determine the scope of projects for the cumulative impact analysis:

- List Method – a list of past, present and probable future projects producing related or cumulative impacts, including, if necessary those projects outside the control of the agency.
- General Plan Projection Method – A summary of projections contained in an adopted General Plan, or related planning document, which described or evaluated regional or area wide conditions contributing to the cumulative impact.

The cumulative impacts analyses in this document are based on the General Plan Projection Method from the 2030 City of Porterville General Plan (and its EIR) and the City's adopted Urban Water Management Plan (CEQA Guidelines Section 15130(1)(B)).

4.2 Air Quality

As growth continues in the San Joaquin Valley, attainment of air quality standards will become more difficult, even though overall air quality has improved. Currently approved and proposed cumulative development planned in Fresno, Tulare, Kings and Kern Counties will result in continual urban development. The geographic area for cumulative air quality analysis is therefore the San Joaquin Valley.

The proposed Project would contribute to cumulative air emissions by allowing for greater development in the project area than currently exists. However, such development is minimal, and was considered and analyzed in the City of Porterville's General Plan and associated EIR. The amount of mobile and stationary emissions would be greater than what would be generated under existing conditions, or future conditions if the project area were to remain vacant. The SJVAPCD has adopted a cumulative threshold of significance of 10 tons per year of ozone precursors (ROG and NO_x). Project emissions of these two pollutants would not exceed these thresholds. Consequently, the proposed Project would not contribute substantially to air quality degradation, nor will it impede the San Joaquin Valley's ability to attain air quality standards.

The cumulative construction and operational air quality impacts of the project would not be significant and the project's contribution would not be cumulatively considerable.

The proposed Project's cumulative impacts on air quality are thus considered *less than significant*.

4.3 Hydrology and Water Resources

Buildout of the City's General Plan and other pending projects in the Porterville area will contribute to the potential for water supply (groundwater) depletion. The geographic area for cumulative hydrology analysis is the land area included in the City's General Plan.

Porterville has historically used groundwater to meet all of their water demands. Although the City's aquifer is in a state of overdraft, they could still meet their water demands for several more years solely with groundwater.¹ However, the City recognizes that continued overdraft of the City's groundwater is not sustainable. As such, the City has and/or is planning to implement several mechanisms to address this shortfall. These include reliance on surface water, increased groundwater recharge projects, and consolidated water projects.

The City's General Plan EIR indicates that by 2030, total water demand by the City will be 30,000 acre feet per year, which will exceed the groundwater availability. The Urban Water Management Plan (UWMP) indicates that future demand can be met with continued groundwater pumping, surface water purchases and conservation measures. The UWMP identifies the Porterville Irrigation District as a potential supplier of the surface water that will be needed to meet demand in 2030. These mechanisms will ensure that impacts remain less than significant. In addition, the project's land uses were considered and analyzed in the City's General Plan (and associated EIR) as well as in the UWMP.

¹ Porterville Urban Water Management Plan, page 42. (2010)

Because there is no new land use changes associated with the proposed Project, there are no additional impacts beyond what was already analyzed in these documents.

The project's cumulative impacts on hydrology (specifically groundwater) are thus considered *less than significant*.

4.4 Transportation/Traffic Impacts

The proposed Project would create a minor increase in vehicle traffic that will have minimal affect on circulation conditions on the local and regional traffic and transportation network. Such increase was considered, and analyzed in the City of Porterville's General Plan and associated EIR. The Circulation Element of the 2030 Porterville General Plan addresses established and planned roadways, bicycle and trail routes, alternative modes of transportation, pedestrian facilities, and the potential for light rail transit. A traffic impact analysis was also conducted which discusses potential impacts that occur as a result of additional traffic generation from the proposed project. It was determined that the proposed Project would not result in any significant impacts either in the short term or long term (at 2030 General Plan Buildout). Therefore, the project's cumulative impacts on traffic/transportation are thus considered *less than significant*.

Chapter 5

PROJECT ALTERNATIVES

PROJECT ALTERNATIVES

5.1 Introduction

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed project that could feasibly attain most of the objectives of the proposed project. The Guidelines further require that the discussion focus on alternatives capable of eliminating significant adverse impacts of the project or reducing them to a less-than-significant level, even if the alternative would not fully attain the project objectives or would be more costly. According to CEQA Guidelines, the range of alternatives required in an EIR is governed by the “rule of reason” that requires an EIR to evaluate only those alternatives necessary to permit a reasoned choice. An EIR need not consider alternatives that have effects that cannot be reasonably ascertained and/or are remote and speculative.

5.2 Project Objectives and Significant Impacts

The project objective is to establish over 35,000 square feet of restaurant and commercial retail space on the proposed Project site. Based on the rule of reason as set forth in the CEQA Guidelines (Section 15126.6), the only alternatives that should be analyzed in the EIR are those that are capable of eliminating or substantially reducing significant adverse environmental impacts. The results of the analysis in this EIR and accompanying IS indicate that the proposed Project would not result in any significant environmental impacts; therefore, no alternative development scenarios are evaluated.

5.3 No Project

CEQA Section 15126.6(e) requires the discussion of the No Project Alternative “to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” The No Project scenario in this case consists of retaining the property in its original configuration, with no construction or operation of the proposed commercial project. Under this alternative, no new development would occur on the site.

This alternative would avoid both the adverse and beneficial effects of the project. This alternative would avoid site-disturbance and construction-related impacts associated with

construction of the proposed commercial development. The No Project Alternative would avoid the generation of any environmental impacts; however, none of the impacts of the project are considered significant. This alternative would not meet the project's objectives to create an economically sustainable commercial retail complex.

Chapter 6

CEQA Considerations

CEQA CONSIDERATIONS

6.1 Growth-Inducing Impacts

CEQA Section 15126 (d) requires that any growth-inducing aspect of a project be addressed in an EIR. This discussion includes consideration of ways in which the proposed Project could directly or indirectly foster economic or population growth with the construction and operation of a commercial development project in the surrounding area. Projects which could remove obstacles to population growth (such as a major public service expansion) are also considered in this discussion. The proposed Project is the establishment of a commercial development project, including development of a convenience store with gas station, restaurant, retail space, and associated site improvements. It is consistent with the City of Porterville's General Plan and Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales and will connect to all existing City utility services. The proposed Project would create a relatively minor amount of new employment opportunities; however, those positions would likely be readily filled by the existing employment base, given the 11.1% unemployment rate in the Visalia-Porterville Metropolitan statistical area¹. The proposed Project would not result in significant growth-inducing impacts.

Conclusion

The project would have *less-than-significant* growth-inducing impacts.

6.2 Irreversible Environmental Changes

Section 15126(f) of the CEQA Guidelines requires that an EIR include a discussion of significant irreversible environmental changes that would result from project implementation. CEQA Section 15126.2(c) identifies irreversible environmental changes as those involving a large commitment of nonrenewable resources or irreversible damage resulting from environmental accidents.

Irreversible changes associated with the project include the use of nonrenewable resources during construction, including concrete, plastic, and petroleum products. During the operational phase

¹ State of California, Employment Development Department, Labor Market Information Division. December 18, 2015. [http://www.calmis.ca.gov/file/1fmonth/visa\\$pds.pdf](http://www.calmis.ca.gov/file/1fmonth/visa$pds.pdf). Accessed 1/16.

of the proposed Project, energy would be used for lighting, heating, cooling, fuel dispensers and other requirements. The use of these resources would not be substantial and would not constitute a significant effect.

Conclusion

The project would have *less-than-significant* irreversible environmental changes.

6.3 Significant and Unavoidable Impacts

Based on the analysis in this EIR and the accompanying Initial Study (Appendix A), the proposed Project would not result in any significant unavoidable impacts.

Conclusion

The proposed Project would not have any significant unavoidable impacts.

Chapter 7

PREPARERS

PREPARERS

7.1 List of Preparers

Crawford & Bowen Planning, Inc.

- Travis Crawford, AICP, Principal Environmental Planner
- Emily Bowen, LEED AP, Principal Environmental Planner

Ruettgers & Schuler Civil Engineers

- Ian Parks, Principal Traffic Engineer

7.2 Persons and Agencies Consulted

City of Porterville

- Mike Reed, Public Works Director
- Javier Sanchez, Acting City Engineer
- Fernando Rios, Project Manager
- Jenni Byers, Community Development Director

APPENDICES

Appendix A

NOTICE OF PREPARATION/ INITIAL STUDY

NOTICE OF PREPARATION

To: State Clearinghouse
PO Box 3044/ 1400 Tenth St
Sacramento CA 95814

From: City of Porterville
291 North Main Street
Porterville, CA 93257

Date: November 30, 2015

Subject: **Notice of Preparation of a Draft Environmental Impact Report**

Project Title: Westwood Plaza Commercial Development

Project Applicant: Westwood Plaza LLC

Project Location: The proposed Project is located on single parcel (APN 240-270-035) totaling approximately 4.51 acres at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville. The site is approximately 1.73 miles west of SR65.

The City of Porterville (City) will be the Lead Agency and will prepare an environmental impact report of the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project. The project description, location, and the potential environmental effects are contained in the Project Initial Study.

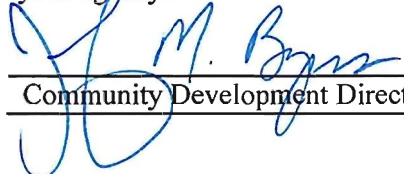
Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

A scoping meeting is scheduled for **Thursday December 17, 2015 at 1:30 p.m.** in the Jay C Coleman Conference Room of the City of Porterville at the address shown above.

Please direct your response to Jennifer M. Byers, Community Development Director at the address shown above. She may be contacted by e-mail at jbyers@ci.porterville.ca.us or by telephone at 559-782-7460.

Please provide us with the name of a contact person in your agency.

Date 11/25/15

Signature 
Title Community Development Director

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375

PROJECT DESCRIPTION SUMMARY: The full Project description, location, and identification of potential environmental effects are contained in the Project Initial Study. In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the City of Porterville will be preparing an Environmental Impact Report (EIR) to evaluate the environmental effects associated with development of a proposed commercial development project. The Project is being proposed by Westwood LLC. (Applicant) to construct and operate a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 sq. ft. of retail space located on a single parcel (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street.

If you require additional information related to this notice, please contact:

Fernando Rios, Associate Planner

frios@ci.porterville.ca.us or by telephone at 559-782-7460.

Potential Approvals Required:

The following agencies may have jurisdiction over elements of the proposed Project:

City of Porterville
County of Tulare Health and Human Services Agency
California Department of Fish and Game
California Department of Transportation
California Department of Toxic Substances Control
Regional Water Quality Control Board
San Joaquin Valley Unified Air Pollution Control District
U.S. Fish and Wildlife Service

PROJECT LOCATION AND SETTING

The proposed Project is located on single parcel (240-270-035) totaling approximately 4.51 acres at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville. The site is approximately 1.73 miles west of SR65. The proposed Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) are located to the south and a strawberry field/stand is located to the north (across Henderson Avenue. See Figures 1 and 2, Regional and Site Vicinity Maps.

The site is currently zoned CR (Retail Center) and is designated by the General Plan as Retail Center.

DESCRIPTION OF PROPOSED FACILITIES

The Project Applicant intends to construct and operate a 4,501 sq. ft. convenience store with gas station, a 3,018 sq. ft. restaurant, 24,990 sq. ft. of retail space, and associated improvements located on a single 4.51 acre lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street). See Figure 3 – Site Plan. The proposed Project components are broken down as follows:

- Construction and operation of:
 - 4,501 sq. ft. convenience store with 12 pump gas station (Phase 1)
 - 3,018 sq. ft. restaurant (Phase 2)

- Retail space totaling 24,990 sq. ft. divided into seven (7) spaces (Phase 2) as follows:
 - Parcel 2 - 10,800 sq. ft. retail (anchor store)
 - Parcel 3 – 4,950 sq. ft. retail
 - Parcel 4 – three retail spaces @ 1,430 sq. ft. each
 - Parcel 5 – two retail spaces @ 2,475 sq. ft. each
- Installation of road frontage improvements along the site perimeter along Henderson Avenue and Westwood Street. (Phase 1)
- Construction of the convenience store with 12 pump gas stations, parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 1)
- Installation of road frontage improvements along Henderson Avenue. (Phase 2)
- Construction of the restaurant and retail spaces (Parcels 1-5), parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 2)
- Construction of a block wall along the southern boundary of the site. (Phase 2)

The Project Applicant intends to construct the Project over two phases. Phase 1 will include the gas station and convenience store (within 2-3 years) and Phase 2 will include the restaurant and retail stores (within 3-10 years depending on market conditions). Existing City services (water, sewer and stormwater) are located in both Henderson Avenue and Westwood Street. The Applicant will be required to tie into these existing facilities. The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

POTENTIAL ENVIRONMENTAL EFFECTS

The EIR will evaluate, among other things, the probable direct and cumulative environmental impacts associated with construction, expansion, and continued operation of the Westwood Plaza Project. Mitigation measures will be recommended, where feasible, to mitigate potentially significant impacts. Many of the environmental impacts were determined to be less than significant (as shown in the Project's Initial Study). However, those impact areas that were determined to be potentially significant will be analyzed in the Project Environmental Impact Report (EIR). The following issues are proposed for analysis in the EIR:

Air Quality/Greenhouse Gas Emissions

The EIR will describe regional and local air quality in the vicinity of the proposed Project site and evaluate impacts to air quality associated with the construction, expansion, and continued operation of the Project. The proposed Project's estimated air emissions will be compared to emissions thresholds of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The EIR will describe existing air quality conditions within the San Joaquin Valley Air Basin and will evaluate the proposed Project's potential air quality impacts. Potential air quality emissions impacts include odor, dust, pathogens, and construction related activities. The EIR will also include a discussion of greenhouse gas emissions and the proposed Project's contribution to potential cumulative impacts on global climate.

Hydrology, Water Quality, and Water Supply

The EIR will describe the proposed Project's effect on the hydrology, water quality, and water supply resources.

Transportation/Traffic

The EIR will evaluate the Project's impact on regional and local transportation facilities based on a transportation analysis that will assess both construction-related impacts (heavy truck trips and construction worker trips), as well as operational impacts (employee trips, incoming and outgoing trips, and parking). A traffic study will be prepared for the proposed Project in consultation with the City of Porterville.

Growth Inducement

The EIR will evaluate the proposed Project's potential for growth inducement resulting from expansion or extension of infrastructure improvements, as well as new demand for housing, and goods and services. The effect of primary and secondary increases in employment and economic activity will be discussed.

Cumulative Impacts

The EIR will discuss the incremental contribution of the proposed Project to cumulative effects of other past, current, and planned and reasonably foreseeable Projects in the vicinity.

ALTERNATIVES EVALUATED IN THE EIR

In accordance with the CEQA Guidelines Section 15126.6, the EIR will describe a reasonable range of alternatives to the proposed Project that are capable of meeting most of the proposed Project's objectives, but would avoid or substantially lessen any of the significant effects of the proposed Project. The EIR will also identify any alternatives that were considered but rejected by the Lead Agency as infeasible and briefly explain the reasons why. The EIR will also provide an analysis of the No Project Alternative.

OPPORTUNITY FOR PUBLIC COMMENT

Interested individuals, groups, and agencies may provide to the City of Porterville written comments on topics to be addressed in the EIR for the proposed Project. Because of time limits mandated by state law, comments should be provided no later than **5:00 p.m. December 30, 2015**. Agencies that will need to use the EIR when considering permits or other approvals for the proposed Project should provide the name of a staff contact person. Please send all comments to:

Fernando Rios
Associate Planner
291 North Main Street
Porterville, CA 93257
or via e-mail at: frios@ci.porterville.ca.us
or via phone: 559-782-7460

Figure 1
Regional Vicinity

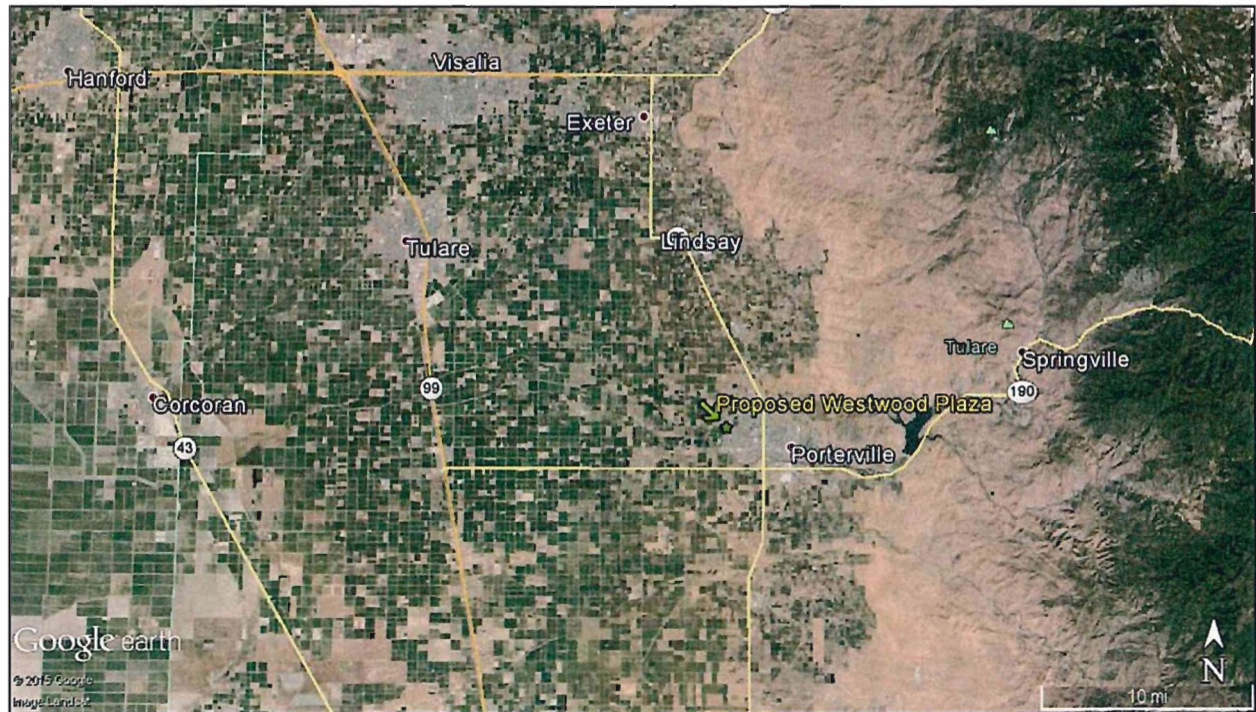


Figure 2
Project Vicinity

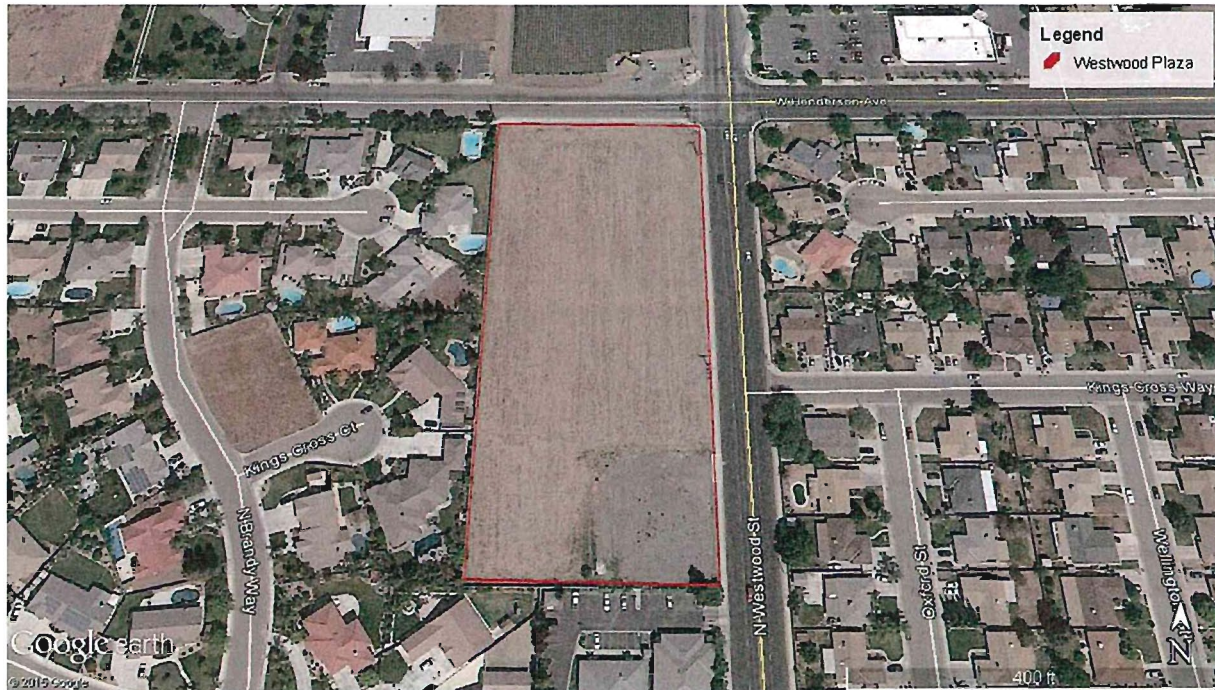
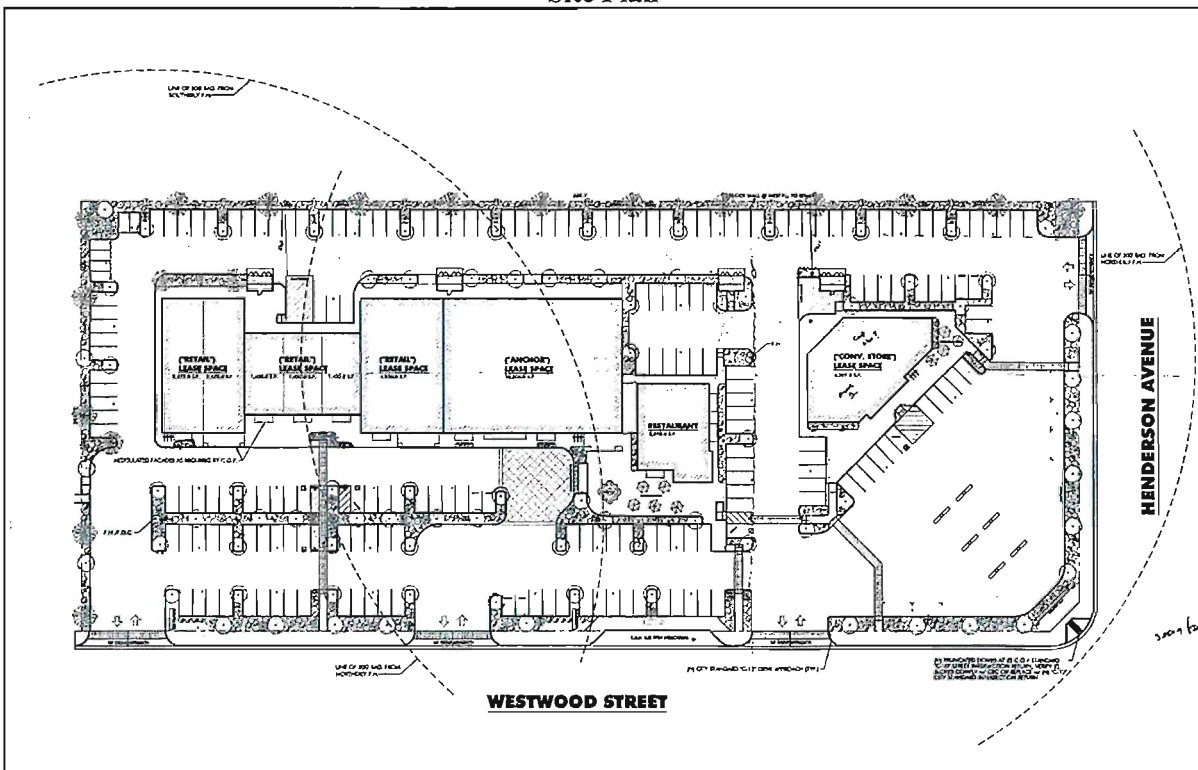


Figure 3
Site Plan





INITIAL STUDY

Westwood Plaza Commercial Development

December 2015

PREPARED FOR:



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

PREPARED BY:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Initial Study

Westwood Plaza Commercial Development

Prepared for:



City of Porterville
291 North Main Street
Porterville, California 93257
(559) 782-7460
Contact: Fernando Rios

Prepared by:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291
(559) 840-4414
Contact: Travis Crawford, AICP

December 2015



Project Reference No. 013-1403

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Chapter 1

INTRODUCTION

INTRODUCTION

1.1 Project Summary

This document is the Initial Study (IS) for the potential environmental effects of the City of Porterville's (City) Westwood Plaza Commercial Development (Project). The Project Applicant intends to construct and operate a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 sq. ft. of retail space located on a single parcel (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street. The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

The proposed Project is more fully described in Chapter Two – Project Description.

The City of Porterville will act as the Lead Agency for this project pursuant to the *California Environmental Quality Act (CEQA)* and the *CEQA Guidelines*.

1.2 Document Format

This IS contains five chapters, and appendices. Chapter 1, Introduction, provides an overview of the project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of project objectives and components. Chapter 3, Initial Study Checklist, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, Mitigation Monitoring and Reporting Program, provides the proposed mitigation measures, completion timeline, and person/agency responsible for implementation and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS.

Environmental impacts are separated into the following categories:

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

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

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

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

Regardless of the type of CEQA document that must be prepared, the basic purpose of the CEQA process as set forth in the CEQA Guidelines Section 15002(a) is to:

- (1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

According to Section 15064 an Environmental Impact Report (EIR) is appropriate if:

- (1) There is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.
- (2) When a final EIR identifies one or more significant effects, the lead agency and each responsible agency shall make a finding under Section 15091 for each significant effect and may need to make a statement of overriding considerations under Section 15093 for the project.

The Initial Study contained in Section Three of this document has determined that the project may have a significant impact on the environment and therefore an Environmental Impact Report will be prepared.

Chapter 2

PROJECT DESCRIPTION

Project Description

2.1 Project Background

The Project Applicant intends to construct and operate 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 sq. ft. of retail space located on a single lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street. The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

2.2 Objectives

The following are the primary goals of the City of Porterville's Westwood Plaza Commercial Development Project (Project):

- To create an economically sustainable commercial retail complex that will provide business and job opportunities within the City of Porterville.
- Ensure the provision of services and facilities needed to accommodate planned population densities in the project area.
- Foster strong, visually attractive regional commercial centers with a mix of tenants to serv both local and regional needs.

2.3 Location

The proposed Project is located on a single parcel (240-270-035) totaling approximately 4.51 acres at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville. The site is approximately 1.73 miles west of SR65. See Figures 1 and 2– Regional Map and Site Aerial, respectively.

Figure 1
Regional Map

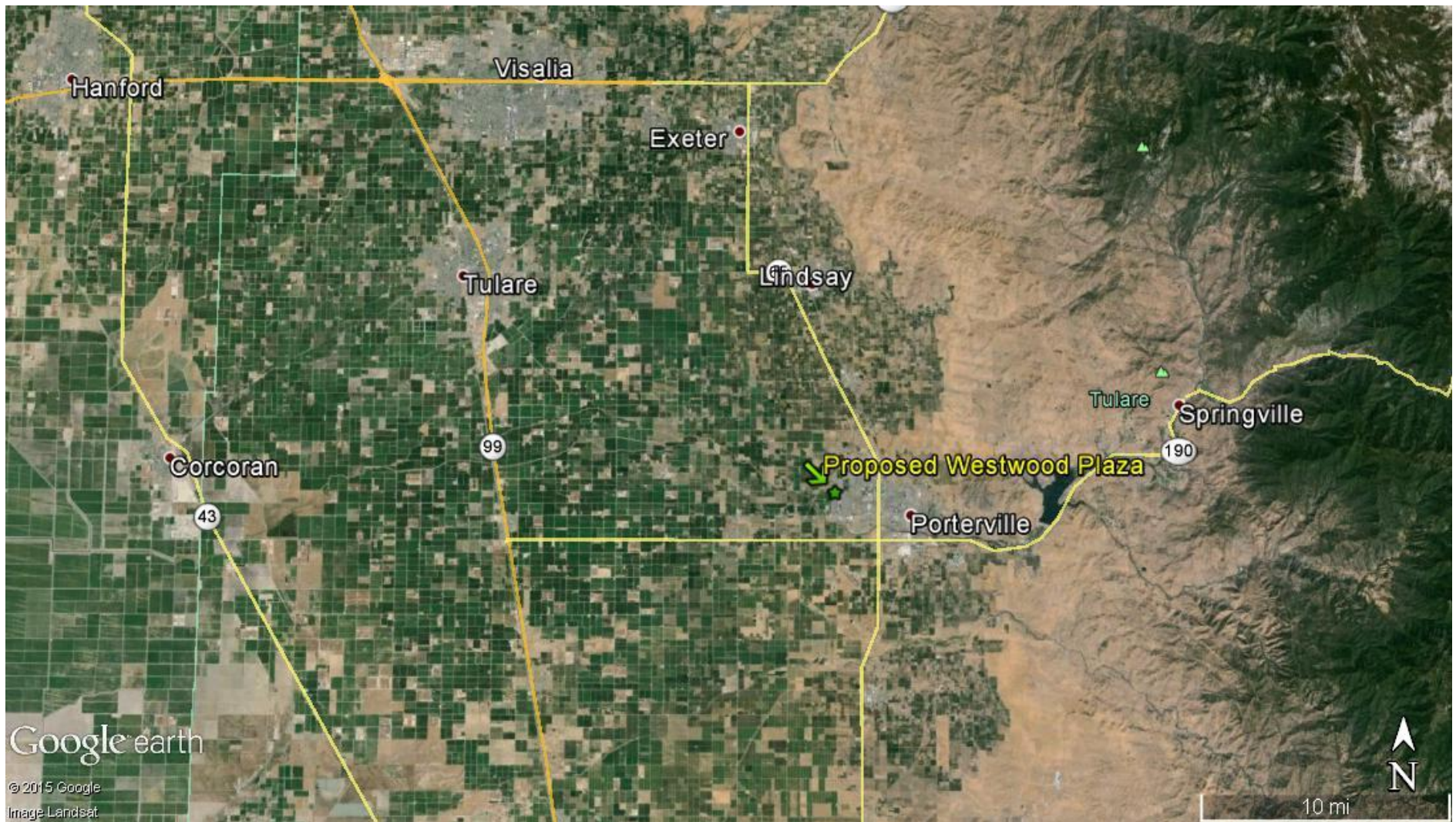
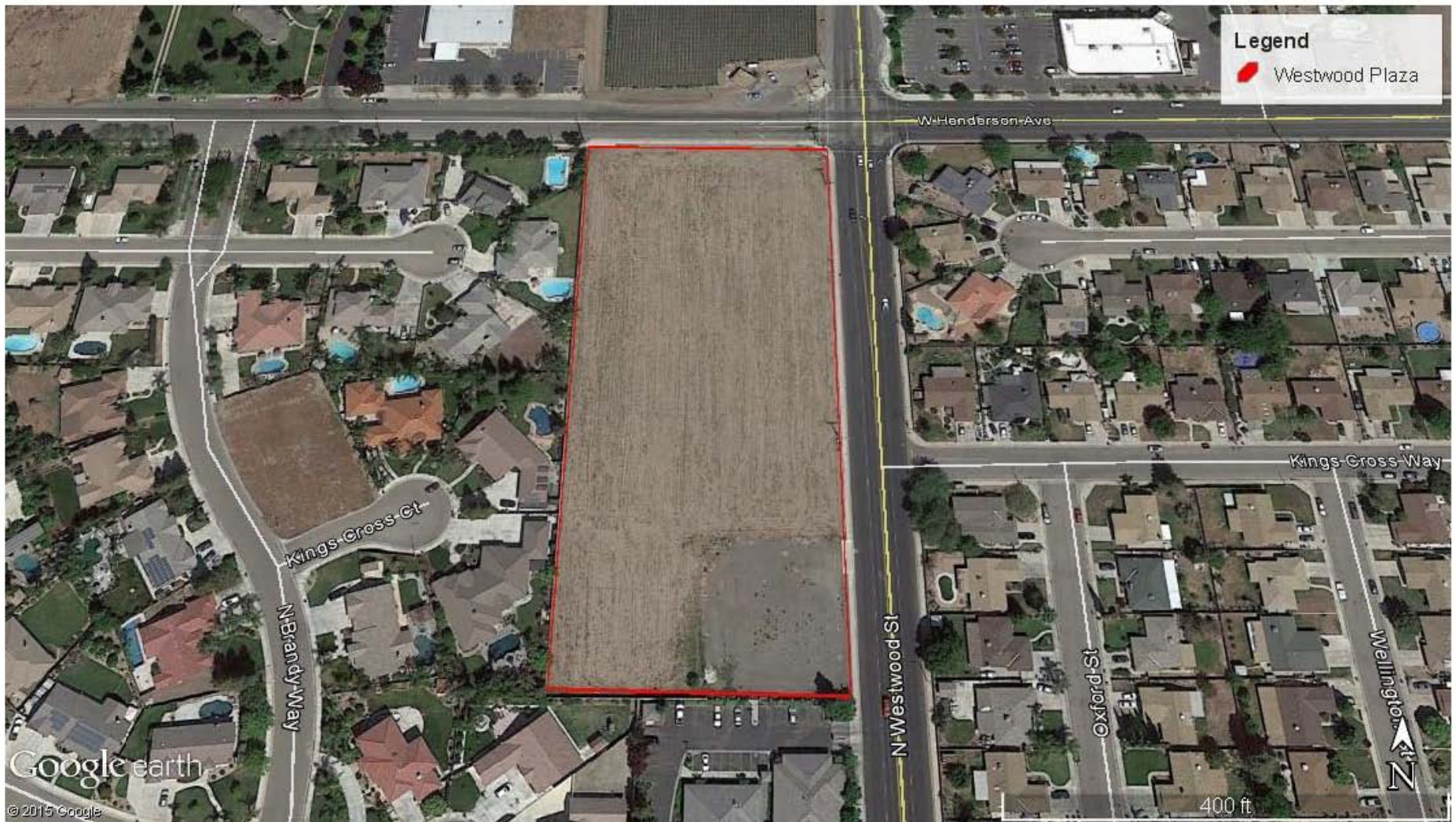


Figure 2
Site Aerial



2.4 Setting and Surrounding Land Use

The proposed Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) are located to the south and a strawberry field/stand is located to the north (across Henderson Avenue).

The site is currently zoned CR (Retail Center) and is designated by the General Plan as Retail Center. Land use and zoning surrounding the site are as follows:

Existing Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification	General Plan Designation
North	Henderson Ave. and strawberry field/stand	CN – Neighborhood Commercial	Neighborhood Commercial
South	Professional offices – dentist office	PO – Professional Office	Professional Office
West	Single-family residential units	RS-2 – Low Density Residential	Low Density Residential
East	Westwood Street and single-family residential units	RS-2 – Low Density Residential	Low Density Residential

2.5 Project Description

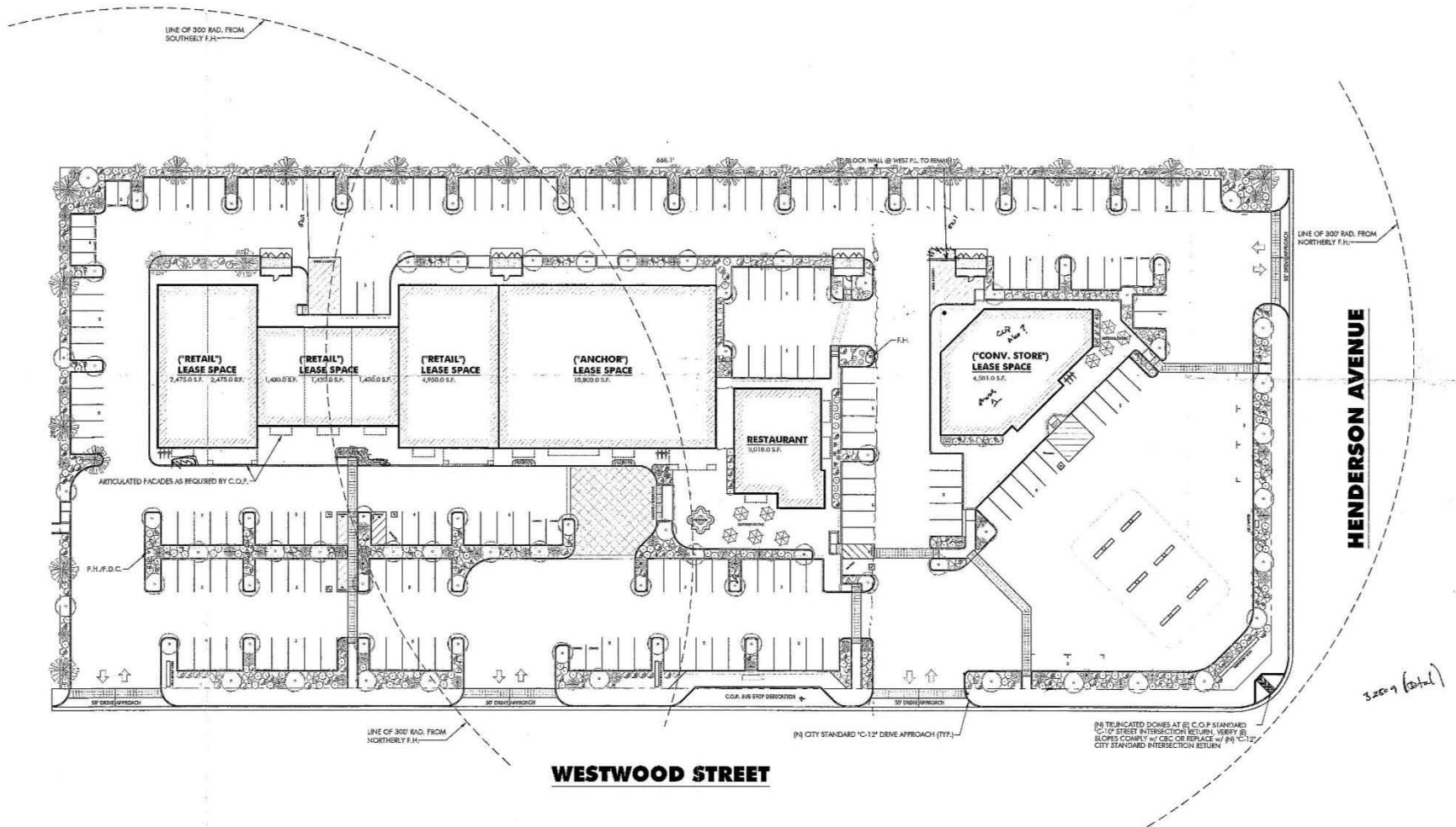
The Project Applicant intends to construct and operate a 4,501 sq. ft. convenience store with gas station, a 3,018 sq. ft. restaurant, 24,990 sq. ft. of retail space, and associated improvements located on a single 4.51 acre lot (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street (see Figure 3 – Site Plan). The proposed Project components are broken down as follows:

- Construction and operation of:
 - 4,501 sq. ft. convenience store with 12 pump gas station (Phase 1)
 - 3,018 sq. ft. restaurant (Phase 2)
 - Retail space totaling 24,990 sq. ft. divided into seven (7) spaces (Phase 2) as follows:
 - Parcel 2 - 10,800 sq. ft. retail (anchor store)
 - Parcel 3 – 4,950 sq. ft. retail
 - Parcel 4 – three retail spaces @ 1,430 sq. ft. each
 - Parcel 5 – two retail spaces @ 2,475 sq. ft. each
- Installation of road frontage improvements along the site perimeter along Henderson Avenue and Westwood Street. (Phase 1)
- Construction of the convenience store with 12 pump stations, parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 1)
- Installation of road frontage improvements along Henderson Avenue. (Phase 2)
- Construction of the restaurant and retail space (Parcels 1-5), parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 2)
- Construction of a block wall along the southern boundary of the site. (Phase 2)

The Project Applicant intends to construct the Project over two phases. Phase 1 will include the gas station and convenience store (within 2-3 years) and Phase 2 will include the restaurant and retail stores (within 3-10 years depending on market conditions). Existing City services (water, sewer and stormwater) are located in both Henderson Avenue and Westwood Street. The Applicant will be required to tie into these existing facilities.

The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales.

**Figure 3
Site Plan**



2.6 Other Required Approvals

The proposed Project would include, but not be limited to, the following regulatory requirements:

- The adoption of a Mitigated Negative Declaration by the City of Porterville
- Approval of a Conditional Use Permit by the City of Porterville
- Approval of a Stormwater Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board
- Dust Control Plan Approval letter from the San Joaquin Valley Air Pollution Control District
- Compliance with Rule 9510 of the San Joaquin Valley Air Pollution Control District
- Compliance with other federal, state and local requirements

Chapter 3

IMPACT ANALYSIS

Initial Study Checklist

3.1 Environmental Checklist Form

Project title:

City of Porterville Westwood Plaza Commercial Development Project

Lead agency name and address:

City of Porterville
291 North Main Street
Porterville, CA 93257

Contact person(s) and phone number:

Jenni Byers, Community Development Director
City of Porterville
(559) 782-7460

Fernando Rios, Associate Planner
City of Porterville
(559) 782-7460

Project location:

The proposed Project is located on single parcel (240-270-035) totaling approximately 4.51 acres at the southwest corner of Henderson Avenue and Westwood Street in the City of Porterville. The site is approximately 1.73 miles west of SR65. See Figures 1 and 2– Regional Map and Site Aerial, respectively.

Project sponsor's name/address:

City of Porterville
291 North Main Street
Porterville, CA 93257

General plan designation:

Retail Center

Zoning:

CR (Retail Center)

Description of project:

The Project Applicant intends to construct and operate a 4,501 square foot convenience store with gas station, a 3,018 square foot restaurant, and 24,990 sq. ft. of retail space located on a single parcel (240-270-035) at the southwest corner of Henderson Avenue and Westwood Street. The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales. See Chapter Two – Project Description.

Surrounding land uses/setting:

The Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry stand is located to the north (across Henderson Avenue).

Other public agencies whose approval or consultation is required (e.g., permits, financing approval, participation agreements):

- State of California Native American Heritage Commission
- California State Clearinghouse, within the Office of Permit Assistance
- San Joaquin Valley Air Pollution Control District
- Central Valley Regional Water Quality Control Board

3.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| ☐ Aesthetics | ☐ Agriculture Resources
and Forest Resources | ☒ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology /Soils |
| ☐ Greenhouse Gas
Emissions | ☐ Hazards & Hazardous
Materials | ☒ Hydrology / Water
Quality |
| ☐ Land Use / Planning | ☐ Mineral Resources | ☐ Noise |
| ☒ Transportation/Traffic | ☐ Utilities / Service
Systems | ☐ Mandatory
Findings of
Significance |

3.3 Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or

“potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.



I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jennifer M. Byers

Date

Community Development Director

City of Porterville

I. AESTHETICS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project site is located on the San Joaquin Valley floor in the northwest portion of the City of Porterville, California. The Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry stand is located to the north (across Henderson Avenue).

The aesthetic features of the existing visual environment in the proposed Project area are relatively uniform (single family residential, professional offices), with the exception of the strawberry stand located to the north across Henderson Avenue. There are no scenic resources or scenic vistas in the area. State Routes (SR) in the proposed Project vicinity include 99, 65, 190, 137.

Regulatory Setting

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to the proposed Project because it will not be located on lands administered by a federal agency, and the proposed Project applicant is not requesting federal funding or a federal permit.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards

The Energy Commission adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on April 23, 2008. These new Standards became effective on January 1, 2010. Requirements for outdoor lighting remained consistent with past Standards and the requirements vary according to which “Lighting Zone” the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the Project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4.

The Energy Commission defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government.

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260

through 263. While not Designated State Scenic Highways, two Eligible State Scenic Highways occur in Tulare County, SR 198 and SR 190.

Local

Porterville General Plan Policies

- LU-G-4: Promote sustainability in the design and development of public and private development projects.
- LU-I-18: Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses, and environmental hazards.
- LU-I-25: Establish buffering requirements and performance standards intended to minimize harmful effects of excessive noise, light, glare, and other adverse environmental impacts.

RESPONSES

a. Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. The Project consists of the following:

- Construction and operation of:
 - 4,501 sq. ft. convenience store with 12 pump gas station (Phase 1)
 - 3,018 sq. ft. restaurant (Phase 2)
 - Retail space totaling 24,990 sq. ft. divided into seven (7) spaces (Phase 2) as follows:
 - Parcel 2 - 10,800 sq. ft. retail (anchor store)
 - Parcel 3 – 4,950 sq. ft. retail
 - Parcel 4 – three retail spaces @ 1,430 sq. ft. each
 - Parcel 5 – two retail spaces @ 2,475 sq. ft. each
- Installation of road frontage improvements along the site perimeter along Henderson Avenue and Westwood Street. (Phase 1)
- Construction of the convenience store with 12 pump stations, parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 1)
- Installation of road frontage improvements along Henderson Avenue. (Phase 2)

- Construction of the restaurant and retail space (Parcels 1-5), parking lot, including the required ADA compliant spaces, landscaping, associated site improvements and two driveways for ingress/egress. (Phase 2)
- Construction of a block wall along the southern boundary of the site. (Phase 1)

The structures will be single story in height (no greater than 50 feet high) and will conform to design standards set forth by the City's General Plan and Development Ordinance. In addition, the proposed Project will construct a six foot high block wall along the southern perimeter of the site to separate the Project from the existing office facility and will provide landscaping within the site and around the street frontages. The proposed Project site is located in an area that is substantially surround by urban uses and will not result in a use that is visually incompatible with the surrounding area.

The City of Porterville General Plan does not identify any scenic vistas within the Project area. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area. The Project is located in an area of minimal topographic relief, and views of the site are easily obscured by buildings, other structures and trees. Neither the Project area nor any surrounding land use contains features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks). The only potentially aesthetic feature in the area is the open field strawberry stand located north of the site, however construction of the proposed Project will not impede any views to or from that site.

Construction activities will occur sporadically over several years (buildout is determined by market demand) and will be visible from the adjacent roadsides and residences; however, the construction activities will be temporary in nature and will not affect a scenic vista. The impact will be *less than significant*.

Mitigation Measures: None are required.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact. There are no state designated scenic highways within the immediate proximity to the proposed Project site. California Department of Transportation Scenic Highway Mapping System identifies SR 190 east of SR 65 as an Eligible State Scenic Highway. This is the closest highway, located approximately 2.8 miles southeast of the Project site; however, the Project site is both physically and visually separated from SR 190 by intervening land uses. In addition, no scenic highways

or roadways are listed within the Project area in the City of Porterville's General Plan or Tulare County's General Plan. Based on the National Register of Historic Places (NRHP) and the City's General Plan, no historic buildings exist on the Project site. The proposed Project would not damage any trees, rock outcroppings or historic buildings within a State scenic highway corridor. Any impacts would be considered *less than significant*.

Mitigation Measures: None are required.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than Significant Impact. Site construction will include a convenience store/gas station, a restaurant, retail shops, and associated improvements such as a parking lot, site landscaping, and driveways. The structures will be single story in height (no greater than 50 feet in height) and will conform to design standards set forth by the City's General Plan and Development Ordinance. In addition, the Project will construct a six foot high block wall along the southern perimeter of the site to separate the Project from the existing professional office facility and will provide landscaping within the site and around the street frontages. The proposed Project site is located in an area that is substantially surround by urban uses and will not result in a use that is visually incompatible with the surrounding area. The only potential aesthetic feature in the area is the open field of strawberries to the north of the site, however construction of the proposed Project will not impede any views to or from that site.

View from south end of site looking north



View from north end of site looking south



The site is visible from vehicles traveling along Henderson Avenue and Westwood Street. However, the proposed Project site is planned for urban use and will be similar in visual character to the existing area, as similar urban uses are found in the area and throughout both rural and urban parts of the Central Valley. As such, the proposed Project will not substantially degrade the existing visual character or quality of the area or its surroundings.

The impact will be *less than significant*.

Mitigation Measures: None are required.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as “light trespass.” Types of light trespass include spillover light and glare. Minimizing all these forms of obtrusive light is an important environmental consideration. A less obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Spillover light is light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. Spillover light can adversely affect light-sensitive uses, such as residential neighborhoods at nighttime. Because light dissipates as it travels from the source, the intensity of a light fixture is often increased at the source to compensate for the dissipated light. This can further increase the amount of light that illuminates adjacent uses. Spillover light can be minimized by

using only the level of light necessary, and by using cutoff type fixtures or shielded light fixtures, or a combination of fixture types.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

Currently the sources of light in the project area are from street lights, the vehicles traveling along Henderson Avenue and Westwood Street, and security lighting at the professional office facility to the south. The Project would include nighttime lighting for building and parking lot security, as well as potentially illuminated signage for the gas station and restaurant. Such lighting would be subject to the requirements of the Porterville Development Ordinance 300.07, which ensures that outdoor lighting does not produce obtrusive glare onto the public right-of-way or adjoining properties. Lighting fixtures for security would be designed with “cutoff” type fixtures or shielded light fixtures, or a combination of fixture types to cast light downward, thereby providing lighting at the ground level for safety while reducing glare to adjacent properties. Accordingly, the Project would not create substantial new sources of light or glare. Potential impacts are *less than significant*.

Mitigation Measures: None are required.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:

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

SETTING

Environmental Setting

The Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland*, *Unique Farmland*, or *Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area.

Regulatory Setting

Federal

Federal regulations for agriculture and forest resources are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

State regulations for agriculture and forest resources are not relevant to the proposed Project because no agricultural resources exist on the site.

Local

Porterville General Plan Policies

Porterville General Plan Policies for agriculture and forest resources are not relevant to the proposed Project because no agricultural resources exist on the site and no agricultural or forest resources will be impacted by the Project.

RESPONSES

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

No Impact. The Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland*, *Unique Farmland*, or *Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area. Therefore, no land conversion from Farmland would occur for the Project. Surrounding land uses include residential, commercial, and recreational uses; as such, the proposed Project does not have the potential to result in the conversion of Farmland to non-agricultural uses or forestland uses to non-forestland. There is *no impact*.

Mitigation Measures: None are required.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project site is not zoned for agriculture nor is the site covered by a Williamson Act contract; No impacts would occur. The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland. There is *no impact*.

Mitigation Measures: None are required.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland. There is *no impact*.

Mitigation Measures: None are required.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. No conversion of forestland, as defined under Public Resource Code or General Code, as referenced above, would occur as a result of the Project. There is *no impact*.

Mitigation Measures: None are required.

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. No land conversion from Farmland would occur for the Project. Surrounding land uses include residential, commercial, and recreational uses; as such, the proposed Project does not have the potential to result in the conversion of Farmland to non-agricultural uses or forestland uses to non-forestland. There is *no impact*.

Mitigation Measures: None are required.

III. AIR QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

SETTING

Environmental Setting

The climate of the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy, winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide

(NO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

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

Regulatory Setting

Federal

Clean Air Act

The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb).

State

California Air Resources Board

The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H₂S), and vinyl chloride.

The proposed Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the SJVAPCD.

Air basins are classified as attainment, nonattainment, or unclassified. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in Table 1. Note that both state and federal standards are presented.

Table 1
Standards and Attainment Status for Listed Pollutants in the Air District

	Federal Standard	California Standard
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1-hr avg)
Lead	1.5 µg/m ³ (calendar quarter) 0.15 µg/m ³ (rolling 3-month avg)	1.5 µg/m ³ (30-day avg)
Particulate Matter (PM ₁₀)	150 µg/m ³ (24-hr avg)	20 µg/m ³ (annual avg) 50 µg/m ³ (24-hr avg)
Particulate Matter (PM _{2.5})	15 µg/m ³ (annual avg)	35 µg/m ³ (24-hr avg) 12 µg/m ³ (annual avg)

µg/m³ = micrograms per cubic meter

Additional State regulations include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off-road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently

developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California’s GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The SJVAPCD has several rules and regulations that may apply to the Project:

Rule 3135 (Dust Control Plan Fees) – This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the SJVAPCD’s cost for reviewing these plans and conducting compliance inspections.

Rules 4101 (Visible Emissions) and 4102 (Nuisance) – These rules apply to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.

Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) – This rule applies to use of asphalt for paving new roadways or restoring existing roadways disturbed by project activities.

Regulation VIII (Fugitive PM₁₀ Prohibitions) – This regulation, a series of eight regulations, is designed to reduce PM₁₀ emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The control measures are summarized in Table 2.

Rule 9510 (Indirect Source Review) – This rule is designed to achieve emission reduction from the construction and use of development projects through design features and on-site measures.

Table 2
San Joaquin Valley Air Pollution Control District
Regulation VIII Control Measures for Construction Related Emissions of PM₁₀

The following are required to be implemented at all construction sites:
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of
Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

Porterville General Plan Policies

- OSC-G-9: Improve and protect Porterville’s air quality by making air quality a priority in land use and transportation planning and in development review.
- OSC-I-59: Require preparation of a Health Risk Assessment for any development subject to the Air Toxics “Hot Spots” Act.
- OSC-I-61: Coordinate air quality planning efforts with other local, regional and State agencies.
- OSC-I-63: Notify local and regional jurisdictions of proposed projects that may affect regional air quality.
- OSC-G-10: Reduce and conserve energy use in existing and new commercial, industrial, and public structures.

