CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
APRIL 18, 2017, 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: 42 South Plano Street. Agency Negotiator: John Lollis and Donnie Moore. Negotiating Parties: City of Porterville and The Barn Theater. Under Negotiation: Terms and Conditions of Lease.
2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 1893 South Newcomb Street, Lot 38. Agency Negotiator: John Lollis and Maria Bemis. Negotiating Parties: City of Porterville and Raymond Broad. Under Negotiation: Terms and Conditions of Lease.
3 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations: Porterville City Employees Association, Public Safety Support Unit, and Management & Confidential Series.
4 - Government Code Section 54956.95 – Liability Claim: Claimant: Avtar Basra. Agency claimed against: City of Porterville.
5 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case in which facts are not yet known to potential plaintiff.
6 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: 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 Hamilton
Invocation

PROCLAMATIONS

Iris Festival Day - April 22, 2017
Jim Kusserow

PRESENTATIONS

Employee of the Month - Oscar Zepeda
Outstanding Business Honoree

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) - April 17, 2017
2. Tulare County Association of Governments (TCAG) Retreat - April 6, 2017
3. Local Agency Formation Commission (LAFCO) - April 12, 2017
4. SJVAPCD Special City Selection Committee - April 6, 2017

REPORTS

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

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - April 6, 2017
2. Library & Literacy Commission - April 11, 2017
3. Arts Commission
4. Animal Control Commission - April 10, 2017
5. Youth Commission - April 10, 2017
6. Transactions and Use Tax Oversight Committee (TUTOC)

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. City Council Minutes of March 7, 2017, and March 21, 2017

Re: Considering approval of the draft minutes of March 7, 2017, and March 21, 2017.

2. Authorization to Purchase Jet Aircraft Refueler

Re: Approving the purchase of a new Jet Aircraft Refueler from Skymark Refuelers for a total price of $210,133.75 inclusive of sales taxes and delivery charges.

3. Authorization to Purchase Type 1 Fire Engine

Re: Authorizing the purchase of a "Type 1" Fire Engine from Rosenbauer America utilizing the NJPA contract, to include all necessary tools and equipment for operation, at an estimated cost of $454,855 for the engine and $90,000 in equipment.

4. Purchase of Wildland Protective Clothing

Re: Authorizing the purchase of twenty five (25) sets of Wildland Personal Protective Equipment from Cascade Fire Equipment Company in an amount of $9,201.25.

5. Barn Theater Lease Agreement Renewal

Re: Considering approval of the renewal of the property license agreement between the City of Porterville and the Barn Theater.

6. Approval of Draft State Water Board's Grant Application for Providing Water to Akin Water Company - Phase 2

Re: Considering approval of the draft State Water Board's Construction Grant Application and associated resolutions, and authorizing Self Help to file completed application in order to proceed with the Akin Water Company consolidation project generally located south of Lincoln Avenue between Fourth and Plano Streets.

7. Intent to set a Public Hearing to consider Annual Adjustment of Fees by Application of the ENR Cost Index

Re: Setting a Public Hearing for June 6, 2017, pursuant to Government Code Section 66026, to consider implementation of the City of Porterville's Impact Fee Engineering News-Record ("ENR") Cost Index auto escalator concerning park impact fees and connection fees.

8. Approval for Community Civic Event - Knights of Columbus - Parish Pride Car Show - June 10, 2017
Re: Considering approval of the annual community civic event scheduled to take place along Main Street on June 10th.

9. Approval for Community Civic Event - Comision Honorifica Mexicana-Americana, Inc. - Cinco de Mayo Parade and Fiesta Dominguera 5 de Mayo - May 6 and 7, 2017
Re: Considering approval of the annual community civic event to be held in Downtown Porterville on May 6th and May 7th.

10. Request for Proclamation - Arbor Day - April 28, 2017
Re: Considering approval of a request to proclaim April 28, 2017, as "Arbor Day" in the city of Porterville.

11. City Council Member Requested Agenda Item - Consider Resolution of Support for AB 242 (Arambula); "Certificates of Death: Veterans"
Re: Considering Resolution of Support for AB 242 (Arambula); "Certificates of Death: Veterans"

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

PUBLIC HEARINGS

12. Olive & Lotas Commercial Development
Re: Consideration of approval of draft resolutions approving the Mitigated Negative Declaration and mitigation monitoring plan; findings and conditions supporting the approval of a Tentative Parcel Map; and findings and conditions supporting approval of a CUP concerning Smart & Final's proposed move from its current location to 1289 W. Olive Avenue and its development of approximately 60,651 sq. ft., of which 31,341 sq. ft. is Smart & Final and 29,310 sq. ft. is additional commercial space.

13. Community Development Block Grant Action Plan 2017/18
Re: Consideration of a resolution approving the 2017/2018 Action Plan, accompanying program models, and the proposed use of Community Development Block Grant Funds.

14. Consideration of Amendments to the Arts Commission Composition
Re: Considering an ordinance to amend the structure of the Arts Commission including commission size and removal of term limits for commissioners.

SECOND READINGS

15. Second Reading - Ordinance No. 1840 - Cost Recovery Ordinance
Re: Second Reading of Ordinance No. 1840, an ordinance adopting a cost recovery program to provide for comprehensive cost recovery in nuisance abatement actions, which was given first reading on April 4, 2017, and has been printed.

SCHEDULED MATTERS

16. Downtown Parking District No. 2 requirements for new construction located at 308 N. Second Street
Re: Consideration of the appropriate number of parking spaces for the proposed office use at 308 N. Second Street.

17. Consideration of Appointment as the City of Porterville's Representative to the Tulare County Task Force on Homelessness
Re: Considering the appointment of a City representative to the Tulare County Task Force on Homelessness.

18. 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 May 2, 2017.

Adjourn to a meeting of the Porterville City Council.

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

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

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: 1. Water Conservation Phase IV Status Update

SOURCE: Public Works

COMMENT: The City of Porterville has continued to enforce and maintain an active water conservation approach, both conserving and providing flexibility to the community. The City has been operating through the winter months in Phase IV of the City's Water Conservation Plan, which became effective December 1, 2016. The City's Water Conservation Plan applies to all water users within the City's service area. As part of the Phase IV implementation, the City has reduced watering days, to a one day per week watering schedule, based on address. If an address ends with an "odd" number, the watering day is Saturday; if an address ends with an "even" number, the watering day is Sunday. Watering is prohibited between the hours of 5 a.m. to 10 a.m. and 5 p.m. to 10 p.m., with no watering allowed Monday, Tuesday, Wednesday, Thursday or Friday. Watering of outdoor landscape is prohibited during, and within 48 hours after, measurable rainfall, which is defined as greater than 0.01 of an inch.

Violations of prohibited activities are considered infractions and are punishable by fines of up to $500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator. The City of Porterville will be responding to enforcement by issuing a Notice of Violation for all witnessed occurrences and staff will be processing all reported issues. Enforcement statistics for the month of March 2017 show that a total of 18 Notice of Violations were issued for water wasting; 0 Administrative Citations were issued.

Water production for March 2017 shows a 23% decrease from the 5-year average. The production for the month of March 2017 was 144 million gallons, which when compared to the production for the month of March 2013 of 209 million gallons, equates to a 31% reduction. Residential consumption for March 2017 was 55.47 gallons per capita per day (GPCD).

Under the February 2, 2016, emergency regulation, the City of Porterville received a revised conservation standard of 28% with an additional 2% reduction for climate adjustment, making the City’s conservation standard 26%. After reviewing the Water Board's Self-Certification criteria for the City of Porterville, Council approved maintaining the current imposed standard of 26%. The continuation of the current standard keeps a standardized message the City has worked to develop in public outreach, provides resiliency and capacity to ensure supply under drought conditions, meets the minimum 20% conservation standard defined in the City's Urban Water Management Plan, and assists the City toward meeting the requirements of the Sustainable Groundwater

Management Act (SGMA).

Compliance with individual water supplier conservation requirements is based on cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. The cumulative total for the City of Porterville's conservation efforts will reflect June 2015 through March 2017. Porterville's cumulative total conservation through March 2017 is 27%.

As of February 8, 2017, the State Water Resources Control Board has extended its existing water conservation regulations, monthly reporting will continue to monitor performance of urban water agencies which will include reasonable prohibitions against wasteful water practices such as watering lawns within 48 hours of a rainstorm, hosing off sidewalks and driveways, or over-watering landscaping to the point where water runs into the street. Rules had been set to expire February 28, 2017, however the Board agreed to consider repeal of the regulation in May if regulations have not been rescinded or modified by May 1, 2017, following a more thorough review of the state's water supply conditions. While water supplies have improved in many areas, the state's five-year drought has underscored the need for permanent improvements in California's long-term efficient water use and drought preparedness, making water conservation a way of life in California.

As summer months approach, the efforts to maintain a consistent message in the community will continue, staff did approach City Council at the April 4, 2017 meeting, setting a Public Hearing for the May 2, 2017 City Council Meeting. Staff will be recommending Council consider returning to Phase III of the City's Water Conservation Plan and have a proposed effective date of June 1, 2017. Phase III would provide an additional day of watering to city residences during the summer months, added flexibility and a schedule that mirrors last year's implementation schedule. Any changes approved for implementation by City Council will be publicly noticed in the paper, mail and local radio advertisement.

RECOMMENDATION: Informational Only

ATTACHMENTS:

1. Monthly Production Status March 2017
2. Drought Response Phase IV Flyer

Appropriated/Funded:

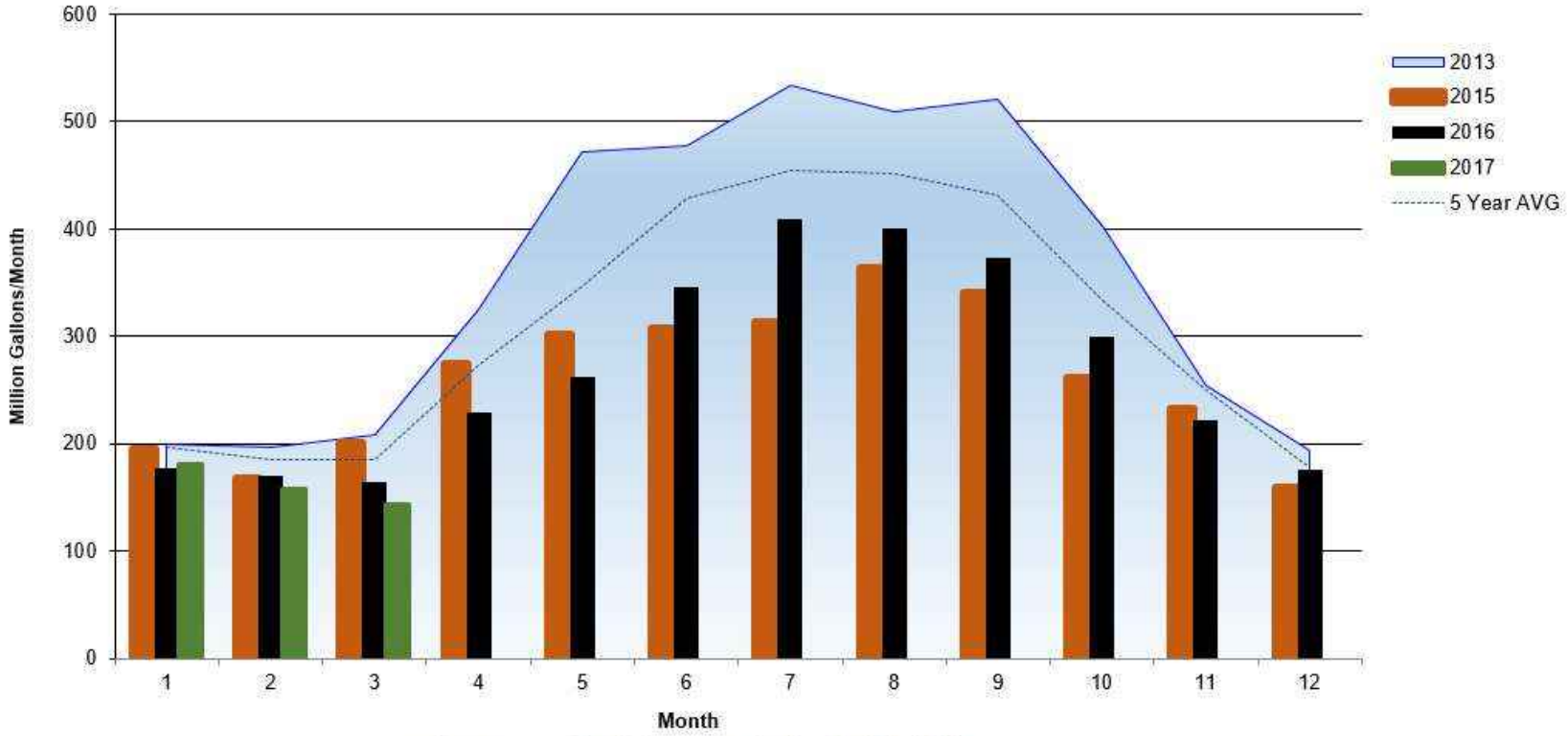
Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

Monthly Production Status & Cumulative Total June 15/16 Through March 17 Production Comparison to 2013 & 5 Year Average



Cumulative Total 27%

2015	-2%	-15%	-4%	-16%	-36%	-36%	-41%	-28%	-35%	-35%	-8%	-18%
2016	-12%	-14%	-21%	-30%	-45%	-28%	-24%	-21%	-28%	-26%	-13%	-10%
2017	-9%	-20%	-31%									

Percent Comarison to 2013 Production

DROUGHT RESPONSE Phase IV

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

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

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

Excessive water runoff is prohibited.

The washing of sidewalks and driveways is prohibited.

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

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

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

DROUGHT RESPONSE PHASE IV

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

Mandatory Odd/Even Watering Schedule

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

Odd Address Even Address

Outdoor Watering is Prohibited

ODD NUMBER ADDRESSES

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

OR

EVEN NUMBER ADDRESSES

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

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

Mandatory
Odd/Even Watering Schedule

Excessive water runoff prohibited

The washing of sidewalks and driveways is prohibited

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

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

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

NO WATERING
MONDAY THROUGH FRIDAY.