RESPONSES

a. Conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. The San Joaquin Valley Air Basin (SJVAB) is designated nonattainment of state and federal health based air quality standards for ozone and PM_{2.5}. The SJVAB is designated nonattainment of state PM₁₀. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM₁₀ Maintenance Plan and Request for Redesignation; and
- 2008 PM_{2.5} Plan.

Because of the region's non-attainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NO_x), PM₁₀, or PM_{2.5} were to exceed the SJVAPCD's significance thresholds, then the project uses would be considered to conflict with the attainment plans. In addition, if the project uses were to result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

Predicted construction and operational emissions may exceed the SJVAPCD's significance thresholds for ROG, NO_x, PM₁₀, and PM_{2.5}. As a result, the Project uses may conflict with emissions inventories contained in regional air quality attainment plans, and may result in a significant contribution to the region's air quality non-attainment status. Therefore, this impact is *potentially significant*.

This topic will be addressed in the Project's forthcoming EIR.

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Impact. Because ozone is a regional pollutant¹, the pollutants of concern for localized impacts are CO and fugitive PM₁₀ dust from construction. Ozone and PM₁₀ exhaust impacts are addressed under Impact c), below. The proposed Project may result in localized CO hotspots or PM₁₀

¹ San Joaquin Valley Air Pollution Control District. Air Quality Plans. Ozone Plans, 8-hour ozone standard. https://www.valleyair.org/Air_Quality_Plans/Ozone_Plans.htm. Accessed 10/15.

impacts, as discussed below. Therefore, the proposed Project may violate an air quality standard or contribute to a violation of an air quality standard in the Project area.

Therefore, this impact is *potentially significant*.

This topic will be addressed in the Project's forthcoming EIR.

- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Potentially Significant Impact. The nonattainment pollutants for the SJVAPCD are ozone, PM₁₀ and PM_{2.5}. Therefore, the pollutants of concern for this impact are ozone precursors, regional PM₁₀, and PM_{2.5}. Ozone is a regional pollutant formed by chemical reaction in the atmosphere, and the Project's incremental increase in ozone precursor generation is used to determine the potential air quality impacts, as set forth in the GAMAQI.

The annual significance thresholds to be used for the Project for construction and operational emissions are as follows²:

- 10 tons per year ROG;
- 10 tons per year NO_x;
- 15 tons per year PM₁₀; and
- 15 tons per year PM_{2.5}.

The Project may result in exceedance of these thresholds. Therefore, this impact is *potentially significant*.

This topic will be addressed in the Project's forthcoming EIR.

² San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Page 80. Accessed 10/15.

d. Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The proposed Project would not expose sensitive receptors to substantial concentrations of localized PM₁₀, carbon monoxide, diesel particulate matter, or hazardous pollutants, naturally occurring asbestos, or valley fever, as discussed below.

Localized PM₁₀

As shown in Response III-b, above, the Project would not generate a significant impact for construction-generated, localized PM₁₀. Therefore, the Project would not expose sensitive receptors to unhealthy levels of PM₁₀.

PM Hotspot

A PM_{2.5} and PM₁₀ Hotspot Analysis is not required for the Project because it is not a Project of Air Quality Concern (POAQC).

Carbon Monoxide Hotspot

Because of the relatively small size and location of the propose Project, it is not anticipated that it would result in a CO hotspot. In addition, the existing background concentrations of CO are low and any CO emissions would disperse rapidly. The nearest SJVAPCD monitoring station located approximately 45 miles south of the Project site (Bakersfield-Golden State Highway) shows the highest 1-hour and 8-hour CO concentrations for the past three years as 2.08 ppm and 1.46 ppm, respectively. The 1-hour and 8-hour CO standard are 20 ppm and 9 ppm, respectively. Therefore, the Project would not expose sensitive receptors to unhealthy levels of CO.

Naturally Occurring Asbestos

The Department of Conservation, Division of Mines and Geology published a guide entitled A General Location Guide for Ultramafic Rocks in California - Areas More Likely to Contain Naturally Occurring Asbestos, for generally identifying areas that are likely to contain naturally occurring asbestos. The guide includes a map of areas where formations containing naturally occurring asbestos in California are likely to occur. Foothill areas within Tulare County are identified as areas with ultramafic rocks. The City of Porterville's General Plan, Chapter Seven: Public Health and Safety provides a more detailed map, Figure 7-2 that shows some foothill locations adjacent to the City as areas with ultramafic rocks. Those areas are not located near the Project site. For this reason, the Project is not anticipated to expose workers or nearby receptors to naturally occurring asbestos. Any impacts to this analysis area would be considered *less than significant*.

Mitigation Measures: None are required.

e. Create objectionable odors affecting a substantial number of people?

Less than Significant Impact. If the proposed Project were to result in a sensitive odor receptor being located in the vicinity of an undesirable odor generator, the impact would be considered significant. The SJVAPCD regulates odor sources through its nuisance rule, Rule 4102, but has no quantitative standards for odors. The SJVAPCD presents a list of project screening trigger levels for potential odor sources in its GAMAQI, which is displayed in Table 3. If the project were to result in sensitive receptors being located closer to an odor generator in the list in Table 4 than the recommended distances, a more detailed analysis including a review of SJVAPCD odor complaint records is recommended.

**Table 3
Screening Levels for Potential
Odor Sources³**

Odor Generator	Distance (Miles)
Wastewater Treatment Facilities	2
Sanitary Landfill	1
Transfer Station	1
Composting Facility	1
Petroleum Refinery	2
Asphalt Batch Plant	1
Chemical Manufacturing	1
Fiberglass Manufacturing	1
Painting/Coating Operations (e.g., auto body shop)	1
Food Processing Facility	1
Feed Lot/Dairy	1
Rendering Plant	1

Significant odor problems are defined as:

- More than one confirmed complaint per year averaged over a three year period; or
- Three unconfirmed complaints per year averaged over a three-year period.

The proposed Project would allow for the development of commercial uses within the Project area. These land uses are not considered sources of objectionable odors. Therefore, objectionable odors are not

³ San Joaquin Valley Air Pollution Control District. March 19, 2015. Guide for Assessing and Mitigating Air Quality Impacts. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Page 103. Accessed 10/15.

expected to be a significant concern during either proposed Project construction related or operational emissions. As such, any impacts would be considered *less than significant*.

Mitigation Measures: None are required.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☒ ☐
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☒ ☐

SETTING

Environmental Setting

The proposed Project site is located in a portion of the central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include dairies, groves, and row crops.

Like most of California, the Central San Joaquin Valley experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures usually exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely raise much above 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation within the proposed Project site is about 10 inches, almost 85% of which falls between the months of October and March. Nearly all precipitation falls in the form of rain and storm-water readily infiltrates the soils of the surrounding the sites.

Native plant and animal species once abundant in the region have become locally extirpated or have experienced large reductions in their populations due to conversion of upland, riparian, and aquatic habitats to agricultural and urban uses. Remaining native habitats are particularly valuable to native wildlife species including special status species that still persist in the region.

The site consists of a vacant field that has no existing vegetation or trees. Surrounding lands consist of streets, residential units, office buildings and a strawberry field/stand.

No aquatic or wetland features occur on the propose Project site; therefore, jurisdictional waters are considered absent from the site.

Regulatory Setting

Federal

Endangered Species Act

The Federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries. Section 9 of the FESA prohibits the taking of listed wildlife, where taking is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant on federal land and removing, cutting, digging-up, damaging, or destroying any listed plant on non-federal land in knowing violation of state law (16USC1538). Pursuant to Section 7 of the FESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed plant or wildlife species or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to another authorized activity, provided the action will not jeopardize the continued existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to private parties, provided a Habitat Conservation Plan (HCP) is developed.

Migratory Bird Treaty Act

The MBTA implements international treaties devised to protect migratory birds and any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits are in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the CDFG Code.

Federal Clean Water Act

The federal Clean Water Act’s (CWA’s) purpose is to “restore and maintain the chemical, physical, and biological integrity of the nation’s waters.” Section 404 of the CWA prohibits the discharge of dredged or fill material into waters of the United States without a permit from the U.S. Army Corps of Engineers (ACOE). The definition of waters of the United States includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas “that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil

conditions (33 CFR 328.3 7b).” The USEPA also has authority over wetlands and may override an ACOE permit. Substantial impacts to wetlands may require an individual permit. Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or Waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the RWQCB.

State

California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA, but unlike its federal counterpart, the CESA applies the take prohibitions to species proposed for listing (called candidates by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the CDFG Code as to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The CESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with the CDFG to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered, threatened, or candidate species or result in destruction or adverse modification of essential habitat. The CDFG administers the act and authorizes take through Section 2081 agreements (except for designated fully protected species).

Fully Protected Species

The State of California first began to designate species as fully protected prior to the creation of the CESA and FESA. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians, reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered pursuant to the CESA and/or FESA. The regulations that implement the Fully Protected Species Statute (CDFG Code Section 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, the CDFG prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

Native Plant Protection Act

Regarding listed rare and endangered plant species, the CESA defers to the California Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900 to 1913), which prohibits importing of rare and endangered plants into California, and the taking and selling of rare and endangered plants. The CESA includes an additional listing category for threatened plants that are not protected pursuant to

NPPA. In this case, plants listed as rare or endangered pursuant to the NPPA are not protected pursuant to CESA, but can be protected pursuant to the CEQA. In addition, plants that are not state listed, but that meet the standards for listing, are also protected pursuant to CEQA (Guidelines, Section 15380). In practice, this is generally interpreted to mean that all species on lists 1B and 2 of the CNPS Inventory potentially qualify for protection pursuant to CEQA, and some species on lists 3 and 4 of the CNPS Inventory may qualify for protection pursuant to CEQA. List 3 includes plants for which more information is needed on taxonomy or distribution. Some of these are rare and endangered enough to qualify for protection pursuant to CEQA. List 4 includes plants of limited distribution that may qualify for protection if their abundance and distribution characteristics are found to meet the standards for listing.

California Lake and Streambed Alteration Agreement

Sections 1600 through 1616 of the CDFG Code require that a Lake and Streambed Alteration Program Notification Package be submitted to the CDFG for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” The CDFG reviews the proposed actions and, if necessary, submits to the applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal on which the CDFG and the applicant agree is the Lake and Streambed Alteration Agreement. Often, projects that require a Lake and Streambed Alteration Agreement also require a permit from the ACOE pursuant to Section 404 of the CWA. In these instances, the conditions of the Section 404 permit and the Lake and Streambed Alteration Agreement may overlap.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-G-7: Protect habitat for special status species, designated under State and federal law.

RESPONSES

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

Less than Significant Impact with Mitigation. A desktop review of literature resources was conducted to determine if the Project area is located within the range of sensitive biological resources such as state

and/or federally-listed threatened and/or endangered species. A list of special-status species that could potentially occur in the Project area and a 9-quadrant search of the Project area was compiled (see Appendix B) by accessing the California Natural Diversity Database (CNDDB) (2015), the California Native Plant Society (CNPS) (2014) online inventory and the United States Fish and Wildlife Service (USFWS) online database (accessed October 2014) for the USGS 7.5-minute quadrangle of Porterville in which the Project area is located as well as the eight surrounding quads of Fountain Springs, Ducor, Sausalito School, Frazier Valley, Success Dam, Lindsay, Cairn's Corner, and Woodville.

The site has been routinely cleared and is surrounded by intense urban uses and provides very little habitat for animal species and no habitat for plant species. Several bird species in the Project area are protected under the Migratory Bird Treaty Act. Migratory birds can typically be seen foraging in fallow fields and grassland habitats and they nest in dense vegetation. However, because of the highly disturbed nature of the area, and lack of dense vegetation and lack of fallow fields, it is not anticipated that the project site or the surrounding area provide suitable habitat for Migratory Birds.

Several occurrences of the State threatened Swainson's hawk (*Buteo swainsoni*) have been documented in Tulare County. Swainson's hawk have been found to nest in isolated trees or small groves of eucalyptus, valley oak, Fremont's cottonwood, Goodding's black willow, and deodar cedar and several of these tree species are in the immediate Project vicinity. Nest trees typically stand in (or adjacent to) open agricultural land, along riparian corridors or irrigation channels, or at the edge of a tailwater pond. Foraging habitat surrounding the nest trees is chiefly alfalfa or other row crops but also includes expanses of grassland and scrub habitat⁴. Swainson's hawks prefer open habitats, including mixed and short grass grasslands with scattered trees or shrubs for perching; dry grasslands; irrigated meadows; and edges between two habitat types. Potential impacts to these protected bird species will be avoided with implementation of Mitigation Measures BIO-1 through BIO-3. As such, impacts to sensitive species will be *less than significant with mitigation incorporation*.

Mitigation Measures:

BIO-1 To protect raptors and migratory song birds and to assist in avoiding take of avian species as required by Fish and Game Code Section 3503, 3503.5, and 3513, Project related activities will occur during the non-breeding season (September 16th through December 31st).

⁴ Hansen, R.B. 2005. Biological Evaluation of Potential Impacts to Special Status Species (Endangered, Threatened, Candidate Species and Species of Special Concern) and Natural Habitat Areas on Tulare County Tract No. 767, an approximately 14.71 acre preliminary subdivision on the north side of Avenue 320, ¼ mile east of State Highway 63 just north of the City of Visalia, Tulare County, California.

BIO-2 If Project related activities will occur during the breeding season (Jan 1 through Sept 15), the Applicant shall have a qualified biologist conduct nest surveys for nesting Swainson's hawks within ½ mile buffer around the Project site before starting any Project related activities following the survey methodology developed by the Swainson's hawk Technical Advisory Committee⁵. In the event that Swainson's hawk is detected, California Department of Fish & Wildlife (CDFW) shall be consulted by the Applicant or the Applicant's consultant to discuss project implementation and take avoidance. If take cannot be avoided the Applicant shall obtain an Incidental Take Permit from CDWF for project related incidental take of Swainson's hawk.

If other nesting raptors and migratory songbirds are identified, the following minimum no disturbance buffers shall be required:

- 250 feet around active passerine (perching birds and songbirds) nests
- 500 feet around active raptor nests

These buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined and CDFW has agreed in writing that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

BIO-3 Vertical tubes such as chain link fencing poles can result in the entrapment and death of a variety of bird species. All vertical tubes such as chain link fencing poles shall be immediately capped at the time that they are installed to prevent avian fatalities.

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

Less than Significant Impact. There are no waterways or vegetation on the subject site and the area consists of an actively maintained vacant dirt field. There is no riparian habitat or other sensitive natural community on site or adjacent to the Project. As such, any impacts would be *less than significant*.

Mitigation Measures: None are required.

⁵ Swainson's Hawk Technical Advisory Committee. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May 31, 2000. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990>. Accessed October, 2015.

- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less than Significant Impact. No wetlands occur in or near the Project site. Impacts would be *less than significant*.

Mitigation Measures: None are required.

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. There are no waterways or vegetation on the subject site and the area consists of an actively maintained vacant field. The proposed Project site is located in an urban area and there are no waterways or migratory wildlife corridors on site or in the Project vicinity. Any impacts to native species movement would be *less than significant*.

Mitigation Measures: None are required.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact. The City of Porterville's General Plan includes various policies for the protection of biological resources. The proposed Project would not conflict with any of the adopted policies and any impacts would be considered *less than significant*.

Mitigation Measures: None are required.

- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact. Several conservation and recovery plans apply to land in the City, including the Recovery Plan for Upland Species of the San Joaquin Valley and the Valley Elderberry Longhorn Beetle Habitat Conservation Plan. A review of Figure 6-4 (Special Status Species and Sensitive Vegetation) in the City of Porterville's General Plan indicates the Project site is not within an area set

aside for the conservation of habitat or sensitive plant or animal species pursuant to such plans. The nearest such areas are the Valley Elderberry Longhorn Beetle Conservation Area located southeast of the Project site along the Tule River within the Yaudanchi Ecological Reserve. As such, any impacts would be *less than significant*.

Mitigation Measures: None are required.

V. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

SETTING

Environmental Setting

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

The City of Porterville and Tulare County was inhabited by indigenous California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Most information regarding these groups is based on Spanish government and Franciscan mission records of the 18th and 19th centuries, and in studies conducted during the 1900s to 1930s by American and British

ethnographers. The ethnographic setting presented below is derived from the early works, compiled by W. J. Wallace, Robert F.G. Spier, and Charles R. Smith, with statistical information provided by the California Native American Heritage Commission.

Of the four main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory, which is defined roughly by the crest of the Diablo Range on the west and the foothills of the Sierra Nevada on the east, and from the Kings River on the north, to the Tehachapi Mountains on the south. The Foothill Yokuts inhabited the western slopes of the Sierra Nevada, between the Fresno River and Kern River, with settlements generally occurring between the 2,000 to 4,000-foot elevations. The Tubatulabal inhabited the Sierra Nevada Mountains, at the higher elevations, near Mt. Whitney in the east, extending westward along the drainages of the Kern River, and the Kern River-South Fork. The Monache were comprised of six small groups that lived in the Sierras east of the Foothill Yokuts, in locations ranging between 3,000 to 7,000 foot elevations.

The proposed Project site has been highly disturbed for many years due to active clearing and weed maintenance. A records search was conducted at the Southern San Joaquin Valley Information Center (SSJVIC), California Historical Resources Information System (See Appendix C) in October 2015. According to the SSJVIC records, there have been no previous cultural resource study conducted within the project area and four additional studies conducted within the ½ mile radius of the Project site (TU-00102, 00209, 00257, and 01293).

Regulatory Setting

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this proposed Project because it will not be located on lands administered by a federal agency and the Project applicant is not requesting federal funding.

State

The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term “historical resources” to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

Public Resources Code §5097.5

California Public Resources Code §5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Senate Bill 18

SB 18 requires cities and counties to contact, and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.

Human Remains

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper and dignified treatment of the remains and associated grave artifacts.

Paleontological Resources

Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.

CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 (see above) also applies to paleontological resources.

Local

Porterville General Plan Policies

- OSC-G-11: Identify and protect archaeological, paleontological, and historic resources.
- OSC-I-72: Develop an agreement with Native American representatives for consultation in the cases where new development may result in disturbance to Native American sites.
- OSC-I-73: Require that new development analyze and avoid any potential impacts to archaeological, paleontological, and historic resources by:
 - Requiring a records review for development proposed in areas that are considered archaeologically sensitive, including hillsides and near the Tule River;
 - Studying the potential effects of development and construction (as required by CEQA);
 - Developing, where appropriate, mitigation measures to minimize potential impacts; and Implementing appropriate measures to avoid the identified impacts.

RESPONSES

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Less than Significant Impact with Mitigation. The records search conducted at the SSJVIC (Appendix C) indicated that there are no recorded cultural resources within the proposed Project area or within the ½ mile radius and it is unknown if any exist. There are no recorded cultural resources within the Project area or within ½ mile that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

Subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered historic resources. This is considered a potentially significant impact;

however, implementation of Mitigation Measure CUL1 will ensure that significant impacts remain *less than significant with mitigation incorporation*.

CUL-1 The following measures shall be implemented:

- Before initiation of construction or ground-disturbing activities associated with the Project, the City shall require all construction personnel to be alerted to the possibility of buried cultural resources, including historic, archeological and paleontological resources;
- The general contractor and its supervisory staff shall be responsible for monitoring the construction Project for disturbance of cultural resources; and
- If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching, grading), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure, as outlined in Public Resources Code section 21083.2. The City of Porterville shall implement said measures.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant Impact with Mitigation. The possibility exists that subsurface construction activities may encounter undiscovered archaeological resources. This would be a potentially significant impact. Implementation of Mitigation Measure CUL-1 would require inadvertently discovery practices to be implemented should previously undiscovered archeological resources be located. As such, impacts to undiscovered archeological resources would be *less than significant with mitigation incorporation*.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation. There are no unique geological features or known fossil-bearing sediments in the vicinity of the proposed Project site. However, there remains the possibility for

previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Therefore, this would be a potentially significant impact. Mitigation is proposed requiring standard inadvertent discovery procedures to be implemented to reduce this impact to a level of *less than significant with mitigation incorporation*.

CUL-2 The City of Porterville will incorporate into the construction contract(s) a provision that in the event a fossil or fossil formations are discovered during any subsurface construction activities for the proposed Project (i.e., trenching, grading), all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Porterville, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.

d. Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact. Although unlikely given the highly disturbed nature of the site and the records search did not indicate the presence of such resources, subsurface construction activities associated with the proposed Project could potentially disturb previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. The California Health and Safety Code Section 7050.5 states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. The NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98.

Although considered unlikely subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites, however compliance with regulations would reduce this impact to *less than significant*.

Mitigation Measures: None are required.

VI. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒

- d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property? ☐ ☐ ☒ ☐
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☐ ☒

SETTING

Environmental Setting

The City of Porterville is situated along the western slope of a northwest-trending belt of rocks comprising the Sierra Nevada and within the southern portion of the Cascade Range. The Sierra Nevada geomorphic province is primarily composed of cretaceous granitic plutons and remnants of Paleozoic and Mesozoic metavolcanic and metasedimentary rocks, and Cenozoic volcan and sedimentary rocks. The majority of Porterville has elevations ranging from 400 to 800 feet. However, the eastern portion of the City is in the Sierra Nevada foothills where elevations reach almost 1,800 feet above sea level.

Faulting and Seismicity

There are no known active earthquake faults in the City of Porterville. The proposed Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. There are several faults located within a 70 mile radius of the proposed Project site. An unnamed fault is approximately seven miles south, Poso Creek Fault is 30 miles southwest, White Wolf Fault Zone is 60 miles south, San Andreas and Cholame-Carrizo Fault sections are approximately 69 miles southwest of the proposed Project site. These faults are small and have exhibited activity in the last 1.6 million years, but not in the last 200 years. It is possible, but unlikely, that previously unknown faults could become active in the area. No Alquist-Priolo Earthquake Fault Zones are in or near Porterville. Porterville is located in a Seismic Zone 3 of the 1994 Uniform Building Code (UBC). This zone is expected to experience moderate effects from earthquake ground shaking. This seismic zone is expected to experience moderate effects from earthquake ground shaking activity.

Soils

According to the City's General Plan EIR, much of the Project area has soils with moderate to high erosion potential. Generally, areas most susceptible to soil erosion are hilly or have slopes greater than 15 percent. Lower flatlands, such as the subject site, are usually less likely to erode than those located on slopes.

Regulatory Setting

Federal

Federal regulations for geology and soils are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

Uniform Building Code

The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-G-5: Preserve soil resources to minimize damage to people, property, and the environment resulting from potential hazards.
- OSC-G-6: Protect significant mineral resources.
- OSC-I-21: Adopt soil conservation regulations to reduce erosion caused by overgrazing, plowing, mining, new roadways and paths, construction, and off-road vehicles.
- OSC-I-23: Require adequate grading and replanting to minimize erosion and prevent slippage of manmade slopes.
- PHS-G-4: Protect soils, surface water, and groundwater from contamination from hazardous materials.

- PHS-I-17: Require remediation and cleanup of sites contaminated with hazardous substances.

RESPONSES

a-i. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. The proposed Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. Since no known surface expression of active faults is believed to cross the site, fault rupture through the site is not anticipated. *No impacts* would occur.

Mitigation Measures: None are required.

a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Less than Significant Impact. The City of Porterville's 2030 General Plan identified the City as being within the Uniform Building Code Seismic Zone 3. The California Geological Survey maintains a web-based computer model that estimates probabilistic seismic ground motions for any location with California. The computer model estimates the "Design Basis Earthquake" ground motion, which is defined as the peak ground acceleration with a 10-percent chance of exceedance in 50 years (475-year return period). For an alluvium soil type, the Project site's estimated peak ground acceleration is approximately 0.22g.

Project related building construction will conform to the latest standards for seismic design as adopted by the Uniform Building Code. Therefore, the impact is *less than significant*.

Mitigation Measures: None are required.

a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Less than Significant Impact. See Response a-ii. According to the City of Porterville General Plan, Public Health and Safety Element the Project site is in the Seismic -3 zone, the site has a moderate to high risk of damaging ground motion; however the Project's Valley location has a low risk of liquefaction. No Subsidence prone soils or oil or gas production is involved with the proposed Project. Therefore, the impact is *less than significant*.

Mitigation Measures: None are required.

a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Less than Significant Impact. The City of Porterville's 2030 General Plan, Figure 7-1 (Geological and Soil Hazards) indicates that the proposed Project site is located on relatively flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to landslides. Therefore, the impact is *less than significant*.

Mitigation Measures: None are required.

b. Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. The City of Porterville sits on top of the alluvial fans of the Tule River and its distributaries. The bedrock is present at relatively shallow depths beneath the eastern end of Porterville. The soil in the proposed Project area is characterized as moderately deep, well-drained, sandy loam underlain by hardpan. The Project site has a generally flat topography, is in an established urban area and does not include any Project features that would result in soil erosion or loss of topsoil. Therefore, the impact is *less than significant*.

Mitigation Measures: None are required.

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

No Impact. The City of Porterville sits on top of the alluvial fans of the Tule River and its distributaries. The bedrock is present at relatively shallow depths beneath the eastern end of Porterville. The soil in the

proposed Project area is characterized as moderately deep, well-drained, sandy loam underlain by hardpan. See also Response a-ii. There is *no impact*.

Mitigation Measures: None are required.

d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

Less than Significant Impact. See Responses c and a-ii. The impact is *less than significant*.

Mitigation Measures: None are required.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed Project will tie into the City's existing wastewater system and will not require installation of a septic tank or alternate wastewater disposal system. There is *no impact*.

Mitigation Measures: None are required.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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☐	☐	☒	☐
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b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐	☐	☒	☐
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SETTING

Environmental Setting

Various gases in the earth's atmosphere play an important role in moderating the earth's surface temperature. Solar radiation enters earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation, but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth's atmosphere. This phenomenon is known as the greenhouse effect. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO₂), methane (CH₄), ozone, Nitrous Oxide (NO_x), and chlorofluorocarbons. Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and TACs (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some, climate change could result in more extreme weather patterns; both heavier precipitation that could lead to flooding, as well as more

extended drought periods. There is uncertainty regarding the timing, magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident.

Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.

Regulatory Setting

Federal

The USEPA Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO₂-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the CAA permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in *Massachusetts v. EPA* (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the CAA. On April 17, 2009, the USEPA found that CO₂, CH₄, NO_x, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not proposed regulations based on this finding.

State

California is taking action to reduce GHG emissions. In June 2005, Governor Schwarzenegger signed Executive Order S-3-05 to address climate change and GHG emissions in California. This order sets the following goals for statewide GHG emissions:

- Reduce to 2000 levels by 2010
- Reduce to 1990 levels by 2020
- Reduce to 80 percent below 1990 levels by 2050

In 2006, California passed AB 32, the California Global Warming Solutions Act of 2006 (Act). The Act requires ARB to design and implement emission limits, regulations, and other feasible cost-effective measures to reduce statewide GHG emissions to 1990 levels by 2020. Senate Bill 97 was signed into law in August 2007. The Senate Bill required the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resource Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. On April 13, 2009, the OPR submitted to the Secretary for Natural Resources its recommended amendments to the State CEQA Guidelines for addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting the amendments. Following a 55-day public comment period and 2 public hearings, and in response to comments, the Natural Resources Agency proposed revisions to the text of the proposed Guidelines amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010, the Office of Administrative Law approved the amendments, and filed them with the Secretary of State for inclusion in the CCR. The Amendments became effective on March 18, 2010.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 cost of implementation fee regulation to fund the program. The first regulation adopted by the ARB pursuant to AB 32 was the regulation requiring mandatory reporting of GHG emissions. The regulation requires large industrial sources emitting more than 25,000 metric tons of CO₂ per year to report and verify their GHG emissions from combustion of both fossil fuels and biomass-derived fuels. The California Cap and Trade program is being developed and the ARB must adopt regulations by January 1, 2011. Finally, Governor Schwarzenegger directed the ARB, pursuant to Executive Order S-21-09, to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-G-9: Improve and protect Porterville's air quality by making air quality a priority in land use and transportation planning and in development review.
- OSC-I-59: Require preparation of a Health Risk Assessment for any development subject to the Air Toxics "Hot Spots" Act.

- OSC-I-60: Require preparation of a Health Risk Assessment for any development subject to the Air Toxics “Hot Spots” Act.
- OSC-I-61: Coordinate air quality planning efforts with other local, regional and State agencies.
- OSC-I-63: Notify local and regional jurisdictions of proposed projects that may affect regional air quality.

RESPONSES

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. The U.S. Environmental Protection Agency published a rule for the mandatory reporting of greenhouse gases from sources that in general emit 25,000 metric tons or more of carbon dioxide (CO₂) per year. As part of the forthcoming Project EIR, the analysis will include a calculation of Project related tons per year of CO₂ (combined construction and operational totals). Due to the size of the proposed Project, it is not anticipated that the Project will qualify for the reporting threshold. Should that not be the case, an analysis of GHG’s will be included in the Project EIR.

Additionally, emissions from construction are temporary in nature. The SJVAPCD has implemented a guidance policy for development projects within their jurisdiction. This policy, “Guidance for Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA,” approved by the Board on December 17, 2009, does not address temporary GHG emissions from construction, nor does this policy establish numeric thresholds for ongoing GHG emissions. AB 32 requires that emissions within the State be reduced to 1990 levels by the year 2020. These construction emissions are minimal and would mainly occur prior to 2020; therefore, construction-generated GHGs are *less than significant*.

Mitigation Measures: None are required.

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

Less than Significant Impact. The City of Porterville does not have an adopted Climate Action Plan. Therefore, the plan adopted for the purpose of reducing the emissions of GHGs applicable to the proposed project is ARB’s approved Scoping Plan, which will be used to determine significance for this criterion. As discussed previously, AB 32 requires that emissions within the State be reduced to 1990 levels by the year 2020. The project would generate temporary construction emissions prior to the year 2020; therefore, impacts would be *less than significant*.

Mitigation Measures: None are required.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in	☐	☐	☐	☒

a safety hazard for people residing or working in the project area?

- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐
- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands ☐ ☐ ☐ ☒

SETTING

Environmental Setting

The proposed Project site is located in the northwest portion of the City adjacent to residential and commercial land uses. The site is currently a vacant lot actively maintained for weed control.

The nearest residences are approximately 50 feet to the west and 100 feet to the east of the Project site. The Project site is approximately 2.9 miles north of the Porterville Municipal Airport. Fresno-Yosemite International Airport is the closest regional airport to the proposed Project site, approximately 60 miles northwest.

The Teapot Dome Landfill plant is approximately 4.3 miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately 1.3 miles east of the site. The nearest school is Burton Elementary School located approximately 0.4 miles south of the site along Westwood Street.

Regulatory Setting

Federal

The primary federal agencies with responsibility for hazardous materials management include the EPA, U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). The Environmental Protection Agency (EPA) was created to protect human health and to safeguard the natural environment – air, water and land – and works closely

with other federal agencies, and state and local governments to develop and enforce regulations under existing environmental laws. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states in reaching the desired levels of environmental quality. EPA also works with industries and all levels of government in a wide variety of voluntary pollution prevention programs and energy conservation efforts.

State

The California Department of Industrial Relations, Division of Occupational Safety and Health is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection has designated the area that includes the, proposed Project site as a Local Responsibility Area, defined as an area where the local fire jurisdiction is responsible for emergency fire response.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

City of Porterville Fire Department

The City of Porterville Fire Department, Fire Prevention Division provides limited oversight of hazardous materials. The Fire Department is responsible for conducting inspections for code compliance and fire-safe practices, permitting of certain hazardous materials, and for investigation of fire and hazardous materials incidents. The Fire Department regulates explosive and hazardous materials under the Uniform Fire Code, and permits the handling, storage and use of any explosive or other hazardous material.

Tulare County Environmental Health Division

The Tulare County Environmental Health Division (TCEHD) is the Certified Unified Program Agency (CUPA) for all cities and unincorporated areas within Tulare County. The CUPA was created by the California Legislature to minimize the number of inspections and different fees for businesses. The TCEHD provides the management and record keeping of hazardous materials and underground storage tank (UST) sites for Tulare County, including the City of Porterville.

Porterville General Plan Policies

- PHS-G-1: Minimize risks of property damage and personal injury posed by geologic and seismic hazards.

- PHS-I-2: Maintain and enforce appropriate building standards and codes to avoid and/or reduce risks associated with geologic constraints and to ensure that all new construction is designed to meet current safety regulations.
- PHS-I-17: Require remediation and cleanup of sites contaminated with hazardous substances.
- PHS-I-18: Adopt a Household Hazardous Waste Program and support the proper disposal of hazardous household waste and waste oil; encourage citizens and crime watch organizations to report unlawful dumping of hazardous materials.
- PHS-I-19: Ensure that all specified hazardous facilities conform to the Tulare County Hazardous Waste Management Plan.
- PHS-I-21: Coordinate enforcement of the Hazardous Material Disclosure Law and the implementation of the Hazardous Material Emergency Response Plan with the Tulare County Health and Human Service Agency.

RESPONSES

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact.

Construction: This impact is associated with hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Proposed Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction activities to prevent contaminated runoff from leaving the project site. Therefore, no significant impacts would occur during construction activities.

Operation: The operational phase of the proposed Project would occur after construction is completed and employees/workers move in to occupy the structures on a day-to-day basis. The Project includes a gas station which involves the routine use and storage of hazardous materials. The California Health & Safety Code and

local City Ordinances regulate the handling, storage and transportation of hazardous and toxic materials (such as gasoline). The California Health and Safety Codes require a Risk Management and Prevention Program (RMPP) for those uses that handle specified quantities of toxic and/or hazardous materials. The City of Porterville is responsible for enforcing the Health and Safety Code. Furthermore, the City is required to conduct ongoing routine inspections to ensure compliance with existing laws and regulations; to identify safety hazards; and to suggest preventative measures to minimize the risk of a spill or release. In addition, fuel pump dispensers at the gas station would be required to be equipped with automatic shutoffs and other safety devices and signage. In accordance with California Code of Regulations, Title 23, Section 2635 (b), underground storage tanks would be required to have spill containment and overfill prevention systems. California Government Code Section 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.9+5, Article 2, Section 25500-25520. Therefore, due to the strict requirements that regulate hazardous substances outlined above, and the fact that the initial planning, ongoing monitoring and inspections will occur in compliance with local, state and Federal regulations, the project will not result in significant impacts related to the routine transport, use and disposal of hazardous substances.

The proposed Project also includes a convenience store, restaurant and retail shops. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common residential grade hazardous materials such as household and commercial cleaners, paint, etc. The proposed Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur. Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be *less than significant*.

Mitigation Measures: None are required.

- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. See Response a. above. Any accumulated hazardous construction or operational wastes will be collected and transported away from the site in compliance with all federal, state and local regulations. Any impacts would be *less than significant*.

Mitigation Measures: None are required.

- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than Significant Impact. The site is approximately 0.4 miles from the fenceline of the nearest school (Burton Elementary School). See also Response (a) regarding hazardous materials associated with the proposed gas station. Based on the current project description of a gas station and retail stores, it is not reasonably foreseeable that the proposed Project will cause a significant impact by emitting hazardous waste or bringing hazardous materials within one-quarter mile of an existing or proposed school, as it is located further than ¼ mile from the nearest school and even so, the Project will have a less than significant impact regarding hazardous materials/substances regardless of proximity to the school. The impact is *less than significant*.

Mitigation Measures: None are required.

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

No Impact. The proposed Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Geotracker and DTSC Envirostor databases – accessed in October 2015). The nearest Department of Toxic Substances Control listed site is the Beckman Instruments – Porterville facility that is located at 187 West Poplar Avenue in Porterville (approximately 3.5 miles southeast of the Project site). The nearest Permitted Underground Storage Tank Facility is located at 1907 W. Morton Avenue. There are no Leaking Underground Storage Tank Cleanup Sites within 5,000 feet of the site. Therefore, there are no hazardous materials sites that impact the Project. As such, *no impacts* would occur that would create a significant hazard to the public or the environment.

Mitigation Measures: None are required.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. Based on review of the 2030 General Plan, the proposed Project site is approximately 2.9 miles north of the Porterville Municipal Airport. Land use controls for this area are provided by the City of Porterville General Plan and Development Ordinance, and the Tulare County General Plan and

Zoning Ordinance, Part 77.21. The City of Porterville has also prepared an airport master plan for the Porterville Municipal Airport. The Project site is outside the height and safety restriction zones imposed by these plans. There is *no impact*.

Mitigation Measures: None are required.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. There are no private airstrips in the Project vicinity and as such, there is *no impact*.

Mitigation Measures: None are required.

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The proposed Project site will be accessible via three driveway entrances, as seen in Figure 3 – Site Map, which are not a part of the City’s emergency response plan or emergency evacuation plan. As such, the proposed Project will not interfere with any adopted emergency response or evacuation plan. Any impacts are *less than significant*.

Mitigation Measures: None are required.

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. There are no wildlands on or near the Project site. There is *no impact*.

Mitigation Measures: None are required.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☒	☐	☐	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or	☐	☐	☒	☐

IX. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
provide substantial additional sources of polluted runoff?				
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

SETTING

Environmental Setting

The City of Porterville has a dry climate with evaporation rates that exceed rainfall. The local climate is considered warm desert with annual precipitation between approximately seven to nine inches, and rainfall rates are highly variable. The majority of precipitation (roughly 84%) falls during the months of November through April.

The Porterville area is underlain by an unconfined aquifer that is part of the Tule Sub-basin of the San Joaquin Valley Groundwater Basin.

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region.

Regional Water Quality Board

The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of

sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-I-43: Work with agricultural and industrial uses to ensure that water contamination and waste products are handled in a manner that protects the long-term viability of water resources.
- OSC-I-44: Work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the CEQA review and project approval process) and monitored to ensure long-term compliance.
- OSC-I-45: Continue to require use of feasible and practical best management practices (BMPs) and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities and urban runoff in coordination with the Regional Water Quality Control Board.
- OSC-I-51: Prior to the approval of individual projects, require the City Engineer and/or Building Official to verify that the provisions of applicable point source pollution programs have been satisfied.
- PHS-G-2: Protect the community from risks to life and property posed by flooding and stormwater runoff.

RESPONSES

a. Violate any water quality standards or waste discharge requirements?

Less than Significant Impact. The State Water Resources Control Board requires any new construction project over an acre to complete a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP involves

site planning and scheduling, limiting disturbed soil areas, and determining best management practices to minimize the risk of pollution and sediments being discharged from construction sites. Implementation of the SWPPP will minimize the potential for the proposed Project to substantially alter the existing drainage pattern in a manner that will result in substantial erosion or siltation onsite or offsite.

The proposed Project will result in wastewater from restroom and kitchen facilities that will be discharged into the City's existing wastewater treatment system. For comparison purposes, the existing zoning on-site could allow for a similar commercial facilities. Therefore, the proposed Project will not result in additional production of wastewater that was not already accounted for in the City's infrastructure planning documents.

Additionally, there will be no discharge to any surface or groundwater source. As such, the proposed Project will not violate any water quality standards and will not impact waste discharge requirements. The impact will be *less than significant*.

Mitigation Measures: None are required.

- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Potentially Significant Impact. The City of Porterville (and proposed Project site) is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The proposed Project site is located within the Tule Sub-basin portion of the greater San Joaquin Valley Groundwater Basin. According to the City's General Plan EIR, wells in and around the city have shown a moderate groundwater level decline of about 0.75 feet per year over the past 20 years. The City's municipal wells are generally scattered west of Plano Avenue and south of Westfield Avenue and the distribution system is operated under pressure.

The Project may result in significant impacts regarding groundwater use. As such, there is *a potentially significant impact* to this impact area.

This topic will be addressed in the Project's forthcoming EIR.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less than Significant Impact. There are no natural lakes or streams within or adjacent to the Project area. The site is presently a vacant dirt lot, actively maintained for weed control. The proposed Project will introduce new impervious surfaces (pavement) to the entire 4.51 acre site (with the exception of on-site landscaping). The site will be designed so that storm water is collected and deposited in the City's existing storm drain system, which has adequate capacity. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. As a result, impacts would be *less than significant*.

Mitigation Measures: None are required.

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less than Significant Impact. Impacts regarding the alteration of drainage patterns to increase runoff that will potentially induce flooding have been discussed in the impact analysis for Response IX-c. Storm water will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. As a result, impacts are *less than significant*.

Mitigation Measures: None are required.

- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact. See Responses a, c and d. Implementation of the proposed Project will not require expansion of the City's existing stormwater system, nor will it result in additional sources of polluted runoff. The impact is *less than significant*.

Mitigation Measures: None are required.

f. Otherwise substantially degrade water quality?

Less than Significant Impact. See Responses a, c and d. The Project would not otherwise degrade water quality and therefore the impact is *less than significant*.

Mitigation Measures: None are required.

g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The Project site is not within a 100-year flood zone as shown on Figure 7-3 of the 2030 General Plan. There is no housing associated with this Project. Therefore, there is *no impact*.

Mitigation Measures: None are required.

h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. The Project site is not within a 100-year flood zone, as shown on Figure 7-3 of the 2030 General Plan. No facilities are being proposed that would alter the existing drainage pattern of the area and therefore there is *no impact*.

Mitigation Measures: None are required.

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less than Significant Impact. Flows into the Tule River (located approximately 1.5 miles south of the Project site) are controlled by the Success Dam located approximately five miles upstream from the City. A dam failure is usually the result of neglect, poor design, or structural damage caused by a major event such as an earthquake. Dams must be operated and maintained in a safe manner, which is ensured through inspections for safety deficiencies, analyses using current technologies and designs, and taking corrective actions as needed based on current engineering practices.

The Project site is located within the Success Dam inundation area, as shown on Figure 7-3 of the 2030 General Plan. This inundation area runs through Porterville, to a location downstream of Corcoran, a

distance of approximately 44 miles. The Army Corp Of Engineers (ACOE) is in the process of completing an environmental impact statement for reinforcing the strength of the dam in the event of seismically induced failure. The Project site is within the 0.5-hour to 1-hour inundation zone of Success Dam. In the event of a dam failure, most of the City would be flooded within one hour. The Porterville Emergency Operations Plan (EOP), adopted in 2004, includes planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding. The City has designated several evacuation routes through Porterville to be used in case of catastrophic emergencies. In the unlikely event that the dam fails before the ACOE's proposed dam reinforcement completion date of 2014–2015, the dam owner would follow the emergency action plan (EAP) developed for Success Dam. The EAP includes a notification flowchart, early detection systems, notification for warning and evacuation by state and local emergency management officials, steps to moderate or alleviate the effects of a dam failure, and inundation maps. No impervious surfaces are being proposed. As such, impacts related to exposure of people or structures to a risk of loss, injury, or death involving flooding as a result of the failure of a levee or dam would be *less than significant*.

Mitigation Measures: None are required.

j. Inundation by seiche, tsunami, or mudflow?

No Impact. There are no inland water bodies that could be potentially susceptible to a seiche in the Project vicinity. This precludes the possibility of a seiche inundating the Project site. The Project site is more than 100 miles from the Pacific Ocean, a condition that precludes the possibility of inundation by tsunami. There are no steep slopes that would be susceptible to a mudflow in the Project vicinity, nor are there any volcanically active features that could produce a mudflow in the City of Porterville. This precludes the possibility of a mudflow inundating the Project site. *No impacts* would occur.

Mitigation Measures: None are required.

X. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

SETTING

Environmental Setting

The Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry field and stand is located to the north (across Henderson Avenue).

The site is currently zoned CR (Retail Center) and is designated by the General Plan as Retail Center. Land use and zoning surrounding the site are identified as follows:

Table 4
Existing Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification	General Plan Designation
North	Henderson Ave. and strawberry stand/field	CN – Neighborhood Commercial	Neighborhood Commercial
South	Professional offices – dentist office	PO – Professional Office	Professional Office
West	Single-family residential units	RS-2 – Low Density Residential	Low Density Residential
East	Westwood Street and single-family residential units	RS-2 – Low Density Residential	Low Density Residential

Existing land uses in City of Porterville have been organized into generalized categories that are summarized below on Table 5. City of Porterville has a 2030 General Plan planned build-out of approximately 36,341 acres in size, equivalent to approximately 56.6 square-miles.

Table 5
Existing Land Use: City of Porterville Planning Area (2005)⁶

Generalized Land Use Category	Total	Percentage
Agriculture/Rural/Conservation	21,270	59%
Single Family Residential	4,760	13%
Multi Family Residential	240	1%
Retail Shopping	80	0%
Commercial	760	2%
Industrial	350	1%
Public/Quasi-Public	2,630	7%
Vacant	3,590	10%
Unclassified (Roads, water, etc)	2,661	7%
Total Area	36,341	100%

⁶ City of Porterville Land Use Element

Regulatory Setting

Federal

Federal regulations for land use are not relevant to the proposed Project because it is not a federal undertaking (the proposed Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

The proposed Project is being evaluated pursuant to CEQA; however, there are no state regulations, plans, programs, or guidelines associated with land use and planning that are applicable to the proposed Project.

Local

Porterville General Plan Policies

- LU-I-20: Establish standards for pedestrian-oriented design in neighborhood centers.
- LU-I-21: Prohibit new strip commercial developments.
- LU-I-22: Promote and support the revitalization and infill development in existing retail shopping centers.
- LUI-23: Establish an incentive program that will provide for density and FAR bonuses for mixed-use development that includes amenities for public benefit, such as workforce housing, pedestrian-oriented facilities (outdoor seating, plazas, weather protection, transit waiting areas), historic preservation, cultural facilities, public art and water features, and open space preservation.
- LU-I-24: Allow supporting retail, business services and other complementary uses in Professional Office districts.

RESPONSES

a. Physically divide an established community?

No Impact. The Project is located within the northwest portion of the City of Porterville. The proposed Project site is an existing vacant field that is surrounded by urban uses. The construction and operation

of the Project would not cause any land use changes in the surrounding vicinity nor would it divide an established community. *No impacts* would occur as a result of this Project.

Mitigation Measures: None are required.

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. The development is an allowed use within the CR (Retail Center) Zone District with the approval of a Conditional Use Permit to accommodate the gas station and alcohol sales (see Figure 3 – Site Plan).

If approved, the Project will be consistent with the City of Porterville General Plan and Development Ordinance. See Table 6.

Table 6
General Plan Consistency Analysis

Land Use Policies	Consistency Determination
LU-I-20: Establish standards for pedestrian-oriented design in neighborhood centers	Yes: The proposed Project will be located in an area that is easily accessible to pedestrians from existing neighborhoods to the east, west, north and south. Due to its proximity to the intersection of Henderson Avenue and Westwood Street, pedestrians will be able to utilize the existing signalized/cross-walk facilities to safely access the site.
LU-I-21: Prohibit new strip commercial developments	Yes: For purposes of this policy, strip development is defined as a row of at least three stores, where each has direct access to a street with a surface parking lot between the building and the street. There may or may not be an anchor tenant. The proposed Project includes construction and operation of a gas station with convenience store, a restaurant and retail shops. The Project will be required to be designed in compliance with Policy LU-I-21.
LU-I-22: Promote and support the revitalization and infill development in existing retail shopping centers	Not Applicable: The proposed Project does not include revitalization or infill in an existing retail shopping center. However, the existing zoning on-site could allow for a similar sized restaurant and similar retail facilities. The proposed Project will not result in new land uses that were not already accounted for in the City's planning documents and will serve a growing population base in the Project area. The Project is therefore not inconsistent with this Policy.

LUI-23: Establish an incentive program that will provide for density and FAR bonuses for mixed-use development that includes amenities for public benefit, such as workforce housing, pedestrian-oriented facilities (outdoor seating, plazas, weather protection, transit waiting areas), historic preservation, cultural facilities, public art and water features, and open space preservation	Not Applicable
LU-I-24: Allow supporting retail, business services and other complementary uses in Professional Office districts	Not Applicable

The impacts are considered *less than significant*.

Mitigation Measures: None are required.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. A review of the 2030 General Plan, Figure 6-4 (Special Status Species and Sensitive Vegetation) indicates the Project site is not within an adopted or proposed conservation plan area. The nearest such plan area is the Valley Elderberry Longhorn Beetle Conservation Area, located along the Tule River within the Yaudanchi Ecological Reserve. There would be *no impact* to an adopted or proposed conservation plan area.

Mitigation Measures: None are required.

XI. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SETTING

Environmental Setting

The City of Porterville is situated along the western slope of a northwest-trending belt of rocks comprising the Sierra Nevada and within the southern portion of the Cascade Range. The Sierra Nevada geomorphic province is primarily composed of cretaceous granitic plutons and remnants of Paleozoic and Mesozoic metavolcanic and metasedimentary rocks, and Cenozoic volcan and sedimentary rocks. The majority of the Planning Area has elevations ranging between 400 and 800 feet; however, the eastern portion is in the Sierra Nevada foothills where elevations reach almost 1,800 feet above sea level.

Historically, the quarrying of magnesite was a significant industry in the City of Porterville. Currently, the most economically significant mineral resources in Tulare County are sand, gravel, and crushed stone, used as sources for aggregate (road materials and other construction). The two major sources of aggregate are alluvial deposits (river beds, and floodplains), and hard rock quarries. Consequently, most Tulare County mines are located along rivers at the base of the Sierra foothills.

Tule River contains various State-classified mineral resource zones (MRZ-2a, MRZ-2b, and MRZ-3a). While this area was once suitable for mining operations, it is now surrounded by urban development. Approximately 890 acres along the Tule River, or 2.5 percent of all lands within the Planning Area, are within mineral resource zones. Tule River contains various State-classified mineral resource zones (MRZ-2a, MRZ-2b, and MRZ-3a). While this area was once suitable for mining operations, it is now surrounded by urban development. Approximately 890 acres along the Tule River, or 2.5 percent of all lands within the Project Area, are within mineral resource zones.

Regulatory Setting

Federal

There are no federal or local regulations pertaining to mineral resources relevant to the proposed Project.

State

California Surface Mining and Reclamation Act of 1975

Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., ensures a continuing supply of mineral resources for the State.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-I-21: Adopt soil conservation regulations to reduce erosion caused by overgrazing, plowing, mining, new roadways and paths, construction, and off-road vehicles.
- OSC-I-23: Require adequate grading and replanting to minimize erosion and prevent slippage of manmade slopes.
- PHS-G-4: Protect soils, surface water, and groundwater from contamination from hazardous materials.
- PHS-I-17: Require remediation and cleanup of sites contaminated with hazardous substances.

RESPONSES

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. As shown in Figure 6-3 of the 2030 General Plan, the proposed Project area is not included in a State classified mineral resource zones. Therefore, there is *no impact*.

Mitigation Measures: None are required.

- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. As shown in Figure 6-3 of the 2030 General Plan, the proposed Project area is not included in a State classified mineral resource zones. Soil disturbance for the proposed Project would be limited site ground work such as grading, foundations, and installation of infrastructure. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

XII. NOISE

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SETTING

Environmental Setting

The Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry stand is located to the north (across Henderson Avenue).

Regulatory Setting

Federal

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. The FRA has determined that ground vibrations from construction activities do not often reach the levels that can damage structures, but they can be within the audible and perceptible ranges in buildings very close to the site⁷. The FTA has identified the human annoyance response to vibration levels as 80 RMS⁸.

State

The California Noise Control Act was enacted in 1973 (Health and Safety Code § 46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff will work with the OPR to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

In addition, this proposed Project is being evaluated pursuant to CEQA.

Local

Measuring and reporting noise levels involves accounting for variations in sensitivity to noise during the daytime versus nighttime hours. Noise descriptors used for analysis need to factor in human sensitivity

⁷ U.S. Federal Railroad Administration. High Speed Ground Transportation Noise and Vibration Impact Assessment. Final Report No. DOT/FRA/ORD-12/15. September 2012. Page 10-11.

⁸ U.S. Federal Transit Administration. Transit Noise and Vibration Impact Assessment. Final Report No. FTA-VA-90-1003 prepared by Harris Miller Miller & Hanson Inc., May 2006. Page 7-5. http://www.rtd-fastracks.com/media/uploads/nm/14_Section_38_NoiseandVibration_Part3.pdf. Accessed 10/15.

to nighttime noise when background noise levels are generally lower than in the daytime and outside noise intrusions are more noticeable. Common descriptors include the Community Noise Equivalent Level (CNEL) and the Day-Night Average Level (Ldn). Both reflect noise exposure over an average day with weighting to reflect the increased sensitivity to noise during the evening and night. The two descriptors are roughly equivalent. The CNEL descriptor is used in relation to major continuous noise sources, such as aircraft or traffic, and is the reference level for the Noise Element under State planning law. The Noise Element included in the 2030 City of Porterville General Plan (2008) includes noise and land use compatibility standards for various land uses. These are shown in Table 7 below.