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: City Council Minutes of March 7, 2017, and March 21, 2017

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of March 7, 2017, and March 21, 2017, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of March 7, 2017, and March 21, 2017.

ATTACHMENTS:

1. Draft Minutes of March 7, 2017
2. Draft Minutes of March 21, 2017

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Patrice Hildreth, Administrative Services Dir

CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 7, 2017, 5:30 PM

Call to Order at 5:31 p.m.
Roll Call: Council Member Reyes, Council Member Hamilton, Council Member Flores, Vice Mayor Ward, Mayor Stowe

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 252-193-010 and 252-193-008. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Citibank. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 2011 & 2021 S. Wildcat Way. Agency Negotiator: John Lollis and Maria Bemis. Negotiating Parties: City of Porterville and Tule River Aero Industries. Under Negotiation: Terms and Conditions of Lease.

3 - Government Code Section 54956.95 – Liability Claim: Claimant: Maria Gloria de Riveria. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.95 – Liability Claim: Claimant: Scott Zagala. Agency claimed against: City of Porterville.

5 - Government Code Section 54956.95 – Liability Claim: Claimant: Erica Hernandez. Agency claimed against: City of Porterville.

6 - Government Code Section 54956.95 – Liability Claim: Claimant: Maria Meza. Agency claimed against: City of Porterville.

7 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Kerry Kirchenberg v. City of Porterville, Tulare County Superior Court Case No. 266973.

8 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four cases in which facts are not yet known to potential plaintiff.

9 - 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 Lew reported on the following action taken during closed session:

A-3. On a MOTION made by Mayor Stowe, and SECONDED by Council Member Reyes, by unanimous vote, the Council rejected the claim submitted by Maria Gloria de Riveria.

Documentation: M.O. 01-030717
Disposition: Claim Rejected.

A-4. On a MOTION made by Council Member Hamilton, and SECONDED by Vice Mayor Ward, by unanimous vote, the City Council rejected the claim submitted by Scott Zagala.

Documentation: M.O. 02-030717
Disposition: Claim Rejected.

A-5. On a MOTION made by Mayor Stowe, and SECONDED by Council Member Flores, by unanimous vote, the City Council rejected the claim submitted by Erica Hernandez.

Documentation: M.O. 03-030717
Disposition: Claim Rejected.

A-6. On a MOTION made by Council Member Hamilton, and SECONDED by Council Member Flores, by unanimous vote, the City Council rejected the claim submitted by Maria Meza.

Documentation: M.O. 04-030717
Disposition: Claim Rejected.

Pledge of Allegiance Led by Council Member Flores
Invocation

PRESENTATIONS

Employee of the Month - Alex Rodriguez
Employee Service Awards
Introduction of New Employees
Chamber of Commerce's Quarterly Report

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - February 27, 2017
Council Member Flores reported on STIP allocations, federally funded projects, and updated the Council on committee appointments and the proposed amendment to Measure R.

2. Local Agency Formation Commission (LAFCO) - March 1, 2017
Council Member Hamilton reported on the City of Porterville annexation of 756 homes that was requested by the property owners.

3. Tulare County Economic Development Corp. (TCEDC) - February 22, 2017
Council Member Reyes reported that there were no action items at the meeting and that the main topic of discussion was the Economic Summit that is being held at the Wyndham Visalia on March 17th.

4. Eastern Tule Groundwater Sustainability Agency - February 23, 2017
Council Member Reyes reported on the announcement of a training to take place at the Tulare Ag Center. He also reported that the agency was accepting the Water Resources Best Practices and of the support during the public hearing regarding white areas.

REPORTS
No reports.

ORAL COMMUNICATIONS

- Michael Dunway, representative of Green Bean Pharm, spoke in regards to the Prop 64 discussion and addressed general concerns.
- Brock Neeley informed the Council of the scheduled Suicide Prevention taskforce meetings for the year.
- Jason Stotter, General Contractor on behalf of Hands on Hydroponics, spoke regarding Prop 64.
- Clarence Ogans, spoke on behalf of Pioneer Home Outreach, stated that the area was annexed over a year ago and inquired when this area will be connected to City water.

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

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Hamilton that the City Council approve Items Nos. 1-6. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF DECEMBER 20, 2016, AND JANUARY 17, 2017

Recommendation: That the Council approve the draft Minutes of December 20, 2016, and January 17, 2017.

Documentation: M.O. 05-030717
Disposition: Approved.

2. AUTHORIZATION TO EXECUTE AN AGREEMENT TO DESIGNATE DEER CREEK AND TULE RIVER AUTHORITY (DCTRA) AS FISCAL AGENT FOR THE TULE SUBBASIN SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA) PLANNING GRANT

Recommendation: That City Council:

1. Approve the Tule Subbasin SGMA MOU Group's recommendation to appoint Deer Creek & Tule River Authority as the fiscal agent for the group; and
2. Authorize the Mayor to execute the Agreement to Designate the Deer Creek & Tule River Authority as Fiscal Agent for the Tule Subbasin Planning Grant.

Documentation: M.O. 06-030717
Disposition: Approved.

3. A RESOLUTION APPROVING THE APPLICATION FOR STATE OFF-HIGHWAY VEHICLE GRANT FUNDS

Recommendation: That the City Council adopt a Resolution approving the application for State Off-Highway Vehicle Grant Funds.

Documentation: Resolution No. 11-2017
Disposition: Approved.

4. INTENT TO SET A PUBLIC HEARING FOR ADJUSTMENT OF ZALUD HOUSE MUSEUM FEES

Recommendation: That the City Council set a Public Hearing for March 21, 2017, to allow for public comments and to consider adjusting Zalud House Museum fees.

Documentation: M.O. 07-030717
Disposition: Approved.

5. AUTHORIZATION TO ADJUST ANIMAL CONTROL ADOPTION FEES

Recommendation: That the City Council:

1. Adopt resolution that authorizes the Animal Control Adoption Fees be periodically adjusted for special adoption events and other promotions coordinated by City of Porterville Animal Control Shelter personnel and authorizes the Chief of Police to identify and enact the time periods and amount of reductions.

Documentation: Resolution No. 12-2017
Disposition: Approved.

6. APPROVAL FOR COMMUNITY CIVIC EVENT - OPTIMIST CLUB - PORTERVILLE UNIFIED SCHOOL DISTRICT - BURTON SCHOOL DISTRICT - PORTERVILLE CELEBRATES READING - APRIL 8, 2017

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

Documentation: M.O. 08-030717
Disposition: Approved.

SCHEDULED MATTERS

7. PROPOSITION 64 STUDY SESSION

Recommendation: That the City Council review the information and provide direction to staff.

City Manager Lollis introduced the item and City Attorney Lew presented the staff report. Council asked for clarification on the verbiage of Proposition 64.

Vice Mayor Ward expressed his concern regarding compliant and non-compliant marijuana grow sites. Staff reported on the percentage of both compliant and non-compliant sites that had permits versus the grow sites that did not have permits.

Council and staff discussed possible rules and regulations that could be included in the permitting process according to state law. Council Member Reyes expressed his concerns regarding safety with in-home grows.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Mayor Stowe, that the City Council appoint Council Member Hamilton and Council Member Reyes to an ad hoc committee, and direct staff to coordinate a meeting with interested parties. The motion carried unanimously.

Documentation: M.O. 09-030717
Disposition: Approved.

8. CONSIDERATION OF NOMINATION TO THE CITY SELECTION COMMITTEE FOR APPOINTMENT TO THE GOVERNING BOARD OF THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT.

Recommendation: That the City Council:
1. Select a candidate to nominate to the City Selection Committee for appointment to the San Joaquin Valley Air Pollution Control District's Governing Board; and
2. Approve the draft resolution nominating its preferred candidate; and

3. Direct the City Clerk to forward a copy of the signed Resolution to the District no later than March 15, 2017.

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

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Vice Mayor Ward, that the City Council nominate Council Member Reyes to the San Joaquin Valley Air Pollution Control District. The motion carried unanimously.

Documentation: Resolution No. 13-2017
Disposition: Approved.

The Council thanked Council Member Reyes for stepping up and accepting the nomination.

9. 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 Hamilton, SECONDED by Vice Mayor Ward that the City Council approve the continued Declaration of Local Emergency. The motion carried unanimously.

Documentation: M.O. 10-030717
Disposition: Approved.

ORAL COMMUNICATIONS
None

OTHER MATTERS

- Council Member Flores spoke of her participation in the Dr. Seuss Celebration at Los Robles and Alta Vista Schools, and of a Poetry and Prose contest. She then congratulated the honorees of the Public Safety Recognition Dinner, and reminded everyone of the upcoming Chamber Mixer at Stafford's Chocolates.
- Council Member Hamilton lauded Public Safety Officers and the Public Safety Recognition Dinner. He then announced that he and Council Member Reyes would be attending Porterville High School's first Car Show on Saturday, March 11th. He lastly reminded those interested in a Prop 64 committee to leave their contact information.

- Council Member Reyes spoke of his attendance at the 24th Annual Band Fundraiser and spoke of the beauty of the Sierras. He then made mention of his attendance as a designated driver at Zonta Club's Wine and Art event.
- Vice Mayor Ward reported on his participation at Summit Charter Lombardi Campus' Dr. Seuss celebration, and spoke of his upcoming drive to Indiana to pick up a classic car.
- Mayor Stowe spoke of his participation in the Dr. Seuss Week celebrations, and of his recent trip to the State Capital where he served as a Delegate for the California Representative Convention, stating that it was very interesting and fun.
- City Manager John Lollis reminded the Council about a few upcoming events, including the Economic Summit, Priority Projects Meeting, and Nanlangka's Grand Opening. He also invited the council to visit the Choose Porterville Facebook page where they could view and complete two surveys of the Community Development Department.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:42 p.m. to the meeting of March 21, 2017.

SEAL

_____
Luisa M. Zavala, Deputy City Clerk

_____
Milt Stowe, Mayor

CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET and
461 RUMA RANCHO
PORTERVILLE, CALIFORNIA
MARCH 21, 2017, 5:30 PM

Call to Order at 5:34 p.m.

Roll Call: Council Member Reyes (participated via teleconference and disconnected at 5:42 p.m. upon the arrival of Vice Mayor Ward), Council Member Flores, Vice Mayor Ward (arrived at 5:42 p.m.), Mayor Stowe

Absent: Council Member Hamilton

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs: 252-193-010 and 252-193-008. Agency Negotiator: Patrice Hildreth and Jenni Byers. Negotiating Parties: City of Porterville and Citibank. Under Negotiation: Terms and Price.

2 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 1893 S. Newcomb Street. Agency Negotiator: Patrice Hildreth and Maria Bemis. Negotiating Parties: City of Porterville and Debie Fittro. Under Negotiation: Terms and Conditions of Lease.

3 - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 466 E. Putnam Avenue. Agency Negotiator: Patrice Hildreth and Donnie Moore. Negotiating Parties: City of Porterville and Comision Honorifica Mexicana Americana Inc. Under Negotiation: Terms and Conditions of Lease.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Champaheuang, et al. v. Porterville Police Department, et al. Tulare County Superior Court Case No. 255956.

5 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One case in which facts are not yet known to potential plaintiff.

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

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

City Attorney Lew reported that no reportable action had been taken during Closed Session.

Pledge of Allegiance Led by Vice Mayor Ward
Invocation – a moment of silence was observed.

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) - March 20, 2017
Council Member Flores provided transit updates, status of the State Transportation Improvement Program, the California Transportation Commission, and the overlay project from Henderson to Avenue 137. She also reported that the vacancies on the San Joaquin Valley Rail Committee and the Tulare County Water Commission had been filled.

2. Eastern Tule Groundwater Sustainability Agency - March 16, 2017
Public Works Director Mike Reed reported that the Tulare County Board of Supervisors had selected a white area representative as the board director to the GSA. He also reported that the DWR had received its application and they were within the 90-day notification period waiting to be declared a formal GSA by the DWR. Mr. Reed also informed the Council that the GSA currently had its bylaws in a draft form.

REPORTS

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

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - March 2, 2017
Parks and Leisure Services Director Donnie Moore invited everyone to the Wall of Fame Ceremony on March 24th. He also thanked Determined Mess, Relay for Life, and Porterville FYI for their clean-up efforts along the Tule River Parkway.

2. Library & Literacy Commission - March 14, 2017
Library & Literacy Commissioner Allan Bailey spoke of the history of the library facility and of the current need for improvements. He also reported on February stats, program participation, and Sunday patronage.

3. Arts Commission
No report was provided

4. Animal Control Commission - March 13, 2017
No report was provided.

5. Youth Commission - March 13, 2017
No report was provided.

6. Transactions and Use Tax Oversight Committee (TUTOC) - February 28, 2017
TUTOC Chair Virginia Gurrola reported on the recent committee reorganization. She also thanked Russell Fletcher for his service as chair; spoke of vacancies, and updated the Council on its agenda and of the next meeting date.

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update

ORAL COMMUNICATIONS

- Brock Neeley, spoke in support of AB242, a Veteran Suicide Information Act for California.
- Virginia Gurrola spoke in support of Item No. 14.
- Michael Brown, Life Wireless, expressed the importance of free cell phone service and stated that the City would not allow them to set up booths or obtain a business license.

CONSENT CALENDAR

Item numbers 2 and 3 were pulled from the Consent Calendar for discussion.

COUNCIL ACTION: MOVED by Council Member Flores, SECONDED by Vice Mayor Ward, that the City Council approve Items Nos. 1, and 4 through 12.

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

1. PURCHASE OF POLE-MOUNTED CAMERA SYSTEMS

Recommendation: That the City Council:
1. Authorize the Police Department to negotiate the purchase of two (2) pole-mounted camera systems from QPCS in the amount of $15,891.64; and,
2. Authorize payment upon receipt of the camera systems.

Documentation: M.O. 01-032117
Disposition: Approved.

4. AUTHORIZATION TO REPAIR CITY WELL NO. 21

Recommendation: That City Council:
1. Direct the Finance Director to initiate a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed $36,758 for the repair of City Well No. 21; and
2. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 02-032117
Disposition: Approved.

5. AUTHORIZATION TO REPAIR CITY WELL 23

Recommendation: That City Council:
1. Direct the Finance Director to initiate a Purchase Order to Valley Pump & Dairy Systems in an amount not to exceed $45,049 for the repair of City Well No. 23; and
2. Direct the Finance Director to make payment to Valley Pump & Dairy Systems upon receipt of invoice approved by the Public Works Director.

Documentation: M.O. 03-032117
Disposition: Approved.

6. AWARD OF CONTRACT FOR AIRPORT RESTAURANT LEASE

Recommendation: That the City Council award the Operating and Lease Agreement for the Airport Restaurant to Debie Fittro for a term of five years with an option to extend the terms of the agreement for additional periods of five years.

Documentation: M.O. 04-032117
Disposition: Approved.

7. AUTHORIZATION TO RENEW PROPERTY LICENSE AGREEMENT WITH COMISION HONORIFICA MEXICANA AMERICANA INC.

Recommendation: That the City Council authorize the renewal of the property license agreement between the City of Porterville and Comision Honorifica Mexicana Americana Inc.

Documentation: M.O. 05-032117
Disposition: Approved.

8. APPROVAL OF ANNUAL TRANSPORTATION AGREEMENT WITH COUNTY OF TULARE

Recommendation: That the City Council enter into an Agreement with the County of Tulare for FY 2016/2017 to provide service to County residents within the service area boundary, and authorize the Mayor to execute the Agreement on behalf of the City.

Documentation: M.O. 06-032117
Disposition: Approved.

9. REQUEST FOR PROCLAMATION - IRIS FESTIVAL DAY - APRIL 22, 2017

Recommendation: That the City Council consider approval of the request to proclaim April 22, 2017, as "Iris Festival Day."

Documentation: M.O. 07-032117
Disposition: Approved.

10. REQUEST FOR PROCLAMATION - LIBRARY WEEK - APRIL 9-15, 2017

Recommendation: That the City Council consider approval of the request to proclaim April 9-15, 2017, as "Library Week" in the city of Porterville.

Documentation: M.O. 08-032117
Disposition: Approved.

11. REQUEST FOR PROCLAMATION - VOLUNTEER WEEK - APRIL 23-29, 2017

Recommendation: That the City Council consider approval of the request to proclaim April 23-29, 2017, as "Volunteer Week" in the city of Porterville.

Documentation: M.O. 09-032117
Disposition: Approved.

12. APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - IRIS FESTIVAL AND COLOR BLAST 5K RUN - APRIL 22, 2017

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

Documentation: M.O. 10-032117
Disposition: Approved.

PUBLIC HEARINGS

13. ZALUD HOUSE MUSEUM FEES

Recommendation: That the City Council:
1. Conduct a public hearing to solicit comments on the proposed Zalud House fees; and
2. Consider adoption of the Zalud House fees as presented.

Acting City Manager Patrice Hildreth introduced the item and Parks and Leisure Services Director Donnie Moore presented the staff report.

In response to Council inquiries, staff elaborated on the minimum number of tour participants that would trigger staffing, the history of the fee schedule, and the average number of participants in paranormal tours.

The Public Hearing was opened at 7:02 p.m.

- Brock Neeley spoke in support and suggested events on significant dates in Zalud Family History.
- Richard Marrero, 282 S. H Street, inquired about scheduling another tour.

The Public Hearing was closed at 7:06 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Flores, that the City Council adopt the Zalud House fees as presented by staff.

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

Documentation: Resolution No. 14-2017
Disposition: Approved.

SCHEDULED MATTERS

14. COMMUNITY DEVELOPMENT BLOCK GRANT BUSINESS ASSISTANCE PROGRAM - STAFFORD'S CHOCOLATES

Recommendation: That the City Council:
1. Approve the use of Community Development Block Grant Business Assistance funds in the amount of $70,000 for Robert Taylor, Jr. for the purchase of machinery and working capital; and
2. Authorize the Mayor to sign all documents and agreements necessary to complete the project.

Acting City Manager Patrice Hildreth introduced the item and noted that Community Development Director Jenni Byers had a financial conflict of interest and would recuse herself from the item. City Attorney Lew also noted a perceived conflict of interest with Council Member Flores due to the vocal support from applicant that she received during her campaign. City Attorney Lew noted Council Member Flores' perceived conflict for the record, and advised that in order for the Council to take any action on the item, Council Member Flores would need to participate under the rule of necessity. Acting Project Manager Jason Ridenour then presented the staff report.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Flores, that the City Council approve the use of Community Development Block Grant Business Assistance funds in the amount of $70,000 for Robert Taylor, Jr. for the purchase of machinery and working capital.

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

Documentation: M.O. 11-032117
Disposition: Approved.

15. 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.

Acting City Manager Patrice Hildreth introduced the item and Public Works Director Mike Reed presented the staff report. Mr. Reed also reported on the progress of the Akin Well and answered questions from Vice Mayor Ward regarding the city water infrastructure.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Flores, that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 12-032117
Disposition: Approved.

CONSENT CALENDAR CONTINUED

2. AUTHORIZATION TO PURCHASE PARK AMENITIES THROUGH CDBG FUNDS BY NEGOTIATION

Recommendation: That the City Council authorize the purchase by negotiation of these park amenity items listed and authorize payment for said items upon satisfactory delivery and installation.

Parks and Leisure Director Donnie Moore addressed questions regarding the roofing of pool restrooms and other park improvements being considered for Murry Park. In response to concerns expressed by Vice Mayor Ward, a discussion ensued as to other improvements in Murry Park and the cost for the proposed improvements.

COUNCIL ACTION: MOVED by Mayor Stowe, SECONDED by Council Member Flores, that the City Council authorize the purchase by negotiation of these park amenity items identified on the staff report, and authorize payment for said items upon satisfactory delivery and installation.

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

Documentation: M.O. 13-032117
Disposition: Approved.

3. REQUEST FOR APPROVAL TO PURCHASE MICROSOFT OFFICE 365 US GOVERNMENT COMMUNITY G1 SOFTWARE, A SUBSCRIPTION-BASED HOSTED VERSION OF MICROSOFT'S EMAIL AND CALENDARING SYSTEM

Recommendation: That the City Council approve the purchase of Office 365 Government Community G1 platform at an initial annual subscription cost of $22,230.00, plus applicable tax.

In response to questions posed by Vice Mayor Ward, IT Manager Ted Williams spoke of the higher costs for the Google option.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Flores, that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 14-032117
Disposition: Approved.

ORAL COMMUNICATIONS

- Brock Neeley commended the Council and City staff for their efforts in East Porterville.
- Juan Ruiz, requested clarification regarding the Council's consideration of free cell phone pop ups; and inquired about watering schedule.

OTHER MATTERS

- Council Member Ward requested that the California Veteran Suicide Information Act item be placed on the next agenda. He also spoke of his recent trip to Indiana and noted California's substantially higher gas prices and poor road condition.
- Mayor Stowe thanked City staff for their work in East Porterville water efforts.

- Acting City Manager Patrice Hildreth reminded everyone of the Wall of Fame Ceremony scheduled for Friday, March 24th, at 3:30 p.m. at the Heritage Center.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:43 p.m. to the meeting of April 4, 2017.

SEAL

_____

Luisa M. Zavala, Deputy City Clerk

_____

Milt Stowe, Mayor

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Authorization to Purchase Jet Aircraft Refueler

SOURCE: Finance

COMMENT: The Porterville Municipal Airport currently uses a 1965 refueler with a 3000 gallon capacity and a 1992 refueler with a 2200 gallon capacity to dispense fuel to jet aircrafts. On several occasions this year, the City has had to lease another 3000 gallon truck in order to accommodate the increase in fuel demand. The new firefighting fleet includes 4-engine jets, the fuel capacity of which are double the older fleet.

On March 11, 2017, a Request for Proposal (RFP) was issued for a 5000 gallon jet aircraft refueler for airport operations. The following proposals were received in response to the invitation to bid:

Skymark Refuelers	$ 210,133.75
Garsite	$ 221,556.46

Both bids are consistent with the requirements of the specifications as detailed on the RFP. The bid amounts are inclusive of sales taxes and delivery charges.

A new jet aircraft refueler with a bigger tank and higher fuel capacity will greatly enhance the fueling operations at the Airport especially during the fire season. It would reduce the number of trips required to fill-up one of the tanks of a firefighting jet. Funding for the new jet aircraft refueler will be split between the Airport Fund's equipment replacement account and the proceeds from the sale of Airport property to the Porterville Fair.

RECOMMENDATION: That the City Council approve the purchase of a new Jet Aircraft Refueler from Skymark Refuelers for a total price of $210,133.75 inclusive of sales taxes and delivery charges.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Authorization to Purchase Type 1 Fire Engine

SOURCE: Fire

COMMENT: The Fire Department fleet includes four (4) "Type 1" Fire Engines. Three serve as initial response from each fire station and one serves as a reserve engine used on major emergencies and when front line apparatus are taken out of service for repair or maintenance. The reserve engine was purchased in 1996 and was scheduled for replacement during the 2015/16 fiscal year. Rather than replacing it at that time, the department delayed the purchase and has since conducted research into alternative purchasing methods which may offset the cost increases that were identified in our most recent fire apparatus purchase in 2012.

Staff has identified a significant savings opportunity in utilizing the City's membership in the National Joint Powers Alliance ("NJPA"). Research indicates a savings of approximately $75,000 compared to the competitive bid process for a fire engine meeting the department's specifications. Additional savings of up to $15,979 may also be achieved through prepayment options with Rosenbauer. Staff requested three quotes, two from NJPA and one from the Houston Galveston Area Council ("HGAC"), another governmental purchasing agency. The quote information is provided below for Council's reference:
Rosenbauer NJPA contract $ 454,855
Ferrara HGAC contract $ 480,616
Smeal NJPA contract $ 587,798

If approved, this engine will be ordered with all of the necessary firefighting and rescue equipment, including fire hose, nozzles, breathing apparatus, and other tools which will be required to place the vehicle into service. It is proposed that this equipment be purchased through the same NJPA contract thereby providing considerable savings compared to individual purchase through typical fire equipment vendors.

The estimated cost of the engine through the NJPA is $ 454,855
The estimated cost of the equipment through the NJPA is $ 90,000

Funding for this purchase is available from the Department equipment replacement account.

RECOMMENDATION: That City Council authorize the purchase of one (1) "Type 1" Fire

Engine from Rosenbauer America utilizing the NJPA contract, to include all necessary tools and equipment for operation.

ATTACHMENTS:

1. Rosenbauer Fire Engine Quote
2. Ferrara Fire Engine Quote
3. Smeal Fire Engine Quote

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

January 4, 2017

City of Porterville Fire Department
40 W. Cleveland Ave
Porterville, CA 93257

Attention: Batt. Chief G. Hall

Thank you for the opportunity to propose the following piece of Rosenbauer custom fire apparatus:

One (1) 2017 Rosenbauer, 1500 GPM FX Type- 1 Engine with a Commander 3000 Custom Chassis

	No Discounts	Pre-pay: Chassis	100% Pre-Pay
Body Price	$206,806.00	$206,806.00	$200,233.00
Chassis Price	$213,383.00	$205,195.00	$205,195.00
Delivery	$0.00	$0.00	$0.00
Ca State Sales Tax	$34,665.59	$33,990.08	$33,447.81
8.250%	$454,854.59	$445,991.08	$438,875.81

Included in above price:

Delivery, 330-345 days after receipt of order
Pre-Con, South Dakota (2) People from PFD
Final Inspection, South Dakota (2) People from PFD
Performance Bond

Terms:
Payment due within 30 days of either delivery or contract acceptance.
Pricing as quoted above is valid for 60 days.
Delivery by Department.

Thank you again for this opportunity to work with the Porterville Fire Department, if you have any questions regarding the above proposal, please contact me at (209) 609-2542 or at howenstine@burtonsfire.com

Sincerely,

Ken Howenstine
Burton's Fire Inc.

Burton's Fire Inc.
1301 Doker Drive
Modesto, CA 95351
209-544-3161
209-544-1109 Fax
www.burtonsfire.com

South Dakota Division
100 Third Street
Lyons, SD 57041
605-543-5591
605-543-9701 Fax
E-mail: sales@
rosenbaueramerica.com

Minnesota Division
5181 260th Street
P.O. Box 549
Wyoming, MN 55092
651-462-1000
651-462-1700 Fax
E-mail: sales@
rosenbaueramerica.com

Aerial Division
870 South Broad Street
Fremont, NE 68025
402-721-7622
402-721-7622 Fax
E-mail: sales@
rosenbaueramerica.com

FERRARA

FERRARA FIRE APPARATUS, INC.

FIRE APPARATUS PROPOSAL

April 12, 2017

City of Porterville Fire Department
40 West Cleveland Avenue
Porterville, California 93257

We are pleased to submit our proposal for your consideration on the following complete apparatus in strict accordance with the attached proposal for:

One-(1) Ferrara Fire Apparatus, Inc. Type I engine mounted on an Igniter chassis per the attached specifications and proposal purchased off HGAC Contract FS12-15:

$443,987.00

We are pleased to submit our proposal for your consideration on the following trade in offer for the below County owned apparatus:

The pricing provided is **exclusive** of all Federal, State and Local taxes and any other fees, which may apply unless specifically noted herein.

Payment Terms: Payment is due upon delivery and acceptance of completed apparatus.

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the City of Porterville Fire Department. Delays due to strikes, war or other causes beyond our control not preventing, within **270-300 calendar days after receipt of the approved signed off pre construction changes**, and will be ready for pick up at:

Ferrara Fire Apparatus Inc.
Holden, LA

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the City of Porterville Fire Department. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the City of Porterville Fire Department, and accepted by Ferrara Fire Apparatus, Inc.

Unless accepted within 30 days from this date, Ferrara Fire Apparatus, Inc. reserves the right to withdraw this proposal.