Table 7
Land Use Compatibility for Community Noise Environment

Land Use Category	Community Noise Exposure, <i>L_{dn}</i> or CNEL dB			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low density single family, duplex,	<65 (<45 Interior)	65 to 70	70 to 75	>75 (>45 Interior)
Residential – Multiple family	<65 (<45 Interior)	65 to 70	70 to 75	>75 (>45 Interior)
Schools, libraries, churches, hospitals, nursing	<70	60 to 75	70 to 80	>80
Industrial, manufacturing, utilities, agriculture	<75	70 to 80	75 to 85	No levels identified

Normally acceptable – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally unacceptable – New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly unacceptable – New construction or development should generally not be undertaken.

Porterville General Plan Policies

- N-G-1: Minimize vehicular and stationary noise levels and noise from temporary activities.
- N-G-2: Ensure that new development is compatible with the noise environment.
- N-G-5: Reduce noise intrusion generated by miscellaneous noise sources through conditions of approval to control noise-generating activities.
- N-I-7: Require noise from existing mechanical equipment to be reduced by soundproofing materials and sound-deadening installation.

RESPONSES

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact With Mitigation. According to the City's General Plan EIR, the major noise sources in Porterville are related to roadways and vehicle traffic. Much of the Project area, along with the area adjacent to the Project site is in an established noise contour (intersection of Henderson Avenue and Westwood Street) for noise levels greater than both 55 dB (for the southern portion of the site) and 60 dB (for the northern portion of the site) as shown in Figure 9-2 of the City's General Plan Noise Element.

The site itself is located in an intense urban area adjacent to roadways that are heavily travelled. Noise from the proposed Project will be similar to existing conditions and will generally include noise from vehicles, air conditioner units and other similar equipment. Because of its location at a heavily used intersection and its location in a noise contour, it is not expected that the proposed Project will result in a discernable increase in noise to surrounding land uses. Additionally, the Project will be required to construct a block wall along the southern border of the site, which will reduce traffic related noise associated with the Project.

Proposed Project construction related activities will involve temporary noise sources and are anticipated to occur sporadically over several years (buildout is dependent upon market conditions). Typical construction related equipment include graders, trenchers, small tractors and excavators. During the proposed Project construction, noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in Table 8, ranging from 80 to 85 dBA at a distance of 50 feet.

Table 8
Typical Construction Noise Levels⁹

Type of Equipment	Spec. 721.560 L_{max} @ 50 feet
Concrete Truck Mixer	85
Dozer	85
Excavator	85
Front End Loader	80
Backhoe	80
Grader	85
Scraper	85

The City of Porterville's General Plan Noise Element (2008) sets the standard noise threshold of 60 dBA at the exterior of nearby residences; however, it does not identify a short-term, construction-noise-level threshold. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban environments. Most residents of urban areas recognize this reality and expect to hear construction activities on occasion.

Although impacts are considered less than significant, implementation of Mitigation Measure NO-1 through NO-3 will ensure that impacts remain *less than significant with mitigation incorporation*.

NO-1 Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day.

NO-2 Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year's Day).

NO-3 The construction contract shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction

⁹ U.S. Department of Transportation, Federal Highway Administration. Highway Traffic Noise. Construction Noise Handbook. Table 9.1 RCNM Default Noise Emission Reference Levels and Usage Factors.
https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm. Accessed 10/15.

equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous.

The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day¹⁰. Table 9 describes the typical construction equipment vibration levels.

Table 9 Typical Construction Vibration Levels	
Equipment	VdB at 25 ft
Small Bulldozer	58
Jackhammer	79

Vibration from construction activities will be temporary and not exceed the FTA threshold for the nearest residences which are located approximately 50 feet west of the facility. The impact will be *less than significant*.

Mitigation Measures: None are required.

c-d. A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than Significant Impact. See Response a. There will be no substantial permanent increase in ambient noise levels and therefore the impact is *less than significant*.

Mitigation Measures: None are required.

¹⁰ Transit Noise and Vibration Impact Assessment. Final Report No. FTA-VA-90-1003 prepared for the U.S. Federal Transit Administration by Harris Miller Miller & Hanson Inc., May 2006. Page 7-5. http://www.rtd-fastracks.com/media/uploads/nm/14_Section_38_NoiseandVibration_Part3.pdf. Accessed 10/15.

e-f) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed Project is outside the Porterville Municipal Airport's land use plan and is approximately 2.9 miles south of the site. There is *no impact*.

Mitigation Measures: None are required.

XIII. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SETTING

Environmental Setting

Over the past 30 years, the City of Porterville's population has grown at an average annual rate of 3.7 percent. However, the City's population growth slowed to an average annual rate of 2.8 percent over the most recent 15 years. In 2006, the California Department of Finance (DOF) estimated the City with a population of 45,220 residents. In 2010, the City had an estimated population of 54,165 residents. In 2011 the City grew to 54,676 residents, while the City recorded an approximate population of 55,490 in 2012. According to the most recent California DOF report, the City currently (as of January 1, 2015) is at approximately 55,852 residents, a 0.5 percent increase from 2014. Build-out of the 2030 General Plan will accommodate a population of approximately 107,300 in Porterville, which represents an annual population growth rate of 3.7 percent.

Regulatory Setting

The proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with population or housing that are applicable to the proposed Project.

RESPONSES

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. There are no new homes associated with the proposed Project. The relatively minor amount of new employment opportunities that would be created by the proposed Project could be readily filled by the existing employment base, given the City's existing unemployment rates. The proposed Project will not affect any regional population, housing, or employment projections anticipated by City policy documents. There is *no impact*.

Mitigation Measures: None are required.

- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Less than Significant. There are no existing structures on the site. The Project will not otherwise displace any housing and therefore there is *no impact*.

Mitigation Measures: None are required.

- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed Project will not displace any people and therefore there is *no impact*.

Mitigation Measures: None are required.

XIV. PUBLIC SERVICES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

SETTING

Environmental Setting

The nearest fire station is West Olive Fire Station, which is located approximately 0.9 miles south down Westwood Street at Olive Avenue. The physical address of the fire station is 22315 Ave. 152. The Porterville Police Department is located approximately 3.1 miles east of the proposed Project site at 350 N D Street.

The Teapot Dome Landfill plant is approximately 4.3 miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately 1.3 miles east of the site. The nearest school is Burton Elementary School located approximately 0.4 miles south of the site along Westwood Street.

Regulatory Setting

Federal

National Fire Protection Association

The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 such codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

State

California Fire Code and Building Code

The 2007 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- LU-G-5: Promote sustainability in the design and development of public and private development projects.
- OSC-G-10: Reduce and conserve energy use in existing and new commercial, industrial, and public structures.
- PHS-I-28: Ensure that new development incorporates safety concerns into the site, circulation, building design and landscaping plans.

RESPONSES

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Less than Significant Impact. The proposed Project site will continue to be served by the City of Porterville fire department. No additional fire personnel or equipment is anticipated. The impact is *less than significant*.

Police Protection?

Less than Significant Impact. The proposed Project will continue to be served by the City of Porterville police department. No additional police personnel or equipment is anticipated. The impact is *less than significant*.

Schools?

No Impact. The direct increase in demand for schools is normally associated with new residential projects that bring new families with school-aged children to a region. The proposed Project does not contain any residential uses. The proposed Project, therefore, would not result in an influx of new students in the Project area and is not expected to result in an increased demand upon District resources and would not require the construction of new facilities. There is *no impact*.

Parks?

No Impact. The Project would not result in an increase in demand for parks and recreation facilities because it would not result in an increase in population. Accordingly, the proposed Project would have *no impacts* on parks.

Other public facilities?

No Impact. The proposed Project is within the land use and growth projections identified in the City's General Plan and other infrastructure studies (the project is not requesting a land use or zone change). The Project, therefore, would not result in increased demand for, or impacts on, other public facilities such as library services. Accordingly, *no impact* would occur.

Mitigation Measures: None are required.

XV. RECREATION

Would the project:

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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☐	☐	☐	☒
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☐	☐	☐	☒
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SETTING

Environmental Setting

The City of Porterville provides its residents several types of parks and recreational facilities. Parks are defined as land owned or leased by the City and used for public recreational purposes. The City classifies parks and recreational facilities in five categories: Pocket Parks, Neighborhood Parks, Community Parks, Specialized Recreation, and Trail/Parkways. Currently, the City of Porterville has 15 parks for a total of approximately 295 acres of parkland.

These facilities range in size from the 0.1-acre North Park pocket park up to the 95-acre Sports Complex facility. With a 2006 population of 45,220 residents, the City has a ratio of 5.1 acres of parkland per 1,000 residents. The park ratio is based on Neighborhood Parks, Community Parks, and Specialized Recreation areas only. Trails, Community Facilities and Pocket Parks do not contribute to the ratio.

Regulatory Setting

The proposed Project is being evaluated pursuant to CEQA; however, there are no additional federal, state or local regulations, plans, programs, and guidelines associated with recreation that are applicable to the proposed Project.

RESPONSES

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed Project does not include the construction of residential uses and would not directly or indirectly induce population growth. Therefore, the proposed Project would not cause physical deterioration of existing recreational facilities from increased usage or result in the need for new or expanded recreational facilities. The Project would have *no impact* to existing parks.

Mitigation Measures: None are required.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed Project does not include the construction of residential uses and would not directly induce population growth. Therefore, the Project would not cause physical deterioration of existing recreational facilities from increased usage or result in the need for new or expanded recreational facilities. There is *no impact*.

Mitigation Measures: None are required.

XVI. TRANSPORTATION/ TRAFFIC

Would the project:

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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☒	☐	☐	☐
☒	☐	☐	☐
☐	☐	☐	☒
☐	☐	☐	☒
☐	☐	☐	☒

The Project site is located in the northwestern part of the City of Porterville and is currently a vacant lot. See Figure 2 – Site Aerial. The site is located in an urban area that provides a mix of land uses. Single family homes are located to the west (separated from the site by a block wall) and east (across Westwood Street). Professional office buildings (currently a dentist office) is located to the south and a strawberry stand is located to the north (across Henderson Avenue). The site is approximately 1.73 miles west of SR65. See Figures 1 and 2– Regional Map and Site Aerial, respectively.

The nearest airport to the proposed Project site is the Porterville Municipal Airport, which is located approximately 2.9 miles south of the site.

Henderson Avenue is classified as a four-lane arterial. It provides east-west access for Porterville residents and has an interchange at SR65. Henderson Avenue bisects North Main Street and provides access to businesses and residences to the east.

Westwood Street is a four-lane road in the Project vicinity that provides for important north-south circulation in Porterville.

Regulatory Setting

Federal

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
- 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

State

State of California Transportation Department Transportation Concept Reports

Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCR) for every state highway or portion thereof in its jurisdiction. The TCR usually

represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

State Route 190 is designated as Segment 3 in the proposed Project vicinity. Route 190 is classified by Caltrans as rural except for the portion in Porterville that is designated urban. The route is also predominately indicated as a Minor Arterial and Major Collector. Therefore, the Route Concept LOS of D has been assigned to the entire route. Segment 3 is a 4-lane expressway and there are no changes expected to this segment.

SR 65 is designated as Segment 7 in the vicinity of the proposed Project site and has a LOS of C. The route concept for Segment 7 of Route 65 is described by Caltrans as a two-lane expressway, with improvements potentially being a four-lane expressway over the next 10 years.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

The City of Porterville and the Tulare County Regional Transportation Plan designate level of service "D" as the minimum acceptable intersection peak hour level of service standard.

Porterville General Plan Policies

- C-G-6: Maintain acceptable levels of service and ensure that future development and the circulation system are in balance.
- C-G-7: Ensure that new development pays its fair share of the costs of transportation facilities.
- C-I-12: Continue to require that new development pay a fair share of the costs of street and other traffic and local transportation improvements based on traffic generated and impacts on traffic service levels.

RESPONSES

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not

limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Potentially Significant Impact. Project related traffic generation could potentially have significant impacts to local and regional transportation systems. Therefore this environmental topic will be addressed in the forthcoming Project EIR.

b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Potentially Significant Impact. Project related traffic generation could potentially have significant impacts to local and regional transportation systems. Therefore this environmental topic will be addressed in the forthcoming Project EIR.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

No Impact. The Project site is approximately 2.9 miles north of the Porterville Municipal Airport. There are no characteristics of the Project that would have any impact on air traffic patterns. There is *no impact*.

Mitigation Measures: None are required.

d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. There is *no impact*.

Mitigation Measures: None are required.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

- g. Comply with federal, state, and local statutes and regulations related to solid waste?

☐☐☒☐

SETTING

Environmental Setting

The Teapot Dome Landfill plant is approximately 4.3 miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately 1.3 miles east of the site.

Regulatory Setting

State

State Water Resources Control Board (SWRCB)

Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non Chapter 15 (Non 15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to section 20230 of Title 2744. Several SWRCB programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

National Pollutant Discharge Elimination System (NPDES) Permit

As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits. Tulare County is within the Central Valley RWQCB's jurisdiction.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

Porterville General Plan Policies

- OSC-G-10: Reduce and conserve energy use in existing and new commercial, industrial, and public structures.
- OSC-I-41: Work with agricultural and industrial uses to ensure that water contamination and waste products are handled in a manner that protects the long-term viability of water resources.
- OSC-I-44: Work with the Regional Water Quality Control Board to ensure that all point source pollutants are adequately mitigated (as part of the CEQA review and project approval process) and monitored to ensure long-term compliance.
- OSC-I-51: Prior to the approval of individual projects, require the City Engineer and/or Building Official to verify that the provisions of applicable point source pollution programs have been satisfied.

RESPONSES

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less than Significant Impact. The proposed Project will result in wastewater from restroom and kitchen facilities that will be discharged into the City's existing wastewater treatment system. For comparison purposes, the existing zoning on-site could allow for a similar commercial facilities. Therefore, the proposed Project will not result in additional production of wastewater that was not already accounted for in the City's infrastructure planning documents.

Additionally, there will be no discharge to any surface or groundwater source. As such, the proposed Project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board. The impact will be *less than significant*.

Mitigation Measures: None are required.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than Significant Impact. See Response a, above. The proposed Project will not require construction of any new water or wastewater facilities. Therefore, the impact is *less than significant*.

Mitigation Measures: None are required.

- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than Significant Impact. The proposed Project will introduce new impervious surfaces (pavement) to the entire 4.5 acre site (with the exception of on-site landscaping). The site will be designed so that storm water is collected and deposited in the City's existing storm drain system, which has adequate capacity. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. As a result, any impacts are *less than significant*.

Mitigation Measures: None are required.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Potentially Significant Impact. The City of Porterville (and proposed Project site) is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin; the total overdraft is estimated at 820,000 acre-feet per year, the greatest overdraft projected in the state, and 56 percent of the statewide total overdraft. The proposed Project site is located within the Tule Sub-basin portion of the greater San Joaquin Valley Groundwater Basin. According to the City's General Plan EIR, wells in and around the city have shown a moderate groundwater level decline of about 0.75 feet per year over the past 20 years. The City's municipal wells are generally scattered west of Plano Avenue and south of Westfield Avenue and the distribution system is operated under pressure.

The Project may result in significant impacts regarding water use. As such, there is *a potentially significant impact* to this impact area.

This topic will be addressed in the Project's forthcoming EIR.

- e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact. The proposed Project will result in wastewater from restroom and kitchen facilities that will be discharged into the City's existing wastewater treatment system. For comparison purposes, the existing zoning on-site could allow for a similar commercial facilities. Therefore, the proposed Project will not result in additional production of wastewater that was not already accounted for in the City's infrastructure planning documents.

There is *a less than significant impact*.

Mitigation Measures: None are required.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less than Significant Impact. Proposed Project construction and operation will generate minimal amounts of solid waste. Solid waste from the site during operation, as well as any construction debris that is not recycled will be received at the Teapot Dome Landfill. Any impacts will be *less than significant*.

Mitigation Measures: None are required.

- g. Comply with federal, state, and local statutes and regulations related to solid waste?

Less than Significant Impact. See Response f, above. The proposed Project will comply with all federal, state and local statutes and regulations related to solid waste. As such, any impacts would be *less than significant*.

Mitigation Measures: None are required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

RESPONSES

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Impact. The analyses of environmental issues contained in this Initial Study indicate that the proposed Project may have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated in the project design, however some impacts remain *potentially significant*. Therefore, an EIR will be prepared for those impact areas.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Potentially Significant Impact. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The proposed Project may contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Mitigation measures have been incorporated in the project design, however some impacts remain *potentially significant*. Therefore, an EIR will be prepared for those impact areas.

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. The analyses of environmental issues contained in this Initial Study indicate that the project may have substantial impact on human beings, either directly or indirectly.

Mitigation measures have been incorporated in the project design, however some impacts remain *potentially significant*. Therefore, an EIR will be prepared for those impact areas

Chapter 4

MMRP

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study (IS) for the City of Porterville's Westwood Plaza Project (proposed Project). The MMRP lists mitigation measures recommended in the IS for the proposed Project and identifies monitoring and reporting requirements as well as conditions recommended by responsible agencies who commented on the project.

The first column of the Table identifies the mitigation measure. The second column, entitled "Party Responsible for Implementing Mitigation," names the party responsible for carrying out the required action. The third column, "Implementation Timing," identifies the time the mitigation measure should be initiated. The fourth column, "Party Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that individual mitigation measures have been monitored. These mitigation measures will be added to any additional mitigation measures that are included in the forthcoming Project EIR.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
BIO-1 To protect raptors and migratory song birds and to assist in avoiding take of avian species as required by Fish and Game Code Section 3503, 3503.5, and 3513, Project related activities will occur during the non-breeding season (September 16 th through December 31 st).	City of Porterville	During construction	City of Porterville	
BIO-2 If Project related activities will occur during the breeding season (Jan 1 through Sept 15), the City of Porterville shall conduct nest surveys for nesting Swainson's hawks within ½ mile buffer around the Project site before starting any Project related activities following the survey methodology developed by the Swainson's hawk Technical Advisory Committee ¹ . In the event that Swainson's hawk is detected, California Department of Fish & Wildlife (CDFW) shall be consulted by the Applicant or the Applicant's consultant to discuss project implementation and take avoidance. If take cannot be avoided the City shall obtain an	City of Porterville	During construction	City of Porterville	

¹ Swainson's Hawk Technical Advisory Committee. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. May 31, 2000. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990>. Accessed October, 2014.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
Incidental Take Permit from CDWF for project related incidental take of Swainson's hawk. If other nesting raptors and migratory songbirds are identified, the following minimum no disturbance buffers shall be required: • 250 feet around active passerine (perching birds and songbirds) nests • 500 feet around active raptor nests These buffers shall be maintained until the breeding season has ended or until a qualified biologist has determined and CDFW has agreed in writing that the birds have fledged and are no longer reliant upon the nest or parental care for survival.				
BIO-3 Vertical tubes such as chain link fencing poles can result in the entrapment and death of a variety of bird species. All vertical tubes such as chain link fencing poles shall be immediately capped at the time that they are installed to prevent avian fatalities.	City of Porterville	During construction	City of Porterville	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
CUL-1 ▪ The City shall require that the provisions of Senate Bill 18, which requires consultation with California Native American Tribes, be completed prior to initiation of construction or ground-disturbing activities associated with the Project. ▪ Before initiation of construction or ground-disturbing activities associated with the Project, the Project proponent for all Project phases shall require all construction personnel to be alerted to the possibility of buried cultural resources, including historic, archeological and paleontological resources; ▪ The general contractor and its supervisory staff shall be responsible for monitoring the construction Project for disturbance of cultural resources; and ▪ If a potentially significant historical, archaeological, or paleontological resource, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains or trash deposits are encountered during subsurface construction activities (i.e., trenching, grading), all construction activities within a 100-foot radius of the identified potential resource shall cease until a qualified archaeologist evaluates the item for its significance and records the item on the	City of Porterville	Prior to and during construction	City of Porterville	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
appropriate State Department of Parks and Recreation (DPR) forms. The archaeologist shall determine whether the item requires further study. If, after the qualified archaeologist conducts appropriate technical analyses, the item is determined to be significant under California Environmental Quality Act, the archaeologist shall recommend feasible mitigation measures, which may include avoidance, preservation in place or other appropriate measure, as outlined in Public Resources Code section 21083.2. The City of Porterville shall implement said measures.				
CUL-2 The City of Porterville will incorporate into the construction contract(s) a provision that in the event a fossil or fossil formations are discovered during any subsurface construction activities for the proposed Project (i.e., trenching, grading), all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Porterville, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures, which may include	City of Porterville	During construction	City of Porterville	

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.				
NO-1 Delivery trucks serving the Project shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. NO-3 Construction activities shall be limited to between 6:00 A.M. and 9:00 P.M. Monday through Friday and between 7:00 A.M. and 5:00 PM on Saturday or Sunday to avoid noise-sensitive hours of the day. Construction activities shall be prohibited on holidays (President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Day after Thanksgiving, Christmas Day, and New Year's Day). NO-4 The construction contract shall require the construction contractor to ensure that construction equipment noise is minimized by muffling and shielding intakes and exhaust on construction equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.	City of Porterville	During construction and operation	City of Porterville	

Chapter 5

Preparers and References

LIST OF PREPARERS

List of Preparers

Crawford & Bowen Planning, Inc.

- Travis Crawford, AICP, Principal Environmental Planner
- Emily Bowen, LEED AP, Principal Environmental Planner

Persons and Agencies Consulted

City of Porterville

- Fernando Rios, Project Manager
- Jenni Byers, Community Development Director

California Historic Resources Information System

- Celeste Thomson, Coordinator

Appendices

Appendix A

Biological Database Results

Element_Type	Scientific_Name	Common_Name	Element_Code	Federal_Status	State_Status	CDFW_Status	CA_Rare_Plant_Rank
Animals - Amphibians	Rana boylei	foothill yellow-legged frog	AAABH01050	None	None	SSC	-
Animals - Amphibians	Spea hammondi	western spadefoot	AAABF02020	None	None	SSC	-
Animals - Birds	Buteo swainsoni	Swainson's hawk	ABNKC19070	None	Threatened	-	-
Animals - Birds	Gymnogyps californianus	California condor	ABNKA03010	Endangered	Endangered	-	-
Animals - Birds	Athene cunicularia	burrowing owl	ABNSB10010	None	None	SSC	-
Animals - Crustaceans	Branchinecta lynchi	vernal pool fairy shrimp	ICBRA03030	Threatened	None	-	-
Animals - Insects	Desmocerus californicus dimorphus	valley elderberry longhorn beetle	IICOL48011	Threatened	None	-	-
Animals - Insects	Lytta hoppingi	Hopping's blister beetle	IICOL4C010	None	None	-	-
Animals - Insects	Lytta molesta	molestan blister beetle	IICOL4C030	None	None	-	-
Animals - Insects	Lytta morrisoni	Morrison's blister beetle	IICOL4C040	None	None	-	-
Animals - Mammals	Vulpes macrotis mutica	San Joaquin kit fox	AMAJA03041	Endangered	Threatened	-	-
Animals - Mammals	Dipodomys nitratoideus	Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	-	-
Animals - Mammals	Perognathus inornatus	San Joaquin pocket mouse	AMAFD01061	None	None	-	-
Animals - Mammals	Eumops perotis californicus	western mastiff bat	AMACD02011	None	None	SSC	-
Animals - Mammals	Taxidea taxus	American badger	AMAJF04010	None	None	SSC	-
Animals - Mammals	Antrozous pallidus	pallid bat	AMACC10010	None	None	SSC	-

Animals - Mammals	<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	AMACC08 010	None	Candidate Threatened	SSC	-
Animals - Mammals	<i>Lasiurus cinereus</i>	hoary bat	AMACC05 030	None	None	-	-
Community - Terrestrial	Northern Claypan Vernal Pool	Northern Claypan Vernal Pool	CTT44120 CA	None	None	-	-
Community - Terrestrial	Sycamore Alluvial Woodland	Sycamore Alluvial Woodland	CTT62100 CA	None	None	-	-
Plants - Vascular	<i>Eryngium spinosepalum</i>	spiny-sepaled button-celery	PDAP10Z0 Y0	None	None	-	1B.2
Plants - Vascular	<i>Oreonana purpurascens</i>	purple mountain-parsley	PDAP11G0 20	None	None	-	1B.2
Plants - Vascular	<i>Pseudobahia peirsonii</i>	San Joaquin adobe sunburst	PDAST7P 030	Threatened	Endangered	-	1B.1
Plants - Vascular	<i>Azolla microphylla</i>	Mexican mosquito fern	PPAZO01 030	None	None	-	4.2
Plants - Vascular	<i>Caulanthus californicus</i>	California jewelflower	PDBRA31 010	Endangered	Endangered	-	1B.1
Plants - Vascular	<i>Atriplex cordulata</i> var. <i>erecticaulis</i>	Earlimart orache	PDCHE04 2V0	None	None	-	1B.2
Plants - Vascular	<i>Atriplex coronata</i> var. <i>vallicola</i>	Lost Hills crownscale	PDCHE04 250	None	None	-	1B.2
Plants - Vascular	<i>Atriplex depressa</i>	brittlescale	PDCHE04 2L0	None	None	-	1B.2
Plants - Vascular	<i>Atriplex minuscula</i>	lesser saltscale	PDCHE04 2M0	None	None	-	1B.1
Plants - Vascular	<i>Atriplex persistens</i>	vernal pool smallscale	PDCHE04 2P0	None	None	-	1B.2
Plants - Vascular	<i>Atriplex subtilis</i>	subtle orache	PDCHE04 2T0	None	None	-	1B.2
Plants - Vascular	<i>Convolvulus simulans</i>	small-flowered morning-glory	PDCON05 060	None	None	-	4.2
Plants - Vascular	<i>Fritillaria striata</i>	striped adobe-lily	PMLILOV0 K0	None	Threatened	-	1B.1

Plants - Vascular	<i>Sidalcea keckii</i>	Keck's checkerbloom	PDMAL11 0D0	Endanger ed	None	-	1B.1
Plants - Vascular	<i>Clarkia exilis</i>	slender clarkia	PDONA05 0G0	None	None	-	4.3
Plants - Vascular	<i>Clarkia springvillensis</i>	Springville clarkia	PDONA05 120	Threatene d	Endangered	-	1B.2
Plants - Vascular	<i>Mimulus pictus</i>	calico monkeyflower	PDSCR1B 240	None	None	-	1B.2
Plants - Vascular	<i>Mimulus pictus</i>	calico monkeyflower	PDSCR1B 240	None	None	-	1B.2
Plants - Vascular	<i>Leptosiphon serrulatus</i>	Madera leptosiphon	PDPLM09 130	None	None	-	1B.2
Plants - Vascular	<i>Eriogonum twisselmannii</i>	Twisselmann's buckwheat	PDPGN08 610	None	Rare	-	1B.2
Plants - Vascular	<i>Delphinium hansenii</i> ssp. <i>ewanianum</i>	Ewan's larkspur	PDRAN0B 0T2	None	None	-	4.2
Plants - Vascular	<i>Delphinium inopinum</i>	unexpected larkspur	PDRAN0B 0W0	None	None	-	4.3
Plants - Vascular	<i>Delphinium recurvatum</i>	recurved larkspur	PDRAN0B 1J0	None	None	-	1B.2

Cairns Corner
 Lindsay
 Frazier Valley
 Woodville
 Porterville
 Success Dam
 Sausalito School
 Ducor
 Fountain Springs

Appendix B

Cultural Resources Letter



To: Emily Bowen
Crawford Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Record Search 15-387

Date: October 22, 2015

Re: City of Porterville Westwood Plaza Development

County: Tulare

Map(s): Porterville 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law. The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory (3/18/13), California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there have been no previous cultural resource studies conducted within the project area. There have been four studies conducted within the one-half mile radius: TU-00102, 00209, 00257, and 01293.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area or within the one-half mile radius and it is not known if any exist in most of this area.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of commercial development of a 4.5 acre parcel. Additionally, we understand this project area is currently vacant. Because this project area has not been previously surveyed for cultural resources, it is not known if any exist there. Therefore, prior to any ground disturbance activities, we recommend a qualified, professional archaeologist conduct a field survey of the parcel to determine if cultural resources are present. A referral list of qualified professionals is available at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission will consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Celeste M. Thomson, Coordinator

Date: October 22, 2015

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Appendix B

CalEEMOD OUTPUT FILES

City of Porterville Westwood Plaza
San Joaquin Valley Unified APCD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Convenience Market With Gas Pumps	4.50	1000sqft	0.10	4,500.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.7	Precipitation Freq (Days)	45
Climate Zone	7			Operational Year	2017

Utility Company

CO2 Intensity (lb/MWhr)	0	CH4 Intensity (lb/MWhr)	0	N2O Intensity (lb/MWhr)	0
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1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Phase 1 of the project includes a 4500 sf convenience store with 12 gas pumps

Construction Phase -

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	OperationalYear	2014	2017
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2017	0.1012	0.6853	0.4507	6.5000e-004	2.6500e-003	0.0459	0.0485	8.8000e-004	0.0423	0.0432	0.0000	59.2700	59.2700	0.0173	0.0000	59.6325
Total	0.1012	0.6853	0.4507	6.5000e-004	2.6500e-003	0.0459	0.0485	8.8000e-004	0.0423	0.0432	0.0000	59.2700	59.2700	0.0173	0.0000	59.6325

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2017	0.1012	0.6853	0.4507	6.5000e-004	2.6500e-003	0.0459	0.0485	8.8000e-004	0.0423	0.0432	0.0000	59.2699	59.2699	0.0173	0.0000	59.6325
Total	0.1012	0.6853	0.4507	6.5000e-004	2.6500e-003	0.0459	0.0485	8.8000e-004	0.0423	0.0432	0.0000	59.2699	59.2699	0.0173	0.0000	59.6325

[illegible]

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005
Energy	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496
Mobile	2.8783	4.4143	26.5546	0.0172	0.8229	0.0413	0.8641	0.2211	0.0379	0.2589	0.0000	1,352.1965	1,352.1965	0.0588	0.0000	1,353.4308
Waste						0.0000	0.0000		0.0000	0.0000	2.7444	0.0000	2.7444	0.1622	0.0000	6.1505
Water						0.0000	0.0000		0.0000	0.0000	0.1058	0.0000	0.1058	0.0109	2.6000e-004	0.4133
Total	2.8992	4.4156	26.5557	0.0172	0.8229	0.0414	0.8642	0.2211	0.0380	0.2590	2.8502	1,353.6374	1,356.4876	0.2319	2.9000e-004	1,361.4443

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005
Energy	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496
Mobile	2.8783	4.4143	26.5546	0.0172	0.8229	0.0413	0.8641	0.2211	0.0379	0.2589	0.0000	1,352.1965	1,352.1965	0.0588	0.0000	1,353.4308
Waste						0.0000	0.0000		0.0000	0.0000	2.7444	0.0000	2.7444	0.1622	0.0000	6.1505
Water						0.0000	0.0000		0.0000	0.0000	0.1058	0.0000	0.1058	0.0109	2.6000e-004	0.4133
Total	2.8992	4.4156	26.5557	0.0172	0.8229	0.0414	0.8642	0.2211	0.0380	0.2590	2.8502	1,353.6374	1,356.4876	0.2319	2.9000e-004	1,361.4443

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/14/2017	1/16/2017	5	1	
2	Grading	Grading	1/17/2017	1/18/2017	5	2	
3	Building Construction	Building Construction	1/19/2017	6/7/2017	5	100	
4	Paving	Paving	6/8/2017	6/14/2017	5	5	
5	Architectural Coating	Architectural Coating	6/15/2017	6/21/2017	5	5	

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 6,750; Non-Residential Outdoor: 2,250 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.56
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	174	0.41
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	2	5.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	1.00	1.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	0.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Site Preparation - 2017****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.3000e-004	6.3400e-003	3.6200e-003	0.0000		3.9000e-004	3.9000e-004		3.5000e-004	3.5000e-004	0.0000	0.4336	0.4336	1.3000e-004	0.0000	0.4364
Total	6.3000e-004	6.3400e-003	3.6200e-003	0.0000	2.7000e-004	3.9000e-004	6.6000e-004	3.0000e-005	3.5000e-004	3.8000e-004	0.0000	0.4336	0.4336	1.3000e-004	0.0000	0.4364

3.2 Site Preparation - 2017**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	2.0000e-005	1.5000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0265	0.0265	0.0000	0.0000	0.0265
Total	1.0000e-005	2.0000e-005	1.5000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0265	0.0265	0.0000	0.0000	0.0265

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.3000e-004	6.3400e-003	3.6200e-003	0.0000		3.9000e-004	3.9000e-004		3.5000e-004	3.5000e-004	0.0000	0.4336	0.4336	1.3000e-004	0.0000	0.4364
Total	6.3000e-004	6.3400e-003	3.6200e-003	0.0000	2.7000e-004	3.9000e-004	6.6000e-004	3.0000e-005	3.5000e-004	3.8000e-004	0.0000	0.4336	0.4336	1.3000e-004	0.0000	0.4364

3.2 Site Preparation - 2017**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	2.0000e-005	1.5000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0265	0.0265	0.0000	0.0000	0.0265
Total	1.0000e-005	2.0000e-005	1.5000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0265	0.0265	0.0000	0.0000	0.0265

3.3 Grading - 2017**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					7.5000e-004	0.0000	7.5000e-004	4.1000e-004	0.0000	4.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.2000e-003	0.0105	8.5800e-003	1.0000e-005		7.3000e-004	7.3000e-004		6.9000e-004	6.9000e-004	0.0000	1.0739	1.0739	2.1000e-004	0.0000	1.0784
Total	1.2000e-003	0.0105	8.5800e-003	1.0000e-005	7.5000e-004	7.3000e-004	1.4800e-003	4.1000e-004	6.9000e-004	1.1000e-003	0.0000	1.0739	1.0739	2.1000e-004	0.0000	1.0784

3.3 Grading - 2017**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	6.0000e-005	6.0000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.1059	0.1059	1.0000e-005	0.0000	0.1060
Total	4.0000e-005	6.0000e-005	6.0000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.1059	0.1059	1.0000e-005	0.0000	0.1060

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					7.5000e-004	0.0000	7.5000e-004	4.1000e-004	0.0000	4.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.2000e-003	0.0105	8.5800e-003	1.0000e-005		7.3000e-004	7.3000e-004		6.9000e-004	6.9000e-004	0.0000	1.0739	1.0739	2.1000e-004	0.0000	1.0784
Total	1.2000e-003	0.0105	8.5800e-003	1.0000e-005	7.5000e-004	7.3000e-004	1.4800e-003	4.1000e-004	6.9000e-004	1.1000e-003	0.0000	1.0739	1.0739	2.1000e-004	0.0000	1.0784

3.3 Grading - 2017**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.0000e-005	6.0000e-005	6.0000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.1059	0.1059	1.0000e-005	0.0000	0.1060
Total	4.0000e-005	6.0000e-005	6.0000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.1059	0.1059	1.0000e-005	0.0000	0.1060

3.4 Building Construction - 2017**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0637	0.6337	0.4020	5.7000e-004		0.0428	0.0428		0.0394	0.0394	0.0000	52.5954	52.5954	0.0161	0.0000	52.9339
Total	0.0637	0.6337	0.4020	5.7000e-004		0.0428	0.0428		0.0394	0.0394	0.0000	52.5954	52.5954	0.0161	0.0000	52.9339

3.4 Building Construction - 2017**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.8000e-004	4.0900e-003	7.2100e-003	1.0000e-005	2.9000e-004	7.0000e-005	3.6000e-004	8.0000e-005	6.0000e-005	1.5000e-004	0.0000	0.9658	0.9658	1.0000e-005	0.0000	0.9659
Worker	1.9000e-004	3.2000e-004	3.0200e-003	1.0000e-005	6.2000e-004	0.0000	6.3000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5296	0.5296	3.0000e-005	0.0000	0.5301
Total	7.7000e-004	4.4100e-003	0.0102	2.0000e-005	9.1000e-004	7.0000e-005	9.9000e-004	2.5000e-004	6.0000e-005	3.2000e-004	0.0000	1.4954	1.4954	4.0000e-005	0.0000	1.4961

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0637	0.6337	0.4020	5.7000e-004		0.0428	0.0428		0.0394	0.0394	0.0000	52.5954	52.5954	0.0161	0.0000	52.9338
Total	0.0637	0.6337	0.4020	5.7000e-004		0.0428	0.0428		0.0394	0.0394	0.0000	52.5954	52.5954	0.0161	0.0000	52.9338

3.4 Building Construction - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.8000e-004	4.0900e-003	7.2100e-003	1.0000e-005	2.9000e-004	7.0000e-005	3.6000e-004	8.0000e-005	6.0000e-005	1.5000e-004	0.0000	0.9658	0.9658	1.0000e-005	0.0000	0.9659
Worker	1.9000e-004	3.2000e-004	3.0200e-003	1.0000e-005	6.2000e-004	0.0000	6.3000e-004	1.7000e-004	0.0000	1.7000e-004	0.0000	0.5296	0.5296	3.0000e-005	0.0000	0.5301
Total	7.7000e-004	4.4100e-003	0.0102	2.0000e-005	9.1000e-004	7.0000e-005	9.9000e-004	2.5000e-004	6.0000e-005	3.2000e-004	0.0000	1.4954	1.4954	4.0000e-005	0.0000	1.4961

3.5 Paving - 2017

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.6000e-003	0.0246	0.0181	3.0000e-005		1.5000e-003	1.5000e-003		1.3900e-003	1.3900e-003	0.0000	2.4243	2.4243	6.7000e-004	0.0000	2.4384
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.6000e-003	0.0246	0.0181	3.0000e-005		1.5000e-003	1.5000e-003		1.3900e-003	1.3900e-003	0.0000	2.4243	2.4243	6.7000e-004	0.0000	2.4384

3.5 Paving - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.7000e-004	2.8000e-004	2.7200e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4766	0.4766	2.0000e-005	0.0000	0.4771
Total	1.7000e-004	2.8000e-004	2.7200e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4766	0.4766	2.0000e-005	0.0000	0.4771

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.6000e-003	0.0246	0.0181	3.0000e-005		1.5000e-003	1.5000e-003		1.3900e-003	1.3900e-003	0.0000	2.4243	2.4243	6.7000e-004	0.0000	2.4384
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.6000e-003	0.0246	0.0181	3.0000e-005		1.5000e-003	1.5000e-003		1.3900e-003	1.3900e-003	0.0000	2.4243	2.4243	6.7000e-004	0.0000	2.4384

3.5 Paving - 2017**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.7000e-004	2.8000e-004	2.7200e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4766	0.4766	2.0000e-005	0.0000	0.4771
Total	1.7000e-004	2.8000e-004	2.7200e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4766	0.4766	2.0000e-005	0.0000	0.4771

3.6 Architectural Coating - 2017**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0313					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.3000e-004	5.4600e-003	4.6700e-003	1.0000e-005		4.3000e-004	4.3000e-004		4.3000e-004	4.3000e-004	0.0000	0.6383	0.6383	7.0000e-005	0.0000	0.6397
Total	0.0321	5.4600e-003	4.6700e-003	1.0000e-005		4.3000e-004	4.3000e-004		4.3000e-004	4.3000e-004	0.0000	0.6383	0.6383	7.0000e-005	0.0000	0.6397

3.6 Architectural Coating - 2017

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.0313					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.3000e-004	5.4600e-003	4.6700e-003	1.0000e-005		4.3000e-004	4.3000e-004		4.3000e-004	4.3000e-004	0.0000	0.6383	0.6383	7.0000e-005	0.0000	0.6397
Total	0.0321	5.4600e-003	4.6700e-003	1.0000e-005		4.3000e-004	4.3000e-004		4.3000e-004	4.3000e-004	0.0000	0.6383	0.6383	7.0000e-005	0.0000	0.6397

3.6 Architectural Coating - 2017

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	2.8783	4.4143	26.5546	0.0172	0.8229	0.0413	0.8641	0.2211	0.0379	0.2589	0.0000	1,352.1965	1,352.1965	0.0588	0.0000	1,353.4308
Unmitigated	2.8783	4.4143	26.5546	0.0172	0.8229	0.0413	0.8641	0.2211	0.0379	0.2589	0.0000	1,352.1965	1,352.1965	0.0588	0.0000	1,353.4308

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Convenience Market With Gas Pumps	3,805.20	6,517.49	5319.36	2,163,320	2,163,320
Total	3,805.20	6,517.49	5,319.36	2,163,320	2,163,320

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Convenience Market With Gas	14.70	6.60	6.60	0.80	80.20	19.00	14	21	65

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.411941	0.062653	0.156059	0.175861	0.050938	0.007827	0.019365	0.102312	0.001797	0.001584	0.006425	0.000939	0.002301

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Mitigated	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496
NaturalGas Unmitigated	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market With Gas Pumps	27000	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496
Total		1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market With Gas Pumps	27000	1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496
Total		1.5000e-004	1.3200e-003	1.1100e-003	1.0000e-005		1.0000e-004	1.0000e-004		1.0000e-004	1.0000e-004	0.0000	1.4408	1.4408	3.0000e-005	3.0000e-005	1.4496

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Convenience Market With Gas Pumps	51615	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Convenience Market With Gas Pumps	51615	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005
Unmitigated	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	3.1300e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0176					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005
Total	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	3.1300e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0176					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005
Total	0.0207	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.0000e-005	8.0000e-005	0.0000	0.0000	9.0000e-005

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.1058	0.0109	2.6000e-004	0.4133
Unmitigated	0.1058	0.0109	2.6000e-004	0.4133

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Convenience Market With Gas Dump	0.333326 / 0.204297	0.1058	0.0109	2.6000e-004	0.4133
Total		0.1058	0.0109	2.6000e-004	0.4133

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Convenience Market With Gas Pumps	0.333326 / 0.204297	0.1058	0.0109	2.6000e-004	0.4133
Total		0.1058	0.0109	2.6000e-004	0.4133

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	2.7444	0.1622	0.0000	6.1505
Unmitigated	2.7444	0.1622	0.0000	6.1505

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Convenience Market With Gas Pumps	13.52	2.7444	0.1622	0.0000	6.1505
Total		2.7444	0.1622	0.0000	6.1505

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Convenience Market With Gas Pumps	13.52	2.7444	0.1622	0.0000	6.1505
Total		2.7444	0.1622	0.0000	6.1505

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

City of Porterville Westwood Plaza- Phase 2
San Joaquin Valley Unified APCD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Strip Mall	24.99	1000sqft	0.57	24,990.00	0
High Turnover (Sit Down Restaurant)	3.02	1000sqft	0.07	3,020.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.7	Precipitation Freq (Days)	45
Climate Zone	7			Operational Year	2019
Utility Company					
CO2 Intensity (lb/MW hr)	0	CH4 Intensity (lb/MW hr)	0	N2O Intensity (lb/MW hr)	0

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Phase 2 of the project includes 24990 sf of retail space and a 3,020 sf restaurant.

Construction Phase - default values were used with the exception of the year, which was changed to reflect the correct year.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	1.00	2.00
tblGrading	AcresOfGrading	1.00	0.50
tblProjectCharacteristics	OperationalYear	2014	2019
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019	0.2508	0.5494	0.4690	7.5000e-004	8.8900e-003	0.0330	0.0419	2.5700e-003	0.0304	0.0330	0.0000	65.4883	65.4883	0.0176	0.0000	65.8570
Total	0.2508	0.5494	0.4690	7.5000e-004	8.8900e-003	0.0330	0.0419	2.5700e-003	0.0304	0.0330	0.0000	65.4883	65.4883	0.0176	0.0000	65.8570

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2019	0.2508	0.5494	0.4690	7.5000e-004	8.8900e-003	0.0330	0.0419	2.5700e-003	0.0304	0.0330	0.0000	65.4882	65.4882	0.0176	0.0000	65.8570
Total	0.2508	0.5494	0.4690	7.5000e-004	8.8900e-003	0.0330	0.0419	2.5700e-003	0.0304	0.0330	0.0000	65.4882	65.4882	0.0176	0.0000	65.8570

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004
Energy	2.4400e-003	0.0222	0.0186	1.3000e-004		1.6800e-003	1.6800e-003		1.6800e-003	1.6800e-003	0.0000	24.1205	24.1205	4.6000e-004	4.4000e-004	24.2673
Mobile	0.8788	2.2889	9.4405	0.0145	0.7874	0.0310	0.8185	0.2116	0.0286	0.2401	0.0000	1,092.2563	1,092.2563	0.0348	0.0000	1,092.9862
Waste						0.0000	0.0000		0.0000	0.0000	12.6220	0.0000	12.6220	0.7459	0.0000	28.2867
Water						0.0000	0.0000		0.0000	0.0000	0.8781	0.0000	0.8781	0.0902	2.1300e-003	3.4322
Total	1.0101	2.3110	9.4594	0.0146	0.7874	0.0327	0.8202	0.2116	0.0303	0.2418	13.5001	1,116.3772	1,129.8773	0.8714	2.5700e-003	1,148.9728

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004
Energy	2.4400e-003	0.0222	0.0186	1.3000e-004		1.6800e-003	1.6800e-003		1.6800e-003	1.6800e-003	0.0000	24.1205	24.1205	4.6000e-004	4.4000e-004	24.2673
Mobile	0.8788	2.2889	9.4405	0.0145	0.7874	0.0310	0.8185	0.2116	0.0286	0.2401	0.0000	1,092.2563	1,092.2563	0.0348	0.0000	1,092.9862
Waste						0.0000	0.0000		0.0000	0.0000	12.6220	0.0000	12.6220	0.7459	0.0000	28.2867
Water						0.0000	0.0000		0.0000	0.0000	0.8781	0.0000	0.8781	0.0902	2.1300e-003	3.4322
Total	1.0101	2.3110	9.4594	0.0146	0.7874	0.0327	0.8202	0.2116	0.0303	0.2418	13.5001	1,116.3772	1,129.8773	0.8714	2.5700e-003	1,148.9728

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/1/2019	1/2/2019	5	2	
2	Grading	Grading	1/3/2019	1/4/2019	5	2	
3	Building Construction	Building Construction	1/5/2019	5/24/2019	5	100	
4	Paving	Paving	5/25/2019	5/31/2019	5	5	
5	Architectural Coating	Architectural Coating	6/1/2019	6/7/2019	5	5	

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 42,015; Non-Residential Outdoor: 14,005 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.56
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	226	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	174	0.41
Paving	Pavers	1	7.00	125	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Rubber Tired Dozers	1	1.00	255	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	2	5.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	9.00	5.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	2.00	0.00	0.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction**3.2 Site Preparation - 2019****Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0000e-003	9.9000e-003	6.9000e-003	1.0000e-005		5.8000e-004	5.8000e-004		5.3000e-004	5.3000e-004	0.0000	0.8372	0.8372	2.6000e-004	0.0000	0.8428
Total	1.0000e-003	9.9000e-003	6.9000e-003	1.0000e-005	2.7000e-004	5.8000e-004	8.5000e-004	3.0000e-005	5.3000e-004	5.6000e-004	0.0000	0.8372	0.8372	2.6000e-004	0.0000	0.8428

3.2 Site Preparation - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493
Total	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.0000e-003	9.9000e-003	6.9000e-003	1.0000e-005		5.8000e-004	5.8000e-004		5.3000e-004	5.3000e-004	0.0000	0.8372	0.8372	2.6000e-004	0.0000	0.8428
Total	1.0000e-003	9.9000e-003	6.9000e-003	1.0000e-005	2.7000e-004	5.8000e-004	8.5000e-004	3.0000e-005	5.3000e-004	5.6000e-004	0.0000	0.8372	0.8372	2.6000e-004	0.0000	0.8428

3.2 Site Preparation - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493
Total	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493

3.3 Grading - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					7.5000e-004	0.0000	7.5000e-004	4.1000e-004	0.0000	4.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.4000e-004	8.4800e-003	8.2200e-003	1.0000e-005		5.3000e-004	5.3000e-004		5.0000e-004	5.0000e-004	0.0000	1.0562	1.0562	2.0000e-004	0.0000	1.0604
Total	9.4000e-004	8.4800e-003	8.2200e-003	1.0000e-005	7.5000e-004	5.3000e-004	1.2800e-003	4.1000e-004	5.0000e-004	9.1000e-004	0.0000	1.0562	1.0562	2.0000e-004	0.0000	1.0604

3.3 Grading - 2019**Unmitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.0000e-005	5.0000e-005	4.8000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0984	0.0984	0.0000	0.0000	0.0985
Total	3.0000e-005	5.0000e-005	4.8000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0984	0.0984	0.0000	0.0000	0.0985

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					7.5000e-004	0.0000	7.5000e-004	4.1000e-004	0.0000	4.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.4000e-004	8.4800e-003	8.2200e-003	1.0000e-005		5.3000e-004	5.3000e-004		5.0000e-004	5.0000e-004	0.0000	1.0562	1.0562	2.0000e-004	0.0000	1.0604
Total	9.4000e-004	8.4800e-003	8.2200e-003	1.0000e-005	7.5000e-004	5.3000e-004	1.2800e-003	4.1000e-004	5.0000e-004	9.1000e-004	0.0000	1.0562	1.0562	2.0000e-004	0.0000	1.0604

3.3 Grading - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.0000e-005	5.0000e-005	4.8000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0984	0.0984	0.0000	0.0000	0.0985
Total	3.0000e-005	5.0000e-005	4.8000e-004	0.0000	1.2000e-004	0.0000	1.3000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0984	0.0984	0.0000	0.0000	0.0985

3.4 Building Construction - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0476	0.4878	0.3759	5.7000e-004		0.0301	0.0301		0.0277	0.0277	0.0000	50.8698	50.8698	0.0161	0.0000	51.2078
Total	0.0476	0.4878	0.3759	5.7000e-004		0.0301	0.0301		0.0277	0.0277	0.0000	50.8698	50.8698	0.0161	0.0000	51.2078

3.4 Building Construction - 2019

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2300e-003	0.0167	0.0309	5.0000e-005	1.4700e-003	2.8000e-004	1.7500e-003	4.2000e-004	2.6000e-004	6.8000e-004	0.0000	4.6603	4.6603	4.0000e-005	0.0000	4.6611
Worker	1.3400e-003	2.3000e-003	0.0218	7.0000e-005	5.5900e-003	4.0000e-005	5.6300e-003	1.4900e-003	4.0000e-005	1.5200e-003	0.0000	4.4291	4.4291	2.0000e-004	0.0000	4.4334
Total	3.5700e-003	0.0190	0.0526	1.2000e-004	7.0600e-003	3.2000e-004	7.3800e-003	1.9100e-003	3.0000e-004	2.2000e-003	0.0000	9.0894	9.0894	2.4000e-004	0.0000	9.0945

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0476	0.4878	0.3759	5.7000e-004		0.0301	0.0301		0.0277	0.0277	0.0000	50.8698	50.8698	0.0161	0.0000	51.2078
Total	0.0476	0.4878	0.3759	5.7000e-004		0.0301	0.0301		0.0277	0.0277	0.0000	50.8698	50.8698	0.0161	0.0000	51.2078

3.4 Building Construction - 2019

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.2300e-003	0.0167	0.0309	5.0000e-005	1.4700e-003	2.8000e-004	1.7500e-003	4.2000e-004	2.6000e-004	6.8000e-004	0.0000	4.6603	4.6603	4.0000e-005	0.0000	4.6611
Worker	1.3400e-003	2.3000e-003	0.0218	7.0000e-005	5.5900e-003	4.0000e-005	5.6300e-003	1.4900e-003	4.0000e-005	1.5200e-003	0.0000	4.4291	4.4291	2.0000e-004	0.0000	4.4334
Total	3.5700e-003	0.0190	0.0526	1.2000e-004	7.0600e-003	3.2000e-004	7.3800e-003	1.9100e-003	3.0000e-004	2.2000e-003	0.0000	9.0894	9.0894	2.4000e-004	0.0000	9.0945

3.5 Paving - 2019

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0500e-003	0.0194	0.0176	3.0000e-005		1.0900e-003	1.0900e-003		1.0100e-003	1.0100e-003	0.0000	2.3576	2.3576	6.7000e-004	0.0000	2.3717
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.0500e-003	0.0194	0.0176	3.0000e-005		1.0900e-003	1.0900e-003		1.0100e-003	1.0100e-003	0.0000	2.3576	2.3576	6.7000e-004	0.0000	2.3717

3.5 Paving - 2019

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.3000e-004	2.3000e-004	2.1800e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4429	0.4429	2.0000e-005	0.0000	0.4433
Total	1.3000e-004	2.3000e-004	2.1800e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4429	0.4429	2.0000e-005	0.0000	0.4433

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0500e-003	0.0194	0.0176	3.0000e-005		1.0900e-003	1.0900e-003		1.0100e-003	1.0100e-003	0.0000	2.3576	2.3576	6.7000e-004	0.0000	2.3717
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.0500e-003	0.0194	0.0176	3.0000e-005		1.0900e-003	1.0900e-003		1.0100e-003	1.0100e-003	0.0000	2.3576	2.3576	6.7000e-004	0.0000	2.3717

3.5 Paving - 2019**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.3000e-004	2.3000e-004	2.1800e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4429	0.4429	2.0000e-005	0.0000	0.4433
Total	1.3000e-004	2.3000e-004	2.1800e-003	1.0000e-005	5.6000e-004	0.0000	5.6000e-004	1.5000e-004	0.0000	1.5000e-004	0.0000	0.4429	0.4429	2.0000e-005	0.0000	0.4433

3.6 Architectural Coating - 2019**Unmitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.1947					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.7000e-004	4.5900e-003	4.6000e-003	1.0000e-005		3.2000e-004	3.2000e-004		3.2000e-004	3.2000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6395
Total	0.1954	4.5900e-003	4.6000e-003	1.0000e-005		3.2000e-004	3.2000e-004		3.2000e-004	3.2000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6395

3.6 Architectural Coating - 2019

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493
Total	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.1947					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.7000e-004	4.5900e-003	4.6000e-003	1.0000e-005		3.2000e-004	3.2000e-004		3.2000e-004	3.2000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6394
Total	0.1954	4.5900e-003	4.6000e-003	1.0000e-005		3.2000e-004	3.2000e-004		3.2000e-004	3.2000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6394

3.6 Architectural Coating - 2019

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493
Total	1.0000e-005	3.0000e-005	2.4000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0492	0.0492	0.0000	0.0000	0.0493

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.8788	2.2889	9.4405	0.0145	0.7874	0.0310	0.8185	0.2116	0.0286	0.2401	0.0000	1,092.2563	1,092.2563	0.0348	0.0000	1,092.9862
Unmitigated	0.8788	2.2889	9.4405	0.0145	0.7874	0.0310	0.8185	0.2116	0.0286	0.2401	0.0000	1,092.2563	1,092.2563	0.0348	0.0000	1,092.9862

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
High Turnover (Sit Down Restaurant)	383.99	478.28	398.16	451,386	451,386
Strip Mall	1,107.56	1,050.58	510.55	1,618,520	1,618,520
Total	1,491.55	1,528.86	908.70	2,069,906	2,069,906

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
High Turnover (Sit Down)	14.70	6.60	6.60	8.50	72.50	19.00	37	20	43
Strip Mall	14.70	6.60	6.60	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.410451	0.062677	0.156337	0.175823	0.050909	0.007832	0.019714	0.103223	0.001781	0.001574	0.006464	0.000909	0.002306

5.0 Energy Detail

4.4 Fleet Mix

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Mitigated	2.4400e-003	0.0222	0.0186	1.3000e-004		1.6800e-003	1.6800e-003		1.6800e-003	1.6800e-003	0.0000	24.1205	24.1205	4.6000e-004	4.4000e-004	24.2673
NaturalGas Unmitigated	2.4400e-003	0.0222	0.0186	1.3000e-004		1.6800e-003	1.6800e-003		1.6800e-003	1.6800e-003	0.0000	24.1205	24.1205	4.6000e-004	4.4000e-004	24.2673

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
High Turnover (Sit Down Restaurant)	302060	1.6300e-003	0.0148	0.0124	9.0000e-005		1.1300e-003	1.1300e-003		1.1300e-003	1.1300e-003	0.0000	16.1191	16.1191	3.1000e-004	3.0000e-004	16.2172
Strip Mall	149940	8.1000e-004	7.3500e-003	6.1700e-003	4.0000e-005		5.6000e-004	5.6000e-004		5.6000e-004	5.6000e-004	0.0000	8.0014	8.0014	1.5000e-004	1.5000e-004	8.0501
Total		2.4400e-003	0.0222	0.0186	1.3000e-004		1.6900e-003	1.6900e-003		1.6900e-003	1.6900e-003	0.0000	24.1205	24.1205	4.6000e-004	4.5000e-004	24.2673

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
High Turnover (Sit Down Restaurant)	302060	1.6300e-003	0.0148	0.0124	9.0000e-005		1.1300e-003	1.1300e-003		1.1300e-003	1.1300e-003	0.0000	16.1191	16.1191	3.1000e-004	3.0000e-004	16.2172
Strip Mall	149940	8.1000e-004	7.3500e-003	6.1700e-003	4.0000e-005		5.6000e-004	5.6000e-004		5.6000e-004	5.6000e-004	0.0000	8.0014	8.0014	1.5000e-004	1.5000e-004	8.0501
Total		2.4400e-003	0.0222	0.0186	1.3000e-004		1.6900e-003	1.6900e-003		1.6900e-003	1.6900e-003	0.0000	24.1205	24.1205	4.6000e-004	4.5000e-004	24.2673

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
High Turnover (Sit Down Restaurant)	108327	0.0000	0.0000	0.0000	0.0000
Strip Mall	286635	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
High Turnover (Sit Down Restaurant)	108327	0.0000	0.0000	0.0000	0.0000
Strip Mall	286635	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004
Unmitigated	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0195					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1094					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.0000e-005	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004
Total	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0195					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1094					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.0000e-005	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004
Total	0.1289	0.0000	2.6000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.0000e-004	5.0000e-004	0.0000	0.0000	5.3000e-004

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.8781	0.0902	2.1300e-003	3.4322
Unmitigated	0.8781	0.0902	2.1300e-003	3.4322

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
High Turnover (Sit Down Restaurant)	0.916672 / 0.058511	0.2908	0.0299	7.1000e-004	1.1367
Strip Mall	1.85107 / 1.13453	0.5873	0.0603	1.4200e-003	2.2954
Total		0.8781	0.0902	2.1300e-003	3.4322

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
High Turnover (Sit Down Restaurant)	0.916672 / 0.058511	0.2908	0.0299	7.1000e-004	1.1367
Strip Mall	1.85107 / 1.13453	0.5873	0.0603	1.4200e-003	2.2954
Total		0.8781	0.0902	2.1300e-003	3.4322

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	12.6220	0.7459	0.0000	28.2867
Unmitigated	12.6220	0.7459	0.0000	28.2867

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
High Turnover (Sit Down Restaurant)	35.94	7.2955	0.4312	0.0000	16.3497
Strip Mall	26.24	5.3265	0.3148	0.0000	11.9370
Total		12.6220	0.7459	0.0000	28.2867

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
High Turnover (Sit Down Restaurant)	35.94	7.2955	0.4312	0.0000	16.3497
Strip Mall	26.24	5.3265	0.3148	0.0000	11.9370
Total		12.6220	0.7459	0.0000	28.2867

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Vegetation

Appendix C

TRAFFIC STUDY

1800 50th Street, Suite 260
Bakersfield, California 93301
Phone (661) 327-1969
Fax (661) 327-1993



November 19, 2015

524-05
Electronic Mail

Ms. Emily Bowen, LEED AP
Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 9329

REF: Traffic Study for Proposed Commercial Development on Westwood Street and Henderson Avenue in the City of Porterville.