Sincerely,
Ferrara Fire Apparatus, Inc.

E. Adams

Eric Adams
Apparatus Division

27855 James Chapel Road • P.O. Box 249 • Holden, LA 70744
www.ferrarafire.com • www.fireequipment.com •E-mail: erica@ferrarafire.com
Phone 225-567-7100 • 800-443-9006 • Fax 225-567-7679

City of Porterville Type 1 Pricing

	Qty	Total	Total
Smeal Type 1 Per Customer Specifications	1	$ 586,950	
Performance Bond			
Pre-Construction Meeting (to be performed at Apparatus Manufacture)	1	Included	
Pre-Paint Inspection (per each individual to attend at factory)		Not Included	
Final Inspection (to be performed at Apparatus Manufacture)	1	Included	
Delivery	1	Included	
Contingencies			
Radio & Installation		$ -	
Loose Equipment		$ -	
Discount		$ -36,950	
NJPA Additional Discount		$ -7000	
Apparatus Cost without Tax	1	$ 543,000	
		$	
Total Purchase Price		**$ 543,000**	

Pricing Does not include Sales Tax

Scott Beck
Sales Manager
Fire Apparatus Solutions
402.719.1242
scottfasfire@gmail.com

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Purchase of Wildland Protective Clothing

SOURCE: Fire

COMMENT: The Fire Department responds to approximately 100 vegetation fires on an annual basis. Firefighters wear wildland protective clothing for these incidents, which are lighter weight than the turn-out protective clothing worn for structure fires. During recent safety inspections, staff determined that 25 sets (pants and jacket) were worn to the point of needing to be replaced. Staff has obtained three (3) quotes which are provided below along with delivery estimates.

L.N. Curtis $7,442.19, delivery of 8-10 weeks
Cascade Fire Equipment Company $9,201.25, delivery of 3-4 weeks
AllStar Fire Equipment Inc. $10,705.93 delivery of 1-4 weeks

Due to the upcoming vegetation fire season, the need for proper safety equipment, and the shorter delivery time of the product, we request authorization to purchase the wildland protective clothing from Cascade Fire Equipment Company. Funding for this equipment will be from the department's equipment replacement account.

RECOMMENDATION: That the City Council authorize the purchase of twenty five (25) sets of Wildland Personal Protective Equipment from Cascade Fire Equipment Company.

ATTACHMENTS:

1. L.N. Curtis
2. Cascade Fire Equipment
3. AllStar Fire Equipment

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager

Item No. 4.

Item No. 4.

Ph: 510-839-5111
TF: 800-443-3556
Fax: 510-839-5325
oaksales@lncurtis.com
DUNS#: 00-922-4163

CURTIS
TOOLS FOR HEROES

Pacific North Division
1800 Peralta Street
Oakland, CA 94607
www.LNCURTIS.com
Quotation No. 52723

Quotation

CUSTOMER:	SHIP TO:
PORTERVILLE CITY 291 NORTH MAIN STREET PORTERVILLE CA 93257	C369 Porterville Fire Department 40 West Cleveland Ave Porterville CA 93257

QUOTATION NO.	ISSUED DATE	EXPIRATION DATE
52723	02/06/2017	04/07/2017

SALESPERSON	CUSTOMER SERVICE REP
Chris Parano cparano@lncurtis.com 559-301-5156	Chris Parano cparano@lncurtis.com 559-301-5156

REQUISITION NO.	REQUESTING PARTY	CUSTOMER NO.	TERMS	OFFER CLASS
		C36150	Net 30	FR

F.O.B.	SHIP VIA	REQ. DELIVERY DATE
SP	Best Way	

NOTES & DISCLAIMERS

THANK YOU FOR THIS OPPORTUNITY TO QUOTE. WE ARE PLEASED TO OFFER REQUESTED ITEMS AS FOLLOWS. IF YOU HAVE ANY QUESTIONS, NEED ADDITIONAL INFORMATION, OR WOULD LIKE TO PLACE AN ORDER, PLEASE CONTACT YOUR SALESPERSON OR CUSTOMER SERVICE REP AS NOTED ABOVE.

LN	QTY	UNIT	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	25	EA	4002TL PGI	LARGE YELLOW 7oz TECASAFE PREMIER FORESTRY COAT, * SIZE 42-44" CHEST (5501672-C6) * WITH 2" L/Y TRIPLE TRIM ACROSS MID BACK AND ON HIP POCKET FLAPS * CAL-OSHA, NFPA LABELLED.	$139.00	$3,475.00
2	25	PR	4003T13FLLR PGI	LARGE/REGULAR YELLOW 7oz TECASAF PREMIER FORESTRY PANTS, * 35-38" WAIST X 29-30" INSEAM (7501672-C6-13FL) * 2" L/Y S/L TRIPLE TRIM ON LOWER CALF OF LEGS * LEG ZIPPERS * CAL-OSHA, NFPA LABELLED.	$136.00	$3,400.00

SMALL BUSINESS
CAGE CODE: 5E720
DUNS NUMBER: 009224163
SIC CODE: 5099
FEDERAL TAX ID: 94-1214350

THIS PRICING REMAINS FIRM UNTIL 04/07/2017. CONTACT US FOR UPDATED PRICING AFTER THIS DATE.

Ph: 510-839-5111
TF: 800-443-3556
Fax: 510-839-5325
oaksales@lncurtis.com
DUNS#: 00-922-4163

CURTIS
TOOLS FOR HEROES

Pacific North Division
1800 Peralta Street
Oakland, CA 94607
www.LNCURTIS.com
Quotation No. 52723

Subtotal	$6,875.00
Tax Total	$567.19
Transportation*	$0.00
*(to be added when order ships)	
Total	$7,442.19

CASCADE FIRE EQUIPMENT COMPANY
P.O. BOX 4248 • MEDFORD, OREGON 97501
(800) 654-7049 • (541) 779-0394 • Fax (541) 779-8847
sales@cascadefire.com • www.cascadefire.com

QUOTE

ACCOUNT 0001373

SHIP TO PORTERVILLE, CITY OF
FINANCE DEPARTMENT
PORTERVILLE CA

DATE	QUOTE NO.	SALESPERSON	TAKEN BY	PAY TYPE
03/27/17	070362	3	Matt	Net 30

LINE	QTY	UNIT	PROD	DESCRIPTION	UNIT PRICE	EXT PRICE
1	25	EA	50183Y44C5Y	CFE YELLOW TECASAFE COAT, WITH REFLECTIVE TRIM	175.00	4375.00
2	25	EA	50184Y32X32C6Y	CFE YELLOW TECASAFE PANT, WITH REFLECTIVE TRIM	165.00	4125.00

TOTAL FREIGHT	TOTAL TAX	TOTAL
0.00	701.25	9201.25

CURRENT LEAD TIME ON CLOTHING AS OF 3/27/17 IS 3-4 WEEKS FROM TIME OF ORDER.

Fire Equipment Inc.
Arcadia, California 91006
Phone 626-652-0900 Fax 626-652-0920

Sales Quote

March 22, 2017

To: Porterville FD
Attn: Mike McGill
E-Mail: mmcgill@ci.porterville.ca.us

Per your request, we are pleased to quote on the following.

Qty		Unit	Description	Price	Extension
25		Ea	**Crew Boss - p/n WLC0405-OC** / 6.0 oz. Yellow Nomex Brush Jacket per Orange County Spec. (Add 10% for 2XL & 10% for 3XL)	$185.00	$4,625.00
25		Ea	**Crew Boss - p/n IFP2205-OC** / 6.0 oz. Yellow Nomex Brush Pants per Orange County Spec. (Add 5% for 2XL & 10% for 3XL)	$210.60	$5,265.00
		Terms:	Net 30		
		FOB:	Warehouse		
		Delivery:	1-5 Days ARO or Sooner on Stock * 2-4 Weeks non stock		
				Subtotal	$9,890.00
				8.250%	$815.93
				S & H	$0.00
				Total	**$10,705.93**

Rene Reyes
rener@allstarfire.com

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Barn Theater Lease Agreement Renewal

SOURCE: Parks and Leisure Services

COMMENT: The Barn Theater first opened its doors to the public at its present location in June 1952. The license agreement between the City of Porterville (Licensor) and the Barn Theater (Licensee) grants the Barn Theater authorization to carry on and conduct a community enterprise of a non-profit, non-political, and non-religious nature, for the benefit, enlightenment, amusement, recreation, education, and advancement of the Porterville area.

The agreement states that the Licensee shall keep and maintain all of the building, fixtures, and grounds directly adjacent to the building. The Licensee shall ensure the same is kept in good order and repair, inside and outside. The Licensor is to maintain the turf area, parking lot, and prune trees when necessary.

The most recent term of the license agreement expires April 2017. The Barn Theater is requesting the license agreement be extended 25 more years with the term expiring April 2042, which provides a secure term as the organization pursues making capital improvements to the facility. The Parks and Leisure Services Commission and staff recommend the license agreement renewal be extended for the requested term.

RECOMMENDATION: That the City Council authorize the renewal of the property license agreement between the City of Porterville and the Barn Theater.

ATTACHMENTS: 1. Barn Theater License Agreement

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

Item No. 5.

REVOCABLE LICENSE AGREEMENT

THIS AGREEMENT, made and entered into the _____ of _____, 2017, by and between the CITY OF PORTERVILLE, a municipal corporation, hereinafter called the Licensor, and the BARN THEATRE, a non-profit corporation, hereinafter called the LICENSEE:

W I T N E S S E T H:

WHEREAS, the LICENSOR is the owner of the hereinafter described real Property; and

WHEREAS, the property is deemed suitable, necessary, and proper by the LICENSOR and the LICENSEE for use by the LICENSEE in carrying on and conducting a community enterprise of a non-profit, non-political, and non-religious nature for which the LICENSEE has been incorporated and organized, and is now engaged in, carrying on and conducting as a community enterprise, and for the benefit, enlightenment, amusement, recreation, education and advancement of the Porterville Area, and not for the profit of any individual or enterprise.

NOW, THEREFORE, it is hereby covenanted and agreed between the LICENSOR and the LICENSEE as follows, to wit:

1. The real property herein referred to and covered by the terms of this license is that certain real property situated in the City of Porterville, County of Tulare, State of California, described as follows to wit:

   Beginning at the Northwest corner of Northeast
   Quarter of Section 36, Township 21 South, Range 27
   East, MD. B & M., said point being on the East
   Line of Plano Street in the City of Porterville,

County of Tulare, State of California; thence South 3°55' East along the easterly line of said Plano Street 375 feet to the point of beginning of the parcel being described; thence East 170 feet; thence South 7°East 375 feet, more or less, to the Northwesterly line of Park Drive; thence southerly and westerly along said westerly and northerly line of Park Drive 200 feet, more or less, to the easterly line of the said Plano Street; thence northerly along the easterly line of said Plano Street 500 feet, more or less, to the point of beginning.
Excepting therefrom, the westerly 20 feet measured at right angles to said easterly line of Plano Street, and also excepting such portions thereof as may be required for the widening of Park Drive.

2. That the LICENSOR for and in consideration of the promises, covenants, agreements, and stipulations herein contained on the part and behalf of the LICENSEE to be paid, kept and performed, at the time and in the form and manner herein specified, with time being made the essence hereof, hereby grants to the LICENSEE a license to engage, use and employ the described real property together with the appurtenances thereon for the purpose of carrying on and conducting as a community enterprise for the benefit, enlightenment, amusement, recreation, education and advancement of the Porterville Area a theatre group in accordance with the By-laws and Articles of Incorporation of LICENSEE. The LICENSEE shall use and employ the real property together with the improvements thereon exclusively for the usual and customary theatrical activities of the LICENSEE; and no business, retail, or wholesale, activities or enterprises shall be carried on or conducted for profit or be allowed, suffered, or permitted to be carried on at or upon the property during the terms of this

license, except as otherwise specified in this Agreement. LICENSEE shall be allowed to grant a sublicense, for a period of not more than two (2) consecutive days to other individuals and organizations for the use of the premises, provided that LICENSEE does this no more than five (5) times per year, and LICENSEE complies with the requirements of this Agreement, including, but not limited to, Paragraphs 5, 16, 17, 18, and 19.

3. The LICENSEE agrees at all times during the term of license to use, the described real property together with improvements thereon, solely and exclusively for activities of the LICENSEE presently authorized by its Articles of Incorporation and By-laws, it being further stipulated that no substantial amendment to the Articles or By-laws of the LICENSEE may be used to amend, extend, or modify the terms and provisions of this license without first obtaining the express written consent of the LICENSOR.

4. The Parties further agree that all of the terms, provisions, stipulations, agreements, and conditions herein contained on the part and behalf of the LICENSEE to be paid, kept, and performed, shall be and the same are hereby expressly declared to be continuing conditions, covenants and agreement by precedent to any right on behalf of the LICENSEE to enjoy or exercise any of the rights or privileges granted by this license.

5. LICENSEE agrees that in the use, employment and enjoyment of this license by the LICENSEE, the LICENSEE shall not suffer, allow, or permit any religious discrimination, political discrimination, race discrimination, or any other form

of illegal discrimination to be engaged in, conducted, carried on, or participated in by the LICENSEE or any agent, employee, or servant of the LICENSEE in carrying on or conducting any of the activities of the LICENSEE with reference to the use, employment and enjoyment of this license.

6. That during the entire term of this license, the LICENSEE shall at all times maintain with the State of California its status as a non-profit corporation.
7. That the term of this license shall commence as of April 18, 2017, for a period of twenty-five (25) years, ending at midnight on April 17, 2042. The parties may agree to extend this Agreement to be reviewed and adjusted for an additional (1) year, with the terms of said Agreement to be reviewed and modified as the parties deem appropriate prior to renewal.
8. The LICENSEE stipulates and agrees that in the occupancy of the real property and the improvements thereon that the LICENSEE shall not suffer, allow or permit any waste to be committed thereto or thereon, nor shall the LICENSEE suffer, allow, or permit any mechanic's lien or other liens to be filed upon the real property or any of the improvements thereon; nor shall the LICENSEE suffer, allow, or permit the building or permanent improvement thereto, other than trade fixtures, to be removed from the real property during the term hereof without permission of the LICENSOR first had and received.
9. The LICENSOR shall have the free right at all times by its authorized agents or representatives of entry upon the property and into, upon, and about the improvements thereon for purposes of inspection and posting of any legal notices thereon.