Dear Mr. Crawford:

The purpose of this letter is to evaluate potential traffic impacts resulting from the construction of a commercial center on Westwood Street and Henderson Avenue in the City of Porterville (see Figure 1 for a Vicinity Map and Figure 2 for a Location Map). In addition to the level of service analysis, the vehicle queue lengths at Westwood Street and Henderson Avenue, as well as the project entrances will be evaluated.

The project will be constructed in two phases. Phase 1 will consist of a gas station with convenience store, and Phase 2 will add a fast-food restaurant as well as approximately 25,000 square feet of shopping center space (see Figure 3 attached). Phase 1 of the project is planned for construction in the existing year, while Phase 2 is planned for completion by 2025.

PROJECT TRIP GENERATION

Trip generation and design hour volumes for the project phases were calculated using the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition. Trip generation for both phases of the project is shown in tables 1 and 2 below.

Table 1
Porterville Commercial Center – Trip Generation Phase 1

General Information			Daily Trips		AM Peak Hour Trips			PM Peak Hour Trips		
ITE Code	Development Type	Variable	ADT RATE	ADT	Rate	In % Split/ Trips	Out % Split/ Trips	Rate	In % Split/ Trips	Out % Split/ Trips
945	Gasoline/Service Station with Convenience Market	12 Vehicle Fueling Postions	162.78	1953	10.16	50% 61	50% 61	13.51	50% 81	50% 81
sub-total				1,953		61	61		81	81
<i>Adjustments</i> Pass-by		15%		293		9	9		12	12
Total				1,660		52	52		69	69

Table 2
Porterville Commercial Center – Trip Generation Phase 2

General Information			Daily Trips		AM Peak Hour Trips			PM Peak Hour Trips		
ITE Code	Development Type	Variable	ADT RATE	ADT	Rate	In % Split/ Trips	Out % Split/ Trips	Rate	In % Split/ Trips	Out % Split/ Trips
820	Shopping Center	24.99 1000 sq ft GLA	eq	2757	eq	62% 41	38% 25	eq	48% 114	52% 123
934	Fast-Food Restaurant w/Drive-Thru	3.018 1000 sq ft GFA	496.12	1497	45.42	51% 70	49% 67	32.65	52% 51	48% 47
945	Gasoline/Service Station with Convenience Market	12 Vehicle Fueling Postions	162.78	1953	10.16	50% 61	50% 61	13.51	50% 81	50% 81
sub-total				6,208		172	153		246	251
<i>Adjustments</i>										
Capture ¹		5%		98		3	3		4	4
Pass-by ²		15%		931		26	23		37	38
Total				5,179		143	127		205	209

¹Gasoline/Service Station only

²Applied to entire commerical center

Project traffic distribution was based on the most logically traveled routes for traffic accessing the project, as well as a review of the potential draw from population centers within the region and types of land uses involved. See attached figures 5 and 6 for Phase 1 and 2 project traffic distributions.

IMPACT ANALYSIS

Intersection LOS

An analysis was done to determine the levels of service for the intersection at Westwood Street and Henderson Avenue, as well as the project entrances for both phases of the project. Peak hour traffic counts were conducted in October 2015 from 7:30 AM to 8:30 AM and 4:30 PM to 5:30 PM (see attached Figure 4).

Future traffic was estimated based on the TCAG traffic model data. Based on this data, average annual growth rates ranging from approximately 2% to 3% were applied to existing traffic volumes to estimate future traffic volumes (see attached Figures 8 and 9). The AM and PM level of service tables are shown below.

Table 3
Intersection AM Peak Hour Level of Service

#	Intersection	Movement	2015	2015+ Project Phase 1	2025	2025+ Project Phase 2
1	Project Entrance & W Henderson Ave	NB	⁻¹	A	⁻¹	B
2	N Westwood St & W Henderson Ave	Signalized	C	C	C	C
3	N Westwood St & Project Entrance (North)	EB	⁻¹	B	⁻¹	B
4	N Westwood St & Project Entrance/Kings Cross Way	EB WB	⁻¹ B	C C	⁻¹ C	D C
5	N Westwood St & Project Entrance (South)	EB	⁻¹	A	⁻¹	B

¹Only exists with "+project" scenarios.

Table 4
Intersection PM Peak Hour Level of Service

#	Intersection	Movement	2015	2015+ Project Phase 1	2025	2025+ Project Phase 2
1	Project Entrance & W Henderson Ave	NB	- ¹	B	- ¹	B
2	N Westwood St & W Henderson Ave	Signalized	B	B	C	C
3	N Westwood St & Project Entrance	EB	- ¹	A	- ¹	B
4	N Westwood St & Project Entrance/Kings Cross Way	EB WB	- ¹ B	C B	- ¹ B	C C
5	N Westwood St & Project Entrance (South)	EB	- ¹	A	- ¹	B

¹Only exists with "+project" scenarios.

The City of Porterville and the Tulare County Regional Transportation Plan designate LOS "D" as the minimum acceptable intersection peak hour level of service standard. As can be seen in the level of service tables, the intersection of Westwood Street and Henderson Avenue, as well as the project entrances are anticipated to operate at or above acceptable levels of service in the existing year, as well as the future year for all scenarios.

Queue Length Evaluation

Queue lengths were evaluated at the intersection of Westwood Street and Henderson Avenue, as well as at the intersection of Westwood Street and Kings Cross Way/Project Entrance using Synchro 8 software by Trafficware. Queue lengths for the study scenarios are shown in Table 5.

Table 5
Queue Lengths

Scenario	Henderson Ave & Westwood St		Westwood St & Kings Cross Way/ Project Entrance	
	Eastbound LEFT Q-Length (Ft.)	Northbound LEFT Q-Length (Ft.)	Northbound LEFT Q-Length (Ft.)	Southbound LEFT Q-Length (Ft.)
Existing Storage	85	110	_ ²	_ ²
AM Existing	74	36	_ ¹	0
AM Existing + Project Phase 1	82	41	20	24
AM Future	96	42	_ ¹	10
AM Future + Project Phase 2	123	52	59	15
PM Existing	63	47	_ ¹	16
PM Existing + Project Phase 1	72	53	21	20
PM Future	85	58	_ ¹	25
PM Future + Project Phase 2	118	71	47	21

¹Left turn only exists with project.

²Future with project.

CONCLUSIONS

Level of Service Analysis

As shown in the level of service analysis, the project will not create any significant impacts to the roadway system in the vicinity of the project.

Queue Length Analysis

Based on a review of the queue length analysis, left turn storage lengths and driveway movement recommendations are listed in the following table.

Table 6
Intersection Recommendations

#	Intersection	Recommendation
1	Project Entrance & W Henderson Ave	Restrict to Right-In/Right-Out movements only
2	N Westwood St & W Henderson Ave	<i>Eastbound Left-Turn</i> : Provide for 150 feet of storage -Modified Striping <i>Northbound Left-Turn</i> : Provide for 150 feet of storage -Construct raised concrete median along the frontage of the property on Westwood Street
3	N Westwood St & Project Entrance	Restrict to Right-In/Right-Out movements only
4	N Westwood St & Project Entrance/ Kings Cross Way	<i>Northbound Left-Turn</i> : Provide for 100 feet of storage -Construct concrete median <i>Southbound Left-Turn</i> : Provide for 100 feet of storage -Construct concrete median
5	N Westwood St & Project Entrance	Restrict to Right-In/Right-Out movements only

E. Bowen
November 19, 2015
Page 7 of 7

524-05

Please contact me should you have any questions.

Very truly yours,



Ian Parks

IJP/mea



VICINITY MAP

FIGURE 1

W N Grand Ave

**PROJECT
SITE**

W Westfield Ave

W Henderson Ave

**CITY OF
PORTERVILLE**

W Morton Ave

W Olive Ave

Matthew St

N Westwood St

N Newcomb St

N Indiana St

S Jaye St

S Main St

S Plano St

W Poplar Ave
(SR 190)

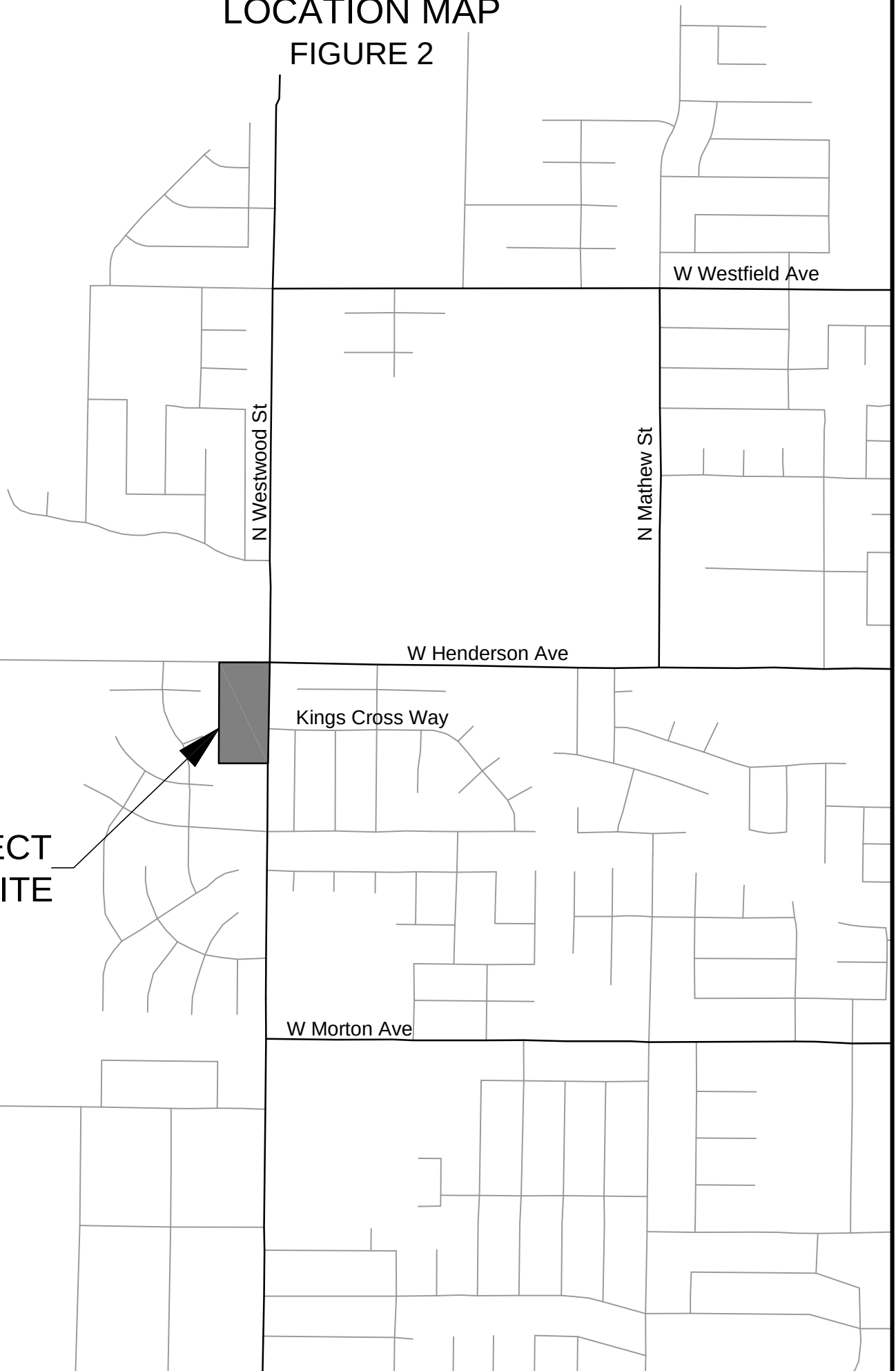
SR 65



NOT TO SCALE

LOCATION MAP

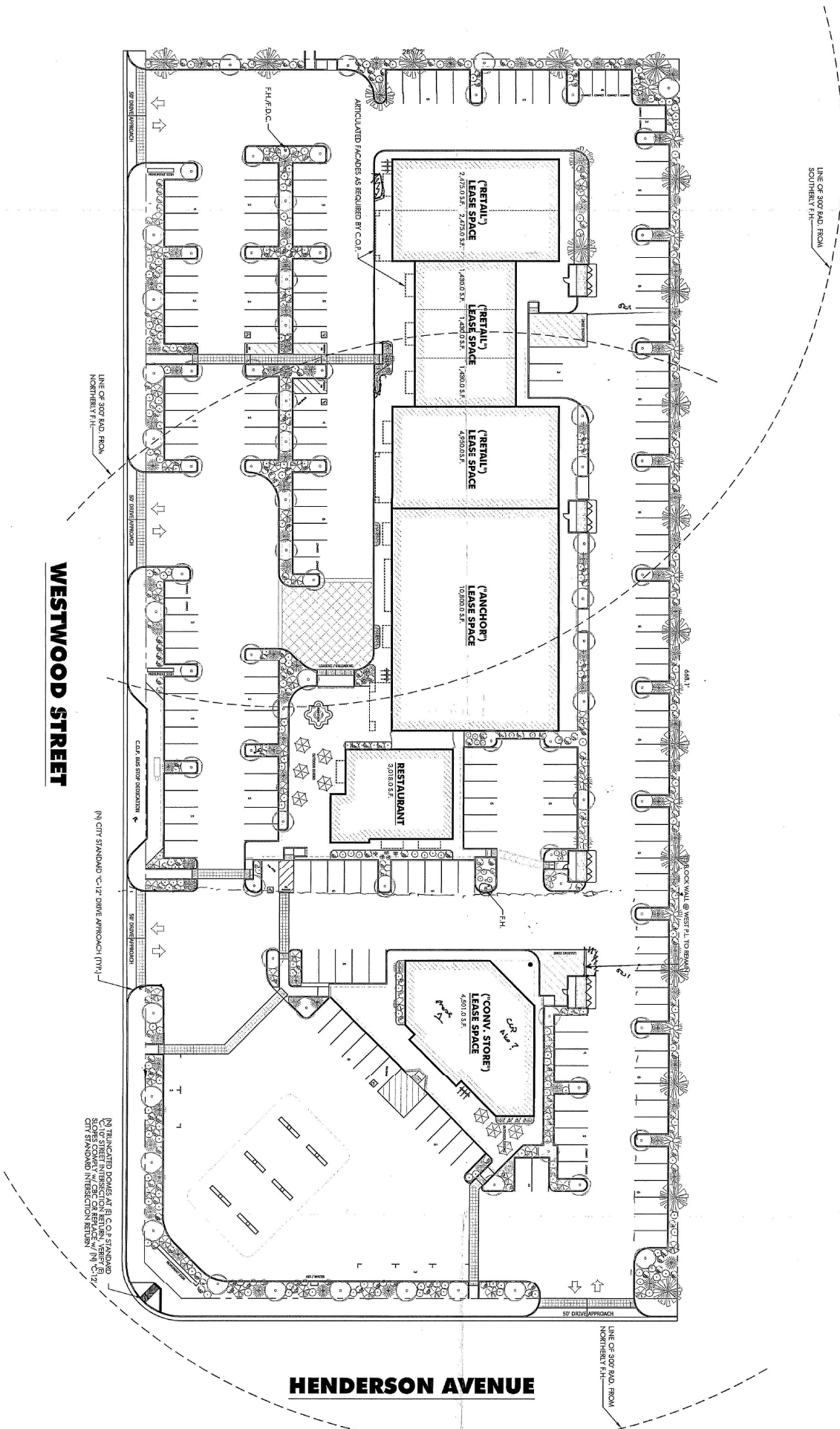
FIGURE 2



PROJECT
SITE

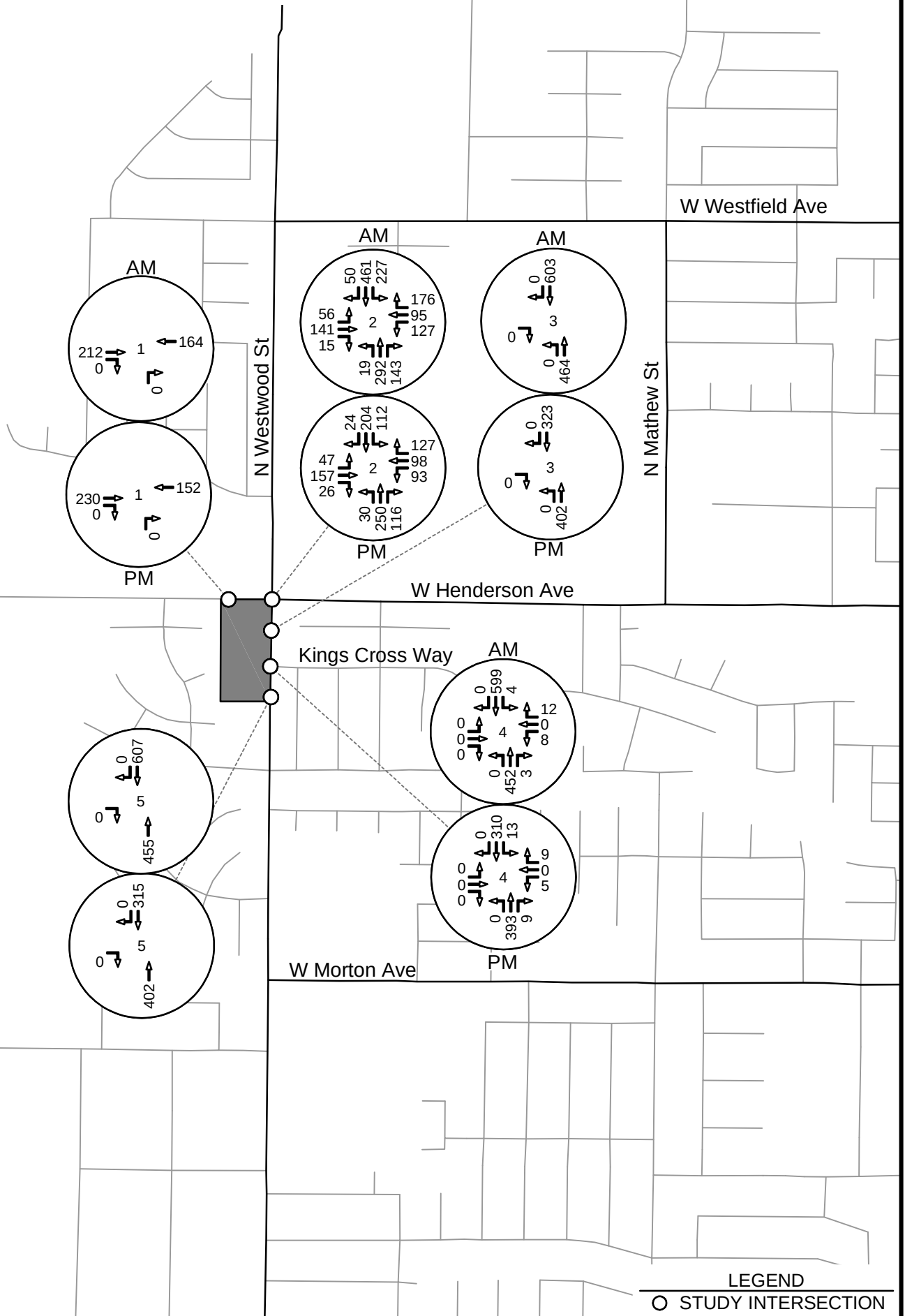


NOT TO SCALE

[illegible][illegible][illegible][illegible]

2015 PEAK HOUR TRAFFIC

FIGURE 4



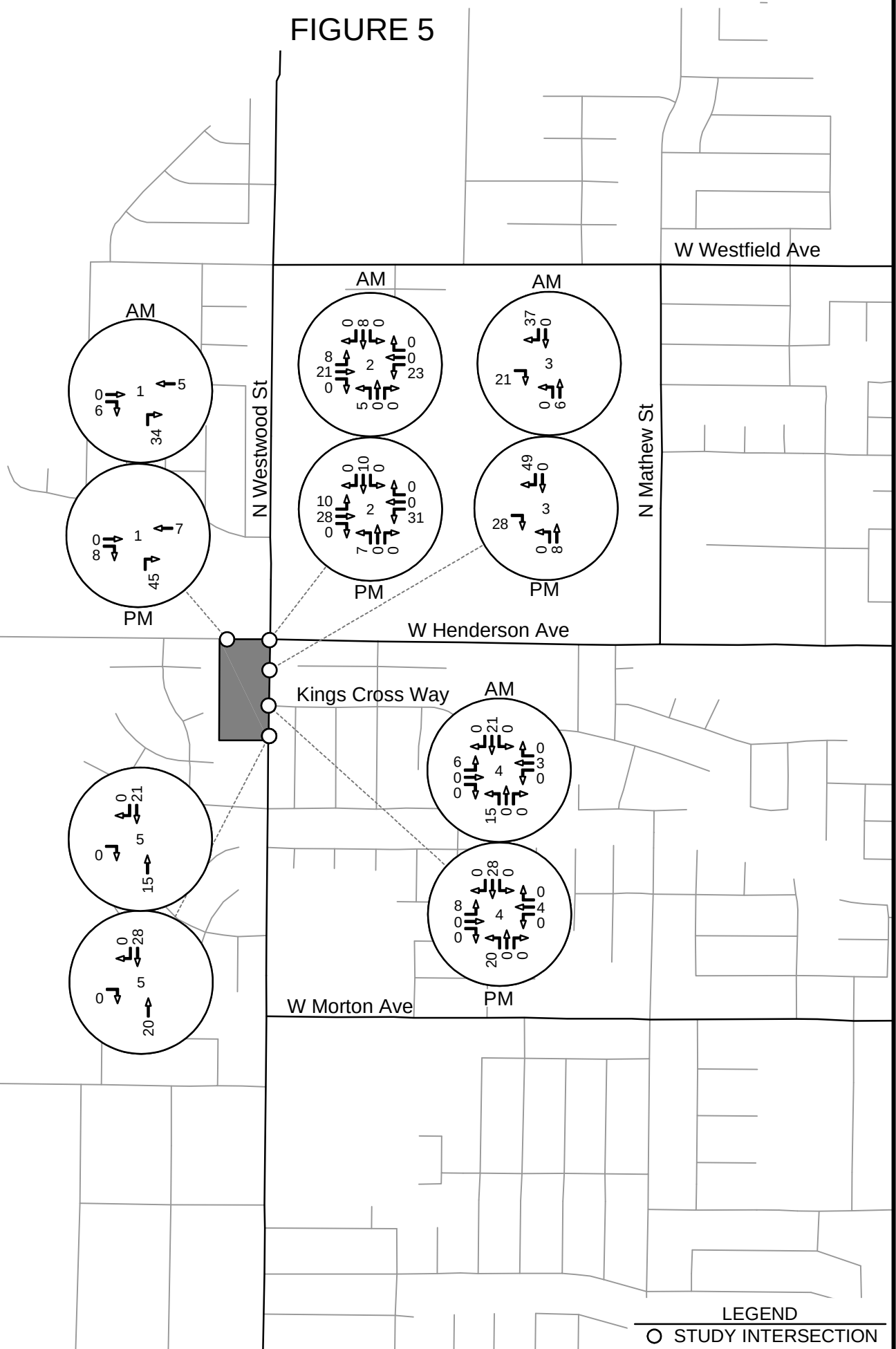
NOT TO SCALE

LEGEND

○ STUDY INTERSECTION

PHASE 1 PROJECT PEAK HOUR TRAFFIC

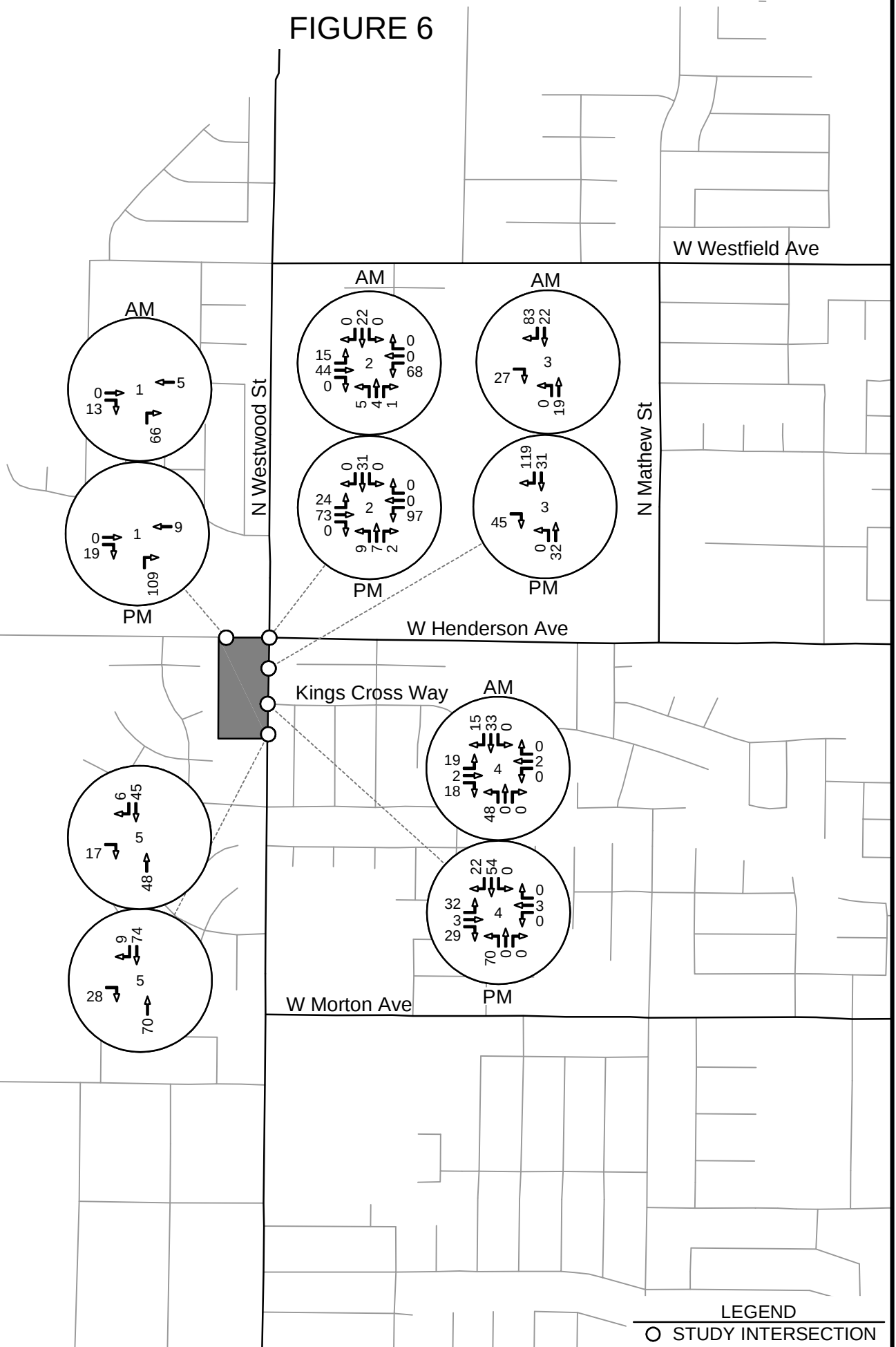
FIGURE 5



NOT TO SCALE

PHASE 2 PROJECT PEAK HOUR TRAFFIC

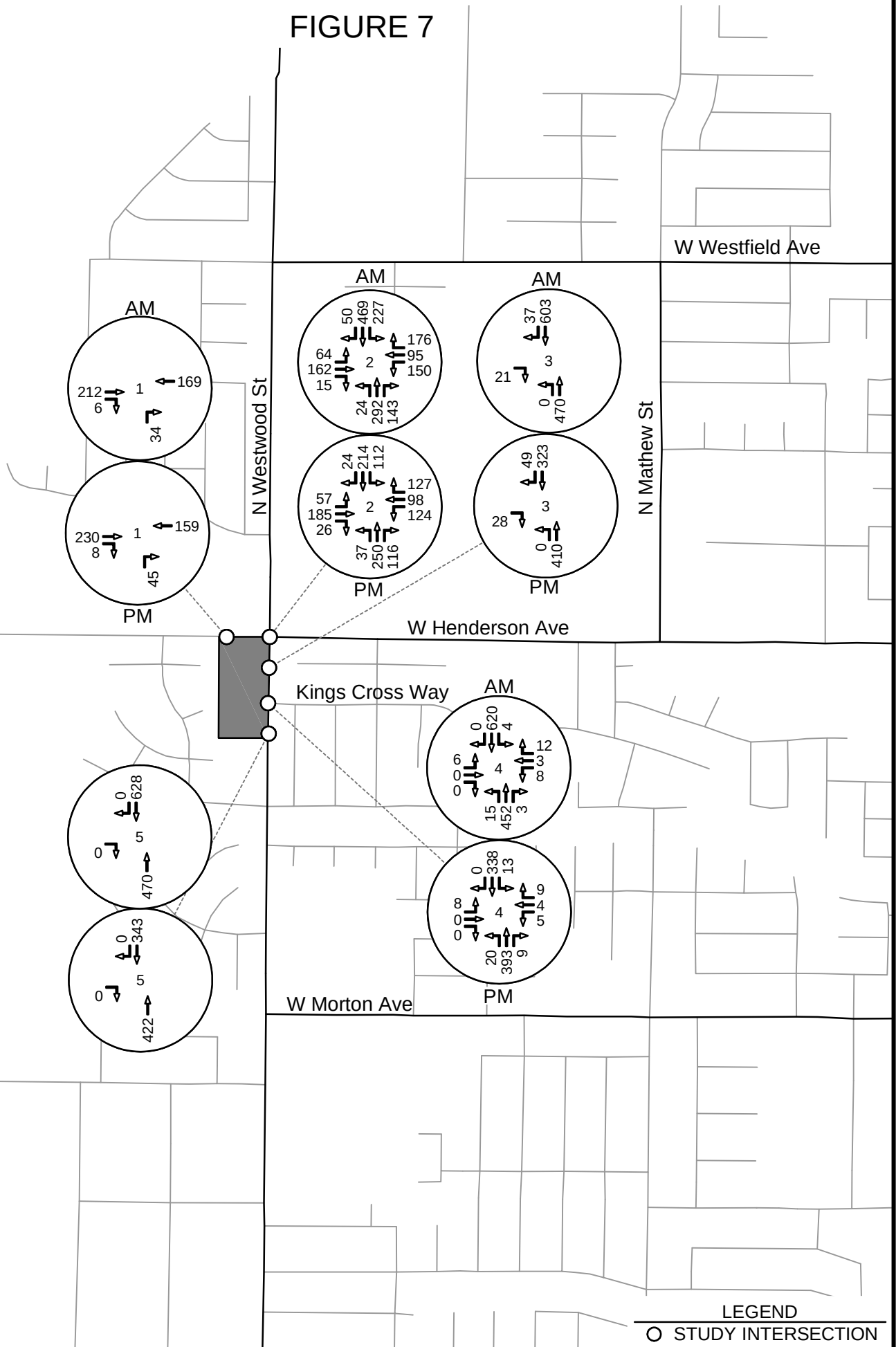
FIGURE 6



NOT TO SCALE

2015+PHASE 1 PROJECT PEAK HOUR TRAFFIC

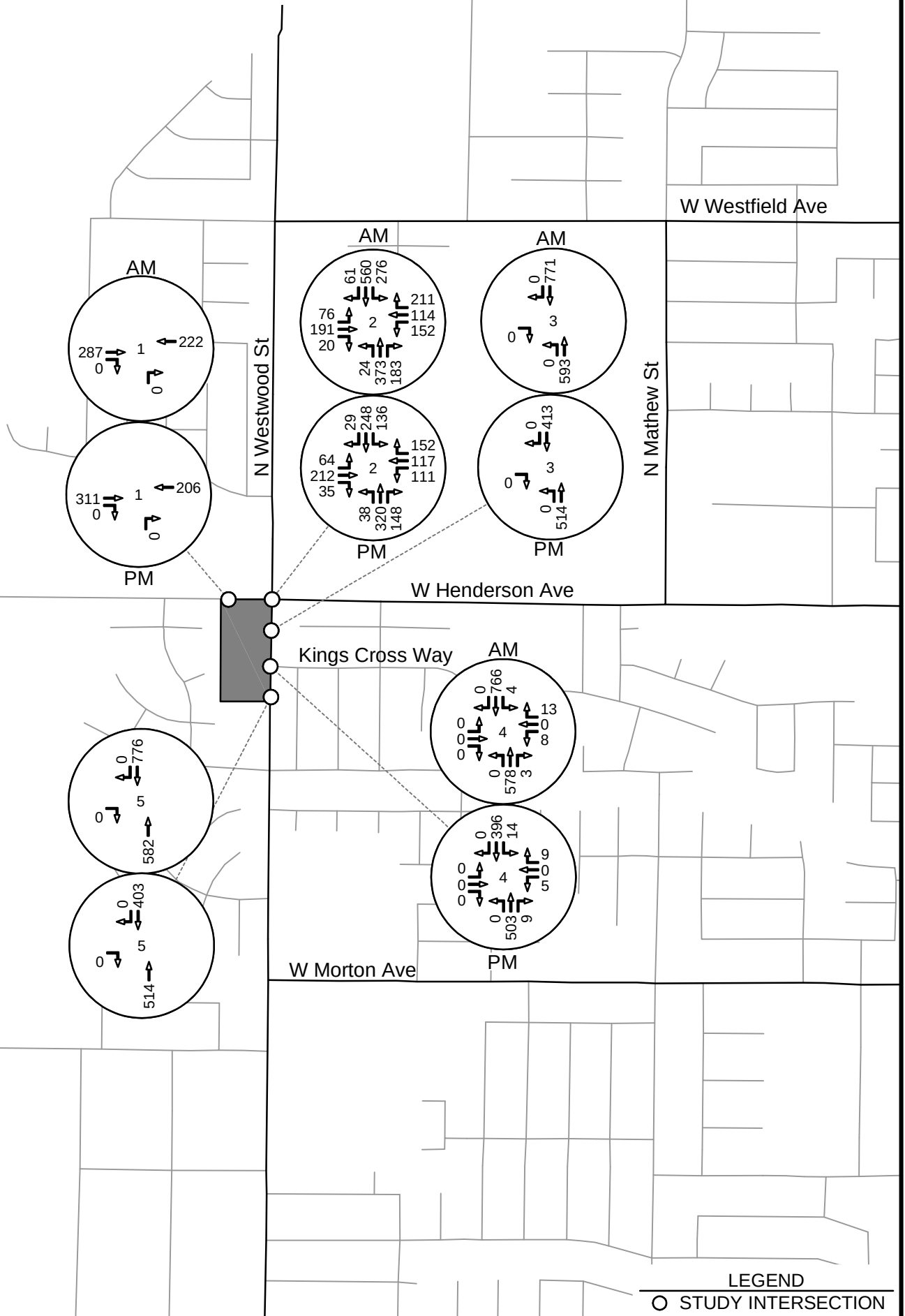
FIGURE 7



NOT TO SCALE

2025 PEAK HOUR TRAFFIC

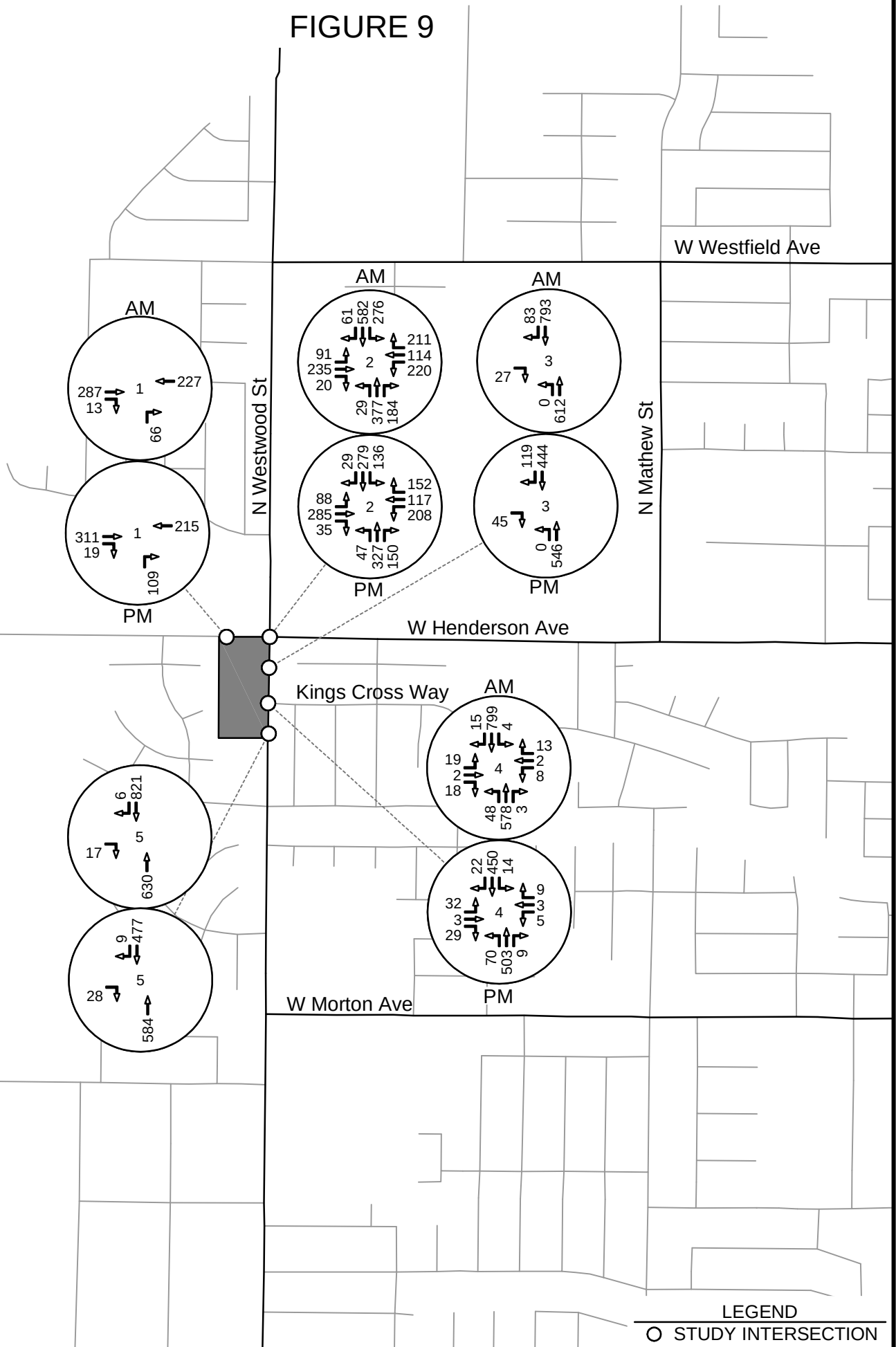
FIGURE 8



NOT TO SCALE

2025+PHASE 2 PROJECT PEAK HOUR TRAFFIC

FIGURE 9



NOT TO SCALE

Intersection 1

Project Entrance & W Henderson Ave

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	230	0	0	152	0	0
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	250	0	0	165	0	0

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	255	0	420	260
Stage 1	-	-	-	-	255	-
Stage 2	-	-	-	-	165	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1310	-	590	779
Stage 1	-	-	-	-	788	-
Stage 2	-	-	-	-	864	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1305	-	585	773
Mov Cap-2 Maneuver	-	-	-	-	585	-
Stage 1	-	-	-	-	785	-
Stage 2	-	-	-	-	860	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	0
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	-	-	-	1305	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

Intersection	
Int Delay, s/veh	1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	230	8	0	159	0	45
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	250	9	0	173	0	49

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	264	0	432	264
Stage 1	-	-	-	-	259	-
Stage 2	-	-	-	-	173	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1300	-	581	775
Stage 1	-	-	-	-	784	-
Stage 2	-	-	-	-	857	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1295	-	576	769
Mov Cap-2 Maneuver	-	-	-	-	576	-
Stage 1	-	-	-	-	781	-
Stage 2	-	-	-	-	853	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	769	-	-	1295	-
HCM Lane V/C Ratio	0.064	-	-	-	-
HCM Control Delay (s)	10	-	-	0	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0	-

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	311	0	0	206	0	0
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	338	0	0	224	0	0
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	343	0	567	348
Stage 1	-	-	-	-	343	-
Stage 2	-	-	-	-	224	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1216	-	485	695
Stage 1	-	-	-	-	719	-
Stage 2	-	-	-	-	813	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1211	-	481	689
Mov Cap-2 Maneuver	-	-	-	-	481	-
Stage 1	-	-	-	-	716	-
Stage 2	-	-	-	-	810	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		0	
HCM LOS	A					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	-	-	-	1211	-	
HCM Lane V/C Ratio	-	-	-	-	-	
HCM Control Delay (s)	0	-	-	0	-	
HCM Lane LOS	A	-	-	A	-	
HCM 95th %tile Q(veh)	-	-	-	0	-	

Intersection	
Int Delay, s/veh	1.9

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	311	19	0	218	0	111
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	338	21	0	237	0	121

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	364	0	590	358
Stage 1	-	-	-	-	353	-
Stage 2	-	-	-	-	237	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1195	-	470	686
Stage 1	-	-	-	-	711	-
Stage 2	-	-	-	-	802	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1190	-	466	680
Mov Cap-2 Maneuver	-	-	-	-	466	-
Stage 1	-	-	-	-	708	-
Stage 2	-	-	-	-	799	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	11.4
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	680	-	-	1190	-
HCM Lane V/C Ratio	0.177	-	-	-	-
HCM Control Delay (s)	11.4	-	-	0	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.6	-	-	0	-

Intersection	
Int Delay, s/veh	0

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	212	0	0	164	0	0
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	230	0	0	178	0	0

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	235	0	413	240
Stage 1	-	-	-	-	235	-
Stage 2	-	-	-	-	178	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1332	-	595	799
Stage 1	-	-	-	-	804	-
Stage 2	-	-	-	-	853	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1326	-	590	792
Mov Cap-2 Maneuver	-	-	-	-	590	-
Stage 1	-	-	-	-	801	-
Stage 2	-	-	-	-	849	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	-	-	-	1326	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

Intersection	
Int Delay, s/veh	0.8

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	212	6	0	169	0	34
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	230	7	0	184	0	37

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	242	0	423	244
Stage 1	-	-	-	-	239	-
Stage 2	-	-	-	-	184	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1324	-	588	795
Stage 1	-	-	-	-	801	-
Stage 2	-	-	-	-	848	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1318	-	583	788
Mov Cap-2 Maneuver	-	-	-	-	583	-
Stage 1	-	-	-	-	798	-
Stage 2	-	-	-	-	844	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	9.8
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	788	-	-	1318	-
HCM Lane V/C Ratio	0.047	-	-	-	-
HCM Control Delay (s)	9.8	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-

Intersection						
Int Delay, s/veh	0					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	287	0	0	222	0	0
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	312	0	0	241	0	0
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	317	0	558	322
Stage 1	-	-	-	-	317	-
Stage 2	-	-	-	-	241	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1243	-	491	719
Stage 1	-	-	-	-	738	-
Stage 2	-	-	-	-	799	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1238	-	487	713
Mov Cap-2 Maneuver	-	-	-	-	487	-
Stage 1	-	-	-	-	735	-
Stage 2	-	-	-	-	796	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		0		0	
HCM LOS	A					
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT	
Capacity (veh/h)	-	-	-	1238	-	
HCM Lane V/C Ratio	-	-	-	-	-	
HCM Control Delay (s)	0	-	-	0	-	
HCM Lane LOS	A	-	-	A	-	
HCM 95th %tile Q(veh)	-	-	-	0	-	

Intersection	
Int Delay, s/veh	1.2

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Vol, veh/h	287	13	0	229	0	67
Conflicting Peds, #/hr	0	5	5	0	5	5
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	312	14	0	249	0	73

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	331	0	573	329
Stage 1	-	-	-	-	324	-
Stage 2	-	-	-	-	249	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1228	-	481	712
Stage 1	-	-	-	-	733	-
Stage 2	-	-	-	-	792	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1223	-	477	706
Mov Cap-2 Maneuver	-	-	-	-	477	-
Stage 1	-	-	-	-	730	-
Stage 2	-	-	-	-	789	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10.7
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	706	-	-	1223	-
HCM Lane V/C Ratio	0.103	-	-	-	-
HCM Control Delay (s)	10.7	-	-	0	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.3	-	-	0	-