10. That any and all signs erected or maintained by the LICENSEE upon the property or any of the improvements thereon shall fully comply with and conform to all regulations and standards of the City of Porterville now in force or which may hereafter be in full force and effect.
11. The LICENSEE shall of its own proper cost and expense, and without any cost, charge, or expenses to the LICENSOR, pay and discharge when due and before delinquent all light, electric power, water, gas, telephone, garbage removal, all utilities, and all other occupation charges for the premises and the same shall not be suffered, allowed, or permitted to become a charge or lien upon the real property.
12. It is expressly stipulated and agreed herein that the LICENSOR shall not be called upon, expected to, nor shall the LICENSOR, pay and discharge any costs whatsoever arising from or in any connection with the use and enjoyment of this license by the LICENSEE or in the use and enjoyment of any of the improvements placed upon the property by the LICENSEE.
13. The LICENSEE shall at all times during the terms of this license keep and maintain all of the buildings, fixtures, and grounds directly adjacent to the building. LICENSEE shall ensure the same is kept in good order and repair, inside and outside, together with all fixtures and appurtenances used and employed in the occupancy/license of the real property and the improvements thereon, including sewer lines, plumbing fixtures, electrical fixtures and all conveniences or necessities used and employed by the LICENSEE in the occupancy of the premises; and the LICENSEE shall at its sole cost and expense

from time to time, as the needs may arise therefore, make renewals and replacements thereof in first class modern character and efficiency. LICENSOR shall maintain the turf area, parking lot, and prune trees when necessary.

14. The LICENSEE shall promptly and completely observe, comply with, and conform to all present and future applicable federal, state and local laws, requirements, and standards in the operation and use of the License and the premises, and its programs on this premises. This includes, but is not limited to, State and Federal discrimination and disability laws and regulations. LICENSEE shall, at its own cost and expense, make any and all improvements thereon or alteration thereto, structurally or otherwise, that may be required at any time hereafter by any such present or future law, rule, requirement, order, direction, ordinance, or regulations. Failure to comply is grounds for immediate termination of this License by LICENSOR, and any notice requirements required pursuant to this Agreement shall not apply.
15. LICENSEE must maintain all outdoor consumption of beer, wine and distilled spirits within the outdoor forty by 100 foot fenced in consumption area.
16. LICENSEE shall not make any alterations, improvements, additions or any other structural or building changes without the prior written approval of the LICENSOR.
17. The LICENSEE shall not suffer, allow, or permit any property, properly or legally assessable to the LICENSEE, to be assessed against the LICENSOR or against the real property or for which the LICENSOR shall be liable or responsible to pay, or for the same to become a charge or lien upon the real

property. In the event any possessory interest tax is assessed as a result of this Agreement, LICENSEE shall pay and be responsible for the full amount assessed.

18. It is expressly stipulated, covenanted and agreed that this license shall not be assigned, transferred, mortgaged or hypothecated in any manner; nor shall the buildings or improvements or facilities used and employed by the LICENSEE in enjoying this license be sublicensed without the prior written consent of the LICENSOR's *Parks and Leisure Services Director or his Designee;* for each such assignment or sublicensing, it being further stipulated that the consent by the LICENSOR to any one assignment/sublicense shall not be construed as a consent to any further of additional assigning or sublicensing.
19. The LICENSEE covenants and agrees at all times during the term of the license to keep and maintain all buildings, structures, and insurable improvements on or pertinent to the real property fully insured (with LICENSOR named as an additional insured) for the replacement value to insure that the building can be replaced in the event of a fire with comprehensive coverage and in an amount and in such company or companies as may be acceptable to the LICENSOR; and all such policies of insurance shall be delivered to and held by the LICENSOR, except, however, that if the improvements shall have a mortgage thereon, a mortgage loss clause may be attached thereto in favor of such mortgage to the extent of the outstanding balance due on the aforesaid construction loan.

20. The LICENSEE, as a material part of the considerations to be rendered to the LICENSOR for the granting of the license, and to the fullest extent permitted by law, covenants and agrees, to the fullest extent permitted by law, to release, indemnify, defend and hold LICENSOR harmless and free from all liability and claims for damages by reason of any injury to any person or persons, or property of any kind whatsoever, from any cause or causes whatsoever while in, upon, or in any way connected with said licensed premises, or the premises adjacent thereto during the term of license or any extension thereof. It is further stipulated and agreed that the LICENSEE shall save, indemnify, and defend the LICENSOR, all of its officers, agents and employees of and from all claims, demands, actions or causes of actions arising from or in any way connected with the occupation and of the demised premises, *including but not limited to any sublicense or use by other parties,* together with all costs and attorney's fees; that at all times during the term of this license, LICENSEE shall be and is hereby required and it hereby agrees to keep in full force and effect, with the premium fully prepaid thereon Two Million Dollars $2,000,000.00 for personal injury and property damage *(covering all occupation and use of the premises)* combined single limits with liquor and product liability, and shall file with the LICENSOR the original policies and/or certificate thereof.
21. If the LICENSEE shall fail, neglect, or refuse to pay, do, or perform any of the terms, stipulations, promises, covenants, conditions, or agreements hereof on its part and behalf to be paid, kept and performed, the LICENSOR may, at its option, but it shall not be obligated to do so, pay or cause the same to be paid,

done or performed, and the amount of money expended by the LICENSOR in so doing, or incurred by the LICENSOR in so doing, shall become a debt immediately due from the LICENSEE to LICENSOR, and shall constitute a material breach hereof entitling LICENSOR to immediate termination hereof pursuant to paragraph 21 below.

22. If the LICENSEE shall fail, neglect or refuse to pay, for a period of (30) days after notice, do or perform any of the items in the form and manner herein provided, the terms, provisions, covenants, conditions, and agreements hereof on its part and behalf to paid, kept and performed, the LICENSOR may terminate and cancel license and at such time and in such event, full and compete title to all improvements, buildings, structures, fixtures, excluding trade fixtures, shall have then vested in the LICENSOR, subject to the encumbrances now existing against such structures; and the LICENSOR may immediately re-enter into the possession of said real property together with all of the said improvements, and the same to have, hold, and enjoy thereafter as the sole, absolute and unconditional owner. In such event, LICENSEE shall have a period of thirty (30) days after notice to remove its personal property and trade fixtures from the premises.

23. LICENSEE covenants and agrees on the last day of the term of this license, or the sooner determination of the term this license, to peacefully leave, surrender and vacate to the LICENSOR the said real property together with the improvements thereon and the fixtures attached thereto in good order and condition and state of repair.

24. Failure on the behalf of the LICENSOR to insist on strict performance of the covenants, terms, stipulations, agreements and conditions of the license shall not be construed as a waiver by the LICENSOR of any of its rights hereunder, or as a waiver or a relinquishment of the strict future performance of the covenants, conditions and agreement herein contained, but all and each thereof shall be and remain in full force and effect.
25. If any litigation is commenced between the parties to this Agreement concerning the Agreement or the rights and duties of either in relation to the Agreement, the party prevailing in the Litigation shall be entitled, in addition to any other relief that may be granted in the litigation, to its cost for the litigation including expert witness fees and a reasonable sum as and for its attorney's fees in the litigation, which shall be determined by the court in that litigation or in a separate action brought for that purpose.
26. The parties agree that this Agreement is entered into and is to be performed in Tulare Country, California.
27. Each party and its legal counsel have participated fully in the review and revisions of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in interpreting this Agreement. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any party.

WITNESS the hands and seals of the parties the day and year first above written.

CITY OF PORTERVILLE

BY _____
Milt Stowe, Mayor

BY_____
John D. Lollis, City Clerk

BARN THEATRE

BY _____
President

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Approval of Draft State Water Board's Grant Application for Providing Water to Akin Water Company - Phase 2

SOURCE: Public Works

COMMENT: The Akin Water Company is a small, privately owned water company. The area served by the water company encompasses 22 parcels, and according to the applicant, twenty homes are within the water company service boundary. The properties served by Akin Water Company are generally located south of Lincoln Avenue between Fourth Street and west of Plano Street (Attachment 1). The water well owned and operated by the Akin Water Company which serves the area has tested above the recently revised maximum contaminate level allowed for nitrates by the California Department of Public Health.

In December 2011, Akin Water Company met with the Project Review Committee to consider annexation in order to gain water service from the City of Porterville's municipal water system. In September 2012, the Akin Water Company submitted an application for annexation. In processing the application, staff met with the Tulare County Local Agency Formation Commission (LAFCo). Consistent with their policies, LAFCo staff noted that the water district is considered an island, and as such an annexation of that area would require annexation of adjacent properties to create a logical boundary. A public meeting was held to provide information about annexation, and the effort failed at that time. As the drought continued, other wells in the area surrounding the Akin Water Company began to fail, and other property owners approached the City to request water connection. As a result, the area including the Akin system was annexed into the City on July 4, 2015.

Because initial annexation attempts failed, the State requested an alternative arrangement to continue to move forward, and in 2014 the State and City mutually agreed to the consolidation of the Akin Water Company with the City of Porterville's water system through an Extraterritorial Service Agreement. After the agreement was reached, the water company's well failed and the Council authorized an emergency connection on October 6, 2015, with all properties within the boundaries of the water company are being served water through a master meter. This has proven to be difficult for the water company's owner due to difficulties collecting payment from some of the property owners.

Staff, with the assistance of Self Help Enterprises, Inc. and NV5 consulting firm, have prepared the construction documents, and the CEQA process has been completed during the first phase of the State Water Board's Planning Grant

process. Self Help, with the assistance of NV5 and the city's consultant, Dee Jaspar and Associates, have been actively preparing the grant application for the second phase of Akin Water Company consolidation project. The application is virtually complete and Self Help Enterprises, Inc is now respectfully seeking approval of the application by Council's adoption of the attached resolutions. Specific items needed are service agreements for the two herein mentioned consulting firms and routine water system information. There is also the need to follow up with the NEPA process due to the influx of Federal funds. The service agreements will be presented for City Council's consideration during an upcoming meeting.

RECOMMENDATION: That the City Council:

1. Accept the draft State Water Board's Construction Grant application;
2. Authorize the Mayor and City Clerk to execute the Resolutions; and
3. Authorize Self Help Enterprise to file the application once complete with the State Water Boards on behalf of the City of Porterville.

ATTACHMENTS:

1. Locator Map - Project Site
2. Locator Map - Well Site
3. Reimbursement Resolution
4. Authorizing Resolution
5. Resolution for Publicly Owned Entities

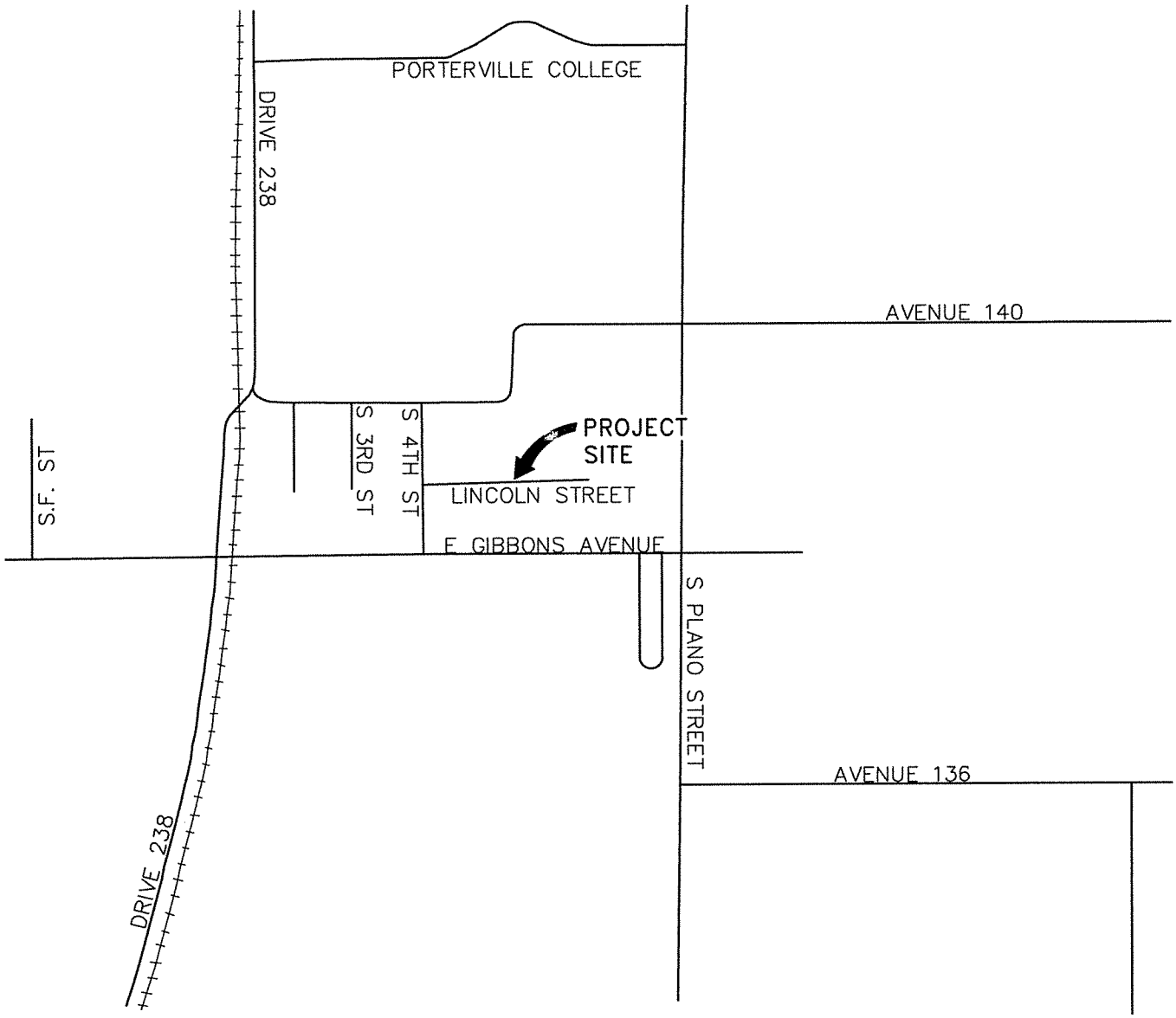
Appropriated/Funded:

Review By:

Department Director:

Mike Reed, City Engineer

Final Approver: John Lollis, City Manager



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NOT TO SCALE

FIGURE 2

AKIN WATER COMPANY
WATER SUPPLY PROJECT
PLANNING PHASE ENGINEERING REPORT

LOCATION MAP

NV5

N:\MTB013209\Cadd\Exhibit\Planning Phase\Figure 2 – Location Map.dwg SD 1/16/2017

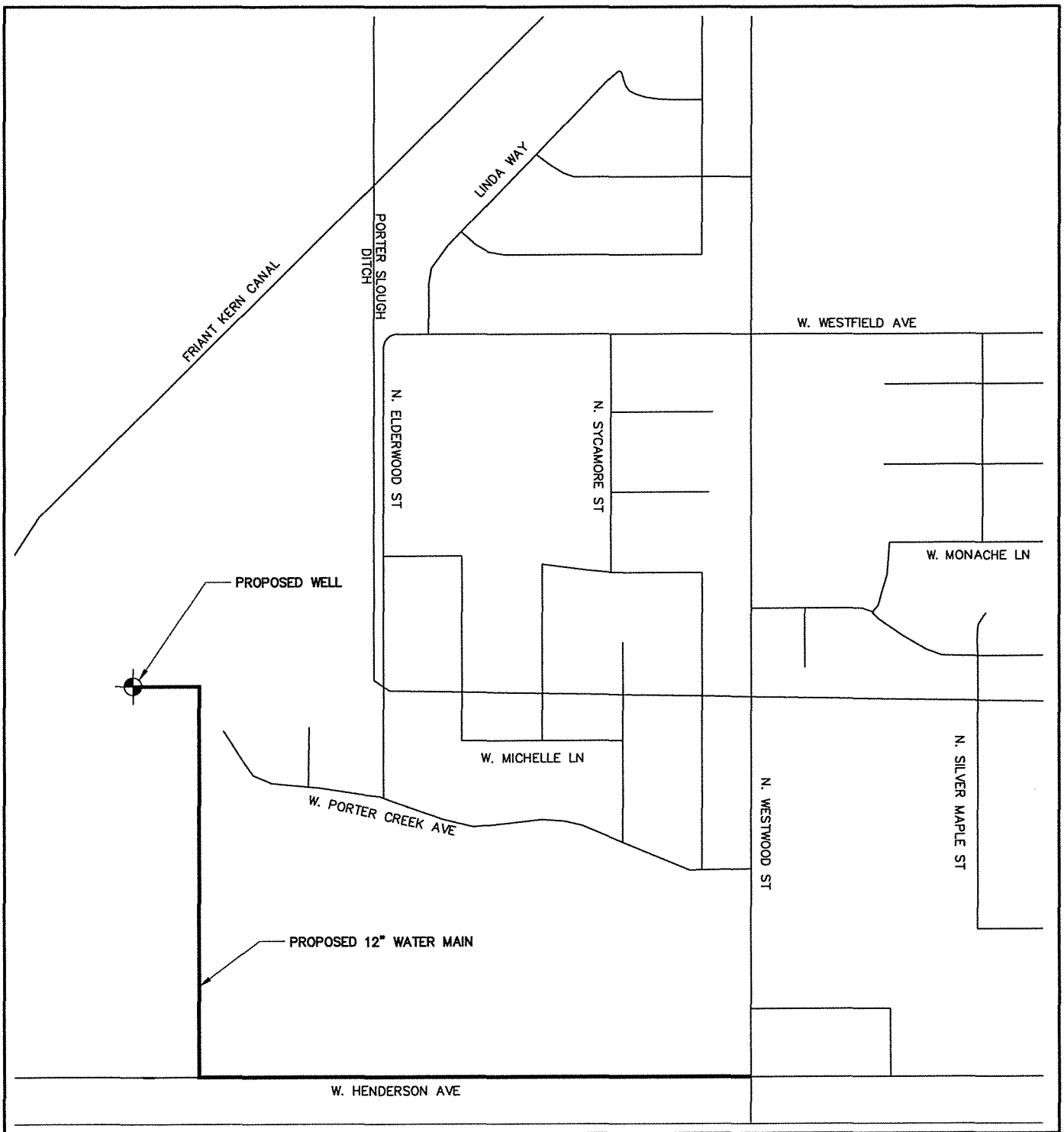

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FIGURE 6

AKIN WATER COMPANY
WATER SUPPLY PROJECT
PLANNING PHASE ENGINEERING REPORT

PROPOSED WELL AND WATER MAIN LOCATION

NV5

N:\MTB013209\Cadd\Exhibit\Planning Phase\Figure 6 – Well Location.dwg SD 1/16/2017

REINBURSEMENT RESOLUTION_____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE STATING ITS INTENTION AND REASONABLY EXPECTS TO REIMBURSE EXPENDITURES PAID PRIOR TO THE ISSUANCE OF THE OBLIGATIONS OR THE APPROVAL BY THE STATE WATER BOARD OF THE PROJECT FUNDS

WHEREAS, the City of Porterville (the, "Agency") desires to finance the cost of constructing and/or reconstructing certain public facilities and improvements relating to its water system, including certain treatment facilities, pipelines and other infrastructure (the "Project"); and

WHEREAS, the Agency intends to finance the construction and/or reconstruction of the Project or portions of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board); and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"), and

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds the Agency desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the Agency; and

WHEREAS, the Agency has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Agency for the Expenditures from the proceeds of the Obligations.

NOW, THEREFORE, THE AGENCY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

SECTION1. The Agency hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is $3,387,000.

SECTION 3. This resolution is being adopted no later than 60 days after the date on which the Agency will expend moneys for the construction portion of the Project costs to be reimbursed with Project Funds.

SECTION 4. Each Agency expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of our knowledge, this Agency is not aware of the previous adoption of official intents by the Agency that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 6. This resolution is adopted as official intent of the Agency in order to comply with Treasury Regulation §1.150-2 and any other regulations for the Internal Revenue Service relating to the qualification for reimbursement of Project costs.

SECTION 7. All the recitals in this Resolution are true and correct and this Agency so finds, determines and represents.

PASSED, APPROVED AND ADOPTED this 18th day of April 2017.

_____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By:_____
Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZATING A FINANCIAL ASSISTANCE APPLICATION FOR A FINANCING AGREEMENT FROM THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS, The City of Porterville (City) has agreed to provide potable water to the residents previously served by the Akin Water Company (Water Company), per City Council Resolution No. 26-2014, adopted by the Porterville City Council on May 6, 2014;

WHEREAS, Water Company exists for the purpose of providing water to certain residents of East Lincoln Street, located in the southeast quadrant of the City of Porterville;

WHEREAS, Water Company, upon execution of the agreement, was located in the unincorporated area of Tulare County and due to the serve drought conditions in the vicinity of the Water Company, a large area, including the Water Company's service territory, was annexed to the City of Porterville on July 4, 2015. The annexation allowed for property connections served by individual private wells to be connected to the City's water system where existing infrastructure was in place;

WHEREAS, Water Company is unable to provide safe drinking water to its residents;

WHEREAS, Water Company's well failed during the fall of 2015;

WHEREAS, On October 6, 2015, City Council approved an emergency connection to the City of Porterville's water system by Resolution No. 107-2015;

WHEREAS, City has capacity to serve the Water Company's customers with potable water;

WHEREAS, Water Company has received Proposition 84 funds from the California Department of Public Health for the purpose of planning and designing the replacement distribution system and infrastructure necessary to connect Water Company's water system to the City's water system, as well, as for planning and designing of a replacement water source for City; and

WHEREAS, An agreement between the City and Water Company was executed on May 6, 2014 committing the City to provide potable water supply after construction of new distribution system and identifies the party responsible for operation and maintenance of the new water distribution system within Water Company's service territory after construction. The agreement is conditioned on Water Company's surrender of its water supply permit after Consolidation is complete and the design and construction of a new water source (well) for City is completed.

NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTERVILLE, AS FOLLOWS:

The Mayor of the City of Porterville (the "Authorized Representative") or designee is hereby authorized and directed to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the Akin Water Consolidation Project per agreement dated May 6, 2016 (the "Project").

This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.

The Authorized Representative, or his/her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

PASSED, APPROVED AND ADOPTED this 18th day of April 2017.

_____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By:_____
Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SIGN FINANCING AGREEMENT, AMENDMENTS, AND CERTIFICATIONS FOR FUNDING UNDER THE DRINKING WATER STATE REVOLVING FUND (DWSRF), CLAIMS FOR REIMBURSEMENT, EXECUTE BUDGET AND EXPEDITURE SUMMARY, SIGN THE FINAL RELEASE FORM, SIGN THE CERTIFICATION OF PROJECT COMPLETION, DEDICATING AND PLEDGE ITS NET WATER REVENUES AND ITS WATER ENTERPRISE FUNDS TO PAYMENT OF DWSRF FINANCING FOR THE PROJECT

WHEREAS, the City of Porterville seeks financing from the State Water Resources Control Board for a project commonly known as Akin Water Consolidation Project ("Project"); and

WHEREAS, The City of Porterville (City) has agreed to provide potable water to the residents previously served by the Akin Water Company (Water Company), per City Council Resolution No. 26-2014, adopted by the Porterville City Council on May 6, 2014;

WHEREAS, Water Company exists for the purpose of providing water to certain residents of East Lincoln Street, located in the southeast quadrant of the City of Porterville;

WHEREAS, Water Company, upon execution of the agreement, was located in the unincorporated area of Tulare County and due to the severe drought conditions in the vicinity of the Water Company, a large area, including the Water Company's service territory, was annexed to the City of Porterville on July 4, 2015. The annexation allowed for property connections served by individual private wells to be connected to the City's water system where existing infrastructure was in place;

WHEREAS, Water Company is unable to provide safe drinking water to its residents;

WHEREAS, Water Company's well failed during the fall of 2015;

WHEREAS, On October 6, 2015, City Council approved an emergency connection to the City of Porterville's water system by Resolution No. 107-2015;

WHEREAS, City has capacity to serve the Water Company's customers with potable water;

WHEREAS, Water Company has received Proposition 84 funds from the California Department of Public Health for the purpose of planning and designing the replacement distribution system and infrastructure necessary to connect Water

Company's water system to the City's water system, as well, as for planning and designing of a replacement water source for City; and

WHEREAS, An agreement between the City and Water Company was executed on May 6, 2014 committing the City to provide potable water supply after construction of new distribution system and identifies the party responsible for operation and maintenance of the new water distribution system within Water Company's service territory after construction. The agreement is conditioned on Water Company's surrender of its water supply permit after Consolidation is complete and the design and construction of a new water source (well) for City is completed.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that

1. The Public Works Director is hereby authorized and directed to sign and file, for and on behalf of the City of Porterville a financial assistance application for a financing agreement from the State Water Resources Control Board for the Project;

2. The Public Works Director or designee is hereby authorized to sign the DWSRF program financing agreement for the Project and any amendments thereto, and provide the assurances, certifications and commitments required therefore;

3. The Public Works Director or designee is hereby authorized to represent the City of Porterville in carrying out the City of Porterville's responsibilities under the financing agreement, including approving and submitting disbursement requests (including Claims for Reimbursement) or other required documentation, compliance with applicable state and federal laws, and making any other necessary certifications;

4. The City of Porterville, a municipal corporation does hereby dedicate and pledge its net water revenues and its water enterprise fund to payment of the DWSRF financing for the Project. The City of Porterville, a municipal corporation commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the City of Porterville, a municipal corporation has satisfied its repayment obligation thereunder unless modification or chance is approved in writing by the State Water Resources Control Board. So long as the financing agreement(s) are outstanding, the City of Porterville, a municipal corporation pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing fund(s) and revenues(s) without any further action necessary. So long as the financing agreement(s) are outstanding, the City of Porterville, a municipal corporation commits to maintaining the fund(s) and revenues(s) at levels sufficient to meet its obligations under the financing agreement(s). If for any reason, the said source of revenues proves insufficient to

satisfy the debt service of the DWSRF obligation, sufficient funds shall be raised through increased water rates, user charges, or assessments or any other legal means available to meet the DWSRF obligation and to operate and maintain the project; and

5. The authority granted hereunder shall be deemed retroactive. All acts authorized hereunder and performed prior to the date of this Resolution are hereby ratified and affirmed. The State Water Resources Control Board is authorized to rely upon this Resolution until written notice to the contrary, executed by each of the undersigned, is received by the State Water Resources Control Board. The State Water Resources Control Board shall be entitled to act in reliance upon the matters contained herein, notwithstanding anything to the contrary contained in the formation documents of the City of Porterville, a municipal corporation or in any other documents.

PASSED, APPROVED AND ADOPTED this 18th day of April 2017.

_____
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By:_____

Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Intent to set a Public Hearing to consider Annual Adjustment of Fees by Application of the ENR Cost Index

SOURCE: Public Works

COMMENT: In accordance with prior City Council authorization, staff calculates and adjusts all of the attached fees annually. The policy as of 2003 is to give the Council notice of all the attached adjustments annually (whether they are subject to the Mitigation Fee Act or not) 60-days before the new fees become effective.