Intersection 2
N Westwood St & W Henderson Ave

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	47	157	26	93	98	127	30	250	116	112	204	24
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	51	171	28	101	107	138	33	272	126	122	222	26
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	90	361	281	148	428	331	71	476	369	176	596	463
Arrive On Green	0.05	0.19	0.19	0.09	0.23	0.23	0.04	0.26	0.26	0.11	0.32	0.32
Sat Flow, veh/h	1634	1863	1447	1634	1863	1442	1634	1863	1444	1634	1863	1447
Grp Volume(v), veh/h	51	171	28	101	107	138	33	272	126	122	222	26
Grp Sat Flow(s),veh/h/ln	1634	1863	1447	1634	1863	1442	1634	1863	1444	1634	1863	1447
Q Serve(g_s), s	1.4	3.7	0.7	2.7	2.1	3.7	0.9	5.8	3.2	3.3	4.2	0.6
Cycle Q Clear(g_c), s	1.4	3.7	0.7	2.7	2.1	3.7	0.9	5.8	3.2	3.3	4.2	0.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	90	361	281	148	428	331	71	476	369	176	596	463
V/C Ratio(X)	0.57	0.47	0.10	0.68	0.25	0.42	0.47	0.57	0.34	0.69	0.37	0.06
Avail Cap(c_a), veh/h	266	943	732	460	1164	901	230	1033	801	503	1344	1044
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	20.9	16.3	15.0	20.0	14.3	14.9	21.2	14.8	13.8	19.5	11.9	10.7
Incr Delay (d2), s/veh	5.5	1.0	0.2	5.5	0.3	0.8	4.7	1.1	0.5	4.8	0.4	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.8	2.0	0.3	1.5	1.1	1.5	0.5	3.1	1.3	1.7	2.2	0.2
LnGrp Delay(d),s/veh	26.5	17.2	15.2	25.5	14.6	15.7	26.0	15.8	14.4	24.3	12.3	10.7
LnGrp LOS	C	B	B	C	B	B	C	B	B	C	B	B
Approach Vol, veh/h	250			346			431			370		
Approach Delay, s/veh	18.9			18.2			16.2			16.2		
Approach LOS	B			B			B			B		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	8.9	15.6	8.1	12.8	6.0	18.5	6.5	14.4				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	13.4	24.6	12.2	22.4	5.8	32.2	6.8	27.8				
Max Q Clear Time (g_c+I1), s	5.3	7.8	4.7	5.7	2.9	6.2	3.4	5.7				
Green Ext Time (p_c), s	0.2	2.4	0.2	1.6	0.0	2.6	0.0	1.7				
Intersection Summary												
HCM 2010 Ctrl Delay	17.2											
HCM 2010 LOS	B											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	57	185	26	124	98	127	37	250	116	112	214	24
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	62	201	28	135	107	138	40	272	126	122	233	26
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	96	377	293	191	485	376	76	462	358	175	575	446
Arrive On Green	0.06	0.20	0.20	0.12	0.26	0.26	0.05	0.25	0.25	0.11	0.31	0.31
Sat Flow, veh/h	1634	1863	1448	1634	1863	1444	1634	1863	1444	1634	1863	1447
Grp Volume(v), veh/h	62	201	28	135	107	138	40	272	126	122	233	26
Grp Sat Flow(s),veh/h/ln	1634	1863	1448	1634	1863	1444	1634	1863	1444	1634	1863	1447
Q Serve(g_s), s	1.8	4.7	0.8	3.9	2.2	3.8	1.2	6.3	3.5	3.5	4.9	0.6
Cycle Q Clear(g_c), s	1.8	4.7	0.8	3.9	2.2	3.8	1.2	6.3	3.5	3.5	4.9	0.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	96	377	293	191	485	376	76	462	358	175	575	446
V/C Ratio(X)	0.65	0.53	0.10	0.71	0.22	0.37	0.53	0.59	0.35	0.70	0.41	0.06
Avail Cap(c_a), veh/h	246	872	678	426	1077	835	213	955	740	466	1243	966
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	22.6	17.5	15.9	20.9	14.2	14.8	22.9	16.3	15.2	21.2	13.4	12.0
Incr Delay (d2), s/veh	7.1	1.2	0.1	4.7	0.2	0.6	5.6	1.2	0.6	4.9	0.5	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.0	2.5	0.3	2.0	1.2	1.6	0.7	3.4	1.5	1.8	2.5	0.3
LnGrp Delay(d),s/veh	29.7	18.7	16.1	25.6	14.5	15.4	28.5	17.5	15.8	26.1	13.9	12.0
LnGrp LOS	C	B	B	C	B	B	C	B	B	C	B	B
Approach Vol, veh/h	291				380				438		381	
Approach Delay, s/veh	20.8				18.8				18.0		17.7	
Approach LOS	C				B				B		B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	9.3	16.2	9.7	13.9	6.3	19.2	6.9	16.8				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	13.4	24.6	12.2	22.4	5.8	32.2	6.8	27.8				
Max Q Clear Time (g_c+I1), s	5.5	8.3	5.9	6.7	3.2	6.9	3.8	5.8				
Green Ext Time (p_c), s	0.2	2.4	0.2	1.7	0.0	2.7	0.0	1.8				
Intersection Summary												
HCM 2010 Ctrl Delay	18.7											
HCM 2010 LOS	B											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	64	212	35	111	117	152	38	320	148	136	248	29
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	70	230	38	121	127	165	41	348	161	148	270	32
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	103	361	280	183	452	350	73	521	404	204	670	521
Arrive On Green	0.06	0.19	0.19	0.11	0.24	0.24	0.04	0.28	0.28	0.12	0.36	0.36
Sat Flow, veh/h	1634	1863	1447	1634	1863	1443	1634	1863	1445	1634	1863	1448
Grp Volume(v), veh/h	70	230	38	121	127	165	41	348	161	148	270	32
Grp Sat Flow(s),veh/h/ln	1634	1863	1447	1634	1863	1443	1634	1863	1445	1634	1863	1448
Q Serve(g_s), s	2.3	6.3	0.9	3.9	3.1	5.4	1.4	9.1	3.1	4.8	6.0	0.8
Cycle Q Clear(g_c), s	2.3	6.3	0.9	3.9	3.1	5.4	1.4	9.1	3.1	4.8	6.0	0.8
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	103	361	280	183	452	350	73	521	404	204	670	521
V/C Ratio(X)	0.68	0.64	0.14	0.66	0.28	0.47	0.56	0.67	0.40	0.73	0.40	0.06
Avail Cap(c_a), veh/h	290	775	602	325	816	632	201	910	706	384	1119	870
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	25.3	20.5	10.1	23.5	17.0	17.9	25.9	17.6	6.1	23.3	13.2	11.6
Incr Delay (d2), s/veh	7.6	1.9	0.2	4.0	0.3	1.0	6.6	1.5	0.6	4.8	0.4	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.3	3.4	0.5	2.0	1.6	2.2	0.7	4.9	1.8	2.5	3.1	0.3
LnGrp Delay(d),s/veh	33.0	22.4	10.3	27.5	17.3	18.9	32.5	19.1	6.7	28.1	13.6	11.6
LnGrp LOS	C	C	B	C	B	B	C	B	A	C	B	B
Approach Vol, veh/h	338				413				550		450	
Approach Delay, s/veh	23.2				20.9				16.5		18.2	
Approach LOS	C				C				B		B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	10.9	19.5	10.2	14.7	6.5	23.9	7.5	17.4				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	12.4	26.4	10.4	22.4	6.2	32.6	9.2	23.6				
Max Q Clear Time (g_c+I1), s	6.8	11.1	5.9	8.3	3.4	8.0	4.3	7.4				
Green Ext Time (p_c), s	0.2	3.0	0.7	0.8	0.0	3.4	0.1	1.5				
Intersection Summary												
HCM 2010 Ctrl Delay	19.3											
HCM 2010 LOS	B											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	88	287	35	208	117	152	50	327	151	136	279	29
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	96	312	38	226	127	165	54	355	164	148	303	32
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	134	427	332	280	594	461	79	460	356	203	601	467
Arrive On Green	0.08	0.23	0.23	0.17	0.32	0.32	0.05	0.25	0.25	0.12	0.32	0.32
Sat Flow, veh/h	1634	1863	1449	1634	1863	1447	1634	1863	1444	1634	1863	1447
Grp Volume(v), veh/h	96	312	38	226	127	165	54	355	164	148	303	32
Grp Sat Flow(s),veh/h/ln	1634	1863	1449	1634	1863	1447	1634	1863	1444	1634	1863	1447
Q Serve(g_s), s	4.0	10.9	1.5	9.3	3.5	3.8	2.3	12.4	4.1	6.1	9.2	1.1
Cycle Q Clear(g_c), s	4.0	10.9	1.5	9.3	3.5	3.8	2.3	12.4	4.1	6.1	9.2	1.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	134	427	332	280	594	461	79	460	356	203	601	467
V/C Ratio(X)	0.71	0.73	0.11	0.81	0.21	0.36	0.68	0.77	0.46	0.73	0.50	0.07
Avail Cap(c_a), veh/h	258	610	475	349	714	554	175	663	514	256	756	587
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	31.4	25.0	21.4	28.0	17.5	7.2	32.9	24.6	8.0	29.6	19.2	16.5
Incr Delay (d2), s/veh	6.9	2.6	0.2	10.7	0.2	0.5	9.8	3.5	0.9	7.6	0.7	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.1	5.9	0.6	5.0	1.8	2.2	1.3	6.9	2.4	3.2	4.8	0.4
LnGrp Delay(d),s/veh	38.3	27.6	21.6	38.7	17.7	7.7	42.7	28.1	9.0	37.2	19.9	16.5
LnGrp LOS	D	C	C	D	B	A	D	C	A	D	B	B
Approach Vol, veh/h	446		518				573			483		
Approach Delay, s/veh	29.4		23.6				24.0			25.0		
Approach LOS	C		C				C			C		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.7	21.3	16.0	20.1	7.4	26.7	9.8	26.4				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	10.4	24.4	14.4	22.4	6.9	27.9	10.5	26.3				
Max Q Clear Time (g_c+I1), s	8.1	14.4	11.3	12.9	4.3	11.2	6.0	5.8				
Green Ext Time (p_c), s	0.5	1.6	0.2	1.9	0.0	1.7	0.1	2.5				
Intersection Summary												
HCM 2010 Ctrl Delay	25.3											
HCM 2010 LOS	C											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	56	141	15	127	95	176	19	292	143	227	461	50
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	61	153	16	138	103	191	21	317	155	247	501	54
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	90	306	238	189	420	325	48	498	386	308	794	618
Arrive On Green	0.05	0.16	0.16	0.12	0.23	0.23	0.03	0.27	0.27	0.19	0.43	0.43
Sat Flow, veh/h	1634	1863	1445	1634	1863	1442	1634	1863	1445	1634	1863	1450
Grp Volume(v), veh/h	61	153	16	138	103	191	21	317	155	247	501	54
Grp Sat Flow(s),veh/h/ln	1634	1863	1445	1634	1863	1442	1634	1863	1445	1634	1863	1450
Q Serve(g_s), s	2.2	4.5	0.6	4.9	2.7	7.2	0.8	9.1	5.3	8.8	12.8	1.3
Cycle Q Clear(g_c), s	2.2	4.5	0.6	4.9	2.7	7.2	0.8	9.1	5.3	8.8	12.8	1.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	90	306	238	189	420	325	48	498	386	308	794	618
V/C Ratio(X)	0.68	0.50	0.07	0.73	0.25	0.59	0.43	0.64	0.40	0.80	0.63	0.09
Avail Cap(c_a), veh/h	199	707	548	345	873	676	173	774	601	377	1008	784
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	28.1	23.1	21.4	25.9	19.2	21.0	28.9	19.6	18.2	23.5	13.7	10.4
Incr Delay (d2), s/veh	8.7	1.3	0.1	5.3	0.3	1.7	6.1	1.4	0.7	9.8	0.8	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.2	2.4	0.2	2.5	1.4	3.0	0.4	4.9	2.2	4.7	6.7	0.5
LnGrp Delay(d),s/veh	36.8	24.3	21.5	31.2	19.5	22.6	35.0	21.0	18.9	33.3	14.5	10.4
LnGrp LOS	D	C	C	C	B	C	C	C	B	C	B	B
Approach Vol, veh/h	230		432				493			802		
Approach Delay, s/veh	27.4		24.6				20.9			20.0		
Approach LOS	C		C				C			C		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	15.4	20.2	11.0	14.0	5.8	29.8	7.3	17.7				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	13.4	24.6	12.2	22.4	5.8	32.2	6.8	27.8				
Max Q Clear Time (g_c+I1), s	10.8	11.1	6.9	6.5	2.8	14.8	4.2	9.2				
Green Ext Time (p_c), s	0.2	3.8	0.2	1.7	0.0	4.2	0.0	1.7				
Intersection Summary												
HCM 2010 Ctrl Delay	22.1											
HCM 2010 LOS	C											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	64	162	15	150	95	176	24	292	143	227	469	50
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	70	176	16	163	103	191	26	317	155	247	510	54
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	101	319	248	216	451	349	53	486	377	304	773	601
Arrive On Green	0.06	0.17	0.17	0.13	0.24	0.24	0.03	0.26	0.26	0.19	0.41	0.41
Sat Flow, veh/h	1634	1863	1446	1634	1863	1443	1634	1863	1444	1634	1863	1450
Grp Volume(v), veh/h	70	176	16	163	103	191	26	317	155	247	510	54
Grp Sat Flow(s),veh/h/ln	1634	1863	1446	1634	1863	1443	1634	1863	1444	1634	1863	1450
Q Serve(g_s), s	2.7	5.6	0.6	6.2	2.9	7.4	1.0	9.7	5.7	9.3	14.2	1.5
Cycle Q Clear(g_c), s	2.7	5.6	0.6	6.2	2.9	7.4	1.0	9.7	5.7	9.3	14.2	1.5
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	101	319	248	216	451	349	53	486	377	304	773	601
V/C Ratio(X)	0.69	0.55	0.06	0.75	0.23	0.55	0.49	0.65	0.41	0.81	0.66	0.09
Avail Cap(c_a), veh/h	188	667	517	325	823	638	163	730	566	356	951	740
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	29.6	24.4	22.3	26.9	19.5	21.3	30.6	21.1	19.7	25.1	15.2	11.4
Incr Delay (d2), s/veh	8.2	1.5	0.1	5.3	0.3	1.3	6.9	1.5	0.7	11.7	1.2	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.4	3.0	0.2	3.1	1.5	3.1	0.6	5.2	2.3	5.2	7.5	0.6
LnGrp Delay(d),s/veh	37.8	25.9	22.4	32.1	19.8	22.6	37.4	22.6	20.4	36.7	16.4	11.5
LnGrp LOS	D	C	C	C	B	C	D	C	C	D	B	B
Approach Vol, veh/h	262		457				498			811		
Approach Delay, s/veh	28.8		25.4				22.7			22.3		
Approach LOS	C		C				C			C		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	16.0	20.8	12.5	15.0	6.1	30.7	8.0	19.5				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	13.4	24.6	12.2	22.4	5.8	32.2	6.8	27.8				
Max Q Clear Time (g_c+I1), s	11.3	11.7	8.2	7.6	3.0	16.2	4.7	9.4				
Green Ext Time (p_c), s	0.2	3.7	0.2	1.7	0.0	4.1	0.0	1.8				
Intersection Summary												
HCM 2010 Ctrl Delay	23.9											
HCM 2010 LOS	C											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	76	191	20	152	114	211	24	373	183	276	560	61
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	83	208	22	165	124	229	26	405	199	300	609	66
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	116	334	260	213	445	345	50	531	412	309	826	643
Arrive On Green	0.07	0.18	0.18	0.13	0.24	0.24	0.03	0.29	0.29	0.19	0.44	0.44
Sat Flow, veh/h	1634	1863	1446	1634	1863	1443	1634	1863	1446	1634	1863	1450
Grp Volume(v), veh/h	83	208	22	165	124	229	26	405	199	300	609	66
Grp Sat Flow(s),veh/h/ln	1634	1863	1446	1634	1863	1443	1634	1863	1446	1634	1863	1450
Q Serve(g_s), s	3.7	7.6	0.9	7.2	4.0	10.6	1.2	14.7	8.5	13.5	20.0	2.0
Cycle Q Clear(g_c), s	3.7	7.6	0.9	7.2	4.0	10.6	1.2	14.7	8.5	13.5	20.0	2.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	116	334	260	213	445	345	50	531	412	309	826	643
V/C Ratio(X)	0.71	0.62	0.08	0.77	0.28	0.66	0.52	0.76	0.48	0.97	0.74	0.10
Avail Cap(c_a), veh/h	163	578	449	282	714	553	141	633	492	309	826	643
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	33.7	28.1	25.3	31.2	23.0	25.5	35.4	24.2	22.0	29.9	17.0	12.0
Incr Delay (d2), s/veh	8.3	1.9	0.1	9.2	0.3	2.2	8.2	4.5	0.9	43.5	3.5	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.9	4.1	0.4	3.8	2.1	4.4	0.6	8.2	3.5	9.8	10.9	0.8
LnGrp Delay(d),s/veh	42.0	30.0	25.5	40.4	23.3	27.7	43.6	28.7	22.8	73.3	20.5	12.1
LnGrp LOS	D	C	C	D	C	C	D	C	C	E	C	B
Approach Vol, veh/h	313				518				630		975	
Approach Delay, s/veh	32.9				30.7				27.5		36.2	
Approach LOS	C				C				C		D	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	18.0	25.1	13.7	17.3	6.3	36.9	9.3	21.7				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	13.4	24.6	12.2	22.4	5.8	32.2	6.8	27.8				
Max Q Clear Time (g_c+I1), s	15.5	16.7	9.2	9.6	3.2	22.0	5.7	12.6				
Green Ext Time (p_c), s	0.0	3.5	0.1	2.0	0.0	4.2	0.0	2.1				
Intersection Summary												
HCM 2010 Ctrl Delay	32.3											
HCM 2010 LOS	C											

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	91	237	20	220	114	211	31	377	185	276	582	61
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		0.99	1.00		0.99	1.00		0.99	1.00		0.99
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1716	1863	1716	1716	1863	1716	1716	1863	1716	1716	1863	1716
Adj Flow Rate, veh/h	99	258	22	239	124	229	34	410	201	300	633	66
Adj No. of Lanes	1	1	1	1	1	1	1	1	1	1	1	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	134	345	268	281	512	397	51	473	367	360	825	642
Arrive On Green	0.08	0.18	0.18	0.17	0.27	0.27	0.03	0.25	0.25	0.22	0.44	0.44
Sat Flow, veh/h	1634	1863	1447	1634	1863	1445	1634	1863	1444	1634	1863	1450
Grp Volume(v), veh/h	99	258	22	239	124	229	34	410	201	300	633	66
Grp Sat Flow(s),veh/h/ln	1634	1863	1447	1634	1863	1445	1634	1863	1444	1634	1863	1450
Q Serve(g_s), s	5.6	12.4	1.2	13.4	4.9	7.3	1.9	19.9	7.3	16.6	27.1	2.5
Cycle Q Clear(g_c), s	5.6	12.4	1.2	13.4	4.9	7.3	1.9	19.9	7.3	16.6	27.1	2.5
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	134	345	268	281	512	397	51	473	367	360	825	642
V/C Ratio(X)	0.74	0.75	0.08	0.85	0.24	0.58	0.66	0.87	0.55	0.83	0.77	0.10
Avail Cap(c_a), veh/h	236	452	351	328	557	432	79	570	442	397	932	726
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	42.5	36.5	31.9	38.0	26.7	9.3	45.4	33.8	12.5	35.2	22.2	15.4
Incr Delay (d2), s/veh	7.8	4.9	0.1	16.9	0.2	1.6	13.8	11.6	1.3	13.1	3.5	0.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.8	6.8	0.5	7.4	2.5	4.4	1.1	11.8	4.0	8.8	14.7	1.0
LnGrp Delay(d),s/veh	50.3	41.4	32.1	55.0	26.9	11.0	59.2	45.4	13.8	48.3	25.7	15.5
LnGrp LOS	D	D	C	D	C	B	E	D	B	D	C	B
Approach Vol, veh/h	379		592				645			999		
Approach Delay, s/veh	43.2		32.1				36.3			31.8		
Approach LOS	D		C				D			C		
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	24.9	28.0	20.3	21.5	7.0	46.0	11.8	30.0				
Change Period (Y+Rc), s	4.6	4.6	4.6	4.6	4.6	4.6	4.6	4.6				
Max Green Setting (Gmax), s	22.4	28.4	18.4	22.4	4.0	46.8	13.1	27.7				
Max Q Clear Time (g_c+I1), s	18.6	21.9	15.4	14.4	3.9	29.1	7.6	9.3				
Green Ext Time (p_c), s	1.7	1.5	0.3	1.7	0.0	4.2	0.1	2.5				
Intersection Summary												
HCM 2010 Ctrl Delay	34.6											
HCM 2010 LOS	C											

Intersection 3
N Westwood St & Project Entrance

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	0	0	0	396	323	0
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	430	351	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	571	186	356	0	-	0
Stage 1	356	-	-	-	-	-
Stage 2	215	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	451	824	1199	-	-	-
Stage 1	680	-	-	-	-	-
Stage 2	800	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	447	817	1194	-	-	-
Mov Cap-2 Maneuver	447	-	-	-	-	-
Stage 1	677	-	-	-	-	-
Stage 2	797	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	0	0		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR		
Capacity (veh/h)	1194	-	-	-		
HCM Lane V/C Ratio	-	-	-	-		
HCM Control Delay (s)	0	-	0	-		
HCM Lane LOS	A	-	A	-		
HCM 95th %tile Q(veh)	0	-	-	-		

Intersection							
Int Delay, s/veh	0.3						
Movement	EBL	EBR	NBL	NBT	SBT	SBR	
Vol, veh/h	0	28	0	404	323	49	
Conflicting Peds, #/hr	5	5	5	0	0	5	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	0	50	-	-	-	
Veh in Median Storage, #	0	-	-	0	0	-	
Grade, %	0	-	-	0	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	0	30	0	439	351	53	
Major/Minor	Minor2		Major1		Major2		
Conflicting Flow All	603	212	409	0	-	0	
Stage 1	383	-	-	-	-	-	
Stage 2	220	-	-	-	-	-	
Critical Hdwy	6.84	6.94	4.14	-	-	-	
Critical Hdwy Stg 1	5.84	-	-	-	-	-	
Critical Hdwy Stg 2	5.84	-	-	-	-	-	
Follow-up Hdwy	3.52	3.32	2.22	-	-	-	
Pot Cap-1 Maneuver	430	793	1146	-	-	-	
Stage 1	659	-	-	-	-	-	
Stage 2	795	-	-	-	-	-	
Platoon blocked, %				-	-	-	
Mov Cap-1 Maneuver	426	786	1141	-	-	-	
Mov Cap-2 Maneuver	426	-	-	-	-	-	
Stage 1	656	-	-	-	-	-	
Stage 2	792	-	-	-	-	-	
Approach	EB		NB		SB		
HCM Control Delay, s	9.8		0		0		
HCM LOS	A						
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR			
Capacity (veh/h)	1141	- 786	-	-			
HCM Lane V/C Ratio	-	- 0.039	-	-			
HCM Control Delay (s)	0	- 9.8	-	-			
HCM Lane LOS	A	- A	-	-			
HCM 95th %tile Q(veh)	0	- 0.1	-	-			

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	0	0	0	506	413	0
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	550	449	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	729	234	454	0	-	0
Stage 1	454	-	-	-	-	-
Stage 2	275	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	358	768	1103	-	-	-
Stage 1	606	-	-	-	-	-
Stage 2	747	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	355	762	1098	-	-	-
Mov Cap-2 Maneuver	355	-	-	-	-	-
Stage 1	603	-	-	-	-	-
Stage 2	744	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	0	0		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR		
Capacity (veh/h)	1098	-	-	-		
HCM Lane V/C Ratio	-	-	-	-		
HCM Control Delay (s)	0	-	0	-		
HCM Lane LOS	A	-	A	-		
HCM 95th %tile Q(veh)	0	-	-	-		

Intersection							
Int Delay, s/veh	0.4						
Movement	EBL	EBR	NBL	NBT	SBT	SBR	
Vol, veh/h	0	46	0	542	440	123	
Conflicting Peds, #/hr	5	5	5	0	0	5	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	0	50	-	-	-	
Veh in Median Storage, #	0	-	-	0	0	-	
Grade, %	0	-	-	0	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	0	50	0	589	478	134	
Major/Minor	Minor2		Major1		Major2		
Conflicting Flow All	845	316	617	0	-	0	
Stage 1	550	-	-	-	-	-	
Stage 2	295	-	-	-	-	-	
Critical Hdwy	6.84	6.94	4.14	-	-	-	
Critical Hdwy Stg 1	5.84	-	-	-	-	-	
Critical Hdwy Stg 2	5.84	-	-	-	-	-	
Follow-up Hdwy	3.52	3.32	2.22	-	-	-	
Pot Cap-1 Maneuver	302	680	959	-	-	-	
Stage 1	542	-	-	-	-	-	
Stage 2	730	-	-	-	-	-	
Platoon blocked, %				-	-	-	
Mov Cap-1 Maneuver	299	674	955	-	-	-	
Mov Cap-2 Maneuver	299	-	-	-	-	-	
Stage 1	540	-	-	-	-	-	
Stage 2	727	-	-	-	-	-	
Approach	EB		NB		SB		
HCM Control Delay, s	10.8		0		0		
HCM LOS	B						
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR			
Capacity (veh/h)	955	- 674	-	-			
HCM Lane V/C Ratio	-	- 0.074	-	-			
HCM Control Delay (s)	0	- 10.8	-	-			
HCM Lane LOS	A	- B	-	-			
HCM 95th %tile Q(veh)	0	- 0.2	-	-			

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	0	0	0	454	603	0
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	493	655	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	907	338	660	0	-	0
Stage 1	660	-	-	-	-	-
Stage 2	247	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	275	658	924	-	-	-
Stage 1	476	-	-	-	-	-
Stage 2	771	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	273	653	920	-	-	-
Mov Cap-2 Maneuver	273	-	-	-	-	-
Stage 1	474	-	-	-	-	-
Stage 2	768	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	0	0		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR		
Capacity (veh/h)	920	-	-	-		
HCM Lane V/C Ratio	-	-	-	-		
HCM Control Delay (s)	0	-	0	-		
HCM Lane LOS	A	-	A	-		
HCM 95th %tile Q(veh)	0	-	-	-		

Intersection							
Int Delay, s/veh	0.2						
Movement	EBL	EBR	NBL	NBT	SBT	SBR	
Vol, veh/h	0	21	0	460	603	37	
Conflicting Peds, #/hr	5	5	5	0	0	5	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	0	50	-	-	-	
Veh in Median Storage, #	0	-	-	0	0	-	
Grade, %	0	-	-	0	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	0	23	0	500	655	40	
Major/Minor	Minor2		Major1		Major2		
Conflicting Flow All	931	358	701	0	-	0	
Stage 1	681	-	-	-	-	-	
Stage 2	250	-	-	-	-	-	
Critical Hdwy	6.84	6.94	4.14	-	-	-	
Critical Hdwy Stg 1	5.84	-	-	-	-	-	
Critical Hdwy Stg 2	5.84	-	-	-	-	-	
Follow-up Hdwy	3.52	3.32	2.22	-	-	-	
Pot Cap-1 Maneuver	266	638	892	-	-	-	
Stage 1	464	-	-	-	-	-	
Stage 2	768	-	-	-	-	-	
Platoon blocked, %				-	-	-	
Mov Cap-1 Maneuver	264	633	888	-	-	-	
Mov Cap-2 Maneuver	264	-	-	-	-	-	
Stage 1	462	-	-	-	-	-	
Stage 2	765	-	-	-	-	-	
Approach	EB		NB		SB		
HCM Control Delay, s	10.9		0		0		
HCM LOS	B						
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR			
Capacity (veh/h)	888	- 633	-	-			
HCM Lane V/C Ratio	-	- 0.036	-	-			
HCM Control Delay (s)	0	- 10.9	-	-			
HCM Lane LOS	A	- B	-	-			
HCM 95th %tile Q(veh)	0	- 0.1	-	-			

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Vol, veh/h	0	0	0	581	771	0
Conflicting Peds, #/hr	5	5	5	0	0	5
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	50	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	632	838	0
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	1159	429	843	0	-	0
Stage 1	843	-	-	-	-	-
Stage 2	316	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	189	574	789	-	-	-
Stage 1	382	-	-	-	-	-
Stage 2	712	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	187	569	786	-	-	-
Mov Cap-2 Maneuver	187	-	-	-	-	-
Stage 1	380	-	-	-	-	-
Stage 2	709	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	0	0		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR		
Capacity (veh/h)	786	-	-	-		
HCM Lane V/C Ratio	-	-	-	-		
HCM Control Delay (s)	0	-	0	-		
HCM Lane LOS	A	-	A	-		
HCM 95th %tile Q(veh)	0	-	-	-		

Intersection							
Int Delay, s/veh	0.2						
Movement	EBL	EBR	NBL	NBT	SBT	SBR	
Vol, veh/h	0	28	0	602	790	85	
Conflicting Peds, #/hr	5	5	5	0	0	5	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	0	50	-	-	-	
Veh in Median Storage, #	0	-	-	0	0	-	
Grade, %	0	-	-	0	0	-	
Peak Hour Factor	92	92	92	92	92	92	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	0	30	0	654	859	92	
Major/Minor	Minor2		Major1		Major2		
Conflicting Flow All	1237	486	956	0	-	0	
Stage 1	910	-	-	-	-	-	
Stage 2	327	-	-	-	-	-	
Critical Hdwy	6.84	6.94	4.14	-	-	-	
Critical Hdwy Stg 1	5.84	-	-	-	-	-	
Critical Hdwy Stg 2	5.84	-	-	-	-	-	
Follow-up Hdwy	3.52	3.32	2.22	-	-	-	
Pot Cap-1 Maneuver	168	527	715	-	-	-	
Stage 1	353	-	-	-	-	-	
Stage 2	703	-	-	-	-	-	
Platoon blocked, %				-	-	-	
Mov Cap-1 Maneuver	167	523	712	-	-	-	
Mov Cap-2 Maneuver	167	-	-	-	-	-	
Stage 1	352	-	-	-	-	-	
Stage 2	700	-	-	-	-	-	
Approach	EB		NB		SB		
HCM Control Delay, s	12.3		0		0		
HCM LOS	B						
Minor Lane/Major Mvmt	NBL	NBEBLn1	SBT	SBR			
Capacity (veh/h)	712	- 523	-	-			
HCM Lane V/C Ratio	-	- 0.058	-	-			
HCM Control Delay (s)	0	- 12.3	-	-			
HCM Lane LOS	A	- B	-	-			
HCM 95th %tile Q(veh)	0	- 0.2	-	-			

Intersection 4
N Westwood St & Project Entrance

Intersection												
Int Delay, s/veh	1.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	0	0	0	16	0	27	0	371	27	38	285	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	17	0	29	0	403	29	41	310	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	599	830	165	661	815	221	315	0	0	433	0	0
Stage 1	397	397	-	418	418	-	-	-	-	-	-	-
Stage 2	202	433	-	243	397	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	385	304	850	348	310	783	1242	-	-	1123	-	-
Stage 1	600	602	-	583	589	-	-	-	-	-	-	-
Stage 2	781	580	-	739	602	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	357	292	843	337	297	780	1237	-	-	1118	-	-
Mov Cap-2 Maneuver	357	292	-	337	297	-	-	-	-	-	-	-
Stage 1	598	578	-	583	589	-	-	-	-	-	-	-
Stage 2	748	580	-	709	578	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			12.5			0			1		
HCM LOS	A			B								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn	WBLn	SBL	SBT	SBR				
Capacity (veh/h)	1237	-	-	-	524	1118	-	-				
HCM Lane V/C Ratio	-	-	-	-0.089	0.037	-	-	-				
HCM Control Delay (s)	0	-	-	0	12.5	8.3	-	-				
HCM Lane LOS	A	-	-	A	B	A	-	-				
HCM 95th %tile Q(veh)	0	-	-	-	0.3	0.1	-	-				

Intersection												
Int Delay, s/veh	1.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	8	0	0	16	4	25	20	371	27	38	313	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	9	0	0	17	4	27	22	403	29	41	340	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	675	904	180	719	889	221	345	0	0	433	0	0
Stage 1	428	428	-	461	461	-	-	-	-	-	-	-
Stage 2	247	476	-	258	428	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	340	275	832	316	281	783	1211	-	-	1123	-	-
Stage 1	575	583	-	550	564	-	-	-	-	-	-	-
Stage 2	735	555	-	724	583	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	308	259	825	302	265	780	1206	-	-	1118	-	-
Mov Cap-2 Maneuver	308	259	-	302	265	-	-	-	-	-	-	-
Stage 1	562	559	-	540	554	-	-	-	-	-	-	-
Stage 2	688	545	-	695	559	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	17			14			0.4			0.9		
HCM LOS	C			B								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	1206	-	-	308	449	1118	-	-				
HCM Lane V/C Ratio	0.018	-	-	0.028	0.109	0.037	-	-				
HCM Control Delay (s)	8	-	-	17	14	8.3	-	-				
HCM Lane LOS	A	-	-	C	B	A	-	-				
HCM 95th %tile Q(veh)	0.1	-	-	0.1	0.4	0.1	-	-				

Intersection												
Int Delay, s/veh	1.1											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	0	0	0	17	0	28	0	474	28	40	364	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	18	0	30	0	515	30	43	396	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	746	1034	208	820	1018	278	401	0	0	546	0	0
Stage 1	488	488	-	530	530	-	-	-	-	-	-	-
Stage 2	258	546	-	290	488	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	302	231	798	267	236	719	1154	-	-	1019	-	-
Stage 1	530	548	-	500	525	-	-	-	-	-	-	-
Stage 2	724	516	-	694	548	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	277	220	791	257	225	716	1149	-	-	1015	-	-
Mov Cap-2 Maneuver	277	220	-	257	225	-	-	-	-	-	-	-
Stage 1	528	523	-	500	525	-	-	-	-	-	-	-
Stage 2	690	516	-	662	523	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			14.5			0			0.9		
HCM LOS	A			B								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	1149	-	-	-	428	1015	-	-				
HCM Lane V/C Ratio	-	-	-	-0.114	0.043	-	-	-				
HCM Control Delay (s)	0	-	-	0	14.5	8.7	-	-				
HCM Lane LOS	A	-	-	A	B	A	-	-				
HCM 95th %tile Q(veh)	0	-	-	-	0.4	0.1	-	-				

Intersection												
Int Delay, s/veh	3.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	36	2	51	17	3	28	70	474	28	40	410	27
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	39	2	55	18	3	30	76	515	30	43	446	29
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	963	1250	248	999	1250	278	480	0	0	546	0	0
Stage 1	552	552	-	683	683	-	-	-	-	-	-	-
Stage 2	411	698	-	316	567	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	210	172	752	198	172	719	1079	-	-	1019	-	-
Stage 1	486	513	-	405	447	-	-	-	-	-	-	-
Stage 2	589	440	-	670	505	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	180	152	746	165	152	716	1075	-	-	1015	-	-
Mov Cap-2 Maneuver	180	152	-	165	152	-	-	-	-	-	-	-
Stage 1	450	489	-	376	415	-	-	-	-	-	-	-
Stage 2	518	409	-	589	482	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	21.3			19.7			1.1			0.7		
HCM LOS	C			C								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	1075	-	-	316	297	1015	-	-				
HCM Lane V/C Ratio	0.071	-	-	0.306	0.176	0.043	-	-				
HCM Control Delay (s)	8.6	-	-	21.3	19.7	8.7	-	-				
HCM Lane LOS	A	-	-	C	C	A	-	-				
HCM 95th %tile Q(veh)	0.2	-	-	1.3	0.6	0.1	-	-				

Intersection												
Int Delay, s/veh		1										
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	0	0	0	25	0	37	0	417	8	12	591	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	27	0	40	0	453	9	13	642	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	900	1135	331	810	1131	236	647	0	0	462	0	0
Stage 1	673	673	-	458	458	-	-	-	-	-	-	-
Stage 2	227	462	-	352	673	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	233	201	665	271	202	766	934	-	-	1095	-	-
Stage 1	411	452	-	552	565	-	-	-	-	-	-	-
Stage 2	755	563	-	638	452	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	217	198	659	267	199	763	930	-	-	1090	-	-
Mov Cap-2 Maneuver	217	198	-	267	199	-	-	-	-	-	-	-
Stage 1	409	445	-	552	565	-	-	-	-	-	-	-
Stage 2	712	563	-	628	445	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			14.8			0			0.2		
HCM LOS	A			B								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	930	-	-	-	436	1090	-	-				
HCM Lane V/C Ratio	-	-	-	-0.155	0.012	-	-	-				
HCM Control Delay (s)	0	-	-	0	14.8	8.3	-	-				
HCM Lane LOS	A	-	-	A	B	A	-	-				
HCM 95th %tile Q(veh)	0	-	-	-	0.5	0	-	-				

Intersection												
Int Delay, s/veh	1.3											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	6	0	0	25	3	37	15	417	8	12	612	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	7	0	0	27	3	40	16	453	9	13	665	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	957	1191	343	854	1186	236	670	0	0	462	0	0
Stage 1	696	696	-	490	490	-	-	-	-	-	-	-
Stage 2	261	495	-	364	696	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	212	186	653	252	187	766	916	-	-	1095	-	-
Stage 1	398	441	-	529	547	-	-	-	-	-	-	-
Stage 2	721	544	-	627	441	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	192	180	648	245	181	763	912	-	-	1090	-	-
Mov Cap-2 Maneuver	192	180	-	245	181	-	-	-	-	-	-	-
Stage 1	389	434	-	520	537	-	-	-	-	-	-	-
Stage 2	664	534	-	617	434	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	24.4			16.3			0.3			0.2		
HCM LOS	C			C								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	912	-	-	192	389	1090	-	-				
HCM Lane V/C Ratio	0.018	-	-	0.034	0.182	0.012	-	-				
HCM Control Delay (s)	9	-	-	24.4	16.3	8.3	-	-				
HCM Lane LOS	A	-	-	C	C	A	-	-				
HCM 95th %tile Q(veh)	0.1	-	-	0.1	0.7	0	-	-				

Intersection												
Int Delay, s/veh	0.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	0	0	0	26	0	39	0	533	8	13	756	0
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	0	0	0	28	0	42	0	579	9	14	822	0
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1145	1443	421	1028	1439	299	827	0	0	588	0	0
Stage 1	855	855	-	584	584	-	-	-	-	-	-	-
Stage 2	290	588	-	444	855	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	154	131	581	188	132	697	800	-	-	983	-	-
Stage 1	319	373	-	465	496	-	-	-	-	-	-	-
Stage 2	694	494	-	563	373	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	142	129	576	185	130	694	797	-	-	979	-	-
Mov Cap-2 Maneuver	142	129	-	185	130	-	-	-	-	-	-	-
Stage 1	318	366	-	465	496	-	-	-	-	-	-	-
Stage 2	649	494	-	553	366	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	0			18.9			0			0.1		
HCM LOS	A			C								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	797	-	-	-	330	979	-	-				
HCM Lane V/C Ratio	-	-	-	-	0.214	0.014	-	-				
HCM Control Delay (s)	0	-	-	0	18.9	8.7	-	-				
HCM Lane LOS	A	-	-	A	C	A	-	-				
HCM 95th %tile Q(veh)	0	-	-	-	0.8	0	-	-				

Intersection												
Int Delay, s/veh	2.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Vol, veh/h	21	1	30	26	2	39	48	533	8	13	784	19
Conflicting Peds, #/hr	5	0	5	0	0	0	5	0	0	0	0	5
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	50	-	-	50	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	23	1	33	28	2	42	52	579	9	14	852	21
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1291	1588	446	1148	1594	299	878	0	0	588	0	0
Stage 1	896	896	-	688	688	-	-	-	-	-	-	-
Stage 2	395	692	-	460	906	-	-	-	-	-	-	-
Critical Hdwy	7.54	6.54	6.94	7.54	6.54	6.94	4.14	-	-	4.14	-	-
Critical Hdwy Stg 1	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.54	5.54	-	6.54	5.54	-	-	-	-	-	-	-
Follow-up Hdwy	3.52	4.02	3.32	3.52	4.02	3.32	2.22	-	-	2.22	-	-
Pot Cap-1 Maneuver	121	107	560	154	106	697	765	-	-	983	-	-
Stage 1	301	357	-	403	445	-	-	-	-	-	-	-
Stage 2	602	443	-	551	353	-	-	-	-	-	-	-
Platoon blocked, %									-	-	-	-
Mov Cap-1 Maneuver	104	98	555	134	97	694	762	-	-	979	-	-
Mov Cap-2 Maneuver	104	98	-	134	97	-	-	-	-	-	-	-
Stage 1	279	350	-	375	415	-	-	-	-	-	-	-
Stage 2	522	413	-	507	347	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	30.8			25.6			0.8			0.1		
HCM LOS	D			D								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn	WBLn1	SBL	SBT	SBR				
Capacity (veh/h)	762	-	-	195	247	979	-	-				
HCM Lane V/C Ratio	0.068	-	-	0.29	0.295	0.014	-	-				
HCM Control Delay (s)	10.1	-	-	30.8	25.6	8.7	-	-				
HCM Lane LOS	B	-	-	D	D	A	-	-				
HCM 95th %tile Q(veh)	0.2	-	-	1.1	1.2	0	-	-				



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	61	153	16	138	103	191	21	317	155	247	501	54
v/c Ratio	0.31	0.48	0.05	0.54	0.22	0.39	0.13	0.66	0.32	0.77	0.59	0.08
Control Delay	39.1	35.3	0.3	41.3	28.4	7.2	39.3	33.5	6.4	51.3	22.7	0.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	39.1	35.3	0.3	41.3	28.4	7.2	39.3	33.5	6.4	51.3	22.7	0.5
Queue Length 50th (ft)	26	65	0	58	40	0	9	132	0	108	148	0
Queue Length 95th (ft)	74	137	0	144	96	53	36	253	45	#316	396	3
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	320	818	688	320	818	727	320	808	700	320	855	706
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.19	0.19	0.02	0.43	0.13	0.26	0.07	0.39	0.22	0.77	0.59	0.08

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	70	176	16	163	103	191	26	317	155	247	510	54
v/c Ratio	0.35	0.53	0.05	0.60	0.21	0.38	0.17	0.67	0.33	0.80	0.62	0.08
Control Delay	40.1	36.7	0.3	43.7	28.4	7.1	39.9	34.6	6.4	54.7	24.4	0.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	40.1	36.7	0.3	43.7	28.4	7.1	39.9	34.6	6.4	54.7	24.4	0.5
Queue Length 50th (ft)	32	78	0	72	40	0	12	140	0	116	167	0
Queue Length 95th (ft)	82	156	0	#182	97	54	41	253	45	#316	#416	3
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	310	793	670	310	793	710	310	783	683	310	830	689
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.23	0.22	0.02	0.53	0.13	0.27	0.08	0.40	0.23	0.80	0.61	0.08

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	83	208	22	165	124	229	26	405	199	300	609	66
v/c Ratio	0.41	0.60	0.06	0.64	0.26	0.43	0.18	0.77	0.37	1.04	0.72	0.09
Control Delay	43.4	40.3	0.3	48.6	30.8	7.3	42.5	38.9	5.8	102.0	27.9	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	43.4	40.3	0.3	48.6	30.8	7.3	42.5	38.9	5.8	102.0	27.9	1.6
Queue Length 50th (ft)	42	103	0	82	55	0	13	198	0	~180	228	0
Queue Length 95th (ft)	96	188	0	#194	118	60	42	331	49	#409	#568	10
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	289	738	631	289	738	697	289	729	673	289	847	701
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.29	0.28	0.03	0.57	0.17	0.33	0.09	0.56	0.30	1.04	0.72	0.09

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	99	255	22	239	124	229	32	410	200	300	633	66
v/c Ratio	0.54	0.71	0.06	0.99	0.26	0.43	0.24	0.82	0.38	0.84	0.75	0.09
Control Delay	54.9	49.1	0.3	99.6	34.4	7.4	49.3	47.5	6.4	60.1	31.0	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	54.9	49.1	0.3	99.6	34.4	7.4	49.3	47.5	6.4	60.1	31.0	0.2
Queue Length 50th (ft)	59	151	0	~157	66	0	19	240	0	181	344	0
Queue Length 95th (ft)	123	250	0	#355	126	62	52	376	53	#374	#603	0
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	222	484	451	242	528	563	324	644	619	376	849	727
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.45	0.53	0.05	0.99	0.23	0.41	0.10	0.64	0.32	0.80	0.75	0.09

Intersection Summary

- ~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.
- # 95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	51	171	28	101	107	138	33	272	126	122	222	26
v/c Ratio	0.22	0.41	0.07	0.35	0.20	0.28	0.15	0.52	0.26	0.40	0.30	0.04
Control Delay	34.4	29.9	0.3	34.0	23.9	6.8	34.9	28.4	6.8	34.3	19.2	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	34.4	29.9	0.3	34.0	23.9	6.8	34.9	28.4	6.8	34.3	19.2	0.1
Queue Length 50th (ft)	19	63	0	38	36	0	13	99	0	45	51	0
Queue Length 95th (ft)	63	144	0	105	92	43	47	218	42	123	166	0
Internal Link Dist (ft)	222		1847				163		1889			
Turn Bay Length (ft)	80	80		100	100		100		75		55	
Base Capacity (vph)	440	1052	854	440	1052	857	440	1043	846	440	1043	838
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.12	0.16	0.03	0.23	0.10	0.16	0.07	0.26	0.15	0.28	0.21	0.03
Intersection Summary												



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	62	201	28	135	107	138	40	272	126	122	233	26
v/c Ratio	0.28	0.50	0.07	0.48	0.17	0.24	0.20	0.59	0.28	0.45	0.39	0.05
Control Delay	36.1	32.2	0.3	37.0	23.8	6.4	36.4	31.7	7.2	36.8	23.3	0.2
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	36.1	32.2	0.3	37.0	23.8	6.4	36.4	31.7	7.2	36.8	23.3	0.2
Queue Length 50th (ft)	25	80	0	54	38	0	16	107	0	49	82	0
Queue Length 95th (ft)	72	167	0	134	93	44	53	218	42	123	175	0
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	377	963	791	377	963	796	377	951	782	377	951	773
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.16	0.21	0.04	0.36	0.11	0.17	0.11	0.29	0.16	0.32	0.25	0.03

Intersection Summary



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	70	230	38	121	127	165	41	348	161	148	270	32
v/c Ratio	0.33	0.57	0.10	0.47	0.29	0.36	0.22	0.67	0.31	0.53	0.35	0.05
Control Delay	40.4	36.3	0.5	41.6	29.5	7.7	40.6	33.6	6.3	42.7	22.0	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	40.4	36.3	0.5	41.6	29.5	7.7	40.6	33.6	6.3	42.7	22.0	0.1
Queue Length 50th (ft)	32	104	0	55	52	0	19	155	0	67	102	0
Queue Length 95th (ft)	85	207	0	132	118	51	58	283	45	#166	204	0
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	342	874	727	342	874	749	342	863	740	342	876	720
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.20	0.26	0.05	0.35	0.15	0.22	0.12	0.40	0.22	0.43	0.31	0.04

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	96	310	38	226	127	165	51	355	163	148	303	32
v/c Ratio	0.48	0.73	0.09	0.84	0.22	0.30	0.31	0.74	0.34	0.56	0.43	0.05
Control Delay	49.0	44.8	0.5	67.5	30.0	7.0	46.1	40.9	6.7	45.1	24.8	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	49.0	44.8	0.5	67.5	30.0	7.0	46.1	40.9	6.7	45.1	24.8	0.1
Queue Length 50th (ft)	50	158	0	124	56	0	27	180	0	77	135	0
Queue Length 95th (ft)	118	#306	0	#332	127	53	71	317	48	158	233	0
Internal Link Dist (ft)		222			1847			163			1889	
Turn Bay Length (ft)	80		80	100			100			75		55
Base Capacity (vph)	249	548	496	268	597	564	364	723	648	422	808	699
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.39	0.57	0.08	0.84	0.21	0.29	0.14	0.49	0.25	0.35	0.38	0.05

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

VEHICLE TURNING MOVEMENT COUNT

#2 Westwood St & Henderson Ave - AM PEAK HOUR

LOCATION #:	2	PEAK HOUR	7:30 AM to 8:30 AM
NORTH / SOUTH:	Westwood St	DATE:	10/20/2015
EAST / WEST:	Henderson Ave	VICINITY:	Bakersfield, CA

DIRECTION:	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	TOTALS:
7:30 AM	4	91	33	42	100	11	11	32	3	28	24	30	409
7:45 AM	6	69	52	66	155	15	15	41	3	44	21	61	548
8:00 AM	3	82	38	77	95	13	17	47	6	34	37	64	513
8:15 AM	6	50	20	42	111	11	13	21	3	21	13	21	332
VOLUME STATS:	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	
TOTAL:	19	292	143	227	461	50	56	141	15	127	95	176	1802
¹ P.H.F:	<u> </u>	0.887	<u> </u>	<u> </u>	0.782	<u> </u>	<u> </u>	0.757	<u> </u>	<u> </u>	0.737	<u> </u>	0.822

(1) Peak Hour Factor (directional aggregate)

VEHICLE TURNING MOVEMENT COUNT

#2 Westwood Street & Henderson Ave - PM PEAK HOUR

LOCATION #:	2	PEAK HOUR	4:30 PM to 5:30 PM
NORTH / SOUTH:	Westwood Street	DATE:	10/20/2015
EAST / WEST:	Henderson Ave	VICINITY:	Bakersfield, CA

DIRECTION:	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	TOTALS:
4:30 PM	7	57	22	19	43	8	13	41	5	27	27	26	295
4:45 PM	8	67	31	32	62	3	15	31	7	17	19	31	323
5:00 PM	10	65	27	31	52	7	7	41	6	21	22	40	329
5:15 PM	5	61	36	30	47	6	12	44	8	28	30	30	337
VOLUME STATS:	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	
TOTAL:	30	250	116	112	204	24	47	157	26	93	98	127	1284
¹ P.H.F:	<u> </u>	0.934	<u> </u>	<u> </u>	0.876	<u> </u>	<u> </u>	0.898	<u> </u>	<u> </u>	0.903	<u> </u>	0.953

(1) Peak Hour Factor (directional aggregate)



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Landscape and Lighting District Annual Assessments

SOURCE: Parks and Leisure Services

COMMENT: The City has created 64 (sixty-four) Landscape and Lighting Maintenance Districts (LLMDs) since 1989. The original District had 17(seventeen) annexed areas for new developments in addition to the original area. Since 1996, new Districts have been formed for each new development, representing Districts 2 through 46.

Annually, a process of evaluating maintenance needs and establishing an assessment for each LLMD must be followed. At the June 21, 2016, meeting, the City Council preliminarily approved the annual Engineer's Report, which indicates the proposed assessments for the 2016-2017 Fiscal Year. The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by the County of Tulare. The assessment process must be fully filed with the County by August 10, 2016, in order to be placed upon the tax rolls.

The Engineer's Report provides the financial detail on each district. In an effort to better facilitate the needs of the district, staff has been analyzing fund balances and deficits of each district as well as projected expenditures and reserves. Based on the analysis, staff was able to determine that not all districts will be assessed this fiscal year. The utilities portion of the Engineer's Report show anticipated water reduction for 2016-2017. This is in response to the State-mandated percentage of water reduction that the city is complying with. These fund balances will be reviewed on a yearly basis to determine funding needs for maintenance, as well as determining assessment requirements.

RECOMMENDATION: That the City Council:

1. Conduct a public hearing on the 2016-2017 assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments; and
2. Adopt the Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2016-2017 Fiscal Year.

ATTACHMENTS:

1. Engineer's Report
2. LMD Resolution Ordering Continued Maintenance

Appropriated/Funded: MB

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

**CITY OF PORTERVILLE, CALIFORNIA
ENGINEER'S REPORT FOR
LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS
2016-2017 FISCAL YEAR**

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville. The report is in compliance with the requirements of Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

SECTION 2. General Description

The City Council has heretofore elected to place the permanent landscape area along Westwood Street of Westwood Estates, Unit 1, 2, and 3 subdivisions, into Landscape and Lighting Maintenance District No. 1 and to annex the permanent landscape areas along the perimeter streets of the following developments:

1. Annexation No. 3 = Porter Creek Avenue right-of-way to the center line of the Porter Slough, median entry, 15' landscape area between Porter Creek Subdivision block wall to Westwood Street, the pedestrian access bridge over Porter Slough and all of the maintenance area to the center line of Porter Slough.
2. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street
3. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip.
4. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River.
5. Annexation No. 12 = Sunrise Estates Phase Six Subdivision located on the corner of Prospect Street and Orange Avenue.
6. Annexation No. 14 = Wisconsin Manor I Subdivision located on the corner of Wisconsin Way and Mulberry Avenue.
7. District No. 2 = North Creek Estates located on Westwood north of Westfield.
8. District No. 4 = River Springs Phase 1 Subdivision located along Newcomb Street.
9. District No. 5 = Castle Woods Phase II Subdivision located at Median Avenue and Salisbury.
10. District No. 6 = Creekview Estates located between Porter Creek Avenue and the property line in Porter Slough.
11. District No. 10 = Orchard Ridge Phase 4 located on La Vida Court and Carmelo Street.
12. District No. 12 = Westwood Estates, Unit 5, Phase 2, located on Henderson Avenue and Brandy Way.

13. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Juliann Avenue and Michael Street.
14. District No. 18 = Ohio North Subdivision located on Ohio Way Street.
15. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court.
16. District No. 20 = West View Place Subdivision located on Median Avenue.
17. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue.
18. District No. 29 = River Springs, Phase Three Subdivision located on Date Avenue, River Springs Drive and Atkins Court.
19. District No. 31 = Williams Ranch, Phase 2 and 3 Subdivision on Westwood Street between Henderson and Westfield Avenues.
20. District No. 32 = Sunrise Villa, Phase 1, 2, and 3 Subdivision located along Mulberry Avenue east of Cottage Street. Phase 2 and 3 were annexed on June 16, 2009.
21. District No. 35 = Meadow Breeze, Phase 1 Subdivision located on Pioneer Avenue and Salisbury Street.
22. District No. 40 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street.

SECTION 3. Plans and Specifications

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments. The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.

Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

SECTION 4. Improvements

Landscaping improvements will include landscaping the entry ways, medians and areas behind subdivision block wall.

SECTION 5. Estimated Maintenance Costs

Maintenance is currently being performed by City staff and contract services. Accordingly, the City's record-keeping will be required to be sufficiently accurate to detail the expenses incurred on behalf of each individual annexation so that these costs may be recaptured through assessments.

The City Finance Department presently maintains records of expenditures for each annexation. Because of the restrictions placed upon municipal budgets through the passage of Proposition No.

218 and the lag between the time assessments are made and revenues are collected by the City, it is appropriate that assessments be made in advance of the anticipated expenditures to provide working capital for the maintenance effort. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying those during this fiscal year. Refunds have been included in the form of one-time adjustments to the assessment, reducing the amount actually assessed per lot.

The assessments include costs accumulated to date and estimated costs for the 2016-2017 fiscal year for Landscape and Lighting District No. 1, including Annexations 3, 4, 8, 12, 14 and Districts 2, 4, 5, 6, 10, 12, 17, 18, 19, 20, 24, 29, 31, 32, 35 and 40

SECTION 6. Assessment Diagram

Copies of the assessment diagrams were attached to each individual Engineer's Report and were labeled "Exhibit A". An Index Map is attached to this report identifying the location of the original district and each annexation.