City staff endeavors to honor its commitment to the Home Builders Association (HBA) by providing 60-days notice prior to the effective date of the annually adjusted fees. The Home Builders Association of Tulare/Kings Counties, Inc., has requested that they be notified of the annual adjustment of the attached fees, which are adjusted annually by application of the ENR Cost Index. Notification was sent to HBA, developers and Porter Vista Public Utilities on March 27, 2017. Most of the fees in Exhibit "H" Connection Fees were in effect before January 1, 1989, (the effective date of the Mitigation Fee Act) and have only been increased by the Engineering News Record 20 City Construction Cost Index. The fees subject to the Act, that were adopted or increased after its effective date, were adopted or increased in accordance with those regulations. Again this year, City staff is giving notice for the fees covered by the Mitigation Fee Act. The applicable fees are: 1) Hillside Development Trunk Line Sewer Fees; 2) Hillside Development Water Trunk Fees; 3) Transportation Impact Fees; and 4) Parks Impact Fees (Exhibit "A").

The fee adjustments (0.4%) are shown in the attached Exhibit "A" Park Impact Fees and Exhbit "H" Connection Fees and will go into effect on July 1, 1017.

RECOMMENDATION: That City Council:
1. Set a Public Hearing for June 6, 2017, pursuant to Government Code Section 66026, for consideration to implement the City of Porterville's Impact Fee ENR Cost Index auto escalator.

ATTACHMENTS:
1. Exhbit "A" Park Impact Fees
2. Exhibit "H" Connection Fees

Appropriated/Funded:

Review By:

Item No. 7.

Department Director:
Mike Reed, City Engineer

Final Approver: John Lollis, City Manager

EXHIBIT 'A'

PARK IMPACT FEES ◊

		Effective Date 07/01/16	Effective Date 07/01/17*
1.	Single Family (RS-1 & RS-2) ∆	$774	$777
2.	Multiple Family Per Unit ∆	$601	$603
3.	Mobile Homes ∆	$434	$436

To be increased annually by the Engineering News Record Construction Cost Index.
*MO # TBD – Based on ENR Index = 10277.64
MO #16-060716 - Based on ENR Index = 10242.09
MO #13-060215 Approved increase of all suspended years (17% total as compounded)
FY 2014/2015 No report sent to City Council
MO #16-040213 Fee increase suspended for one year
MO #09-041712 Fee increase suspended for one year
MO #13-041911 Approved suspending impact fees for 2011/2012
MO #20-040610 Fee increase suspended for one year

∆ Resolution #2-99 (Establishing ENR Annual Adjustment)
◊ Fees Covered by the Mitigation Fee Act
Revised – 2015-10-06

P:\PUBWORKS\GENERAL\ADMINISTRATION\CONNECTION FEES\2017 FEE ADJUSTMENT\EXHIBIT A 2017.DOC

(Reference Acreage Fees)

EXHIBIT 'H'
CONNECTION FEES

	TRUNK LINE SEWER FEES	EFFECTIVE DATE 7/1/16	7/1/17*
1.	Hillside Development - per acre (Δ 142-02)◊ _	$1,152	$1,157
2.	Single Family (RS-1 & RS-2) - per acre (Δ 94-90)	$2,161	$2,170
3.	Duplex (RM-1) - per acre (Δ 94-90)	$5,020	$5,040
4.	Multiple Family (RM-2 & RM-3) - per acre (Δ 94-90)	$11,711	$11,758
5.	Institutional - per acre**(Δ 94-90)	$814	$817
6.	Commercial & Professional Office - per acre**(Δ 94-90)	$3,052	$3,064
7.	Industrial - per acre**(Δ 94-90)	$13,029	$13,081

	TREATMENT PLANT FEES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Single Family and Multiple Family - per unit (Δ 67-03)	$3,542	$3,556
2.	Commercial and Industrial - per sewer connection (Δ 67-03)	$12.66 (per gpd) ($3,542)	$12.71 (per gpd) ($3,556)

	SEWER CONNECTION CHARGES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Six Inch or Smaller - per foot	$11.67	$11.72
2.	Eight Inch - per foot	$15.32	$15.38

	WATER TRUNK FEES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Hillside Development - per acre (Δ 142-02) ◊ _	$1,696	$1,703
2.	Single Family (RS-1 & RS-2) - per acre (Δ 93-90)	$3,537	$3,551
3.	Duplex (RM-1) - per acre (Δ 93-90)	$8,854	$8,889
4.	Multiple Family (RM-2 & RM-3) - per acre (Δ 93-90)	$20,670	$20,753
5.	Institutional**(Δ 93-90)	$2,308	$2,317
6.	Commercial and Professional Office - per acre**(Δ 93-90)	$2,658	$2,669
7.	Commercial Crop Cultivation – per acre**(Ord. 1813) D	$664.38	$667.00
7.	Industrial - per acre**(Δ 93-90)	$20,415	$20,497

	WATER CONNECTION FEE	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Connection Charges - per foot	$9.98	$10.02

	STREET LIGHT FEES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Multiple Family - per foot	$3.03	$3.04
2.	Commercial/Industrial - per foot	$3.82	$3.84

	STORM DRAINAGE FEES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Single Family (RS-1 & RS-2) - per acre (inc. Hillside Dev.) (Δ 95-90)	$5,826	$5,849
2.	Duplex (RM-1) - per acre (Δ 95-90)	$7,771	$7,802
3.	Multiple Family (RM-2 & RM-3) - per acre (Δ 95-90)	$11,659	$11,706
4.	Commercial, Industrial & Institutional - per acre (Δ 95-90)	$15,539	$15,601

	FIRE HYDRANT FEES	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Multiple Family - per foot	$3.96	$3.98
2.	Commercial/Industrial - per foot	$5.86	$5.88

	TRANSPORTATION IMPACT FEES◊	7/01/16	7/01/17*
1.	Single Family (RS-1 & RS-2) per unit (Δ 50-98)	$1,246	$1,251
2.	Multiple Family (per unit) (Δ 50-98)	$843	$846
3.	General Office/ Institutional (per 1,000 sq ft of gross floor) (Δ 50-98)	$3,207	$3,220
4.	Commercial (per 1,000 square feet of gross floor area) (Δ 50-98)	$6,101	$6,125
5.	Light Industrial (per 1,000 square feet of gross floor area) (Δ 50-98)	$909	$913

	FRONTAGE IMPROVEMENT VALUATION THRESHOLD	EFFECTIVE DATE 7/01/16	7/01/17*
1.	Frontage Improvements are required when the Building Permit valuation is over ◆ (Beginning 2/19/04 - over a two-year period)	$22,151	$22,240

*MO # TBD - Based on ENR Index = 10277.64
MO #16-060716 - Based on ENR Index = 10242.09
MO #13-060215 Approved increase of all suspended years (17% total as compounded)
FY 2014/2015 No report sent to City Council
MO #16-040213 Fee increase suspended for one year
MO #09-041712 Fee increase suspended for one year
MO #13-041911 Fee increase suspended for one year
MO #20-040610 Fee increase suspended for one year

Δ Resolution Establishing ENR Annual Adjustment

◆Ordinance No. 1644 dated 2-19-04 (includes Annual Adjustment by ENR)

◊ Fees Covered by the Mitigation Fee Act

**Institutional, Commercial and Industrial water and sewer trunk line fees will be collected based upon the amount stated above, but shall be adjusted after monitoring of actual usage to the following fees:

Water - $175.81 per 100 GPD of actual average demand (adjusted annually by the ENR Construction Cost Index).

Sewer - $149.43 per 100 GPD of actual daily flow (adjusted annually by the ENR Construction Cost Index).

MKR:vs

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Approval for Community Civic Event - Knights of Columbus - Parish Pride Car Show - June 10, 2017

SOURCE: Finance

COMMENT: The Knights of Columbus is requesting approval to hold the annual Parish Pride Car Show on Main Street on Saturday, June 10, 2017, from 7:00 a.m. to 6:00 p.m. This event will include vendors and a kid zone. The following is the list of requested street, parking lot closures, sidewalk and park usage:

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

PARKING LOT:
J.C. Penney/Allen's Boot and Saddle

SIDEWALKS:
Main Street from Morton Avenue to Olive Avenue

PARK:
Centennial Park

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

RECOMMENDATION: That the City Council approve the attached Community Civic Event Application and Agreement submitted by the Knights of Columbus, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257
559-782-7451 Fax: 784-4569

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

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

Application date: 3/19/17 Event date: June 10, 2017

Event time: 8a – 5p, 7a – 6p

Name of Event: Parish Pride Car Show

Sponsoring organization: Knights of Columbus #2329 Phone #

Address: PO Box 384 Porterville CA 93257

Authorized representative: Jason Baranek Phone # 350 - 0839

Address: 675 W. Thurman Ave, Porterville, CA 93257

Event chairperson: Jorge Fernandez Phone # 791 - 5979

Location of event (*location map must be attached*): Downtown Main street main St, Morton to Olive, Divison to East.

Type of event: Car show and vendors

Non-profit status determination: TAX ID 23-7541003 Non Profit

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

Barricades (quantity): 60 Street sweeping Yes ____ No ____

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

Other: ____

Parks facility application required: Yes ____ No X Attached ____

Assembly permit required: Yes ____ No X Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?
A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures.

Authorization: This permit must be submitted **NO LESS THAN 30 days PRIOR** to the date of the event in order to obtain City Council approval.

City Code requirements:

At least 48" must remain clear on sidewalks for pedestrian traffic.
Do not block any entrance to or exit from buildings.
Area must be accessible to emergency and safety personnel and vehicles.
Electrical cords must be approved and installation checked by the Fire Department.

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 shall be named as additional insured. **When the location of the event is in Downtown Porterville, the Porterville Redevelopment Agency must also be named as additional insured.** The amounts of such insurance and any additional requirements are listed in Exhibit "A." A Certificate of Liability Insurance form sample is enclosed for your convenience. **This original certificate shall be submitted to the Finance Department prior to the City of Porterville Council's approval.**

(M) **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.**

(M) **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.

(M) **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. (M) **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.

Knights of Columbus #2324		3-4-17
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Parish Pride Car Show

Sponsoring organization: Knights of Columbus #2329

Location: Main St Event date: 6/10/17 Event time: 8a-5p

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. This form should be completed at the time of application, but must be submitted **NO LESS THAN ONE** week prior to the event.

Vendor name		Address/Telephone		Business License required?		Type of Activity
Will provide		List Closure to				Food Booth
event.						Vendors
						Info Booth
						Kids Zone

Municipal Code 15-1: ITINERANT VENDOR OR ITINERANT MERCHANT: All persons, both principal and agent, who engage in a temporary or transient business in the city, selling or offering to sell goods, wares or merchandise or any other thing of value, with the intention of conducting such business for a period of less than ninety (90) days, and who for the purpose of such business hires, leases or occupies any room, doorway, vacant lot, building or other place, for the exhibition for sale of goods, wares, merchandise or other thing of value. If any such place, occupied or used for such business, is rented or leased for a period of less than ninety (90) days, such fact shall be presumptive evidence that the business carried on therein is a transient business; and any person so engaged shall not be relieved from the provisions of this section or from payment of the license taxes herein provided for such business, by reason of any temporary association with local dealer, trader, merchant or auctioneer.

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: Parish Pride Car Show

Sponsoring organization: Knights of Columbus #2329

Event date: June 10, 2017 Hours: 7a-6pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity
main	Olive	morton	Cars
Harrison	main	East alley	Vendors
Thurman	Division	East alley	Kids Zone
Cleveland			
Putnam			
Mill, Oak			
Garden			

Sidewalks	From	To	Activity

Parking lots and spaces	Location	Activity

Requirements for Community Civic Event
St. Anne's Parish Council, Knights of Columbus
Parish Pride Car Show
June 10, 2017

Finance Director: *M. Bemis*	Please provide adequate porta- potties for attendees.
City Engineer: *J. Sanchez*	
Community Development Manager: *J. Phillips*	No comments.
Field Services Manager, Acting: *M. Knight*	Barricades may be obtained and returned at 555 N. Prospect St.
Fire Marshall: *M. Sandoval*	No comments.
Parks and Leisure Services Director: *D. Moore*	Public to remain out of the downtown planters.
Police Lieutenant: *R. Standridge*	Please see recommendations and. requirements in Exhibit B.
Administrative Services Director: *P. Hildreth*	Please see Exhibit A, page 2.