SECTION 7. Assessment

The City Council, in forming Landscape and Lighting Maintenance District No. 1 and in annexing territories to the district, has maintained the philosophy that the subdivider or developer is responsible for the plantings, irrigation system and the maintenance of the improvements until they become well established. The assessments for maintenance thus only include anticipated costs incurred subsequent to the acceptance of the system by the City Council on behalf of the Maintenance District.

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.

The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit-by-unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that affect the assessment.

The determination of benefit for the lots within the districts takes into consideration the facts for the original districts and all annexations thereto.

Following are estimated maintenance costs and assessments for each District and Annexation.

Annexation No. 4 - La Vida Park Fiscal Year 2016-2017 Maximum Assessment \$2,469.42
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<i>Estimated Accumulated Costs 2015-2016</i>	\$	2,379.49
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Maintenance:	3,790	sq.ft. of landscaping area, 437 feet of wall
Project Management:	17	lots
Fund Balance:	\$ 1,078.04	

1. Landscape	3,790	@	\$	0.190	=	\$	720.10
2. Graffiti Maintenance	3,790	@	\$	0.090	=	\$	341.10
3. Tree Maintenance	3,790	@	\$	0.150	=	\$	568.50
4. Postage	3,790	@	\$	0.020	=	\$	75.80
5. Utilities	3,790	@	\$	0.250	=	\$	947.50
6. Printing	3,790	@	\$	0.020	=	\$	75.80
7. Repair/Maintenance	3,790	@	\$	0.030	=	\$	113.70
			\$	0.750	=	\$	2,842.50

Maintenance	3,790	x \$	0.750	=	\$ 2,842.50
Administrative Fee	\$ 2,842.50	x \$0.10			\$ 284.25
County Fee	17 lots	x \$1.00/per lot			\$ 17.00
Reserves 15% of total cost of maintenance					\$ 426.38
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					\$ -
					<u>\$ 3,570.13</u>

Estimated Cost Per Year \$ $\frac{3,570.13}{17}$ = \$ 210.00

$$\text{Current Assessment} \quad \$ \frac{2,321.90}{17} = \quad \$ 136.58$$

New Assessment \$ 2,321.90 = \$ 136.58

Annexation No. 8 Westwood Park Unit 3 Subdivision Fiscal Year 2016-2017 Maximum Assessment \$2,481.27

Estimated Accumulated Costs 2015-2016 \$ 310.27

Maintenance:	28,460	sq.ft. of landscaping area
Lighting:	6	5 @ 5,800 lumens, 1 @ 16,000 lumens
Project Management:	36	lots
Fund Balance:	\$ (9,755.44)	

1. Weed Abatement	28,460	@ \$ 0.0713	=	\$ 2,029.20
2. Graffiti Maintenance	28,460	@ \$ 0.0059	=	\$ 167.91
3. Tree Maintenance	28,460	@ \$ 0.0040	=	\$ 113.84
4. Postage	28,460	@ \$ 0.0060	=	\$ 170.76
		<u>\$ 0.0872</u>		<u>\$ 2,481.71</u>

Maintenance	28,460	x \$ 0.08720	=	\$ 2,481.71
Administrative Fee	\$ 2,481.71	x \$ 0.10	=	\$ 248.17
County Fee	36 lots	x \$1.00/per lot	=	\$ 36.00
Reserves 15% of total cost of maintenance			=	\$ 372.26
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit			=	\$ 975.54
				<u>\$ 4,113.68</u>

Estimated Cost Per Year	<u>\$ 4,113.68</u>	=	\$ 114.27
	36		

Current Assessment	<u>\$ 2,303.85</u>	=	\$ 64.00
	36		

New Assessment	<u>\$ 2,303.85</u>	=	\$ 64.00
	36		

Annexation No. 12 - Sunrise Estates Phase 6 Subdivision Fiscal Year 2016-2017 Maximum Assessment \$1,429.00

Estimated Accumulated Costs 2015-2016 \$ 355.95

Maintenance:	2,840	sq. ft. of landscaping area, lighting: 7 ea. @ 5,800
Project Management:	32	lots
Fund Balance:	\$ (437.41)	

1. Landscape	2,840	@	\$ 0.019	=	\$ 53.96
2. Graffiti Maintenance	2,840	@	\$ 0.090	=	\$ 255.60
3. Tree Maintenance	2,840	@	\$ 0.150	=	\$ 426.00
4. Postage	2,840	@	\$ 0.020	=	\$ 56.80
5. Utilities	2,840	@	\$ 0.250	=	\$ 710.00
6. Printing	2,840	@	\$ 0.020	=	\$ 56.80
7. Repair/Maintenance	2,840	@	\$ 0.030	=	\$ 85.20
			<u>\$ 0.579</u>	=	<u>\$ 1,644.36</u>

Maintenance	2,840	x	\$ 0.579	=	\$ 1,644.36
Administrative Fee	\$ 1,644.36	x	\$ 0.10	=	\$ 164.44
County Fee	32	x	\$1.00/per lot	=	\$ 32.00
Reserves	15% of total cost of maintenance			=	\$ 246.65
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ 43.74
					<u>\$ 2,131.20</u>

Estimated Cost Per Year	<u>\$ 2,131.20</u>	=	\$ 66.60
	32		

Current Assessment	<u>\$ 1,409.00</u>	=	\$ 44.03
	32		

New Assessment	<u>\$ 1,409.00</u>	=	\$ 44.03
	32		

Annexation No. 14 - Wisconsin Manor 1 Subdivision Fiscal Year 2016-2017 Maximum Assessment \$1,824.69

Estimated Accumulated Costs 2015-2016 \$ 1,063.24

Maintenance: 3,030 sq.ft. of landscaping area
Project Management: 8 lots
Fund Balance: \$ (4,824.76)

1. Landscape	3,030	@	\$ 0.190	=	\$ 575.70
2. Graffiti Maintenance	3,030	@	\$ 0.090	=	\$ 272.70
3. Tree Maintenance	3,030	@	\$ 0.150	=	\$ 454.50
4. Postage	3,030	@	\$ 0.020	=	\$ 60.60
5. Utilities	3,030	@	\$ 0.250	=	\$ 757.50
6. Printing	3,030	@	\$ 0.020	=	\$ 60.60
7. Repair/Maintenance	3,030	@	\$ 0.030	=	\$ 90.90
			<u>\$ 0.750</u>	=	<u>\$ 2,272.50</u>

Maintenance	3030	x	\$ 0.750	=	\$ 2,272.50
Administrative Fee	\$ 2,272.50	x	\$0.10	=	\$ 227.25
County Fee	8 lots	x	\$1.00/per lot	=	\$ 8.00
Reserves	15% of total cost of maintenance				\$ 340.88
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					<u>\$ 482.48</u>
					<u>\$ 3,331.10</u>

Estimated Cost Per Year	<u>\$ 3,331.10</u>	=	\$	416.39
	8			

Current Assessment	<u>\$ 1,769.62</u>	=	\$	221.20
	8			

New Assessment	<u>\$ 1,769.62</u>	=	\$	221.20
	8			

District No. 4 - River Springs Phase 1 Subdivision Fiscal Year 2016-2017 Approved CPI 2003 (Adjusted 2003) Maximum Assessment \$3,134.58

Estimated Accumulated Costs 2015-2016

\$ 1,271.47

Maintenance:	2,100	sq. ft. of landscaping area
Project Management:	51	lots
Fund Balance:	\$ 650.03	

1. Landscape	2,100	@	\$	0.38	=	\$	798.00
2. Graffiti Maintenance	2,100	@	\$	0.09	=	\$	189.00
3. Tree Maintenance	2,100	@	\$	0.15	=	\$	315.00
4. Postage	2,100	@	\$	0.03	=	\$	63.00
5. Utilities	2,100	@	\$	0.25	=	\$	525.00
6. Printing	2,100	@	\$	0.09	=	\$	189.00
7. Repair/Maintenance	2,100	@	\$	0.03	=	\$	63.00
			\$	1.02	=	\$	2,142.00

Maintenance	2,100	sq.ft.	x	\$	1.02	=	\$	2,142.00
Administrative Fee	\$ 2,142.00		x	\$	0.10	=	\$	214.20
County Fee	51 lots		x	\$1.00/per lot	=	\$	51.00	
Reserves	15% of total cost of maintenance					\$	321.30	
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						\$	-	
						\$	2,728.50	

Estimated Cost Per Year:	<u>\$ 2,728.50</u>	=	\$	53.50
	51			

Current Assessment	<u>\$ 2,397.56</u>	=	\$	47.00
	51			

New Assessment	<u>\$ 2,397.56</u>	=	\$	47.00
	51			

District No. 5 Castle Woods Phase 2 Subdivision Fiscal Year 2016-2017 Maximum Assessment \$1,021.48 Approved CPI 2002 (Adjusted 2008)

Estimated Accumulated Costs 2015-2016 \$ 1,412.24

Maintenance: 1,715 sq.ft. of landscaping area
Project Management: 25 lots
Fund Balance: \$ (4,960.24)

1. Landscape	1,715	@ \$ 0.190	= \$ 325.85
2. Graffiti Maintenance	1,715	@ \$ 0.090	= \$ 154.35
3. Tree Maintenance	1,715	@ \$ 0.150	= \$ 257.25
4. Postage	1,715	@ \$ 0.020	= \$ 34.30
5. Utilities	1,715	@ \$ 0.250	= \$ 428.75
6. Printing	1,715	@ \$ 0.020	= \$ 34.30
7. Repair/Maintenance	1,715	@ \$ 0.030	= \$ 51.45
		<u>\$ 0.750</u>	= <u>\$ 1,286.25</u>

Maintenance	1,715	x \$ 0.75	= \$ 1,286.25
Administrative Fee	\$ 1,286.25	x \$ 0.10	= \$ 128.63
County Fee	25 lots	x \$1.00/per lot	= \$ 25.00
Reserves	15% of total cost of maintenance		= \$ 192.94
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit			= \$ 496.02
			<u>\$ 2,128.84</u>

Estimated Cost Per Year	<u>\$ 2,128.84</u>	= \$	85.15
	25		

Current Assessment	<u>\$ 908.55</u>	= \$	36.34
	25		

New Assessment	<u>\$ 908.55</u>	=	\$ 36.34
	25		

District No. 10 Orchard Ridge Phase 4 Fiscal Year 2016-2017 Approved CPI 2003 Maximum Assessment \$359.99

<i>Estimated Accumulated Costs 2015-2016</i>	\$	117.07
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Maintenance:	lighting	4 @ 5,800 lumens
Project Management:	19	lots
Fund Balance:	\$	90.57

1. Utilities	4 @ 5,800 lumens	@ \$ 104.1600	= \$ 416.64
2. Printing	1	@ \$ 50.0000	= \$ 50.00
			<u>\$ 466.64</u>

Maintenance	\$	466.64	x	1	=	\$	466.64
Administrative Fee	\$	466.64	x	\$ 0.10	=	\$	46.66
County Fee		19	x	\$1.00/per lot	=	\$	19.00
Reserves 15% of total cost of maintenance					=	\$	70.00
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	602.30

Estimated Cost Per Year $\frac{\$ \quad 602.30}{19} =$ **\$ 31.70**

$$\text{New Assessment} \quad \frac{\$ \quad 312.28}{19} = \quad \$ \quad 16.44$$

District No. 17 Orchard Ridge Phase 6 Fiscal Year 2016-2017 Approved CPI 2007 Maximum Assessment \$633.36

<i>Estimated Accumulated Costs 2015-2016</i>	\$	204.90
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Maintenance:	lighting	7 ea. @ 5,800 lumens
Project Management:	32	lots
Fund Balance:	\$	254.76

1. Utilities	7 @ 5,800 lumens @	\$ 104.1600	=	\$ 729.12
3. Printing	1 @	\$ 50.0000	=	\$ 50.00
				<u>\$ 779.12</u>

Maintenance	\$	779.12	x	1	=	\$	779.12
Administrative Fee	\$	779.12	x	\$ 0.10	=	\$	77.91
County Fee		32	x	\$1.00/per lot	=	\$	32.00
Reserves 15% of total cost of maintenance					=	\$	116.87
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	<u>1,005.90</u>

$$\text{Estimated Cost Per Year} \quad \frac{\$ \quad 1,005.90}{32} = \quad \$ \quad 31.43$$
$$\text{New Assessment} \quad \frac{\$ \quad 617.82}{32} = \quad \$ \quad 19.31$$

District No. 18 - Ohio North Subdivision Fiscal Year 2016-2017 Maximum Assessment \$190.26

<i>Estimated Accumulated Costs 2015-2016</i>	\$	107.67
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Maintenance:	lighting	@ 5,800 lumens each
Project Management:	10	lots
Fund Balance:	\$	5.99

1. Utilities	2 @ 5,800 lumens @	\$104.16	=	\$	208.32
2. Printing	1 @	\$50.00	=	\$	50.00
				\$	<u>258.32</u>

Maintenance	\$	258.32	x	1	=	\$	258.32
Administrative Fee	\$	258.32	x	\$ 0.10	=	\$	25.83
County Fee		10 lots	x	\$1.00/per lot	=	\$	10.00
Reserves		15% of total maintenance			=	\$	38.75
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	332.90

Estimated Cost Per Year	\$ 332.90	=	\$ 33.29
	<u>10</u>		

$$\text{Current Assessment} \quad \frac{\$ \quad 190.26}{10} = \$ \quad 19.02$$
$$\text{New Assessment} \quad \frac{\$ \quad 190.26}{10} = \$ \quad 19.02$$

District No. 19 Williams Ranch Phase 1 Subdivision Fiscal Year 2016-2017 Maximum Assessment \$7,027.83 Approved CPI 2002 (Adjusted 2008)

<i>Estimated Accumulated Costs 2015-2016</i>	\$	2,570.73
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Maintenance:	13,910 sq.ft. of landscaping area
Project Management:	41 lots
Fund Balance:	\$ (1,893.16)

1. Landscape	13,910	@ \$	0.050	=	\$	695.50
2. Graffiti Maintenance	13,910	@ \$	0.025	=	\$	347.75
3. Tree Maintenance	13,910	@ \$	0.100	=	\$	1,391.00
4. Postage	13,910	@ \$	0.010	=	\$	139.10
5. Utilities	13,910	@ \$	0.080	=	\$	1,112.80
6. Printing	13,910	@ \$	0.010	=	\$	139.10
7. Repair/Maintenance	13,910	@ \$	0.040	=	\$	556.40
		\$	0.315	=	\$	4,381.65

Maintenance	13,910	x	\$ 0.32	=	\$ 4,381.65
Administrative Fee	\$ 4,381.65	x	\$ 0.10	=	\$ 438.17
County Fee	41 lots	x	\$1.00/per lot	=	\$ 41.00
Reserves	15% of total cost of maintenance			=	\$ 657.25
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ 189.32
					<u>\$ 5,707.38</u>

Estimated Cost Per Year	\$ 5,707.38	=	\$	139.20
	41			

$$\text{New Assessment} \quad \frac{\$ 5,707.38}{41} = \quad \$ 139.20$$

District No. 20 - West View Place Subdivision Fiscal Year 2016-2017 Maximum Assessment \$280.32

<i>Estimated Accumulated Costs 2015-2016</i>	\$ 119.66
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Maintenance:	lighting:	3 ea @ 5,800 lumens
		1 ea @ 9,500 lumens
Project Management:	10	lots
Fund Balance:	\$ 181.10	

1. Utilities	3 @ 5,800 lumens	@ \$ 104.160	=	each	\$ 312.48
	1 @ 9,500 lumens	@ \$ 125.060	=	each	\$ 125.06
2. Printing	1	@ \$ 50.000	=		\$ 50.00
					<u>\$ 487.54</u>

Maintenance	\$ 487.54	x	1	=	\$ 487.54
Administrative Fee	\$ 487.54	x	\$ 0.10	=	\$ 48.75
County Fee	10 lots	x	\$1.00/per lot	=	\$ 10.00
Reserves 15% of total cost of maintenance					\$ 73.13
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					<u>\$ -</u>
					\$ 619.43

Estimated Cost Per Year	<u>\$ 619.43</u>	=	\$ 61.94
	10		

Current Assessment	<u>\$ 265.74</u>	=	\$ 26.56
	10		

New Assessment	<u>\$ 265.74</u>	=	\$ 26.56
	10		

District No. 24 - Orchard Ridge Phase 8 Fiscal Year 2016-2017 Maximum Assessment \$2,607.14

<i>Estimated Accumulated Costs 2015-2016</i>	\$	1,862.86
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Maintenance:	3,538 sq.ft. of landscaping area
Project Management:	44 lots
Fund Balance:	\$ (10,637.32)

1. Landscape	3,538	@	\$	0.190	=	\$	672.22
2. Graffiti Maintenance	3,538	@	\$	0.090	=	\$	318.42
3. Tree Maintenance	3,538	@	\$	0.150	=	\$	530.70
4. Postage	3,538	@	\$	0.020	=	\$	70.76
5. Utilities	3,538	@	\$	0.250	=	\$	884.50
6. Printing	3,538	@	\$	0.020	=	\$	70.76
7. Repair/Maintenance	3,538	@	\$	0.030	=	\$	106.14
			\$	0.750	=	\$	2,653.50

Maintenance	3,538	x	0.75	=	\$	2,653.50
Administrative Fee	\$ 2,653.50	x	0.10	=	\$	265.35
County Fee	44 lots	x	1.00/per lot	=	\$	44.00
Reserves	15% of total cost of maintenance			=	\$	398.02
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$	1,101.69
					\$	4,462.56

Estimated Cost Per Year	\$ 4,462.56	=	\$	101.42
	44			

Current Assessment	\$ 2,348.90	=	\$	53.38
	44			

New Assessment	\$ 2,348.90	=	\$	53.38
	44			

District No. 29 River Springs, Phase 3 Fiscal Year 2016-2017 Approved CPI 2007 Maximum Assessment \$751.74
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<i>Estimated Accumulated Costs 2015-2016</i>	\$	263.47
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Maintenance:	lighting	9 ea. @ 5,800 lumens
Project Management:	36	lots
Fund Balance:	\$	506.21

1. Utilities	9 @ 5,800 lumens	@ \$	104.16	=	\$	937.44
2. Printing	1	@ \$	50.00	=	\$	50.00
					\$	<u>987.44</u>

Maintenance	\$	987.44	x	1	=	\$	987.44
Administrative Fee	\$	987.44	x	\$ 0.10	=	\$	98.74
County Fee		36	x	1.00/per lot	=	\$	36.00
Reserves 15% of total cost of maintenance					=	\$	148.12
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	<u>1,270.30</u>

$$\text{Estimated Cost Per Year} \quad \frac{\$ \quad 1,270.30}{36} = \quad \$ \quad 35.29$$
$$\text{New Assessment} \quad \$ \frac{712.64}{36} = \quad \$ 19.80$$

District No. 31 Williams Ranch Phase 2 & 3 Subdivision Fiscal Year 2016-2017 Approved CPI 2006 (Adjusted 2006) Maximum Assessment \$2,303.51
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<i>Estimated Accumulated Costs 2015-2016</i>	\$	3,042.96
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Maintenance:	6,512	sq.ft. of landscaping area, 437 feet of wall
Lighting:	24	ea @ 5,800 lumens, 2 ea. @ 16,000 lumens
Project Management:	85	
Fund Balance:	\$ (10,909.14)	

1. Landscape	6,512	@	\$ 0.190	=	\$ 1,237.28
2. Graffiti Maintenance	6,512	@	\$ 0.025	=	\$ 162.80
3. Tree Maintenance	6,512	@	\$ 0.130	=	\$ 846.56
4. Postage	6,512	@	\$ 0.010	=	\$ 65.12
5. Utilities	6,512	@	\$ 0.080	=	\$ 520.96
6. Printing	6,512	@	\$ 0.010	=	\$ 65.12
7. Repair/Maintenance	6,512	@	\$ 0.040	=	\$ 260.48
			<u>\$ 0.485</u>		<u>\$ 3,158.32</u>

Maintenance	6,512	x	\$ 0.485	=	\$ 3,158.32
Administrative Fee	\$ 3,158.32	x	\$ 0.10	=	\$ 315.83
County Fee	85 lots	x	\$1.00/per lot	=	\$ 85.00
Reserves 15% of total cost of maintenance				=	\$ 473.75
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ 1,090.91
					<u>\$ 5,123.82</u>

$$\text{Estimated Cost Per Year} \quad \frac{\$ 5,123.82}{85} = \quad \$ \quad 60.28$$
$$\text{Current Assessment } \frac{\$ 2,192.00}{85} = \$ 25.79$$
$$\text{New Assessment} \quad \frac{\$ 2,192.00}{85} = \quad \$ 25.79$$

District No. 32 - Sunrise Villa Phase 1-3 Fiscal Year 2016-2017 Approved CPI 2006 Maximum Assessment \$1,513.54

<i>Estimated Accumulated Costs 2015-2016</i>	\$	380.57
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Maintenance:	lighting	13ea. @ 5,800 lumens
Project Management:	54	lots
Fund Balance:	\$	(216.32)

1. Utilities	13 @ 5,800 lumens	@ \$ 104.1600	=	\$ 1,354.08
2. Printing	1	@ \$ 50.0000	=	\$ 50.00
				<u>\$ 1,404.08</u>

Maintenance	\$	1,404.08	x	1	=	\$	1,404.08
Administrative Fee	\$	1,404.08	x	\$ 0.10	=	\$	140.41
County Fee		54	x	\$1.00/per lot	=	\$	54.00
Reserves 15% of total cost of maintenance					=	\$	210.61
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	21.63
						<u>\$</u>	<u>1,830.73</u>

$$\text{Estimated Cost Per Year} \quad \frac{\$ 1,830.73}{54} = \quad \$ 33.90$$
$$\text{New Assessment} \quad \frac{\$ \quad 1,513.54}{54} = \quad \$ \quad 28.03$$

District 35 - Meadow Breeze Phase 2 Fiscal Year 2016-2017 Maximum Assessment \$1,001.39
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Estimated Accumulated Costs 2015-2016 \$ 263.47

Maintenance: lighting: 9 lumens @ 5,800 each
Project Management: 44 lots
Fund Balance: \$ 312.96

					Formula
1 Utilities	9 lumens	@	\$ 104.16	=	\$ 937.44
2 Printing/Copying	1	@	\$ 50.00	=	\$ 50.00
					<u>\$ 987.44</u>

Maintenance	\$ 987.44	x	1	=	\$ 987.44
Administrative Fee	\$ 987.44	x	\$ 0.10	=	\$ 98.74
County Fee	44 lots	x	\$1.00/per lot	=	\$ 44.00
Reserves 15% of total cost of maintenance					\$ 148.12
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					\$ -
					<u>\$ 1,278.30</u>

Estimated Cost Per Year	<u>\$ 1,278.30</u>	=	\$ 29.05
	44		

New Assessment	<u>\$ 844.08</u>	=	\$ 19.18
	44		

Annex. 3 Porter Creek, Dist. 2 North Creek, Dist. 6 Creekview Fiscal Year 2016-2017

Estimated Accumulated Costs 2015-2016 \$ 25,780.01

Maintenance: 125,477 sq.ft. of landscaping
 Project Management: 297 lots,lighting 5 lumens @ 5,800
 Fund Balance: \$ 28,181.82

Maintenance

1. Landscape/Tree Maintenance	125,477	@ \$	0.125	=	\$	15,684.63
2. Grafitti Maintenance	125,477	@ \$	0.02	=	\$	2,509.54
3. Postage	125,477	@ \$	0.005	=	\$	627.39
4. Utilities	125,477	@ \$	0.06	=	\$	7,528.62
5. Printing	125,477	@ \$	0.005	=	\$	627.39
6. Repair/Maintenance	125,477	@ \$	0.01	=	\$	1,254.77
			<u>0.225</u>	=	\$	<u>28,232.33</u>

Maintenance	125,477	\$	0.225	=	\$	28,232.33
Administrative Fee	\$ 28,232.33	x	\$0.10	=	\$	2,823.23
County Fee	297 lots	@ \$1.00/per lot		=	\$	297.00
Reserves 15% of total cost of maintenance				=	\$	4,234.84
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$	-
Total					\$	<u>35,587.40</u>

Estimated Cost Per Year:	<u>\$ 35,587.40</u>	=	\$	119.82
	297			

Current Assessment	<u>\$ 34,319.40</u>	=	\$	115.55
	297			

New Assessment	<u>\$ 34,319.40</u>	=	\$	115.55
	297			

Westwood Estates - District 1, 12 and Annexation 5 Fiscal Year 2016-2017

Estimated Accumulated Costs 2015-2016 \$ 10,207.13

Maintenance:	47,462	sq. ft. of landscaping area (30/74 of 5450 sq.ft.)
Project Management,	207	lots

Fund Balance: \$ 19,454.57

1. Landscape	47,462	@	\$	0.170	=	\$	8,068.54
2. Graffiti Maintenance	47,462	@	\$	0.020	=	\$	949.24
4. Postage	47,462	@	\$	0.005	=	\$	237.31
5. Utilities	47,462	@	\$	0.120	=	\$	5,695.44
6. Printing	47,462	@	\$	0.005	=	\$	237.31
7. Repair/Maintenance	47,462	@	\$	0.020	=	\$	949.24
			\$	0.340	=	\$	16,137.08

Maintenance	47,462	x	\$	0.34	=	\$	16,137.08
Administrative Fee	\$ 16,137.08	x	\$	0.10	=	\$	1,613.71
County Fee	207	x	\$1.00/per lot		=	\$	207.00
Reserves 15% of total cost of maintenance					=	\$	2,420.56
Eliminate deficit fund balance over 10 years - 10% of fund deficit					=	\$	-
						\$	20,378.35

Estimated Cost Per Year	\$	<u>20,378.35</u>	=	\$	98.45
		207			

Current Assessment	\$	<u>18,364.44</u>	=	\$	88.72
		207			

New Assessment	\$	<u>18,364.44</u>	=	\$	88.72
		207			

District No. 40 - Amalene Estates
Fiscal Year 2016-2017
Approved CPI 2007 (Adjusted 2007)
Maximum Assessment \$7648.22

Estimated Accumulated Costs 2015-2016 \$ 2,375.86

Maintenance: 5,445 sq. ft. of landscaping area, 736 ft. of wall
Lighting: 16 ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens
Project Management: 26 lots
Fund Balance: \$ (2,655.91)

1. Landscape	5,445	@	\$ 0.190	= \$	1,034.55
2. Graffiti Maintenance	5,445	@	\$ 0.025	= \$	136.13
3. Tree Maintenance	5,445	@	\$ 0.130	= \$	707.85
4. Postage	5,445	@	\$ 0.010	= \$	54.45
5. Utilities	5,445	@	\$ 0.080	= \$	435.60
6. Printing	5,445	@	\$ 0.010	= \$	54.45
7. Repair/Maintenance	5,445	@	\$ 0.040	= \$	217.80
				<u>\$</u>	<u>2,640.83</u>

Maintenance	5,445	x	0.485	= \$	2,640.83
Administrative Fee	\$ 2,640.83	x	\$0.10	= \$	264.08
County Fee	26	x	\$1.00/per lot	= \$	26.00
Reserves	15% of total cost of maintenance			= \$	396.12
Eliminate deficit fund balance over 10 years - 10% of fund deficit				= \$	170.07
				<u>\$</u>	<u>3,497.10</u>

Estimated Cost Per Year \$ 3,497.10 = \$ 134.50
26

Current Assessment \$ 2,305.52 = \$ 88.67
26

New Assessment \$ 2,305.52 = \$ 88.67
26

This concludes the 2016-2017 Landscape and Lighting District Engineer's Report.
Javier Sanchez, Jr., RCE 70356

Javier Sanchez, Jr. ACTING CITY ENGINEER



RESOLUTION NO.: -2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ORDERING THE CONTINUED MAINTENANCE OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICTS AND CONFIRMING THE ENGINEER'S REPORT AND ASSESSMENT FOR 2016-2017 FISCAL YEAR

WHEREAS, the City Council of the City of Porterville did on the 21st day of June, 2016 adopt its Resolution of Intention No. 38-2016 to order the therein described work in connection with the continuation of assessment procedures in Landscape and Lighting Maintenance Districts, which Resolution of Intention No. 38-2016 was duly and legally published in the time, form and manner as required by Law, shown by the Affidavit of Publication of said Resolution of Intention on file in the Office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in the proceeding and concerning the necessity for the contemplated work and the benefits to be derived there from, and said City Council having now acquired jurisdiction to order the proposed work;

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

SECTION 1. IT IS HEREBY RESOLVED by the City Council of the City of Porterville that the public interest and convenience require the continuation of assessment procedures for the districts, and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 38-2016 be done and made; and

SECTION 2. BE IT FURTHER RESOLVED that the report filed by the Engineer is hereby finally approved; and

SECTION 3. BE IT FURTHER RESOLVED that the assessments for fiscal year 2016-2017 and method of assessment in the Engineer's Report are hereby approved; and

SECTION 4. BE IT FINALLY RESOLVED that the assessments are in compliance with California Code, that they are without regard to property valuation, and in compliance with Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highway Code allowing the placement of the charge on the tax roll for collection.

APPROVED, PASSED AND ADOPTED this 5TH day of July, 2016.

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Consideration of Appointment to Animal Control Commission

SOURCE: Administrative Services

COMMENT: With the resignation of Ms. Debbie Arthur, a vacancy currently exists on the Animal Control Commission with a term to expire in September 2016. Staff has publicized notice of the vacancy and solicited applications from interested individuals who are city residents.

The Clerk's Office has received a Request for Appointment submitted by Ms. Mary Florence Pizanis-Ellis. Ms. Pizanis-Ellis' Request is attached hereto for Council's consideration.

Should any further Requests for Appointment be received after the distribution of the agenda, they will be presented to the Council for consideration under separate cover and made available to the public.

RECOMMENDATION: That the City Council consider the appointment of Mary Florence Pizanis-Ellis to the Animal Control Commission to a term expiring in September 2016.

ATTACHMENTS: 1. Request for Appt -- Pizanis-Ellis

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

RECEIVED

JUN 28 2016

CITY OF PORTERVILLE
CITY CLERK OFFICE

Please complete all blanks.

Name: Mary Florence Pizanis-Ellis (Florenza Pizanis)
(Please Print)

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

☐ Reappointment; or IF NEW, please provide :

Street Address: 1427 N Mathew St
Porterville, CA 93257

Mailing Address: as above -

Name of Business: _____

☐ Own ☐ Operate

Business Address: _____

Telephone: Home 559-339-4211

Work _____

FAX _____

E-mail florenzap7@yahoo.de

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☒ Yes

☐ No

Qualifications: I have had animals all of my life, ranging from cats, dogs and fish. The majority of them have been rescues, coming from Greece, Vietnam, Germany and USA. My love and passion are animals and their protection. I am currently looking to become a certified dog trainer and behavior specialist. After having moved to Porterville last year to take care of my elderly parents, I rescued an abused Pitbull terrier mix. Rehabilitating him has been a most rewarding process. This has motivated me to get more involved in animal welfare, supporting shelters and all issues connected with animals.

☐ Resume attached

☐ Letter of request attached

Submitted By: _____

06/28/16
Date

Received by: _____

F. Zavala

Forwarded to: City Clerk



Date:

6/28/16

City Council



Date:

City Manager



Date:

Applicable Dept.



Date:

Tentative Council Mtg Date: _____



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Sponsorship of Documentary Ramon Rising

SOURCE: Community Development

COMMENT: The Arts Commission was established in August 2013, with their primary duties identified as making recommendations to the City Council regarding development and promotion of practices and policies pertaining to the arts and fostering the development and enjoyment of visual, cultural, performing, and other arts in the city of Porterville.

On Wednesday, May 25, 2016, the producers of the film, Ramon Rising, and Dr. Ramon Resa, presented a proposal to the Arts Commission at the regularly scheduled meeting, requesting sponsorship of the film. Ramon Rising is a documentary being produced by The Documentary Studio, who hope to present this documentary at the 2017 Sundance Film Festival in Park City, Utah. According to the producers, it is partially based on Dr. Resa's memoir, "Out of the Fields: My Journey From Farmworker Boy To Pediatrician." Dr. Resa has been a pediatrician in Porterville for 30 years and because of that the city of Porterville is the backdrop in this movie.

After showing the movie trailer, the producers explained the positive impact the film can have on local youth if this film was shown in classrooms. They continued by stating that the story of Dr. Resa has already inspired a youth at one of the local high schools to go to college as the film tells the story of how Dr. Resa overcame many obstacles to become a doctor. The producers believe that there will be many youth, who can relate to Dr. Resa's story, primarily because there is a large population of agricultural workers in the community.

The Arts Commission took action at their meeting on Wednesday, May 25, 2016, to move a recommendation forward for City Council's consideration to accept the proposed request for sponsorship in support of the documentary, Ramon Rising.

The Art Commission requests that the City Council sponsor the Ramon Rising film in the amount of \$10,000 with funds being appropriated from City Council's special reserve account to assist in the production of the film.

RECOMMENDATION: That the City Council consider the recommendation of the Arts Commission to sponsor the Ramon Rising film.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Adoption of Annual Appropriation Limit

SOURCE: Finance

COMMENT: Article XIII-B of the California Constitution requires that each governmental agency must adopt an appropriation limit each fiscal year. This limit represents the maximum amount of tax revenue that can be appropriated during the fiscal year.

The State Department of Finance has provided the percentage change in population for the city of Porterville and the percentage change in per capita personal income for the 2016-2017 fiscal year calculation. Based on this information and the guidelines established by the State, the appropriation limit for the 2016-2017 fiscal year is \$64,690,998. The City continues to appropriate well below the maximum limit allowed by law.

RECOMMENDATION: That the City Council approve the attached resolution adopting the appropriation limit of \$64,690,998 for the 2016-2017 fiscal year.

ATTACHMENTS:

1. Draft Resolution
2. Calculation worksheet

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE SETTING THE APPROPRIATION LIMIT FOR THE
2016-2017 FISCAL YEAR

WHEREAS: Article XIII – B of the California Constitution requires that each governmental agency adopt an appropriation limit each fiscal year; and

WHEREAS: The State of California has presented the guidelines for the consumer price index, the per capita personal income and the population data for local governments to compute the appropriation limit.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the appropriation limit of \$64,690,998 for the 2016-2017 fiscal year as computed on the attached worksheet.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

**CITY OF PORTERVILLE
APPROPRIATION LIMIT DOCUMENTATION
FISCAL YEAR 2016-2017**

<u>PROCEEDS OF TAXES CALCULATION</u>					<u>APPROPRIATION LIMIT CALCULATION</u>		
	[1] PROCEEDS OF TAXES	PROCEEDS OTHER THAN TAXES	TOTAL ESTIMATED REVENUES	YEAR	[2] CALIFORNIA PCPI CHANGE	[3] POPULATION CHANGE	LIMIT
PROPERTY TAXES	6,000,000		6,000,000	1986-1987	BASE YEAR		10,422,371
SALES & USE TAXES	9,360,055		9,360,055	1987-1988	3.47%	1.75%	10,972,748
UTILITY USERS TAX	4,000,000		4,000,000	1988-1989	4.66%	2.27%	11,744,767
TRANSIENT OCCUPANCY TAX	475,000		475,000	1989-1990	5.19%	8.28%	13,377,258
BUSINESS LICENSE	440,000		440,000	1990-1991	4.21%	7.03%	14,920,454
OTHER TAXES	265,000		265,000	1991-1992	4.14%	3.79%	16,127,057
FRANCHISE FEES		1,551,134	1,551,134	1992-1993	-0.64%	4.51%	16,746,519
PERMITS		492,600	492,600	1993-1994	2.72%	4.26%	17,934,831
REVENUE FROM STATE				1994-1995	0.71%	3.63%	18,717,825
MOTOR VEHICLE IN LIEU	22,000		22,000	1995-1996	4.72%	2.40%	20,071,738
HOMEOWNERS RELIEF	25,000		25,000	1996-1997	4.67%	2.85%	21,607,847
OTHER REV FR STATE		14,656,664	14,656,664	1997-1998	4.67%	2.71%	23,229,852
OTHER INTERGOVTAL REV		15,447,079	15,447,079	1998-1999	4.53%	2.05%	24,779,949
USE OF MONEY & PROPERTY				1999-2000	4.91%	1.61%	26,415,190
INTEREST	144,350	501,300	645,650	2000-2001	7.82%	1.33%	28,859,653
RENT		577,902	577,902	2001-2002	-1.27%	2.07%	29,082,943
FINES & FORFIETURES		221,500	221,500	2002-2003	2.31%	2.56%	30,516,481
CHARGES FOR SERVICES		37,713,407	37,713,407	2003-2004	3.28%	2.43%	32,283,295
OTHER REVENUES		834,512	834,512	2004-2005	5.26%	2.45%	34,813,941
	<u>20,731,405</u>	<u>71,996,098</u>	<u>92,727,503</u>	2005-2006	3.96%	2.18%	36,981,571
				2006-2007	4.42%	14.26%	44,122,820
				2007-2008	4.29%	1.99%	46,931,401
				2008-2009	0.62%	1.79%	48,067,656
				2010-2011	-2.54%	1.98%	47,774,303
				2011-2012	2.51%	1.47%	49,693,348
				2012-2013	3.77%	1.28%	52,226,842
				2013-2014	5.12%	0.92%	55,405,944
				2014-2015	-0.23%	0.75%	55,693,099
				2015-2016	3.82%	0.75%	58,254,230
				2016-2017	5.37%	5.39%	64,690,998
				PROCEEDS OF TAXES			<u>20,731,405</u>
				PROCEEDS OF TAXES UNDER APPROPRIATION LIMIT			<u>43,959,593</u>

[1] Per City of Porterville 2016-2017 Annual Budget adopted by City Council on June 21, 2016.

[2] Per State Department of Finance (per capita personal income).

[3] Per State Department of Finance (population growth of City or County, whichever is greater).

CITY OF PORTERVILLE
APPROPRIATION LIMIT DOCUMENTATION
FISCAL YEAR 2016-2017

	GENERAL	MEAS H	SPECIAL GAS TAX	LTF	TRAFFIC SAFETY	ZALUD ESTATE	CDBG	TRANSIT	COPS	SEWER OPER	SOLID WASTE	AIRPORT	GOLF COURSE	WATER OPER	GEN GOV DEBT SERV
PROPERTY TAXES	5,990,000											10,000			
SALES & USE TAXES	5,850,109	3,509,946													
UTILITY USERS TAX	4,000,000														
TRANSIENT OCCUPANCY TAX	475,000														
BUSINESS LICENSE	440,000														
OTHER TAXES	265,000														
FRANCHISE FEES	1,551,134														
PERMITS	492,600														
REVENUE FROM STATE															
MOTOR VEHICLE IN LIEU	22,000														
HOMEOWNERS RELIEF	25,000														
OTHER REV FR STATE	49,519		1,151,263				145,634	11,718,360	150,000			10,000			
OTHER INTERGOVTAL REV	300,000		1,279,855	4,100,000			634,391	6,492,792	18,870						
USE OF MONEY & PROPERTY															
INTEREST	150,000	5,000	18,000	50,000	500	800	20,000		2,000	25,000	15,000	10,000		15,000	0
RENT	290,506									112,596		156,800			
FINES & FORFIETURES	56,500				165,000										
CHARGES FOR SERVICES	4,567,569	2,500				4,500	500	642,000	45,000	6,617,000	5,780,000	1,233,400	193,000	5,545,980	480,000
OTHER REVENUES	65,000					500				110,000	105,000	500	2,000	117,000	
	24,589,937	3,517,446	2,449,118	4,150,000	165,500	5,800	800,525	18,853,152	215,870	6,864,596	5,900,000	1,420,700	195,000	5,677,980	480,000

	RISK MGMT	EQUIP MAINT	LMD	WATER REPLACE	SOLID WASTE RES	SEWER REVOLV	TRANSPORT IMPACT	PARK DEVEL	WWTP RESERVE	STORM DRAIN DEVELOP	BLDG CONSTR	GEN FUND EQUIP REPL	AIRPORT REPL AND DEVEL	GOLF COURSE REPL	EQUIP MAINT REPL	TOTAL ESTIMATED REVENUES
PROPERTY TAXES																6,000,000
SALES & USE TAXES																9,360,055
UTILITY USERS TAX																4,000,000
TRANSIENT OCCUPANCY TAX																475,000
BUSINESS LICENSE																440,000
OTHER TAXES																265,000
FRANCHISE FEES																1,551,134
PERMITS																492,600
REVENUE FROM STATE																
MOTOR VEHICLE IN LIEU																22,000
HOMEOWNERS RELIEF																25,000
OTHER REV FR STATE				1,430,000									1,888			14,656,664
OTHER INTERGOVTAL REV				1,300,000	1,290,278								30,893			15,447,079
USE OF MONEY & PROPERTY																
INTEREST	1,000	4,000		75,000	35,000	50,000	10,000	50	80,000	15,000	7,000	45,000	5,000	1,000	6,300	645,650
RENT		18,000														577,902
FINES & FORFIETURES																221,500
CHARGES FOR SERVICES	6,341,348	3,088,000		364,114	923,270	210,426	150,000	50,000	380,364	100,000		800,000	24,186	37,188	133,062	37,713,407
OTHER REVENUES	350		92,500	155,162		45,000			125,000		1,500	15,000				834,512
	6,342,698	3,110,000	92,500	3,324,276	2,248,548	305,426	160,000	50,050	585,364	115,000	8,500	860,000	61,967	38,188	139,362	92,727,503

* Source:

City of Porterville 2016-201 Annual Budget adopted by City Council on June 21, 2016.



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Award of Contract for Banking Services

SOURCE: Finance

COMMENT: At its meeting on April 5, 2016, City Council authorized staff to issue a Request for Proposals (RFP) for major banking services. The City's agreement with its current banking services provider expired in June 2013. The RFP process also gave us the opportunity to reevaluate banking services and costs.

The City received a total of three (3) responses to the RFP for banking services from the following:

Bank of the Sierra
MUFG Union Bank
Wells Fargo Bank

Staff carefully reviewed and evaluated all three proposals. All the proposing banks are financially sound and capable of providing all or most of the services currently utilized by the City, as well as additional enhancements that may be implemented in the future.

Bank of the Sierra is in its 39th year of operations and is the largest independent bank headquartered in Porterville. They are one of the significant local employers with almost 200 employees on staff locally. In their proposal, Bank of the Sierra will waive their implementation and training fee, including \$150 in remote deposit capture. One of the drawbacks to awarding the contract to Bank of the Sierra is that City staff will have to change the procedure for processing payroll. Staff currently transmits the direct deposit payroll file to the bank for electronic processing one day in advance of the pay date. At this time, Bank of the Sierra requires a two-day advance for the electronic processing of payroll files for direct deposit, which is problematic for City staff. It currently takes staff about three days to process around 500 timesheets, balance gross wages, benefits and employee deductions, and create a file for transmission to the bank for next day payment to employees. Bank of the Sierra expects this may change in the future. Another component of banking services that Bank of the Sierra does not currently provide is account reconciliation. City staff currently utilizes account reconciliation service, wherein the bank reconciles the paid checks to the issued checks and provides a detailed statement of paid checks, outstanding checks, voids, and cancelled checks. With over 1,000 checks issued every month, it reduces staff time while efficiently reconciling and balancing the City's transactions.

Wells Fargo & Company is a nationwide, diversified financial services company providing banking and other consumer and commercial financial services. They are headquartered in San Francisco but are decentralized with a Wells Fargo office in Porterville. As part of their proposal, Wells Fargo is offering to waive the first three months of banking fees. There are one-time setup charges amounting to \$555 that will apply to the implementation of certain services. The fee waiver and the setup charges will result in net savings to the City of about \$6,000. Wells Fargo provides account reconciliation service and is able to accommodate the one-day electronic processing of payroll direct deposit. Because of the Wells Fargo branch location in Porterville, staff is contemplating the use of a courier service for the City's cash deposits. This would be an additional cost of at least \$125 per month and is included in the total estimated fees shown below.

MUFG Union Bank is the City's current banking services provider and has been since 1995. Staff had not encountered any major issues with the services Union Bank provides and customer service has been excellent. In addition, Union Bank continues to charge the City the same 2008 contract pricing after the term of the agreement expired in 2013, except for the new fees on remote deposit service. In response to the City's RFP, Union Bank submitted an informal bid proposal which is not in the format specified in the RFP. Union Bank is proposing to extend the same 2008 contract pricing for another five years.

The banking services costs include fees that are dependent upon the volume of transactions. Costs incurred are offset by an earnings credit provided by the bank based on the average daily or monthly balance on the account. The table below shows a comparison of the estimated monthly costs of banking services as proposed:

	MUFG Union Bank	Wells Fargo Bank	Bank of the Sierra
Total estimated monthly cost	\$2,045	\$2,394	\$2,500
Earnings credit rate	0.25%	0.28%	0.29%
Estimated earnings credit	\$150	\$187	\$174
Net estimated monthly cost	\$1,895	\$2,207	\$2,326
Increase in cost per year	--	\$3,744	\$5,172

RECOMMENDATION: That the City Council:

1. Select a banking services provider from the RFP responders;
2. Authorize staff to execute an agreement with the selected bank for a term of five years with an option to negotiate

extensions to the contract for additional two-year periods.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: Maria Bemis, Finance Director



CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Consideration of Southern California Edison (SCE) Street Light Purchase

SOURCE: Public Works

COMMENT: Southern California Edison's (SCE's) rate case began in 2011 with a request by the utility to further annual increases to its street light rates.

In response to pressure from the Coalition for Affordable Street Lights (CASL), SCE announced in the fall of 2012 a new program by which municipalities are able to acquire the utility-owned street lights within the city limits.

On October 15, 2013, the City Council authorized payment of \$10,000 to SCE for feasibility studies and system appraisal for the purchase of SCE-owned street lights.

Following a 13-month delay by SCE, the City received the first proposal in November 2014, which offered to sell 3,029 street lights for a total price of \$2,065,890. Subsequently, SCE changed position on the sale and issued a deadline for decision of August 12, 2016. For the transition to have a potential pay-off, the City would also need to spend an estimated \$1,090,440 to retro-fit to light emitting diode (LED) lamps.

On December 2, 2014, the City Council approved a consultant agreement with Utility Cost Management, LLC (UCM) who conducted the Feasibility Analysis for consideration of the SCE Street Light Purchase.

On March 30, 2016, in compliance with AB 79, SCE established a new optional tariff provision, Option E, as a LED replacement tariff for LS-1 lights. SCE has factored the capital cost into the rate calculation for Option E, therefore true energy savings are minimal to the customers for the SCE LED replacement and will be paid for over a 20-year term. Using the City's 3,029 street lights at various wattages, staff estimates cost savings to be between \$20,000 and \$30,000 per year.

Once a municipality owns the street lights, there exists the possibility of retrofitting with energy efficient lighting technology such as fluorescent, induction or LED (which have been installed on the Plano Bridge and the future Jaye Street Bridge) to lower energy costs. Additionally, poles would be available for mounting crime deterrent cameras, "Smart City" efficiency (wireless networks), more City control over customer services, as well as potential new revenue. However, SCE is insisting on maintaining control over

the mounting of new wireless network systems on the poles after the transfer of ownership. Several state legislative bills are being initiated and/or pending that may not allow cities to secure the potential revenue sources as originally anticipated. Therefore, a secure wireless networking revenue stream is not an absolute, nor should it be expected, nor was it evaluated by UMC's evaluation.

UMC provided four options within their report. Each option illustrates pros and cons; the options are:

City of Porterville – Streetlight Purchase Feasibility Analysis

	OPTION 1	OPTION 2	OPTION 3	OPTION 4
	Do Not Purchase Lights, Keep HPS	Do Not Purchase Lights, Get SCE LEDs	Purchase Lights, Keep HPS	Purchase Lights, Convert to LEDs
GENERAL VIEW	Increasing costs each year for obsolete lighting technology	Recent SCE proposal offers modest savings but long commitment	Without LED upgrade, limited benefit to streetlight purchase	Best option offering both quantitative and qualitative benefits
UCM ESTIMATE OF FINANCIAL IMPACT	Current SCE charges to grow by perhaps 4% per year	Current SCE charges reduced by about \$30,000 per year	Will yield modest savings over long term	NPV of 25-year cash flow beats other options by > \$1M
PROS	City does not have to take any action; no maintenance duties	Reduced energy use, easiest way to get LEDs, no maintenance	City gains control of system, and freedom to upgrade in future	Good financial return, improved lighting, "smart" streetlights
CONS	Obsolete lights, higher costs, higher energy use	City locked in for 20 years; SCE's LED cost is higher than city's	Poor financial return, high energy use and maintenance costs	Significant initial cost; city must identify best funding source

Option No. 1 (Do nothing) equates to a Net Present Value cost over 25-year period to be \$8,301,641.

Option No. 2 (Do not purchase lights – SCE to transition to LED lighting) equates to a Net Present Value over 25-year period to be \$7,719,208.

Option No. 3 (Purchase lights and keep high pressure sodium lamps) equates to a Net Present Value over 25-year period to be \$7,751,230.

Option No. 4 (City to purchase light and install LED lighting) equates to a Net Present Value over 25-year period to be \$6,647,174.

If the City is willing to assume the responsibility of maintaining the street lighting system throughout the city of Porterville, UMC recommends Option

No. 4 (City to purchase light and install LED lighting). In staff's opinion, Option No. 2 (Do not purchase lights – SCE to transition to LED lighting) is the most palatable option because the transition to energy efficient lighting is the responsibility of SCE. When comparing Option No. 2 to Option No. 4, the City could experience a Net Present Value savings of \$42,881 per year, which is not a substantial savings when considering the potential risks associated with owning the infrastructure. In comparing Option 4 with Option 1 (do nothing), the City could experience a Net Present Value savings of \$66,120 per year.

There are certain drawbacks associated with the purchase that would include liability costs, potential lawsuits, loss of SCE subsidy for new street lights, the development of new infrastructure planning and the development of an operations and maintenance program, technology changes, changes in law, and the pending CPUC protest.

Purchasing the street lighting system from SCE could impede the development community as well. The City would become a responsible agency in implementing new street light infrastructure for new development projects. The developer would become responsible for coordinating the installation of street lights with SCE for planning purposes and the City of Porterville for infrastructure installation (the one step process becomes a two-step process), which could increase the cost to the developer.

Scenario Analysis

Assumption Risks:

The SCE rate assumptions are based on a 25-year horizon. Maintenance and liability costs, as well as Capital/Replacement costs are calculated over 25 years. Factors such as the actual condition of the street light poles, realized energy savings, and financing are unknown.

Consultant Conclusions:

Following their analysis, UMC concluded purchasing the street light system and upgrading to LEDs, represents the best option for the City. If the City does not plan to upgrade the street lights, UMC would not recommend purchasing the system, as the City will face significant maintenance costs and no improvement to its existing lighting or infrastructure.

Although the proposed SCE price is high, the City, by financing the entire purchase, will most likely experience cost savings over time, provided a full assessment of the condition of the street lights is made. The report states: "Clearly, the street light purchase and upgrade should be viewed as offering long-term financial benefits to the City, rather than a solution that will provide immediate cost savings."

Financing Options:

The City may consider one of the following financing options:

- Internal financing,
- Municipal debt financing,
- Maintenance vendor financing,
- Separate new rates through Prop 218 voter approval.

Next Steps:

Staff requests direction whether to continue to pursue the purchase of the City's street lights from SCE. With regard to the underlying decision about whether to purchase the street lights, staff has no recommendation because so much depends upon a wide range of factors that must coincide for the transaction to actually be beneficial to the City. There are several scenarios under which the costs could outweigh the benefits from such a purchase. Whether the position upside returns compensates for all the risk is a matter of judgement for the Council.

RECOMMENDATION: That the City Council review and provide direction to staff whether to pursue Southern California Edison (SCE) streetlight purchase.

ATTACHMENTS: 1. Street Light Purchase Feasibility Analysis

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

City of Porterville ~ Streetlight Purchase Feasibility Analysis

Prepared by:
Utility Cost Management LLC

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I. Summary of Findings and Recommendations

Southern California Edison (SCE) has offered to sell 2,751 of its streetlights¹ to the City of Porterville. Utility Cost Management LLC (UCM) has evaluated the opportunity, and is submitting this report to provide the city with the information that it needs to make a decision on whether or not to proceed with the purchase.

In general, UCM believes that the streetlight purchase, when combined with additional city investments upgrading the streetlight system, is an excellent cost-saving opportunity for the City of Porterville over the long term – i.e., 15 to 25 years. To justify this long-term outlook, city staff should be confident that the streetlight system is in good condition and has decades of useful service life remaining. While it is difficult to forecast SCE electric rates and other financial variables over such a lengthy period, UCM believes that under the most likely scenarios, the streetlight purchase and upgrade will result in savings exceeding \$2 million over the next 25 years.² UCM does have concerns about some aspects of SCE's requested purchase price, particularly the unsupported adjustments to the streetlight valuation, but in the end the city must evaluate the purchase irrespective of the propriety of SCE's pricing.

As a result of its analysis, UCM has developed the following findings and recommendations. Each of the findings and recommendations is explained more fully in the following pages.

Analysis of Transaction from City's Perspective (See Section IV, as well as Attachment A.)

1. **UCM believes the best option for the city is to purchase the lights and then upgrade to Light-Emitting Diode (LED) fixtures.** This approach offers the best financial outcome, and also offers the city an opportunity to improve its streetlight system. If the city does not plan to upgrade its streetlights, UCM does not recommend purchasing the system.
2. **In general, the streetlight purchase and upgrade offers attractive returns when viewed over 15 years or longer, but less attractive returns for shorter periods.** The streetlight purchase and upgrade should be viewed as offering *long term* financial benefits to the city, rather than as a solution that will provide immediate cost savings.
3. **In addition to the financial analysis of the streetlight purchase and upgrade, the city should consider more subjective factors in making its decision.** Owning its streetlights may enable the city to provide better, more reliable streetlight service. Additionally, given the long term nature of the streetlight purchase, the city should think about how future technologies and uses for streetlights may affect the value of owning the system.

Evaluation of SCE's Proposed Purchase Price (See Section V.)

4. **SCE makes four adjustments to its "RCNLD" valuation methodology that lack adequate support, justification or precedent.** These arbitrary adjustments increase SCE's offer

¹ The 2,751 streetlights contain 3,029 actual luminaires, because some poles contain more than one light.

² \$2 million savings is nominal dollars. Savings exceed \$1 million when discounted at 5%. See Attachment A.

price by hundreds of thousands of dollars, and essentially change the RCNLD method to some hybrid approach that has never been used in CPUC-approved asset sales.

Negotiating Leverage: Obtaining the Streetlights through Eminent Domain (See Section VI.)

5. **The eminent domain process is unattractive to both the city and SCE because of its costs, risks and uncertainty. Nevertheless, the possibility that the city will condemn the streetlight system is the city's main negotiating leverage.** Without this possibility, SCE has little incentive to adjust any aspect of its proposal.

Maintenance and Other Costs of Ownership (See Section VII.)

6. **Maintaining the existing HPS system will require significant resources.** UCM believes that the maintenance costs that SCE has presented to the CPUC are too low, and that the city will incur more substantial maintenance costs if it purchases the HPS system. UCM recommends assuming \$40 per streetlight per year if the system is maintained by a vendor, and a similar or greater amount if the system is maintained by the city.
7. **If the system is upgraded to LEDs, maintenance costs will decrease.** UCM recommends assuming that LEDs will reduce maintenance costs by 70% compared to HPS.
8. **Assuming the city plans to upgrade the streetlight system to LEDs within a few years, it should use a third-party vendor to maintain the HPS system in the interim.** It will not be cost-effective for the city to develop a complex and capital-intensive maintenance program for the HPS system, when that capability will largely be unnecessary once the LED system is in place.

Utility Bill Savings (See Section VIII.)

9. **SCE's rate for customer-owned streetlights (LS-2) has long been lower than the rate for utility-owned lights (LS-1), and the discount will continue. However, UCM predicts that the LS-2 discount will not increase significantly in the near future, because SCE's rates will have to offer greater reductions for energy efficiency, rather than for streetlight ownership.** The reduction in SCE charges is one of the main benefits of streetlight ownership, and therefore it is important to forecast how the difference between rates LS-2 and LS-1 will fluctuate in the coming years. UCM believes it is reasonable to assume that current discount levels will remain unchanged.

Upgrades to Streetlight System (See Section IX.)

10. **LEDs offer reduced energy and maintenance costs, and UCM believes these benefits will increase in the coming years as SCE rates are changed.** Policy makers have been clear about their desire for energy-efficient streetlights, and SCE has lagged behind

PG&E and SDG&E in making this happen. SCE will have to adjust its rates to encourage wider adoption of LEDs.

11. **SCE's recent proposal to offer LED upgrades to *utility-owned* streetlights is an interesting alternative, but in the end UCM believes that it requires too long of a commitment to be attractive.** Having SCE install LEDs on its streetlights would improve lighting quality and save the city about \$30,000 per year. Certainly, there is an appeal to improving the city's streetlights with no up-front costs or hassles. However, in the end, UCM believes that the 20-year commitment required under the SCE program is too long and too restrictive, especially given the rapid changes in lighting technology and streetlight applications.
12. **Aside from installing more energy-efficient lights, owning the streetlights offers the city many other potential upgrade opportunities.** These upgrades can improve streetlight service, enhance public safety, generate revenue, and form the backbone of "smart city" applications that can improve efficiency.

Potential Risks (See Section X.)

13. **The most significant risk associated with the streetlight purchase is the potential of incurring significant costs for deferred maintenance and repairs, especially for 94 steel poles that have an average age of 46 years.** The city can mitigate this risk if it performs a thorough evaluation of the physical condition of the system prior to completing the purchase.

The findings in this report represent conclusions and judgments reached by UCM based on its review of utility tariffs, regulations and other documents, as well as discussions with utility personnel and others. UCM's expertise and experience is in the analysis of utility rate and regulatory issues, and does not cover certain other areas that are relevant to the city's evaluation of the streetlight purchase. For example, UCM is not a law firm, and therefore cannot provide advice on eminent domain proceedings or other legal matters. UCM is not an engineering firm, and therefore is not qualified to assess the physical condition of the streetlight system or its remaining service life. UCM is not an accounting firm, and cannot advise the city on tax matters related to the purchase. The city should consult with an attorney, engineer, or Certified Public Accountant if it has questions in any of these areas.

II. Background

According to SCE's records, there are approximately 3,534 unmetered streetlights in the City of Porterville.³ The city pays Southern California Edison (SCE) to provide electricity to the lights, which costs the city more than \$500,000 per year.⁴

SCE owns more than 95% of Porterville's unmetered streetlights. Apparently, when these lights were installed, SCE and property developers, rather than the city, paid for the installations, and over the years SCE has continued to handle the operation, maintenance and repair of the lights. In return, SCE receives a higher rate for electricity service to these utility-owned lights.

Depending on the streetlights' owner, SCE bills them under rate schedule "LS-1" or "LS-2". The most recent available breakdown of the city's unmetered streetlight inventory is as follows:

LS-1 (SCE-owned) – 3,381 lights

LS-2 (city-owned) – 153 lights⁵

This situation, in which SCE owns most of Porterville's streetlights, is the norm for SCE customers. Today, SCE owns more than 80% of all streetlights in its service territory, far more than those owned by California's other investor-owned electric utilities.⁶ This is no coincidence. Historically, SCE has refused to work with cities to allow its streetlights to be purchased, while PG&E and SDG&E have been more cooperative. In fact, from 1983 to 2005, at least 30 California cities purchased streetlight assets from PG&E and SDG&E, while during that period no SCE cities did the same.

However, in 2013, SCE changed its position, and began discussing the sale of its streetlight systems to cities. Apparently, questions raised by streetlight advocates in SCE's 2012 "General Rate Case"⁷ prompted the utility to re-examine its opposition to streetlight purchases.

Surprisingly, SCE reversed course once again in early 2015, and declared that it would no longer sell its streetlights to cities. For cities such as Porterville that initiated the sales process prior to August 15, 2015, SCE agreed to continue to see the process through until completion – i.e., until the sale is completed, or until a city decides it does not want to purchase its streetlights. However, SCE added the requirement that if a city wishes to purchase its streetlights from SCE, it must enter into a sales agreement, or at least be engaged in negotiations with SCE to reach an agreement, by August 15, 2016.⁸

³ Based on inventory provided by SCE in January 2016.

⁴ Based on review of recent City of Porterville electricity bills and inventory, and SCE rates effective January 1, 2016.

⁵ Per 3/3/16 email from SCE. Most likely these are "safety lights" attached to traffic signals at intersections.

⁶ PG&E owns about 33% of the streetlights in its service territory, while SDG&E owns about 19%.

⁷ The General Rate Case, or GRC, is a CPUC process that California's investor-owned electric utilities go through every three years. The utilities request adjustments to their rates based on detailed analyses of their costs and operations, and the CPUC, with input from various customer groups, must decide appropriate rate levels.

⁸ The August 15, 2016 deadline applies to the City of Porterville purchase.

The City of Porterville initiated the streetlight sales process in February 2014 by paying SCE \$10,000 to perform an initial appraisal of the streetlight system. After the payment was made, the city waited almost nine months before SCE finally provided a total valuation price of \$2,065,890 at a meeting on November 14, 2014. On March 3, 2016, SCE slightly reduced its price to \$2,054,180, explaining that the adjustment was due to a change in SCE's treatment of taxes associated with the sale.

Throughout this process, in correspondence and discussions, SCE has addressed some of the questions raised by the city at the initial meeting, and emphasized that its offer price is non-negotiable and will not change. The SCE price is for the purchase of only 3,029 of the SCE-owned streetlights on 2,751 of the SCE-owned poles; there are at least 355 wood poles that SCE is refusing to sell because they are part of SCE's distribution system or because SCE has existing agreements with vendors that pay for use of the poles.

For Porterville, the main benefit from owning its streetlights is a significant reduction in SCE's ongoing charges.⁹ In addition, ownership can partially shield the city from future electric rate increases, allow it to install LED lights and adopt other new technologies to reduce electricity use, generate revenues, or improve streetlight performance, and give it control over how the streetlight system is operated in the future. Of course, these benefits must be weighed against the initial cost of the streetlight purchase, as well as the ongoing costs and risks of ownership.

In December 2014, the city executed an agreement with Utility Cost Management LLC (UCM) to complete this "Streetlight Purchase Feasibility Analysis". The completion of this analysis has been delayed as we have awaited an updated SCE proposal on how LED lights will be made available to *SCE-owned* facilities. Fortunately, SCE submitted a proposal to the California Public Utilities Commission (CPUC) on March 30, 2016, so UCM's analysis can include an evaluation of this opportunity.

With the August 15, 2016 deadline for the city to proceed with the purchase approaching, UCM is submitting its report now in order to give the city adequate time to evaluate the transaction. The purpose of UCM's analysis is to scrutinize SCE's valuation methodology and offer price, evaluate the long-term costs, benefits and risks of streetlight ownership, and provide the City Council with the information that it needs to make a decision on whether or not to complete the purchase.

⁹ Once ownership is transferred from SCE to the city, the streetlights would be billed on rate "LS2" rather than "LS1". LS2 rates have lower fixed monthly charges than LS 1, which is discussed more fully in Section VIII.

III. Analysis of SCE’s Streetlight Inventory Data

In order to bill the city for more than 3,300 unmetered streetlights, SCE is required to develop and maintain a great deal of information justifying those charges, including spreadsheets containing various characteristics of each streetlight, such as the type, wattage, installation date, service account, and structure number. The data provide a good overview of the city’s streetlight system, which can help the city to better understand the assets that are for sale.

There are several key variables that provide insight into the city’s SCE-owned streetlights that are for sale:

	SCE-Owned (LS-1) For Sale
Total # of streetlights	3,029
70-watt HPS	1,518
100-watt HPS	608
150-watt HPS	553
200-watt HPS	350
Average Age (years)¹⁰	22.5
# of Poles Installed:	
1950 – 1959	60
1960 – 1969	77
1970 – 1979	329
1980 – 1989	308
1990 – 1999	943
2000 – 2009	943
2010 – present	91
Total # of poles	2,751
Marbelite (concrete)	2,310
Fiberglass	236
Steel	94
Wood	111
Feed Type # of Poles	2,751
Overhead	202
Underground	2,549

With an average age of 22.5 years, most of the streetlights for sale should be in good condition with many years of remaining service life. However, it is important to note that the sellable

¹⁰ SCE uses the term “vintage” to describe the age of each streetlight. According to SCE, there are some differences between vintage and the installation date “due to fixture replacements that did not affect the pole and arm as well as pole replacements where the fixture was not replaced”. Nevertheless, vintage is used in the RCNLD calculation because it represents SCE’s best effort to assign an age to each streetlight (email from D. Skora of SCE to M. Kerkorian of UCM dated 2/3/16). For 41 streetlights installed in 1957 or prior, SCE uses 1957 as the vintage date, so the actual average age may be slightly older. Average age calculated as of 4/30/16.

streetlights still include some equipment that might be near the end of its useful life, including more than 350 poles that are at least 40 years old, and 94 steel poles that are susceptible to corrosion.¹¹ The city should assess the physical condition of all of the sellable streetlights before completing any purchase, but it is especially important to pay close attention to assets like these that may be more prone to failure.

¹¹ For more information on the steel pole problems, see Section X of this report.

IV. Analysis of Transaction from City's Perspective

Ultimately, the city's decision of whether or not to proceed with the streetlight purchase will be based on its answer to one simple question: "Is the streetlight purchase in the best interests of the City of Porterville and its constituents?" The various issues discussed in this report, such as SCE's valuation methodology and proposed transaction costs, certainly will influence the city's decision, but in the end this investment must be evaluated from the *city's* perspective, regardless of external factors.

To assist with this evaluation, UCM has created an Excel financial model that provides the city's cumulative cash flow expressed in nominal dollars as well as a net present value for a chosen discount rate. For a long-term investment opportunity like this one, we believe that a dynamic analysis is necessary, because there is no way to accurately predict what certain variables will be in 10, 20 or 30 years. By analyzing the opportunity under varying assumptions, the city can see a range of possible outcomes, and decide if it is comfortable with them.

UCM's model illustrates the significant impact that seemingly modest changes in assumptions can have over the long term. UCM would be happy to explain the calculations in greater detail so that city staff can work with the model to determine how outcomes are impacted by changes in variables.

UCM also has analyzed the outcome of the streetlight purchase using fixed values that we believe are reasonable. We have assumed that SCE's total offer price of \$2,054,180 will not change, and that all of the purchased lights will be billed on rate LS-2B, rather than on LS-2A. We have used maintenance costs of \$40 per HPS streetlight per year, and annual costs for insurance and lost property taxes of \$7,000.¹² We have projected that these costs will increase by 1% per year, while the benefit of rate LS-2 compared to rate LS-1 will remain constant. We also have assumed that the city will finance the entire purchase and upgrade at a rate of 4.5% for 15 years. Explanations for how UCM arrived at each of these assumptions, as well as others used in the analysis, are provided in Sections V through X of this analysis.

Using these assumptions, UCM has analyzed each of the city's four possible courses of action, and our views are summarized below:

¹² The costs for insurance and lost property tax revenue are preliminary estimates, and should be evaluated by city staff to determine if they are reasonable. This will require discussions with the city's insurance provider, and input from staff knowledgeable about city's property tax receipts.

City of Porterville – Streetlight Purchase Feasibility Analysis

	OPTION 1 Do Not Purchase Lights, Keep HPS	OPTION 2 Do Not Purchase Lights, Get SCE LEDs	OPTION 3 Purchase Lights, Keep HPS	OPTION 4 Purchase Lights, Convert to LEDs
GENERAL VIEW	Increasing costs each year for obsolete lighting technology	Recent SCE proposal offers modest savings but long commitment	Without LED upgrade, limited benefit to streetlight purchase	Best option offering both quantitative and qualitative benefits
UCM ESTIMATE OF FINANCIAL IMPACT	Current SCE charges to grow by perhaps 4% per year	Current SCE charges reduced by about \$30,000 per year	Will yield modest savings over long term	NPV of 25-year cash flow beats other options by > \$1M
PROS	City does not have to take any action; no maintenance duties	Reduced energy use, easiest way to get LEDs, no maintenance	City gains control of system, and freedom to upgrade in future	Good financial return, improved lighting, "smart" streetlights
CONS	Obsolete lights, higher costs, higher energy use	City locked in for 20 years; SCE's LED cost is higher than city's	Poor financial return, high energy use and maintenance costs	Significant initial cost; city must identify best funding source

Please see Attachment A for printouts of UCM's financial analysis of each of the four options described above.

UCM believes Option 4, purchasing the streetlight system and upgrading it to LEDs, represents the best option for the City of Porterville, offering substantial savings as well as all of the advantages of LED lighting. Of course, Option 4 also will require the greatest initial investment, but UCM believes the benefits justify the cost. If the city does not plan to upgrade the streetlights, UCM would not recommend purchasing the system, because the city will face significant maintenance costs and no improvement to its existing lighting or infrastructure.

One caveat – UCM's calculations show that when the streetlight purchase and upgrade is viewed over the short term (i.e., 5 or 10 years), it is less attractive, because the city's debt service and additional ownership costs affect the calculations. However, once the debt is paid off after 15 years, the returns are much more attractive. Clearly, the streetlight purchase and upgrade should be viewed as offering *long term* financial benefits to the city, rather than as a solution that will provide immediate cost savings. As a result, to proceed with the transaction, the city should be confident that the streetlight system is in good condition and has decades of remaining service life.

It also is important to note that the city should evaluate the streetlight purchase based on more subjective factors that are difficult to quantify. For example, owning its streetlights may enable the city to provide better, more reliable streetlight service. Additionally, given the long term nature of the streetlight purchase, it makes sense to think about how future technologies and uses for streetlights may affect the value of owning the system. (See Section IX for a discussion of this benefit.)

For example, how does the city value the autonomy that the streetlight purchase brings, or the partial hedge against future SCE rate increases? Does the city's commitment to sustainability influence its decision to install energy-efficient LED lights? Does the city believe that streetlights will be valuable assets that will generate significant revenues from companies seeking to upgrade wireless networks? Looking further into the future, how should the city value the technologies and alternative uses for streetlight systems? Does the city anticipate adding value and functions to its streetlights in the coming years, or does it view the system as more of a static asset that provides street lighting, and nothing else? The more subjective answers to these types of questions, when combined with the quantitative analysis described above, should help the city to decide if it agrees with UCM that the streetlight purchase and upgrade is the best course of action.

V. SCE's Proposed Purchase Price

All sales of streetlights or other utility assets require California Public Utilities Commission (CPUC) approval under Section 851 of the Public Utilities Code.¹³ SCE's method of valuing the streetlights, as well as the method used by PG&E and SDG&E in the 30 or so streetlight sales that they have completed since 1983, is based on "Replacement Cost New Less Depreciation" (RCNLD). While the details of this method vary among different utilities, the basic idea is the same – streetlights are valued at their current replacement cost, less the accumulated depreciation for each light, which is determined based on its age, useful life, and salvage value.

After so many completed streetlight transactions, it is clear that the CPUC believes that RCNLD complies with PU Code Section 851 and results in valuations that protect ratepayers from adverse effects of asset sales.¹⁴ However, while the CPUC has approved sales based on RCNLD valuations, this in no way suggests that RCNLD is the *only* way to value streetlight systems. As the Commission stated in Decision No. 03-04-032: "Previous Commission decisions have found that a sales price for utility assets based on RCNLD, when negotiated between the parties in arms-length transactions, is fair and reasonable... However, we recognize that RCNLD is only one method of valuation, and we may consider different methodologies in other cases".

RCNLD is simply a valuation methodology that historically has resulted in sale prices that have been high enough to avoid CPUC objections to asset sales. If some other fact-based methodology is fair and reasonable and results in prices that protect ratepayers from adverse consequences, then it is likely that the CPUC would approve those sales as well.

In the end, then, the potential transaction between the City of Porterville and SCE should be viewed like any other transaction between a willing buyer and a willing seller – the price must be high enough to satisfy the seller, and low enough to make sense for the buyer. The only additional caveat in this case is that a third party, the CPUC, must also be convinced that the transaction is in the best interests of the public.

When viewed in this context, RCNLD becomes just *one* valuation methodology that should be considered in evaluating the reasonableness of the purchase price. It is not the "formula" for determining the "correct" price; only SCE and the City of Porterville can determine that price based on where their mutual interests intersect. Indeed, SCE seems to understand this, for in

¹³ PU Code Section 851 states "A public utility... shall not sell, lease, assign, mortgage, or otherwise dispose of, or encumber the whole or any part of its railroad, street railroad, line, plant, system, or other property necessary or useful in the performance of its duties to the public... without first having either secured an order from the commission authorizing it to do so for qualified transactions valued above five million dollars, or for qualified transactions valued at five million dollars or less, filed an advice letter and obtained approval from the commission authorizing it to do so".

¹⁴ The CPUC's 2002 approval of PG&E's streetlight sale to the City of Yuba City (D. 02-12-015) is typical of its rationale in approving streetlight sales: "We grant the petition. All of the benefits to the public and all of the reasons that supported the Commission's approval in D. 01-06-004 remain. Among them: The buyer offered a price for the facilities that is greater than RCNLD... ratepayers have not contributed capital to the streetlight system, and PG&E customers will not suffer a decline in service as a result of the sale."

proposing a sale price to the city, it has adopted a valuation methodology that deviates substantially from RCNLD.

A. SCE's Offer Price and Valuation Methodology

SCE's offer price is \$2,054,180, broken down as follows:

	<u>Qty</u>	<u>RCNLD</u>
Marbelite (concrete)	2,310	\$1,440,178
Fiberglass	236	174,605
Steel	94	29,395
Wood	111	138,024
	2,751	\$1,782,202
Ad Hoc Replacements		147,067
Additional Asset Components		35,644
Tax Adjustment		25,994
Transition Costs		63,273
TOTAL		<u>\$2,054,180</u>

UCM has discussed the details of SCE's valuation method at length in various meetings with SCE over the past two years. Through these meetings, UCM has come to support SCE's basic RCNLD methodology, but disapproves of several adjustments that impact the RCNLD calculations. In UCM's opinion, SCE's justifications for these changes to RCNLD are dubious or, at the very least, lack adequate support.

1. SCE's RCNLD Methodology¹⁵

The first step in SCE's calculations is to determine "replacement cost new". Here, SCE uses only the "Contribution in Aid of Construction" (CIAC) for concrete and steel streetlights, rather than the actual replacement cost of the lights. For a 23-foot streetlight, the CIAC cost is only \$642, a fraction of the \$2,000 to \$3,000 actual cost for a concrete streetlight installation.¹⁶

This is an important concession that significantly reduces the RCNLD figures. SCE's stated rationale for using the CIAC, rather than full replacement cost, is that the utility already was

¹⁵ UCM has reviewed and discussed SCE's RCNLD methodology at length in various meeting with SCE during the past two years. However, because SCE will not allow UCM to review the spreadsheet containing the City of Porterville's RCNLD calculations, there is no way to be certain that SCE's stated methodology has been applied properly to the city's streetlights.

¹⁶ Based on SCE's assumed price for ad hoc streetlight replacements. See also CPUC A. 11-06-007, *Phase 2 of 2012 General Rate Case, Marginal Cost and Sales Forecast Proposals*, Exhibit No. SCE-02 workpapers 1.

paid for a large portion of the concrete and steel streetlight costs by developers when the lights were installed, and therefore should not be paid again if the lights are valued at full replacement cost.

After determining “replacement cost new”, SCE then calculates the accumulated depreciation for each streetlight. For the most part, UCM finds SCE’s depreciation calculations acceptable.

However, after calculating “RCNLD”, SCE then makes six adjustments to its calculations that we find problematic:

- **SCE places a “floor” under the RCNLD figures equal to 15% of the CIAC amount for each streetlight.** SCE has provided no rationale for why it is necessary to place any type of floor under the RCNLD amounts, nor has it explained why it chose the 15% figure. In UCM’s opinion, both the application of the adjustment, and its amount, are random and arbitrary.
- **SCE adds \$37,703 to the RCNLD calculations to make the transaction “tax neutral”.** SCE has not provided supporting documentation on how it derived this figure, nor has it explained why the city should pay for SCE’s tax obligations associated with the sale.
- **SCE adds \$147,067 to the RCNLD calculations for “Ad Hoc Replacements”.** SCE assumes that 2% of Porterville’s streetlights have been replaced on an ad hoc basis. It claims 2% is a system-wide estimate, but it does not provide support for this figure, nor does it take into account that the City of Porterville’s streetlight system is newer than average,¹⁷ and therefore may have experienced fewer replacements.
- **SCE adds \$35,644 to the RCNLD calculations for “Omissions and Exclusions” (O&E).** According to SCE, the O&E fee covers “other asset components relevant to the sale”, including incidental items such as riser poles, insulators, nuts and bolts, etc. It is unclear as to whether these incidental items have been included in costs submitted to the CPUC, and thus have already been recouped by SCE in its rates.
- **SCE adds \$63,273 for “Transition Costs”.** According to SCE, this amount will reimburse SCE for its costs to complete the sale. Again, there is no support for this figure, and it far exceeds the amounts charged by PG&E in prior streetlight sales.¹⁸

¹⁷ According to SCE records, 72% of the city’s SCE-owned streetlights have been installed since 1990.

¹⁸ For comparison purposes, UCM reviewed the Purchase and Sale Agreements for past streetlight sales in California, some of which included information on transaction costs. For example, when PG&E sold 6,509 streetlights to the City of Concord in 2004, the city paid \$37,350 for “Inventory and Appraisal Costs”, and \$4,924

- **SCE is refusing to sell 355 streetlights that would be among the most cost-effective to purchase.** SCE has excluded from its offer (a) streetlights attached to wood poles that are part of its distribution system, and (b) streetlights that also have equipment from telecom, wireless, or cable TV providers attached to them.

In our opinion, SCE's six unilateral adjustments have been made without adequate support, justification or precedent. As a result, we can only conclude that their primary purpose is to increase SCE's RCNLD sale price to a level that the utility finds acceptable.

The difficulty in accepting the validity of the adjustments is that SCE apparently wants to have it both ways. On the one hand, SCE touts RCNLD as the standard means of valuing streetlight assets, endorsed by the CPUC and various cities in dozens of proceedings in recent years. But then SCE proceeds to make significant changes to RCNLD, so that it no longer truly is "RCNLD", but instead is some hybrid valuation model that has never before been used by a California utility, much less supported by cities or the CPUC.

B. Comparable Sales

From 1983 to 2005, at least 30 California cities purchased streetlight assets from PG&E and SDG&E. Most of these sales involved PG&E, especially in more recent times; in fact, since 1988 only three transactions have involved SDG&E.¹⁹

Streetlight systems vary in the number of fixtures and poles, as well as their age, condition, and type. Additionally, sales may include or exclude utility distribution poles that have streetlights attached. With so many variables, it is difficult to make useful "apples to apples" comparisons among streetlight systems. In addition, the fact that other than the pending sale of the City of Lancaster streetlights there are no comparable sales that have been completed in the last several years,²⁰ and that none of the completed sales involve SCE, makes comparisons even more difficult. Nevertheless, UCM has gathered data on several of the larger, more recent PG&E streetlight sales, as well as recent SCE offers,²¹ to see how they compare to SCE's offer to the City of Porterville:

for "Severance Costs". Concord's total transaction costs of \$42,274, or \$8.21 per light in 2015 dollars, are 64% less per light than SCE's proposed \$23 per light for the City of Porterville.

¹⁹ Tallies of streetlight sales were compiled through a search of CPUC Section 851 filings.

²⁰ In the past several years, PG&E has changed its position, and no longer offers its streetlight systems for sale. This is the reason that there have been no recent PG&E sales. SDG&E seems to still be willing to sell streetlight assets.

²¹ Only the Lancaster sale has been submitted to the CPUC. The Huntington Beach prices were obtained from discussions with the city's Energy Manager, and similar figures have been released via press releases. For the other potential transactions, UCM is not revealing city names to maintain confidentiality.

City of Porterville – Streetlight Purchase Feasibility Analysis

	Year	Utility	# of Lights	Sales Price	\$ per Light	\$ per Light In 2015 \$ ²²
Watsonville	1999	PG&E	1,427	\$467,403	\$328	\$470
Morgan Hill	1999	PG&E	816	\$323,657	\$397	\$569
Gilroy	1999	PG&E	855	\$217,150	\$254	\$364
Antioch	2000	PG&E	5,486	\$1,682,844	\$307	\$425
Salinas	2000	PG&E	3,558	\$992,288	\$279	\$387
Marysville	2002	PG&E	1,100	\$257,790	\$234	\$310
Concord	2004	PG&E	6,509	\$1,208,806	\$186	\$235
Lancaster	2014	SCE	17,856	\$12,200,000	\$683	\$684
SCE City #1	2014	SCE	5,538	\$3,850,550	\$695	\$696
SCE City #2	2015	SCE	4,055	\$3,105,940	\$766	\$766
SCE City #3	2015	SCE	6,614	\$20,564,074	\$3,109	\$3,109
SCE City #4	2015	SCE	17,901	\$11,782,672	\$658	\$658
Huntington Beach	2015	SCE	11,045	≈\$4,300,000	≈\$389	≈\$389
Porterville	2016	SCE	2,751	\$2,054,180	\$747	\$747

Clearly, the Porterville offer price of \$747 per streetlight far exceeds the average price paid by the PG&E cities. For Southern California cities, the prices offered by SCE during the past two years have consistently been higher than PG&E's, with Porterville's price close to the average among the cities that UCM has reviewed.²³

As mentioned above, there are numerous variables that impact the value of streetlight assets,²⁴ and it is beyond the scope of this report for UCM to analyze each of the above transactions to determine why each sale was completed at a different price than SCE's offer to the City of Porterville. It seems clear, however, that SCE's valuation methodology, and specifically its decision to make adjustments to its RCNLD calculations, is resulting in higher values than would be obtained by PG&E or SDG&E.

C. Summary of UCM's Opinion of SCE's Total Price

The key assumptions used in SCE's basic RCNLD methodology are reasonable. However, the adjustments to RCNLD, and the other additional fees that SCE is charging, are problematic.

²² The "\$ per Light" figure has been converted to "2015 \$" by using the U.S. Department of Labor Bureau of Labor Statistics CPI Inflation Calculator, available at data.bls.gov.

²³ The one outlier of course is "SCE City #3" with a price of \$3,109 per streetlight. This high price was due to the fact that nearly half of the city's steel poles had been replaced by SCE in the past few years, and therefore were valued at close to their full replacement cost of more than \$6,000.

²⁴ For example, the higher SCE price may be caused by the fact that Porterville's system is newer than average and therefore has incurred less accumulated depreciation. Perhaps the PG&E and SDG&E transactions involved streetlights that were in poor condition and required significant capital investment. Or perhaps SCE's RCNLD methodology and assumptions, including the adjustments to RCNLD discussed in Section III.A.1 of this report, are the main cause for the discrepancies.

VI. Negotiating Leverage: Obtaining the Streetlights Through Eminent Domain

UCM is not aware of any California cities that have utilized eminent domain to seize streetlight assets in the past 20 years. Nevertheless, there appears to be little doubt that cities have a “right to take” streetlights through eminent domain.²⁶ In fact, SCE’s Section 851 filing for the Lancaster sale acknowledges this fact:

SCE wants to sell the Streetlight Facilities because it has received a fair offer from the City. The City has offered to pay SCE a price equal to replacement cost new less depreciation for the Streetlight Facilities. The City and SCE believe the City would be successful if it attempted to obtain ownership of the Streetlight Facilities through an eminent domain action. If the City were successful in an eminent domain action, a court would set the purchase price, and SCE and the City would incur litigation fees associated with the condemnation process. By selling the Streetlight Facilities through a negotiated sale, SCE and the City can avoid the costs of litigation and an uncertain sale price.²⁷

The CPUC has echoed this view in its Section 851 decisions, stating clearly that “the buyer has the right to exercise its power of eminent domain to acquire the streetlight facilities”.²⁸

Thus, the fact that eminent domain has not been used seems to be the result of the costs and risks associated with the valuation process, and not the result of uncertainties regarding cities’ “right to take” the assets. Understandably, cities have opted to avoid costly legal proceedings when they have no assurance as to what value a court will place on their streetlight assets. The level of risk is simply too great.

SCE certainly must understand this, which is why it has little incentive to reduce its offer price, or to negotiate any of the terms of the streetlight sale. SCE knows that the City of Porterville, like all other cities that are considering streetlight purchases, does not find condemnation as an appealing alternative to a negotiated sale. This gives the utility considerable leverage in determining the price and terms of streetlight sales.

To level the playing field and give the city some negotiating leverage, the city should not be too quick to dismiss eminent domain as a means of acquiring the streetlight system. After all, SCE also wants to avoid the costs and uncertainty of condemnation proceedings, especially in the current environment where cities throughout Southern California are considering streetlight purchases for the first time. If even *one* city were to initiate eminent domain proceedings, and if those proceedings resulted in a valuation significantly lower than SCE’s valuation, the impact on SCE’s overall efforts to sell its streetlight assets could be in the tens of millions of dollars.

²⁶ UCM is not a law firm, and does not provide legal services or advice. Legal services and advice can only be provided by an attorney.

²⁷ Section II.E of SCE Section 851 filing dated April 1, 2015. This wording is nearly identical to the language in several PG&E Section 851 applications for streetlight sales that were reviewed by UCM.

²⁸ See CPUC Decision No. 02-12-022, among other Section 851 decisions.

It is worth noting that PG&E refused to sell its streetlights prior to a mid-1980's eminent domain action filed by a group of 12 Marin County jurisdictions.²⁹ In that case, the court rejected PG&E's RCNLD valuation method, and instead adopted an alternative method that resulted in a lower valuation. This decision likely was an important factor in PG&E subsequently agreeing to sell streetlight systems at reasonable prices to more than 20 Northern California cities.

If the city does not find the threat of eminent domain as a viable alternative, there is another approach that can reduce the SCE price. If there are areas of the city that have too many streetlights, the city can request that SCE remove these unnecessary LS-1 poles at the utility's expense. The removals will not only reduce the streetlight system purchase price, but could also encourage SCE to become more cooperative and willing to negotiate, in order to avoid the potentially significant removal costs.

²⁹ See *Marin Street Light Acquisition Joint Powers Authority vs. PG&E*, Marin County Superior Court, Notice of Intended Decision No. 122392 dated September 12, 1986.

VII. Maintenance and Other Impacts of Ownership

The ownership of any sizable asset is accompanied by costs and impacts that should be evaluated prior to purchase. For the City of Porterville, the ongoing maintenance and repair of the system, along with managing the growth of the system as the city expands, are the key issues to consider.

A. Ongoing Maintenance and Repair

If the streetlight system is transferred to the city, ongoing maintenance and repair of the system will become the responsibility of the city, rather than SCE. This obligation will grow over a period of up to a year, as SCE has expressed a desire to transfer streetlight ownership to cities in phases.³⁰ As a result, the city will have time to build up its maintenance capabilities, either through its internal staff or through a third-party vendor. Examples of functions to be performed include night patrols to check for burnt-out lamps, assessing the structural integrity of streetlight poles, replacing fixtures and other equipment that has failed, and unscheduled emergency repairs caused by traffic collision “knockdowns” or unexpected events such as vandalism, floods, or earthquakes.

1. SCE’s Cost to Maintain HPS Lights

SCE has maintained the city’s LS-1 streetlights for decades, and therefore the utility’s experience provides a useful benchmark for the city as it considers how to proceed.

In its CPUC filings, SCE must provide detailed data on its streetlight maintenance costs. While this data is not specific to the City of Porterville, it is broken down for each type of HPS streetlight. Applying the SCE data to the specific HPS lights located in the City of Porterville, SCE’s maintenance cost is \$14.40 per year per light, broken down as follows:³¹

Annual Replacement Costs (including photocell)	\$7.96
Patrol Costs	0.75
Other Repair Costs	4.32
Routine Mapping Costs	<u>1.37</u>
Total SCE Annual Maintenance Costs Per Light	\$14.40

The SCE figures assume that each HPS lamp replacement takes about 30 minutes at a labor rate of \$64 per hour, or \$32.56 in labor costs per replacement. SCE’s calculations assume that Porterville’s HPS lights cost \$9.90 each, yielding a total replacement cost of \$42.46 (\$32.56 +

³⁰ For example, SCE has stated that the City of Lancaster will obtain all of its streetlights over a 21-month period. The Porterville transaction is much smaller, so we would expect the transition period to be approximately six months to one year.

³¹ Figures taken from SCE workpapers in Phase 2 of 2015 GRC (A. 14-06-014).

\$9.90). This total replacement cost is then divided by SCE's assumed life of 5.797 years³² to get \$7.34 per year. SCE then adds \$0.62 in photocell costs to come up with \$7.96 as the annual replacement cost.

SCE's total maintenance cost estimate of \$14.40 per light per year seems low, especially when compared to SDG&E and PG&E, which have quoted \$18 and \$26 respectively in past CPUC filings.³³

SCE's figure may be low because the utility's maintenance program is inadequate; certainly there has been ample anecdotal evidence that cities throughout Southern California have not been satisfied with SCE's service. In any event, it is reasonable to assume that the City of Porterville will want to improve streetlight performance for its citizens by being more attentive to maintenance than SCE, and that there may be some deferred maintenance facing the city. Additionally, in maintaining more than 650,000 streetlights, SCE may have realized economies of scale that are not available to individual cities.

2. Using Vendor to Maintain HPS Lights

The city has the option of using an outside vendor to handle maintenance and repairs. Many cities prefer this approach to relieve city staff of this considerable obligation, and to avoid the need to invest in trucks and other equipment that may be used infrequently.

UCM has contacted more than 20 California cities and vendors, and has reviewed vendor lighting maintenance proposals. The figures that we obtained included "knockdown" replacements, but assumed that the vast majority of knockdowns will be paid for by the driver's insurance company.³⁴

The following chart summarizes our research for those entities that provided information on third-party maintenance of HPS streetlights:

Entity	# of Lights	Cost Per	Source of Information
		Pole/Year	
County of Los Angeles	124,000	≈ \$18	County discussions with vendors
City of Richmond	15,700	\$17.28	City agreement with vendor
City of Menlo Park	2,233	\$19.42	Winning RFP response, in 2015 \$
City of Los Gatos	1,600	≈ \$19	Estimate per City engineer
Large So Cal Lighting Vendor	N/A	≈ \$50	Rough estimate provided by vendor

³² Assumed average lamp life of 24,000 hours divided by 4,140 hours per year equals 5.797.

³³ SDG&E figure taken from Prepared Testimony of Susan M. Claffey, Exhibit SCE-08 of Phase 2 of 2012 GRC (A. 11-10-002). PG&E figure taken from Table 8-1 of Chapter 8 of PG&E testimony in Phase 2 of 2011 GRC, as well as rate schedule LS-2 cost differential between Class A and Class C.

³⁴ Based on UCM's research, it is reasonable to assume that costs associated with approximately 80% of knockdowns will be reimbursed by the drivers' insurance companies.

The first four entries are tightly clustered in the range of \$17 to \$20 per streetlight per year. These figures are generally consistent with the figures provided by California's three major utilities cited in Section VII.A.1 above, which show SCE at \$14.40, SDG&E at \$18 and PG&E at \$26. However, the last entry on the chart, an estimate from a large lighting vendor, shows a dramatically higher price.

While it is not clear why the lighting vendor quote is so high, UCM believes that it wise to take a conservative approach when forecasting maintenance costs, and therefore we assume that the City of Porterville will be able to engage a company to perform maintenance services for \$40 per streetlight per year. This figure takes into account that a vendor retained by the city may not be able to achieve the economies of scale and corresponding low costs of the large utility companies and the County of Los Angeles.

3. Maintaining HPS Lights In-House

City staff already has experience maintaining a system of 153 city-owned HPS streetlights installed at signaled intersections. However, increasing the city-owned streetlight count by more than 3,000 lights would obviously require increases in manpower, equipment and management, and therefore must be evaluated as part of the purchase analysis.

In contacting cities to inquire about their streetlight maintenance practices, UCM discovered that many cities elect to maintain their lights in-house, but few have records on how much it costs. In fact, only Fresno, Sunnyvale, Berkeley, and Bakersfield provided reliable cost information.

The City of Fresno, which maintains about 10,000 lights, claims it spent \$82 per streetlight in 2013, \$144 in 2014, and estimates \$65 in 2015. Apparently, the higher 2013 and 2014 figures were due to significant copper wire theft, a risk factor that is difficult to predict and that the City of Porterville should take into account. But even the 2015 figure is much higher than the amounts charged by third-party vendors.

In a 2009 report, the City of Sunnyvale estimated HPS maintenance costs at roughly \$60 per streetlight per year. Again, the city's costs are considerably higher than the expected cost of vendor-provided maintenance.

The City of Berkeley has had better results, spending less than \$33 per streetlight per year to maintain a 7,900-light system. The City of Bakersfield, with 16,700 lights, claims it did even better, spending \$27 per streetlight per year.

In any event, if the city upgrades to LEDs soon after purchasing the streetlights, determining the city's maintenance costs is not critical, because the city will be responsible for HPS maintenance for only a short period. In this short-term scenario, it will not be cost-effective for the city to

invest in equipment, inventory, warehouse space, personnel, and training to initiate a HPS maintenance program, especially when it is unlikely that the city can perform the maintenance for much less than a vendor. Such an investment will not be recouped if the city converts to LEDs in the next few years, because this maintenance capability will become unnecessary. Aside from the dramatic improvements in reliability and lamp life offered by LEDs, some installers will provide warranties that address the most common maintenance issues for the first 10 years after installation, further minimizing LED maintenance needs.

4. Maintaining LED Lights

As addressed in Section IX.A of this report, one of the main benefits of upgrading streetlight systems to LEDs is the significant reduction in maintenance costs. SCE has reported that LEDs reduce its maintenance costs by at least 80%,³⁵ and cities that have installed LEDs also have touted similar savings. For example, the City of Los Angeles expects to save \$2.5 million per year, or \$18 per streetlight, by converting 140,000 HPS lights to LEDs.³⁶

For forecasting purposes, UCM recommends assuming LED maintenance savings of 70% of the expected HPS costs, or almost \$28 per streetlight per year.

LEDs also can be installed with “smart sensors” that use cellular networks to tell cities when they are near the end of their useful life, so that lights can be replaced as soon as – even before – lights burn out. This improves customer service, and also reduces costs associated with monitoring and patrolling to evaluate the condition of the streetlight system.

5. Summary of UCM’s Maintenance Recommendation

If the city purchases its streetlights, UCM believes that the maintenance of the HPS system will be a short-term obligation because the city will upgrade to LEDs. As a result, it will not be cost-effective for the city to develop a significant in-house maintenance program, which will largely become unnecessary once the LED system is in place.

Instead, UCM recommends that the city enter into an agreement with a qualified lighting vendor to provide maintenance services. In addition to eliminating the need for the city to develop a complex and capital-intensive maintenance program for a short period, UCM believes that using a third-party vendor will prove beneficial because maintenance services can be provided at a cost that is equal to or less than the city’s in-house cost.

B. Other Considerations

If the city purchases the streetlight system, it will presumably incur additional insurance premiums. The city should consult its insurance provider to quantify this increase.

³⁵ SCE Advice Letter 2860-E dated March 12, 2013.

³⁶ *Forbes*, July 31, 2013, “Los Angeles Completes World’s Largest LED Street Light Retrofit”.

The city may also be subject to a very minor reduction in property tax revenue. For example, if SCE is paying property taxes based on a \$2,000,000 valuation, the lost revenue would be perhaps \$2,000 per year (assuming a property tax rate of 1%, and a 10% city share of property tax revenue).

Some cities that UCM has worked with also have raised questions about the impact of streetlight ownership on the establishment of wireless networks for various “smart city” applications. In particular, the cities are concerned that if there are areas that are served primarily by non-sellable wood poles, there could be gaps in the coverage area for the wireless network. To alleviate this concern, if the City of Porterville proceeds with the purchase, when it negotiates the final sales agreement it should ensure that SCE agrees to allow necessary wireless network devices to be attached to SCE-owned poles for a reasonable fee.

VIII. Utility Bill Savings

The primary benefit associated with the purchase of the city's streetlight system is the reduction in SCE charges for electricity service. Unmetered streetlights that are owned by SCE are billed on rate schedule "LS-1", while those that are customer-owned are billed using the lower rates on schedule "LS-2".

If the City of Porterville completes the purchase of its streetlight system, 3,029 lights currently billed on LS-1 will be converted to LS-2B. UCM has calculated that, under currently applicable rates, this change will reduce the city's annual SCE charges by \$237,712.³⁷

A. How likely is it that LS-2 savings will continue?

SCE's unmetered streetlight rates consist of two separate charges: (1) an "energy charge" that pays for the generation, transmission and distribution of the electricity used to energize the streetlights, and (2) a "service charge" (also known as a "facilities charge") that reimburses SCE for the costs of owning, operating and/or maintaining the lights.

The *energy charges* on rates LS-1 and LS-2 are identical, and have been for at least the past twenty years. This is not surprising; there is no reason that electricity supplied to SCE-owned lights should be priced any differently than electricity provided to customer-owned lights.

The *service charges*, on the other hand, are very different, and in fact account for all of the difference between LS-1 and LS-2 charges. LS-1 service charges include a large component that annualizes SCE's streetlight investment costs by taking the current streetlight replacement cost and multiplying it by a "Real Economic Carrying Charge".³⁸ In addition, LS-1 service charges must account for SCE's operations and maintenance expenses, which SCE details every three years in its GRC filings.³⁹

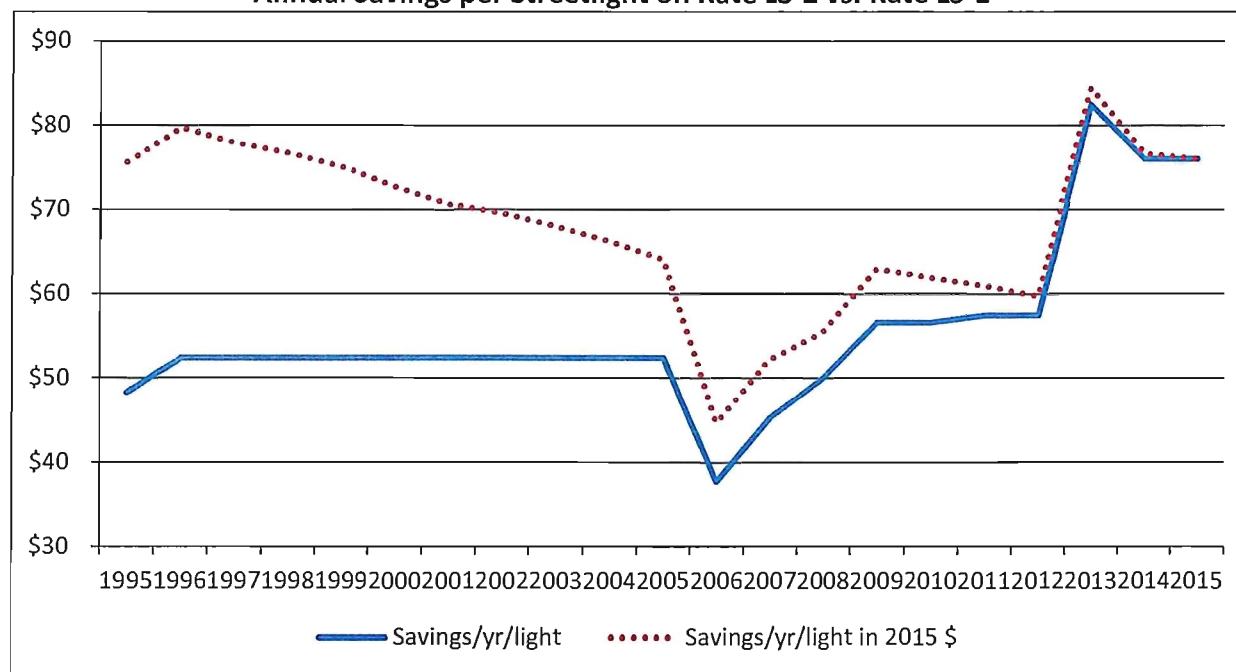
Clearly, LS-1 service charges *must* be higher than LS-2 service charges in order to reimburse SCE for the additional investment and O&M expenses associated with LS-1 service. Over the past 20 years, LS-1 service charges have consistently exceeded LS-2 service charges, in most years by more than \$50 per light per year, as illustrated below:

³⁷ Based on SCE inventory of streetlight for sale, and SCE rates in effect as of January 1, 2016. Assumes all streetlights will be billed on rate LS-2B rather than LS-2A.

³⁸ SCE defines the RECC as "A measure of the per dollar savings of deferring an investment one year, taking account of the stream of replacement investments". See CPUC A. 11-06-007, *Phase 2 of 2012 General Rate Case, Marginal Cost and Sales Forecast Proposals*, Exhibit No. SCE-02, page 35, and page A-4.

³⁹ Operations and Maintenance ("O&M") expenses include costs for lamp replacement, repair, routine inventory and mapping, field inspection, and night patrolling.

Annual Savings per Streetlight on Rate LS-2 vs. Rate LS-1⁴⁰



The higher LS-1 service charges have a lengthy history, are based on sound rationale, and rely on accounting practices that have been approved by the CPUC in prior GRCs, so they are likely to continue for many years. In Phase 2 of its 2012 GRC, SCE even suggested that there is justification for LS-1 service charges to be even higher.⁴¹ However, in order to encourage energy-efficient new technologies like LED lights, UCM believes that future LS-1 service charges will have to be *lower* so that more of the streetlight charges are for energy consumption.⁴²

The current LS-2 savings of \$76 per streetlight per year are higher than the savings realized from 2000 to 2012, but close to the average savings (in 2015 dollars) realized in the latter half of the 1990's. Given the competing factors influencing LS-1 service charges, UCM believes that it is reasonable to assume that the savings realized by LS-2 customers will continue at the current level for the foreseeable future.

B. Increased Savings on Rate LS-2A

All of the above comparisons of LS-1 and LS-2 service charges assume that, if the city purchases the streetlight system, it will take service on rate LS-2B, which applies to streetlights controlled

⁴⁰ For a 9,500-lumen, 100-watt High Pressure Sodium Vapor fixture, which represent 20% of the City of Porterville's sellable LS-1 streetlights.

⁴¹ SCE states "Using the current costs would result in a substantial increase for LS-1 customers". (CPUC A. 11-06-007, *Phase 2 of 2012 General Rate Case, Marginal Cost and Sales Forecast Proposals*, Exhibit No. SCE-02, page 36)

⁴² California elected officials, as well as regulatory bodies such as the CPUC and the California Energy Commission, have made clear that wider adoption of energy-efficient technologies is an important state-wide goal. See Section IX of this report for discussion on adoption of LED lighting.

by multiple customer-owned photocells. However, if the city instead took service on rate LS-2A, annual savings would increase by almost \$20 per streetlight, or about \$60,000 for all 3,029 streetlights that are for sale.

Rate LS-2A applies when all of the lights on an account are controlled by a single SCE-owned photocell, so that SCE can provide service to a single feed point. When asked about the possibility of the city taking service on LS-2A, SCE's representative thought it was unlikely because there would have to be many feed points to control the city's streetlights. It is not clear whether it is possible for the city to set up many different LS-2 accounts in order to have some streetlights qualify for LS-2A, but given the significant additional savings that are available, the city should be aware of this opportunity.

IX. Upgrades to Streetlight System

Ownership of the streetlight system would offer the city the freedom to implement system upgrades to improve performance, reduce electricity consumption and minimize costs.

A. Light-Emitting-Diode (LED) Streetlights

LED streetlights offer many advantages over traditional High Pressure Sodium (HPS) lights,⁴³ but their adoption has been slowed by their high initial cost. In recent years, however, the cost of LED lights has come down even as efficiency has improved. In fact, just from 2010 to 2014, the typical price of LED streetlight luminaires was nearly cut in half.⁴⁴

As a result, cities throughout the country are replacing HPS fixtures, which are used in Porterville and most other cities, with LEDs.⁴⁵ Since 2012, the number of LED streetlights in the U.S. has more than quadrupled, from 1.3 million to 5.7 million, so that LEDs now comprise more than 13% of the nation's streetlights, compared to only 3% in 2012.⁴⁶ According to U.S. Department of Energy forecasts, LEDs may account for more than 80% of the nation's streetlights as soon as 2020.⁴⁷

Clearly, the conversion of Porterville's HPS streetlights to LEDs is a critical consideration that is related to the potential purchase of the streetlight system. Given that LED streetlights are quickly becoming the "standard", just as HPS streetlights were adopted in the 1970's and 1980's, any analysis that doesn't consider the impact of LEDs is incomplete.

However, determining if and how the city should acquire LED streetlights is difficult because most of the factors used in this analysis are in a state of flux. As mentioned above, LED prices are rapidly decreasing. LED efficiency is increasing, but is not yet fully reflected in SCE estimates used in billing. Going forward, SCE rates will have to change to encourage adoption of LED streetlights, but exactly how or when this will happen is not clear. Meanwhile, SCE has recently issued a proposal that will allow *utility-owned* streetlights to be converted to LEDs, but the proposal has not been formally approved by the CPUC.

All of these changing factors must be considered when evaluating how the City of Porterville can convert its streetlights to LEDs. We discuss each below and provide guidance on what to expect in the future.

⁴³ Aside from the obvious advantages of greater energy efficiency, enhanced reliability, and reduced maintenance costs, LEDs also contain no mercury or lead, produce more accurate color rendering from a whiter light, and can be turned on and off quickly with no warm-up time.

⁴⁴ U.S. Department of Energy "Adoption of Light-Emitting Diodes in Common Lighting Applications", July 2015.

⁴⁵ Some cities also have elected to replace HPS fixtures with induction lights, but LEDs are the most common choice and therefore are the focus of this discussion.

⁴⁶ U.S. Department of Energy "Adoption of Light-Emitting Diodes in Common Lighting Applications", July 2015.

⁴⁷ U.S. Department of Energy "Solid-State Lighting R&D Plan", May 2015.

1. LED Energy and Maintenance Savings

The main financial benefits of LEDs come from two sources: (1) lower electricity usage, and (2) reduced maintenance costs.

Estimated LED electricity usage, and the corresponding reduction in electricity charges, can be calculated by applying the rates on SCE schedule LS-2 to the actual City of Porterville inventory of streetlights for sale.⁴⁸

# Lights	Lumens	HPS Watts Per Lamp	HPS Total kWh/Year	LED Watts Per Lamp	LED Total kWh/Year	Annual LED Savings
1,518	5,800	70	521,615	29	173,052	\$24,950
608	9,500	100	294,503	39	94,118	\$14,344
553	16,000	150	441,858	70	154,619	\$20,561
350	22,000	200	356,454	130	184,800	\$12,287
3,029			1,614,430		606,589	\$72,142

The 62.5% reduction in electricity usage, and the corresponding \$72,142 reduction in SCE charges, is based on the most recent SCE estimates of the energy consumption for each type of lamp.⁴⁹ In UCM's view, these revised figures provide more accurate estimates of LED savings than SCE's prior estimates, which often resulted in usage reductions of only about 50%.

The estimated reduction in electricity usage of 1,007,841 kWh per year is equivalent to eliminating the greenhouse gases from 146 automobiles, or eliminating the CO₂ emissions from more than 78,199 gallons of gasoline.⁵⁰

Because LEDs are reliable and last 50,000 hours or more, they also offer significant maintenance savings compared to HPS lights. In 2013, SCE found that O&M costs for LEDs were 80% less than for HPS fixtures.⁵¹ UCM assumes savings of 70% in its analysis. For the City of Porterville, this could mean savings of about \$28 per light, or total maintenance savings of \$84,800 per year.

The reduced maintenance associated with LEDs would also make it much easier for the city to maintain the system in-house, rather than relying on outside vendors. For a discussion of maintenance issues, see Section VIII of this report.

⁴⁸ Wattage figures per lamp are based on SCE Advice Letter 3241-E-A dated March 30, 2016 for HPS fixtures (LED wattage for metal halide replacements are assumed to be the same as for HPS). kWh figures are based on monthly kWh consumption cited in SCE schedule LS-2 for each type of lamp. Savings figures are based on LS-2 energy charge of \$0.08015/kWh cited in Advice Letter 3241-E-A.

⁴⁹ These estimates were used in SCE Advice Letter 3241-E-A, filed on March 30, 2016.

⁵⁰ Based on U.S. Environmental Protection Agency Greenhouse Gas Equivalencies Calculator.

⁵¹ SCE Advice Letter 2860-E.

Together, annual energy and maintenance savings from LEDs could total \$157,000 for the 3,029 lights that are for sale, or about \$52 per light per year.

2. Costs of LED Streetlight Conversion

Of course, LED streetlights still are more expensive than HPS lights, which sometimes results in lengthy payback periods for LED projects. A summary of streetlight retrofits completed in the past few years provides a high-level view of how these projects looked financially:

City	# of Lights	Total Cost	Cost per Light	Est. Annual Savings	Primary Financing
Los Angeles	140,000	\$57,000,000	\$407	\$10,000,000	LADWP loan @ 5.25%
Oceanside	8,400	\$5,100,000	\$607	\$666,220	BofA Lease Agmt @ 3.15%
Chula Vista	4,600	\$2,051,600	\$446	\$260,000	CEC loan @ 3%
San Marcos	2,200	\$1,100,000	\$500	\$130,000	CEC loan @ 1%
Yuba City	3,338	\$1,560,587	\$468	\$169,000	CEC loan @ 3%
Ventura	500	\$339,000	\$678	\$37,000	Federal Stimulus Funds

Each streetlight retrofit is different, making it difficult to predict the cost of upgrading the City of Porterville's streetlights to LEDs. The average for the above cities is about \$500 per light, with the City of Los Angeles closer to \$400, perhaps because of the economies of scale in replacing 140,000 streetlights.

But the above figures are from LED retrofits completed in the *past*, and more recent data compiled by the California City-County Street Light Association (CAL-SLA) suggest that the cost today could be substantially lower thanks to falling LED prices. In fact, applying the 2015 CAL-SLA estimates to Porterville's streetlight inventory results in an average installed cost of \$373 per light.⁵² UCM believes this downward trend in LED prices is ongoing, and therefore uses an installed cost of \$360 in its analysis.⁵³

In addition to the cost of the initial installation, any long-term evaluation of LED lighting should also take into account the cost of relamping. LEDs may be virtually maintenance-free for many years, but at some point they will require replacement. They often are under warranty for up to 10 years, but rated lifetimes exceeding 50,000 hours, or about 12 years, are common, with some manufacturers claiming 70,000 or even 100,000 hours (25 years).

We cannot verify these claims because LED streetlights are too new. For financial modeling purposes, UCM believes that it is reasonable to assume a 15-year life for high-quality LEDs.

⁵² "LED Installed Cost" for each wattage of HPS light taken from SCE AB 719 Stakeholder Meeting 2015 Workpapers, as reported on page 6 of CAL-SLA Protest of SCE Advice Letter 3241-E. The CAL-SLA figures were then matched to the City of Porterville's actual streetlight inventory to derive the overall average cost.

⁵³ The \$360 cost is for LED lighting only, and does not include enhanced capabilities such as dimming, remote monitoring and control, or other intelligent lighting applications. These additional capabilities are too numerous and varied to analyze here, and will have to be evaluated by the city on a case by case basis.

Of course, it is impossible to predict what new lighting technologies will exist in 15 years, or how much they will cost. However, it seems highly likely that the cost per lumen of light will continue to decrease as technology advances. In its analysis, UCM has made the relatively conservative assumption that this cost will decrease by 3% per year.

3. Obtaining LEDs on Utility-Owned (LS-1) Streetlights

California Assembly Bill 719 (Hernandez) was signed by Governor Brown on October 7, 2013. The new law required the state's major investor-owned utilities to offer a tariff by July 1, 2015 that funds energy efficiency improvements to *utility-owned* streetlights. For cities that do not purchase their streetlights, AB 719 offers a potential way to convert to LEDs with no upfront costs.

SCE Advice Letter 3241-E, filed on June 30, 2015, detailed SCE's proposal implementing AB 719. Unfortunately, the SCE proposal was not a serious one, because it would require any city that elected to convert from HPS to LED lights to incur an *increase* in streetlight charges over a 20-year period. While many cities with SCE-owned streetlights are eager to reduce their energy use by converting to LEDs, they are not inclined to do so if it will lock in higher costs.

On July 17, 2015, the California Street Light Association (CAL-SLA) filed a protest to the SCE proposal.⁵⁴ The protest compared SCE's plan to PG&E's well-received AB 719 offer, explained why SCE is dis-incentivizing energy efficiency, and challenged the assumptions underlying the SCE proposal. CAL-SLA also offered alternative rates that would result in modest savings for customers that elect to replace utility-owned HPS lights with LEDs.

As a result of the CAL-SLA protest, SCE issued a revised proposal on March 30, 2016.⁵⁵ Under the new proposal, customers electing to have SCE install LEDs on utility-owned streetlights will realize modest reductions in electricity charges. For the City of Porterville, the reductions will be:⁵⁶

HPS Watts Per Lamp	SCE Annual \$ Per Lamp	Corresponding LED Watts	SCE Annual \$ Per Lamp	Total # of Lamps	Annual LED Savings
70	\$126.64	29	\$123.05	1,518	\$5,451
100	\$137.96	39	\$127.53	608	\$6,342
150	\$167.59	70	\$144.65	553	\$12,687
200	\$189.08	130	\$171.83	350	\$6,038
				3,029	\$30,518

⁵⁴ According to CALSLA, 15-20 other public agencies filed coordinating protests using the CAL-SLA template.

⁵⁵ SCE Advice Letter 3241-E-A.

⁵⁶ Based on figures used in SCE Advice Letters 3241-E and 3241-E-A.

Thus, the city can obtain LED streetlights with no up-front costs, and reduce SCE charges at the same time, making this opportunity worth considering. However, the SCE proposal requires cities to commit to this rate structure for *twenty years*, which may be overly restrictive during the current period when lighting technologies and potential streetlight uses are evolving so quickly. The city should evaluate whether it is comfortable being committed to the SCE rate plan for such a long time.

SCE has not obtained formal approval for its plan, but UCM believes it is likely that it will be granted by the CPUC. Once approval is obtained, this new opportunity is scheduled to become available beginning January 1, 2017.

4. Potential Financing Options

LED conversions bring immediate cost savings on electric bills, but obviously there is a substantial up-front cost. Some cities pay for these upgrades out of existing reserves, or use traditional funding sources to get the projects done. But if the City of Porterville elects to purchase its streetlights, it should be aware of other financing options.

The City of Huntington Beach recently announced that it has secured \$7.7 million from the California Infrastructure and Economic Development Bank (IBank), which was created in 1994 to finance public infrastructure, and is located within the Governor's Office of Business and Economic Development. According to IBank, it can fund additional projects from \$500,000 to \$30 million, and current interest rates range from 3% to 3.5%. IBank loans also carry a 1% origination fee, and terms can exceed 15 years. The IBank board makes decisions on loan approvals based on borrowers' credit worthiness and collateral, project financial projections and viability, public benefits, and other factors.

The California Energy Commission offers energy efficiency loans at a fixed 1% rate for a term of up to 15 years. These loans (up to \$3 million per application) are distributed on a first-come, first-served basis and have been used by municipal governments to finance streetlight upgrades and other energy efficiency projects. Loan funds are periodically exhausted and then replenished, and there often is a waiting list to participate in the program, so it makes sense to apply for a loan well in advance of the forecasted project start date.

In some cases, vendors or investors may be willing to pay for the LED upgrades in return for a guaranteed revenue stream over a period of time. If the period is long enough, perhaps 15-20 years, the savings from the LED conversion can exceed the vendor payments, making the conversions cash-flow positive from day one. Some vendors may be willing to include additional streetlight upgrades, such as dimming capability, wireless networks, cameras, etc. as discussed in Section X.B below.

For smaller amounts, the city also can tap SCE's "On-Bill Financing" (OBF). The OBF program offers interest-free loans of up to \$250,000 for energy efficiency upgrades, including LED

- **“Smart City” Efficiency** -- With streetlights located throughout cities, they can form the backbone of wireless networks that improve connectivity. Additionally, when sensors are embedded in streetlights, the data from those sensors can be sent through the digital networks, helping cities to function more efficiently. For example, sensors can improve traffic flow by transmitting real-time data and redirecting vehicles or reprogramming traffic signals. Parking apps may direct motorists to available parking spots. Streetlights can help to monitor the movement of city buses or other public vehicles, so that resources can be deployed more effectively. Sensors can detect noise levels, or can notify city staff as soon as (or even before) a streetlight burns out, improving service to the public.
- **Revenue Generation** – Streetlights may offer a number of ways for cities to generate revenue. For example, cellular providers pay cities for the right to place antennas on streetlights in urban areas where they want to improve network coverage and capacity. As more electric vehicles travel our roads, some have suggested that streetlights can be used as a platform for offering electric vehicle charging stations. Advertising revenue is available if cities allow banners on streetlights in selected locations.

While the implementation of “smart” streetlights is in its early stages, and the field continues to evolve, many cities already are moving forward. For example, Los Angeles is installing a web-based system that will allow it to monitor and control its streetlights remotely, with plans eventually to utilize the system for “smart city” applications. The City of San Diego has launched an “Intelligent Cities” streetlight project that the city says will save energy, money, and provide improved services to the public. Many other cities, mainly in the U.S. and Europe, are implementing similar programs.

Of course, as with any new technology, there may be obstacles along the way. Already, there are concerns regarding privacy that cities will have to deal with. Additionally, it remains to be seen how many of the potential uses of streetlights will be necessary or even desired, and cities will have to separate the truly useful applications from those that are mere hype from technophiles, futurists, and vendors selling smart city products and services.

Today, no one can say exactly how the role of streetlights will grow as new technologies are introduced. But even with today’s technology, UCM believes there is enough promise to conclude that streetlights will be a valuable asset, above and beyond their ability to reduce energy costs or provide improved lighting. We also believe that, whichever specific streetlight applications prove useful, ownership of the streetlight system will offer cities greater flexibility in pursuing those upgrades that are cost-effective or otherwise enhance services to the public.

Unlike reduced energy consumption or lower electricity rates, the benefits of these alternative streetlight uses are difficult to quantify. Ultimately, the city will have to determine the value that it puts on each opportunity, depending on the needs of its residents and the ability of new streetlight uses to solve problems. This added value is an important consideration for the city in deciding whether or not to purchase its streetlights.

X. Potential Risks

Some of the potential risks associated with the purchase of the streetlight system are:

- **Electric rates could change over time so that the benefits of streetlight ownership are reduced.** -- The substantial discount offered for city-owned (LS-2) lights has existed for decades and is based on a sound rationale. When a utility pays to install streetlights in a new subdivision, it must recoup the investment (typically within a five-year period) through higher electric rates. Furthermore, all SCE electric rates are based on detailed cost calculations that are submitted to the CPUC before the rates are approved, making it difficult for SCE to suddenly change its rate assumptions. Despite these mitigating factors, no one can predict how electric rates may change in 10 or 20 years, and it is possible that the LS-2 discount may be reduced, which would diminish one of the main benefits of streetlight ownership.
- **The city may find deferred maintenance or repairs that require a significant investment of capital.** -- This analysis does not render an opinion on the condition of the streetlight system or the possible need for repairs and upgrades to system components. It is possible that such work could require significant capital investment, so the city is encouraged to assess the condition of poles, conduit, mast arms, luminaires, and other components prior to sale. As discussed in Section III of this report, the streetlight purchase is most beneficial to the city over the *long term* (15 years or more), so it is critical that the system is not near the end of its useful service life.

For example, of the 2,751 poles that SCE is offering to sell, 94 are steel *with an average age of 46 years*. SCE's 2015 GRC workpapers acknowledge that the steel streetlight poles in its inventory have an average service life of only 18-22 years, are frequently corroded, and over 50% should be replaced immediately. SCE's cost to replace each steel streetlight pole is more than \$6,000.⁵⁹ It is possible that many of the 94 steel poles for sale will have to be replaced soon, potentially requiring a capital investment of hundreds of thousands of dollars or more.

- **Interest rates could rise.** -- Higher interest rates could increase the cost to fund the purchase, and will make the purchase of the streetlight system less attractive relative to other investments.

⁵⁹ SCE 2015 GRC Workpapers. SCE-10 Volume 03, Part 02, page 207. "Since 1999, over 15,000 steel poles have been replaced, leaving the remainder to continue to deteriorate. During the removal and replacement of these 15,000 poles, the corrosion level of the foundation was observed to be much more severe than expected... During 2006, 56% of the poles replaced were determined to have corrosion levels of between 1 and 2. Level 1 corrosion is determined to be very severe corrosion, with a recommendation to be immediately replaced. Level 2 corrosion is determined to be very heavy corrosion, with a recommendation to be replaced within 60 days. For the subsequent years of 2007 through 2012, the overall Level 1 & 2 corrosion rating percentage has remained at or above 50%". Actual and requested funds to replace steel poles from 2010-2014 total \$104.37 million for 16,100 poles, or \$6,483 per pole.

- **Maintenance, insurance, vandalism, or other costs associated with streetlight ownership could be higher than expected.** -- Obviously, any increase in ongoing ownership costs reduces the appeal of purchasing the lights. For example, as mentioned in Section VII.A.3, the City of Fresno claims that it incurred hundreds of thousands of dollars in additional streetlight maintenance costs due to copper wire theft.
- **Rapid changes in lighting technology could make waiting to implement upgrades the best option.** – If the pace of lighting technology advances is fast enough, it is possible that the city would be better-served by delaying upgrades to its streetlight system. For example, if three years from now the installed cost of LEDs has dropped by 70%, or if there is a new technology that clearly out-performs LEDs, then the city would be better-served upgrading its system then, rather than sooner.

While it is wise to be aware of these risks, they are for the most part unlikely, or their potential impact is not great enough to result in a material change in the evaluation of the streetlight acquisition. Clearly the most likely and significant risk – the need for costly upgrades and repairs to the streetlight system – can be mitigated if the city performs a thorough evaluation of the condition of the system prior to purchase.

City of Porterville SL Purchase

STREETLIGHT PURCHASE & RETROFIT ANALYSIS -- CITY OF PORTERVILLE

STREETLIGHT PURCHASE

PURCHASE PRICE	\$0
TRANSITION COSTS	\$0
SALES TAXES & OTHER COSTS	\$0
TOTAL COST OF PURCHASE	\$0

STREETLIGHTS BILLED ON LS-2B	100.0%
STREETLIGHTS BILLED ON LS-2A	0.0%

NUMBER OF HPS STREETLIGHTS:	3,029
50 watts	0
70 watts	1,518
100 watts	608
150 watts	553
200 watts	350
250 watts	0
310 watts	0
400 watts	0
150 watts (Metal Halide)	0
250 watts (Metal Halide)	0

MTC COST PER LIGHT/PER YEAR	\$40.00
NUMBER OF STREETLIGHTS	3,029
ANNUAL MAINTENANCE COSTS	\$121,160

ANNUAL LOST PROPERTY TAXES	\$2,000
ANNUAL INSURANCE	\$5,000

ANNUAL ESCALATION RATE	
MAINTENANCE COSTS	1.0%
UPGRADES, PROP TAX & INS	1.0%
OVERALL LS-1 RATE	3.0%
OVERALL LS-2 RATE	3.0%

PORTION OF PURCHASE CASH	\$0
PORTION OF PURCHASE FINANCED	\$0

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

TIME HORIZON USED TO EVALUATE PURCHASE (YEARS)	25
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DISCOUNT RATE	5.0%
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CUMULATIVE CASH FLOW OVER 25 YEARS (NOMINAL \$)	(\$14,746,423)
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NPV OF CASH FLOW	(\$7,719,208)
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**"OPTION 2" FROM PAGE 9 OF REPORT:
DO NOT PURCHASE LIGHTS, SCE LEDs
25-YEAR TIME HORIZON**

UPGRADE TO LED STREETLIGHTS

LED RETROFIT?	Yes
ORIGINAL COST PER LED LIGHT	\$360
ANNUAL CHANGE IN LED COST	-3.0%

TOTAL LED ORIGINAL COST	\$1,090,440
PORTION OF RETROFIT CASH	\$0
PORTION OF RETROFIT FINANCED	\$1,090,440

LED RELAMP SCHEDULE (years)	15
LED MTC BETWEEN RELAMP (% OF HPS)	30%

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

	YEAR 0	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9
CASH PAYMENT	\$0									
ANNUAL DEBT PAYMENT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MAINTENANCE COSTS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROP TAX & INSURANCE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL COSTS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ANNUAL SCE CHARGES	\$0	\$404,463	\$416,597	\$429,095	\$441,968	\$455,227	\$468,883	\$482,950	\$497,438	\$512,362
NET CASH FLOW	\$0	(\$404,463)	(\$416,597)	(\$429,095)	(\$441,968)	(\$455,227)	(\$468,883)	(\$482,950)	(\$497,438)	(\$512,362)
	YEAR 10	YEAR 11	YEAR 12	YEAR 13	YEAR 14	YEAR 15	YEAR 16	YEAR 17	YEAR 18	YEAR 19
ANNUAL DEBT PAYMENT	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MAINTENANCE COSTS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROP TAX & INSURANCE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL COSTS	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ANNUAL SCE CHARGES	\$527,732	\$543,564	\$559,871	\$576,668	\$593,968	\$611,787	\$630,140	\$649,044	\$668,516	\$688,571
NET CASH FLOW	(\$527,732)	(\$543,564)	(\$559,871)	(\$576,668)	(\$593,968)	(\$611,787)	(\$630,140)	(\$649,044)	(\$668,516)	(\$688,571)

City of Porterville SL Purchase

STREETLIGHT PURCHASE & RETROFIT ANALYSIS -- CITY OF PORTERVILLE

STREETLIGHT PURCHASE

PURCHASE PRICE	\$1,990,907
TRANSITION COSTS	\$63,273
SALES TAXES & OTHER COSTS	\$0
TOTAL COST OF PURCHASE	\$2,054,180

STREETLIGHTS BILLED ON LS-2B	100.0%
STREETLIGHTS BILLED ON LS-2A	0.0%

NUMBER OF HPS STREETLIGHTS:	3,029
50 watts	0
70 watts	1,518
100 watts	608
150 watts	553
200 watts	350
250 watts	0
310 watts	0
400 watts	0
150 watts (Metal Halide)	0
250 watts (Metal Halide)	0

MTC COST PER LIGHT/PER YEAR	\$40.00
NUMBER OF STREETLIGHTS	3,029
ANNUAL MAINTENANCE COSTS	\$121,160

ANNUAL LOST PROPERTY TAXES	\$2,000
ANNUAL INSURANCE	\$5,000

ANNUAL ESCALATION RATE	
MAINTENANCE COSTS	1.0%
UPGRADES, PROP TAX & INS	1.0%
OVERALL LS-1 RATE	3.0%
OVERALL LS-2 RATE	3.0%

PORTION OF PURCHASE CASH	\$0
PORTION OF PURCHASE FINANCED	\$2,054,180

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

TIME HORIZON USED TO EVALUATE PURCHASE (YEARS)	25
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DISCOUNT RATE	5.0%
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CUMULATIVE CASH FLOW OVER 25 YEARS (NOMINAL \$)	(\$13,700,820)
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NPV OF CASH FLOW	(\$7,751,230)
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**"OPTION 3" FROM PAGE 9 OF REPORT:
PURCHASE LIGHTS, KEEP HPS SYSTEM
25-YEAR TIME HORIZON**

UPGRADE TO LED STREETLIGHTS

LED RETROFIT?	No
ORIGINAL COST PER LED LIGHT	\$360
ANNUAL CHANGE IN LED COST	-3.0%

LED RELAMP SCHEDULE (years)	15
LED MTC BETWEEN RELAMP (% OF HPS)	30%

TOTAL LED ORIGINAL COST	\$0
PORTION OF RETROFIT CASH	\$0
PORTION OF RETROFIT FINANCED	\$0

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

	YEAR 0	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9
CASH PAYMENT	\$0									
ANNUAL DEBT PAYMENT	\$0	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273
MAINTENANCE COSTS	\$0	\$121,160	\$122,372	\$123,595	\$124,831	\$126,080	\$127,340	\$128,614	\$129,900	\$131,199
PROP TAX & INSURANCE	\$0	\$7,000	\$7,070	\$7,141	\$7,212	\$7,284	\$7,357	\$7,431	\$7,505	\$7,580
TOTAL COSTS	\$0	\$319,433	\$320,714	\$322,009	\$323,316	\$324,636	\$325,970	\$327,317	\$328,677	\$330,051
ANNUAL SCE CHARGES	\$0	\$197,812	\$203,746	\$209,859	\$216,155	\$222,639	\$229,318	\$236,198	\$243,284	\$250,582
NET CASH FLOW	\$0	(\$517,245)	(\$524,461)	(\$531,867)	(\$539,471)	(\$547,276)	(\$555,288)	(\$563,515)	(\$571,961)	(\$580,634)
	YEAR 10	YEAR 11	YEAR 12	YEAR 13	YEAR 14	YEAR 15	YEAR 16	YEAR 17	YEAR 18	YEAR 19
ANNUAL DEBT PAYMENT	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$191,273	\$0	\$0	\$0	\$0
MAINTENANCE COSTS	\$132,511	\$133,836	\$135,174	\$136,526	\$137,891	\$139,270	\$140,663	\$142,070	\$143,490	\$144,925
PROP TAX & INSURANCE	\$7,656	\$7,732	\$7,810	\$7,888	\$7,967	\$8,046	\$8,127	\$8,208	\$8,290	\$8,373
TOTAL COSTS	\$331,439	\$332,841	\$334,257	\$335,686	\$337,131	\$338,589	\$148,790	\$150,278	\$151,780	\$153,298
ANNUAL SCE CHARGES	\$258,100	\$265,843	\$273,818	\$282,033	\$290,494	\$299,209	\$308,185	\$317,430	\$326,953	\$336,762
NET CASH FLOW	(\$589,539)	(\$598,684)	(\$608,075)	(\$617,719)	(\$627,624)	(\$637,798)	(\$456,975)	(\$467,708)	(\$478,734)	(\$490,060)

City of Porterville SL Purchase

TREETLIGHT PURCHASE & RETROFIT ANALYSIS -- CITY OF PORTERVILLE

TREETLIGHT PURCHASE

PURCHASE PRICE	\$1,990,907
TRANSITION COSTS	\$63,273
SALES TAXES & OTHER COSTS	\$0
TOTAL COST OF PURCHASE	\$2,054,180

TREETLIGHTS BILLED ON LS-2B	100.0%
TREETLIGHTS BILLED ON LS-2A	0.0%

NUMBER OF HPS STREETLIGHTS:	3,029
50 watts	0
70 watts	1,518
100 watts	608
150 watts	553
200 watts	350
250 watts	0
310 watts	0
400 watts	0
150 watts (Metal Halide)	0
250 watts (Metal Halide)	0

MTC COST PER LIGHT/PER YEAR	\$40.00
NUMBER OF STREETLIGHTS	3,029
ANNUAL MAINTENANCE COSTS	\$121,160

ANNUAL LOST PROPERTY TAXES	\$2,000
ANNUAL INSURANCE	\$5,000

ANNUAL ESCALATION RATE	
MAINTENANCE COSTS	1.0%
UPGRADES, PROP TAX & INS	1.0%
OVERALL LS-1 RATE	3.0%
OVERALL LS-2 RATE	3.0%

PORTION OF PURCHASE CASH	\$0
PORTION OF PURCHASE FINANCED	\$2,054,180

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

TIME HORIZON USED TO EVALUATE PURCHASE (YEARS)	25
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DISCOUNT RATE	5.0%
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CUMULATIVE CASH FLOW OVER 25 YEARS (NOMINAL \$)	(\$11,303,533)
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NPV OF CASH FLOW	(\$6,647,174)
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"OPTION 4" FROM PAGE 9 OF REPORT:
PURCHASE LIGHTS, UPGRADE TO LEDs
25-YEAR TIME HORIZON

UPGRADE TO LED STREETLIGHTS

LED RETROFIT?	Yes
ORIGINAL COST PER LED LIGHT	\$360
ANNUAL CHANGE IN LED COST	-3.0%

TOTAL LED ORIGINAL COST	\$1,090,440
PORTION OF RETROFIT CASH	\$0
PORTION OF RETROFIT FINANCED	\$1,090,440

LED RELAMP SCHEDULE (years)	15
LED MTC BETWEEN RELAMP (% OF HPS)	30%

INTEREST RATE ON DEBT	4.5%
TERM (YEARS)	15

	YEAR 0	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9
CASH PAYMENT	\$0									
ANNUAL DEBT PAYMENT	\$0	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808
MAINTENANCE COSTS	\$0	\$36,348	\$36,711	\$37,079	\$37,449	\$37,824	\$38,202	\$38,584	\$38,970	\$39,360
PROP TAX & INSURANCE	\$0	\$7,000	\$7,070	\$7,141	\$7,212	\$7,284	\$7,357	\$7,431	\$7,505	\$7,580
TOTAL COSTS	\$0	\$336,156	\$336,589	\$337,027	\$337,469	\$337,916	\$338,367	\$338,822	\$339,282	\$339,747
ANNUAL SCE CHARGES	\$0	\$138,204	\$142,350	\$146,620	\$151,019	\$155,550	\$160,216	\$165,023	\$169,973	\$175,072
CITY CASH FLOW	\$0	(\$474,359)	(\$478,939)	(\$483,647)	(\$488,488)	(\$493,465)	(\$498,583)	(\$503,845)	(\$509,256)	(\$514,820)
	YEAR 10	YEAR 11	YEAR 12	YEAR 13	YEAR 14	YEAR 15	YEAR 16	YEAR 17	YEAR 18	YEAR 19
ANNUAL DEBT PAYMENT	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$292,808	\$0	\$0	\$0	\$0
MAINTENANCE COSTS	\$39,753	\$40,151	\$40,552	\$40,958	\$41,367	\$41,781	\$690,522	\$42,621	\$43,047	\$43,478
PROP TAX & INSURANCE	\$7,656	\$7,732	\$7,810	\$7,888	\$7,967	\$8,046	\$8,127	\$8,208	\$8,290	\$8,373
TOTAL COSTS	\$340,217	\$340,691	\$341,170	\$341,653	\$342,142	\$342,635	\$698,649	\$50,829	\$51,337	\$51,851
ANNUAL SCE CHARGES	\$180,325	\$185,734	\$191,306	\$197,046	\$202,957	\$209,046	\$215,317	\$221,777	\$228,430	\$235,283
CITY CASH FLOW	(\$520,541)	(\$526,425)	(\$532,476)	(\$538,699)	(\$545,099)	(\$551,681)	(\$913,966)	(\$272,606)	(\$279,767)	(\$287,133)

CC

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CITY COUNCIL AGENDA – JULY 5, 2016

SUBJECT: Designation of Voting Delegates and Alternate for League of California Cities 2016 Annual Conference

SOURCE: Administrative Services

COMMENT: The League of California Cities' Annual Conference is scheduled to take place October 5 - 7, 2016 in Long Beach. In addition to the training programs offered, an important aspect of the League's Conference is the Annual Business Meeting, during which the membership considers and takes action on resolutions that establish official League policy. This year, the Business Meeting is scheduled for noon on Friday, October 7, 2016.

In order to vote at this meeting, the City Council must designate a voting delegate. In the event the voting delegate is unable to serve in that capacity, the League's Bylaws also allow for the designation of up to two alternates.

The estimated cost for attendance per Council Member is approximately \$1,900. This cost includes conference registration and materials, accommodations, mileage and meals. Funding is currently available in the Council's travel budget.

RECOMMENDATION: If there is interest in Council Member attendance at the League of California Cities Annual Conference, that the City Council designate one City Council Member to serve as a voting delegate, and up to two City Council Members to serve as alternate voting delegates, at the Conference.

ATTACHMENTS:

1. Attachment 1 - Voting Procedures
2. Attachment 2 - Voting Delegate-Alt Form

Appropriated/Funded: MB

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

**2016 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, September 23, 2016. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail: _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, September 23, 2016

League of California Cities
ATTN: Kayla Gibson
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kgibson@cacities.org
(916) 658-8247



CITY COUNCIL AGENDA – JULY 5, 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 June 21st, 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, of which the Public Draft was circulated and a Public Meeting to receive comments was scheduled for the evening of Thursday, June 23rd at Granite Hills High School. 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. City staff conducted a public outreach meeting with the E. Vandalia Avenue area residents on Tuesday, June 14th, which was well attended by the affected residents. The City also has 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 has been drafted, which was approved by the Council during a Special Meeting on Tuesday, June 21st.

With the Council's approval of the MOU, it is anticipated that the State will begin the permanent connection of approximately 40 homes that are located along existing City water mains at the beginning of July.

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
4. Memorandum of Understanding

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

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

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

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

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

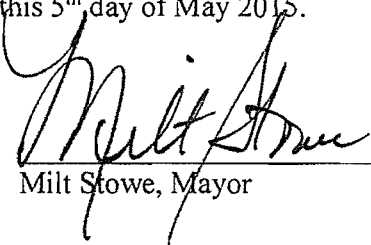
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

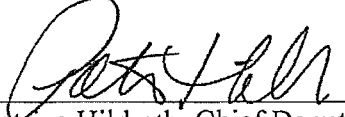
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance,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

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

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


Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk


By: Patrice Hildreth, Chief Deputy City Clerk

Executive Department

State of California

EXECUTIVE ORDER B-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

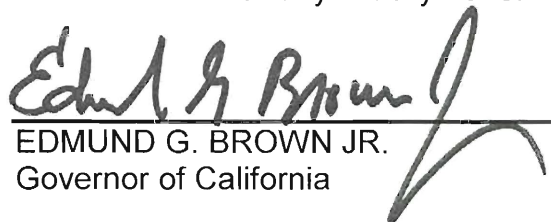
11. The Department shall work with the California Department of Food and Agriculture to update existing requirements for Agricultural Water Management Plans to ensure that these plans identify and quantify measures to increase water efficiency in their service area and to adequately plan for periods 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 of 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:

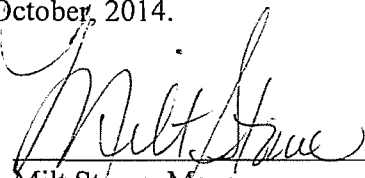
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city,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

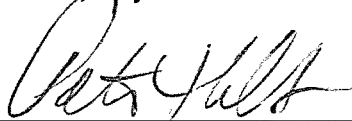
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, 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 21st day of October, 2014.


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 21st day of October, 2014.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:		X			
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk


By: Luisa M. Zavala, Deputy City Clerk

RESOLUTION 19-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ESTABLISHING PROCEDURES FOR ANNEXATIONS AND EXTENSION OF
MUNICIPAL SERVICES

WHEREAS: On October 21, 2014, the City Council of the City of Porterville adopted two resolutions that defined objectives and policies, and established procedures for annexations and municipal services, respectively; and

WHEREAS: The on-going, severe drought of the past few years has created a situation where hundreds of parcels in the East Porterville area are experiencing dry wells, or wells of substandard water quality. State and regional agencies have come together with the City to identify and develop a long-term solution to this crisis, which will involve a significant infrastructure project to allow extension of municipal water services to the area. Not all parcels within the subject area meet the mandatory findings for extra-territorial service agreements as identified in the City's current procedures.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby amend existing procedures to submit application for municipal services, and to have said application(s) processed as outlined in Exhibit "A", attached. The exemption identified for the East Porterville Feasibility Study Project Area will apply to the area represented in Exhibit "B".

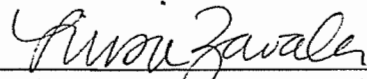
PASSED, APPROVED AND ADOPTED this 19th day of April, 2016.



Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

BY 

Luisa Zavala, Deputy City Clerk

All properties requesting annexation or extraterritorial services are subject to the procedures established below unless otherwise stated. Compliance with City of Porterville procedures does not guarantee approval by LAFCo of annexations or extra-territorial service agreements. Upon request for an annexation or extraterritorial services request, staff will evaluate whether the applicant's property is within the City's Urban Development Boundary or Urban Area Boundary and explain the process.

ANNEXATION APPLICATION PROCEDURE

1. A complete annexation application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, Application for Annexation, and other materials as required with those applications respectively.
2. On receipt of an application as outlined above, all materials will be considered by the Project Review Committee, who will coordinate in a pre-consultation process with LAFCO staff and the County Public Works Department for review and recommendation.
3. During review by the Project Review Committee of the necessary application and data, staff will prepare a report and findings on all aspects of the proposed action(s).
4. An environmental document will be prepared pursuant to the California Environmental Quality Act (CEQA), reviewing the potential environmental effect of the proposed activities. The Zoning Administrator will make an initial determination of the level of environmental review required.
5. After proper noticing, a public hearing will be held for the City Council to hear comments related to the project at a regularly scheduled meeting. The Council will authorize staff to initiate the application with LAFCo. Documents will be filed in accordance with the Cortese-Knox-Hertzberg Act of 2000, as amended, and submitted to the Local Agency Formation Commission for its review, recommendation and action.
6. On consummation by the City Council, the City Clerk shall submit the necessary materials to the State Board of Equalization with the appropriate acreage fees, which are paid by the Applicant.
7. In the event the annexation fails, either by dissenting votes of the City Council or at hearing at LAFCo, the City Council may approve an extraterritorial service agreement within the Urban Development Boundary, subject to conditions identified in the deed restriction.

ANNEXATION EXEMPTION PROCEDURE

Where a certain property meets all of the following criteria, they may proceed with an Extraterritorial Service Agreement for water or storm-water drainage without first attempting annexation, subject to the conditions of Extraterritorial Service Agreements as defined below.

1. Previously developed single family residences on parcels 24,999 square feet or smaller, OR a school developed by a State funded school district.
2. The parcel requesting services must be immediately adjacent to a municipal main providing the requested service, or the property owner shall provide for the extension of the main line to City standards at their expense.

EXTRATERRITORIAL SERVICES APPLICATION PROCEDURE

Extraterritorial Service connections may be made subject to the following conditions. Note specific parameters and the required findings for connections in the Urban Development Boundary and the Urban Area Boundary.

1. Application: A complete extraterritorial services application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, and other materials as required with those applications respectively.
2. General Plan Consistency:
 - a. Proposed Uses and Improvements: Service connections are to be withheld from proposed uses and improvements that would not be consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan.
 - b. Existing Uses and Improvements: Service connections to existing uses and improvements which are not consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan shall be considered at the discretion of the City Council, and may be subject to other restrictions.
3. Agreements and covenants:
 - a. A deed restriction specific to land use and zoning must be approved by the property owner and the City Council, and recorded with the County of Tulare upon the property, at the applicant's cost.
 - b. An irrevocable agreement to annex must be signed by the property owner and recorded with the County of Tulare upon the property, at the applicant's cost.
4. Time limitations: The City Manager or his designee, or the City Council may condition the approval of applications for service connections by establishing a time frame within which connections must be made to avoid re-application.
5. Improvement Plans: Applications for service connections, which necessitate the extension of one or more municipal facilities to property in order to make such connections, shall be conditioned by the City Manager or his designee, or the City Council to require that Construction Drawings of the intended public improvements be submitted to the City Engineer for plan check and approval. Costs incurred for the preparation of improvement plans, and certain off-site construction and/or installation costs related to extending facilities, shall be the responsibility of the applicant.
6. Fees: Prior to the issuance of a Connection Permit, payment must be made to the City of Porterville of all fees pertinent to the respective service connection, or connections, approved by the City Manager or his designee, or the City Council.

Within the Urban Development Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.
- That the subject property is not within an island as defined by Tulare LAFCo.
- That an attempt to annex the subject site is not realistic given current city limit boundaries. Specifically, the parcel is too far removed from the city limit, and/or the number and valuation of adjacent parcels would result in a failed annexation effort.

Within the Urban Area Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.

EXEMPTIONS AND EXCEPTIONS

1. PVPUD: Connections to Porterville Regional Sewage Treatment Facilities serving uses and improvements to property within the boundaries and jurisdiction of the Porter Vista Public Utility District (PVPUD) are exempted from application to the City of Porterville. Interested parties should contact the PVPUD for information on connection requirements and fees pertaining

to sewer services. This exemption does not apply to requests for connection to Municipal Water and/or Master Storm Drain Facilities.

2. PRIOR APPROVALS: Porterville City Council approval of requests for connection to Regional Sewage Treatment, Municipal Water and/or Master Storm Drain Facilities as authorized prior to the adoption and effective date of the respective policies set forth herein shall remain valid and in force according to the terms and conditions initially specified at the time of approval, and re-application will not be required.

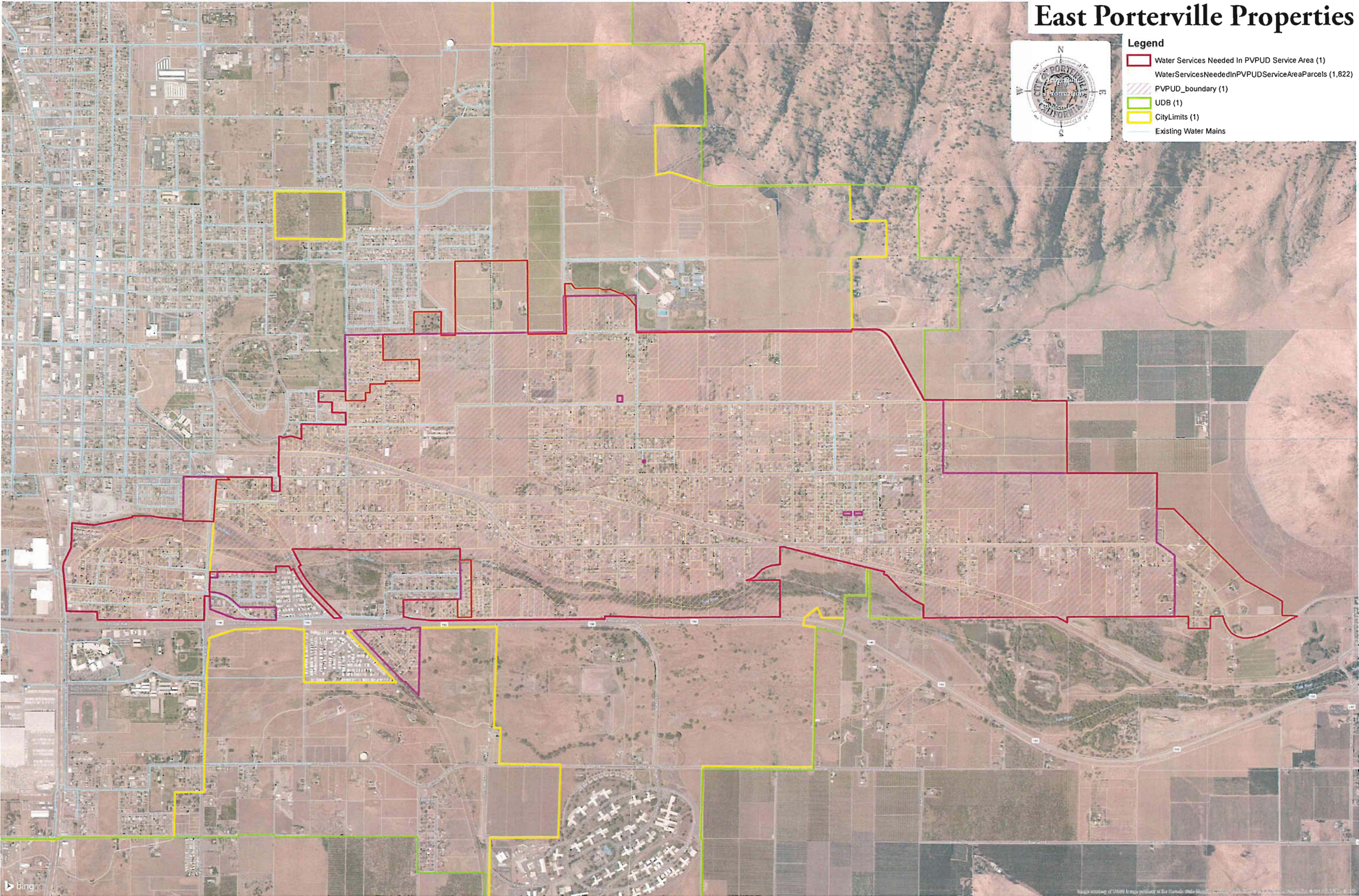
3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues in East Porterville. Properties within that boundary would be permitted to apply for connection, whether in association with DWR, SWRCB, or at a later date, on their own. Such connections would be subject to the mandatory findings as outlined in this procedure, with the following exceptions:

- Rather than require that the subject property be a developed single-family residence on a parcel 24,999 square feet or smaller, neither the land use nor the parcel size would be restricted neither the land use nor the parcel size would be restricted for legal and legal non-conforming structures and land uses existing as of April 29, 2016.
- Further, properties within certain islands in the EPFS Project Area would not be required to annex prior to connection. This exception does not limit the City of Porterville's authority to pursue annexation in the future, but rather waives the requirement that annexation must be approved prior to connection.

East Porterville Properties



- Legend**
- Water Services Needed In PVPUD Service Area (1)
 - WaterServicesNeededInPVPUDServiceAreaParcels (1,822)
 - PVPUD_boundary (1)
 - UDB (1)
 - CityLimits (1)
 - Existing Water Mains



STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 19th day of April, 2016.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X	X	X	X	
NOES:					
ABSTAIN:					
ABSENT:					X

JOHN D. LOLLIS, City Clerk

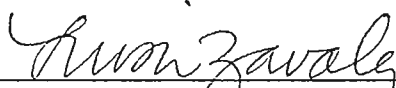

By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'



EXHIBIT 'D'

Scope of Work

Task	Description	Cost
1.2	Prepare Well Drilling Plans, Specifications, and Estimates	\$468.00
3.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$1,526.00
5	Ph. 1 Preconstruction Meeting	\$1,357.43
Total:		\$3,351.43

Consulting Engineering work will be reimbursed directly to Dee Jaspar & Associates under Tulare County Agreement No. 1276, including the following Tasks:

Task 4.1	Project Evaluations and Field Surveying	\$58,326.00
Task 4.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$30,000.00
Task 4.3	Prepare and Assist with SCE Application & Telephone Service	\$5,000.00
Task 4.4	SCE Costs	\$15,000.00
Total:		\$108,326.00

Discussion Draft

Subject to Additional Review and Modification by the Parties

Porterville MOU
Draft 2
June 15, 2016
PortervilleEmergencyMOU061516



Memorandum of Understanding (MOU)

Regarding the Provisions of Emergency Water Supplies to East Porterville

by the California Department of Water Resources (DWR), California Office of Emergency

Service (OES), the State Water Resources Control Board (SWRCB),

the County of Tulare (County), and City of Porterville (Porterville),

which are collectively known as the “Parties”

Recitals

Whereas, some residents living in an unincorporated area of Tulare County, commonly known as “East Porterville,” have experienced loss of adequate water supply to their homes and properties as a result of severe drought conditions, which has caused significant hardship for the residents;

Whereas, Governor Edmund G. Brown Junior has directed all State agencies to assist these residents who are in need of water supplies with emergency and long-term assistance;

Whereas, Governor Edmund G. Brown Junior signed Assembly Bill 685 in 2012, adding Water Code section 106.3, which recognizes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes, and which requires all relevant state agencies to consider this right when revising, adopting, or establishing pertinent policies, regulations, and grant criteria;

Whereas, the Parties have provided emergency water supplies to some residents of East Porterville that are without an adequate household water supply;

Whereas, the Parties to this MOU seek an emergency and long-term solution to the lack of adequate household water supply by developing and providing continuous water supplies to these residents;

Whereas, East Porterville is located east and adjacent to Porterville, which has an existing municipal water system that serves residents within the incorporated area of Porterville;

Whereas, some of the residents of East Porterville without an adequate household water supply could be connected to Porterville's municipal water system provided certain arrangements and projects are carried out by the Parties;

Whereas, Vandalia is a neighborhood located within Porterville, and some Vandalia residents lack adequate household water supply and these households could be connected to Porterville's municipal water system;

Whereas, the Parties have met and have discussed alternative plans and projects that would provide an emergency water supply from Porterville to some residents of East Porterville and Vandalia in an expeditious manner;

Whereas, to advance these projects, DWR has provided funding, as reflected in the agreement between DWR and Tulare attached as Exhibit 1, for a municipal well designated as "Well C1" located in Tulare County that ultimately could be used to supply water to these residents of East Porterville;

Whereas, the SWRCB has also provided funding for Well C1, as reflected in the agreement between the SWRCB and the County attached as Exhibit 2;

Whereas, the County and Porterville intend to execute an agreement, a draft of which is attached as Exhibit 3, that will connect Well C1 to Porterville's municipal water system and that will provide for an adequate household water supply for some residents of East Porterville; and

Whereas, the Parties have reached an understanding on how best to implement the project alternative that will provide an adequate household water supply to some residents of East Porterville and Vandalia, and alleviate the hardships in an expeditious, cost-effective manner.

Understanding

A. Description of Emergency Project and Long-Term Plan

1. The purpose of this MOU is to set forth in writing the intentions of the Parties of how best to move forward with plans to complete an emergency water supply project (Project) to some residents in the East Porterville and Vandalia areas, which are represented in Exhibit 4. (Map showing East Porterville and Porterville). The goal of the Project is to provide an adequate household water supply to some of the residents and properties in these areas that do not have one presently, and to end the need of the Parties to provide temporary water supplies to those residents through tanks and bottles.

2. The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville that have dry wells and are adjacent to Porterville's existing municipal water distribution system. It is estimated that this phase will serve 40 properties with dry wells that are currently receiving temporary household water supplies.

3. The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 500 properties in East Porterville and in Vandalia that have dry wells or otherwise lack an adequate source of water and have not been connected by Phase 1. In order to complete Phase 2, the residents of these properties will likewise need to connect to Porterville's municipal water system.

4. As soon as possible, Porterville and DWR will undertake Phase 1 of the Project and connect the properties in East Porterville that are adjacent to Porterville's existing municipal water distribution system. These connections will be accomplished as described in Water Installation Diagram attached as Exhibit 5 and based on the cost estimate, which is attached as Exhibit 6. In order to make these connections, a property owner desiring to receive public water supply will need to execute the Extraterritorial Service Agreement, a sample of which is attached as Exhibit 7, and the SWRCB's Water Connection Agreement, a sample of which is attached as Exhibit 8. Necessary signatures and agreements with property owners will be sought through SWRCB's outreach carried out with the assistance of all Parties to this MOU.

5. The Parties intend that Well C1 will be used to provide the emergency water supply in Phase 2 to about 500 properties without adequate household water supplies. The Parties presently understand that there are about 423 properties in East Porterville and approximately 80 properties in Vandalia where connections may be needed to provide emergency water supplies.

6. The Parties have created a Technical Workgroup consisting of engineers and planners, which work cooperatively on the technical issues described in this MOU. Based on recommendations of the Technical Workgroup, the Parties intend to provide the emergency water supply contemplated by this MOU.

7. The Parties intend to develop a Long-Term Water System Plan (Long-Term Plan) for the East Porterville area, which will serve other residents in the area besides those served by the Project. The Parties intend that the Project will be designed consistent with the Long-Term Plan to ensure that all water facilities constructed as part of the Project will be incorporated into the facilities ultimately developed through the Long-Term Plan. The first work product produced by the Technical Workgroup will be a Feasibility Study for the Long-Term Plan. The outline of the Feasibility Study is attached as Exhibit 9.

8. The Parties intend to use best efforts to complete both phases of the Project by December 31, 2016. The completion date of the Long-Term Plan is dependent on the completion of the Feasibility Study carried out by Technical Workgroup and on Porterville and/or the County applying for and securing sufficient funding from the SWRCB or from other sources. The Parties desire to complete the Long-Term Plan as expeditiously as possible.

B. Project Contributions of the Parties

9. Working in cooperation with the other Parties and the Technical Workgroup, DWR will prepare all environmental compliance for the Project, and design and construct the Project, both Phases 1 and 2. DWR will provide funding for Phases 1 and 2 of the Project through Emergency Drought Funding. DWR intends to serve as California Environmental Quality Act (CEQA) lead agency for the Long-Term Plan and will prepare any necessary CEQA documentation and any other necessary environmental review documents, unless the Feasibility Study recommends another lead agency.

10. SWRCB will provide the community outreach to assist in obtaining necessary property owner acceptance before proceeding with Project. SWRCB will also work with Porterville and/or County to secure funding of the Long-Term Plan. SWRCB will provide certain reviews and approvals for the permitting of the Project and the Long-Term Plan.

11. OES will coordinate all of the State's efforts under the Governor's Drought Task Force in the Project area and will be provided at no cost by Porterville up to 3,000,000 gallons of emergency water per month as needed as a result of this MOU and the agreement that Porterville and the County are in the process of considering for execution, a draft of which is attached as Exhibit 3, with regard to the Well C1.

12. Porterville will provide the needed water service to the residents of East Porterville without an adequate household water supply after they are connected to Porterville's municipal water system as described in the Project. The water service will be accomplished per the Extraterritorial Service Agreement, which requires that property owners served pay the monthly water bill. DWR is funding the residents' connection to the Project, and as a result, some of the normal connection fees will be waived provided that connection is made during Phase 1 or Phase 2. Porterville will install the water meters for each connection, which will be paid for by DWR.

13. The County intends to execute an agreement with Porterville that is consistent with this MOU and Exhibit 3, which will allow Well C1 to serve as a water supply for the Project. The County will inspect the work of the Project and the property connections at no cost to the residents.

14. The Parties to the MOU will cause the removal of all temporary water tanks from the properties upon completion of the Project and the appurtenances necessary for the receipt of municipal water service. The work for removing the water tanks will be carried out by the County under an agreement between the County and OES.

C. General Provisions

15. The Parties intend to use their best efforts to carry out this MOU. This MOU is not a binding agreement, and is not intended to create contractual rights and remedies among the Parties. However, the Parties have entered into and intend to enter into certain binding agreements in the future necessary to develop and complete the Project and the Long-Term Plan.

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on December 31, 2016, unless extended by all of the Parties in writing.

[Signatures on following page]

This MOU has been executed by:

California Department of Water Resources

State Water Resources Control Board

California Office of Emergency Services

County of Tulare

City of Porterville

List of Exhibits

1. DWR and Tulare County Executed Well C1 Agreement
2. SWRCB and County Executed Well C1 Agreement (Water Board Grant #D-15-11-902)
3. County and Porterville Draft Well Agreement
4. Map of East Porterville
5. Household Water Service Installation Diagram
6. Household Water Service Cost Estimate
7. Sample Extraterritorial Service Agreement
8. Sample SWRCB Water Connection Agreement
9. Draft Emergency Project Feasibility Study