Requirements for Community Civic Event

Sponsor:	Knights of Columbus
Event:	Parish Pride Car Show
Event Chairman:	Jason Baranck
Location:	Downtown Main Street
Date of Event:	June 10, 2017
Time of Event:	8:00 a.m. to 5:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

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

CITY OF PORTERVILLE
Community Civic Event Application

Proposed Event: Knights of Columbus 8th Annual Parish Pride Car Show

Date of Event: Saturday, June 10th, 2017

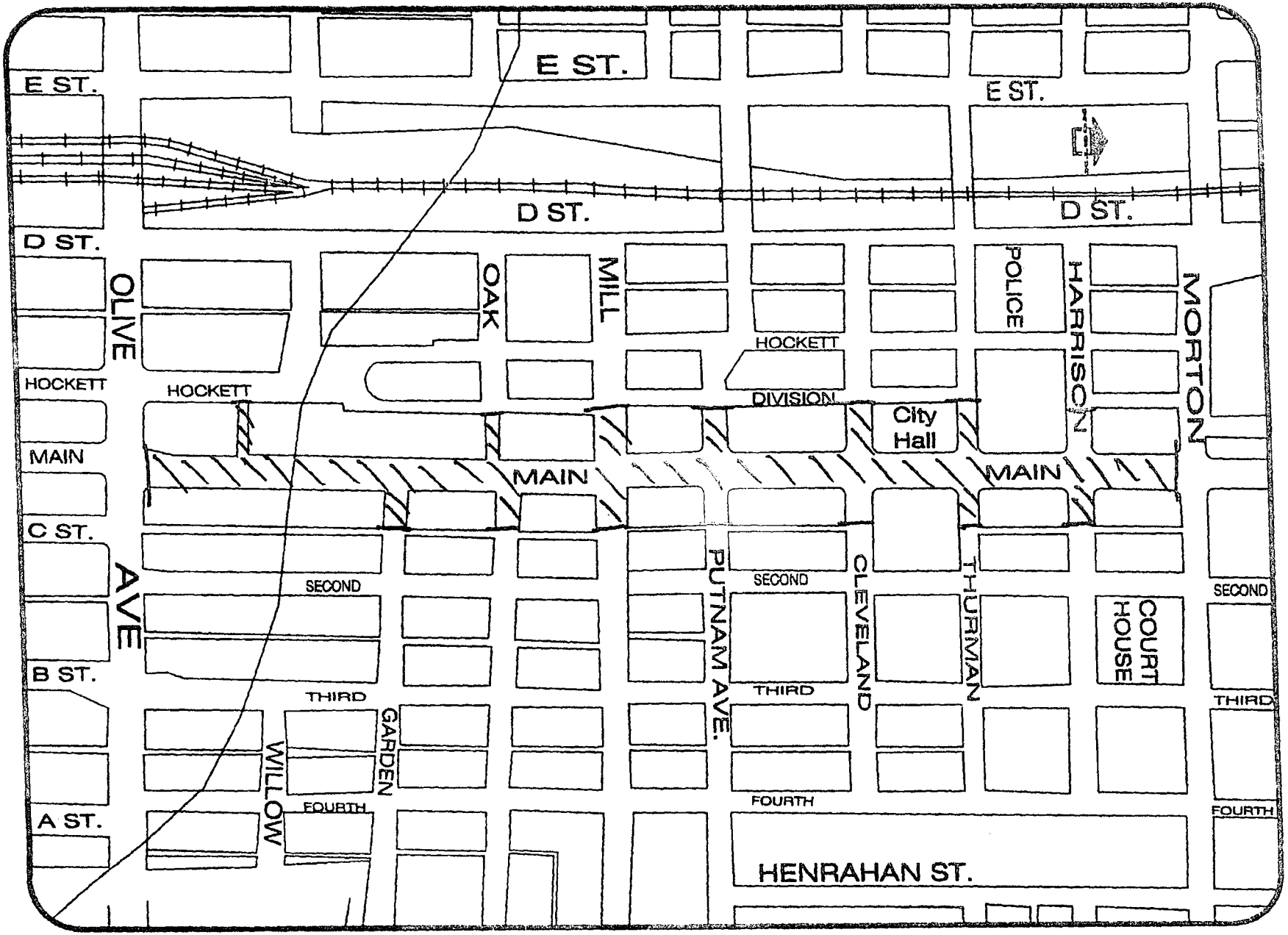
Location of Event: Downtown Main Street between Morton and Olive

Recommendations/Requirements:

- All street closures in the city require City Council approval.
- If event organizers anticipate the need to have vehicles removed from the associated streets and alleys, the streets in question must be properly posted, in accordance with the California Vehicle Code, well in advance of the event. Event organizers **shall** contact Lt. Josh Maniss or Lt. Chris COntreras of the Porterville Police Department no less than 30 days prior to the event if vehicle removal is to be authorized. Either can be contacted at 559-782-7410 or 559-782-7400.
- Food vendors should provide inspection certificates from the Tulare County Health Department to event organizers, to ensure safe food products.
- Participant vehicles shall not be parked on any part of any sidewalk.
- An Outside Amplifier Permit has been requested and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- Amplified music shall not continue after 10:00 p.m.

Rich Standridge, Lieutenant
Porterville Police Department

Exhibit B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PUTNAM AVE.
CLEVELAND
THURMAN
COURT HOUSE
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FOURTH
FOURTH
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HENRAHAN ST.

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: Knights of Columbus #2329 PO Box 384 Porterville CA 93257

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

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

4 Type of event for which amplification equipment will be used: Music, award announcements,

5 Dates and hours of operation of amplification equipment: June 11, 2016, 8am - 5pm

6 A general description of the sound amplifying equipment to be used: Outdoor PA system 300 watts

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

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

Section 18-14 It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

Penal Code Section 416 (2) Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars ($400), or both such imprisonment and fine: (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

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

Signature of Applicant — *Date* 3/18/17

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

City of Porterville, Chief of Police/Designee — *Date* 4-12-17

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 02/10/2017

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
S. A. VAN DYK, INC.
1010 JORIE BLVD, STE 242, P. O. BOX 4806
OAK BROOK , IL 60522

CONTACT NAME: MARGARET E. VAN DYK
PHONE (A/C, No, Ext): 1-630-990-7300 FAX (A/C, No): 1-630-990-8907
E-MAIL ADDRESS: SAVINSUR@AOL.COM

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Fireman's Fund Insurance Company	21873
INSURER B : Nationwide Life Insurance Company	66869
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
KOC St. Anne's Parish Council 2329
PO Box 384
Porterville , CA 93258

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY	✓		XPK80973894	2/24/2017	2/24/2018	EACH OCCURRENCE	$ 1,000,000
	✓ COMMERCIAL GENERAL LIABILITY			NAAO00029305			DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
	CLAIMS-MADE ✓ OCCUR						MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: ✓ POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

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

Additional Insured Wording: City Of Porterville Succesor Agency to the Porterville Redevelopment Agency Start Date: 6/10/2017 End Date: 6/10/2017 Event Description: KOC Parish Pride Car Show

CERTIFICATE HOLDER

City Of Porterville Succesor Agency to the Porterville Redevelopment Agency
291 N. Main St.
Porterville ,CA 93257

CANCELLATION

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

AUTHORIZED REPRESENTATIVE
Robert V. Nuccio

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RVNA®

I understand and agree that no coverage will be provided unless we install and maintain the required accounting procedures at inception and throughout the coverage period.	n/a
Directors and Officers Liability Plus	No, I do not want to purchase this coverage.
Est. Gross Receipts	25000
Would you like to add EPLI coverage to your Directors and Officers Liability coverage?	n/a
Accident Medical Plus	No, I do not want to purchase this coverage.
Property Plus	No, I do not want to purchase this coverage.
Do you understand and agree that if you misrepresent the Master Organization to which your local Auxiliary, Affiliate, Camp, Chapter, Club, Encampment, or Lodge belongs, it is a material misrepresentation which directly affects our decision to insure you, and that no coverage will be provided should a loss occur?	Yes
I agree that after diligent inquiry, neither I nor any of our Directors, Officers or Members are aware of any circumstances, conditions, or situations which may give rise to a loss under this insurance.	Yes
Do you understand and agree that any known or existing circumstances, conditions or situations which may give rise to a loss under this insurance will not be covered by the policy?	Yes
I understand and agree that the underwriter retains the right to review the application for accuracy, and that the policy will not provide any insurance coverage if any application information is falsely reported, falsely stated, incorrectly selected, stated, misreported, misrepresented, misstated or wrongly stated, whether or not intentional. I understand and agree that by entering my name below, I am effectively signing this application for insurance.	Yes
Name	Mary Ruzich
Accepted Date	2/10/2017
Expiration Date	2/24/2018
Memorandum Number	NAAO00029305

Additional Insureds

1

Additional Insured Name	City Of Porterville Succesor Agency to the Porterville Redevelopment Agency
Address	291 N. Main St.
City	Porterville
State	CA
Zip Code	93257
Event Description	KOC Parish Pride Car Show
Event Start Date	6/10/2017
Event End Date	6/10/2017
Special Wording	City Of Porterville Succesor Agency to the Porterville Redevelopment Agency
Total Number of LossPayees	0

NATIONAL ALLIANCE OF NONPROFIT ORGANIZATIONS, INC.
MEMBERSHIP CERTIFICATE

This Certificate of Membership certifies that the person or entity named below is a member in good standing of the National Alliance of Nonprofit Organizations, Inc. and therefore, is granted access to the Resources and Benefits made available to the general membership by the Association.

Date of Certification: 02/10/2017
Member ID Number: 1132159
Member Name: KOC St. Anne's Parish Council 2329
Member Street Address: PO Box 384
Porterville , CA 93258

Authority granting this Certificate:
National Alliance of Nonprofit Organizations, Inc.
Executive Director

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Approval for Community Civic Event - Comision Honorifica Mexicana-Americana, Inc. - Cinco de Mayo Parade and Fiesta Dominguera 5 de Mayo - May 6 and 7, 2017

SOURCE: Finance

COMMENT: The Comision Honorifica Mexicana-Americana, Inc. is requesting approval to hold their annual Cinco de Mayo Parade on Saturday, May 6, 2017, along Main Street from 7:00 a.m. to 1:00 p.m. A Cinco de Mayo Fiesta is scheduled for Sunday, May 7, 2017, from 10:00 a.m. to 4:00 p.m. at Veterans Park with entertainment, food and information booths. The following street closures are requested for the parade:

PARADE ROUTE:

Main Street from Morton Avenue to Olive Avenue,
Harrison Avenue, Thurman Avenue, Cleveland Street, Putnam Avenue, Mill Avenue, Oak Avenue and Garden Avenue from Division Street to Second Street;
Second Street from Morton Avenue to Olive Avenue;
Olive Avenue from Main Street to Third Street.

The application has been submitted under the Community Civic Event Ordinance No. 1326, as amended. It has been routed according to the ordinance regulations and reviewed by all the departments involved. The requirements are listed on the attached copy of the Community Civic Application and Agreement, Exhibit A and Exhibit B. Per City Council direction for parades, the City will provide adequate portable restroom facilities for attendees.

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

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

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

(Incomplete applications can delay permit process)

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

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

Application date: 1/24/17 Event date: 5/7/17
4/6/2017 Event time: 8AM to 5PM

Name of Event: Fiesta Domingvera 5 de Mayo
Cincode Mayo Parade 5/6/17 10AM

Sponsoring organization: CHMA Phone # 559-289-9381

Address: P.O. BOX 2043, Porterville, CA 93258

Authorized representative: Grace Muñoz-Rios Phone # 559-289-9381

Address: 345 West Belleview Ave, Porterville, CA 93257

Event chairperson: Grace Muñoz-Rios Phone # 559-289-9381

Location of event Parade - Downtown Main Street - Morton to Olive
Fiesta @ Veterans Park (Location map must be attached)

Type of event: Parade w/ marching bands and mobile entries
Fiesta will have food vendors, info booths, bounce houses & musical entertainment

Non-profit organization status: 501C3 BL 00331
(IRS Determination)

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

Barricades (quantity): 18 Street sweeping Yes X No ____

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

Other: ____

Parks facility application required: Yes X No ____ Attached pd.

Assembly permit required: Yes X No ____ Attached ____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

_____ Authorized Representative Initial

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

_____ Authorized Representative Initials

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

_____ Authorized Representative Initials

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

_____ Authorized Representative Initials

Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment for its intended purpose. Applicant shall be responsible for any damages to City's property resulting from company's provision of services hereunder. Applicant shall confirm with the service company the number of portable toilets, standard and handicap, and wash sinks needed for the number of expected attendees.

_____ 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. 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.

CHMA	[illegible]	1/24/17
(Name of Organization)	(Signature)	(Date)

CITY OF PORTERVILLE

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

Name of event: Fiesta Dominguera 5 de Mayo

Sponsoring organization: CHMA

Location: Veteran's Park Event date: 5/7/17 Event time: 8AM-5PM

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

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

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

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

CITY OF PORTERVILLE

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

Name of event: 5 de Mayo Parade

Sponsoring organization: CHMA

Event date: 5/6/17 Hours: 10 AM

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

Street Name	From	To	Activity
Main Street	Morton	Olive	Parade
Harrison	Hockett	Second	
Thurman	Division	Second	
Cleveland	Division	Second	
Putnam	Division	Second	
Mill	Division	Second	
Oak	Division	Second	
Garden Olive	Hockett	Second	
Olive	Hockett	'B' Street	

Sidewalks	From	To	Activity
Main Street	Morton	Olive	Parade

Parking lots and spaces	Location	Activity

Requirements for Community Civic Event
Comision Honorifica Mexicana-Americana, Inc.
Cinco De Mayo Parade and Fiesta Dominguera 5 de Mayo
May 6 and May 7, 2017

Finance Director: *M. Bemis*	Please provide adequate porta-potties for attendees.
City Engineer: *J. Sanchez*	No comment.
Community Development Manager: *J. Phillips*	No comment.
Deputy Public Works Director, Acting: *M. Knight*	Barricades may be picked up and returned to the Corporation Yard at 555 N. Prospect.
Fire Marshall: *M. Sandoval*	No comments.
Parks & Leisure Services Director: *D. Moore*	Public to remain out of Main St. planters. Vehicles not allowed to park on grass.
Police Lieutenant: *R. Standridge*	Please see proposed conditions/requirements on Exhibit B.
Administrative Services Director: *P. Hildreth*	See attached Exhibit A, page 2.

Requirements for Community Civic Event

Sponsor:	Comision Honorifica Mexicana-Americana, Inc.
Event:	Cinco de Mayo Parade and Fiesta Dominguera 5 de Mayo
Event Chairman:	Grace Munoz-Rios
Location:	Parade - Main Street from Morton Avenue to Olive Avenue including the closure of select cross-streets and parallel streets. Fiesta – Veteran's Park.
Date of Event:	May 6 and May 7, 2017

RISK MANAGEMENT: Conditions of Approval

1. The use of sidewalks for any purpose other than to allow for the free-flow of pedestrian traffic is prohibited within a ten (10) ft. radius of all walk-up Automated Teller Machines (ATM), and the minimum clear sidewalk width for pedestrian traffic at all other locations is five (5) feet.

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

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

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

CITY OF PORTERVILLE
Community Civic Event Application
CINCO DE MAYO PARADE/CELEBRATION

Proposed Conditions/Requirements/Parade:

- City Council approval is required for all street closures.
- Ensure highly visible and adequate barricades/barriers are used to warn motorists of non-access and prevent vehicle access to those designated areas.
- Cinco de Mayo Planning Committee should meet with street vendors to coordinate rules regarding their activities, such as:
  - Staying off the parade route and crossing in front of floats or groups
  - Shall not sell silly string, snap caps or party poppers (pursuant to City Ordinance)
- Food vendors should be situated where they do not block the sidewalk.
- Throwing candy or any substances/objects from vehicles, floats, or any parade entry is prohibited. This results in children scampering to catch or find candy in a crowded environment, and causes others to run out into the street. This practice creates significant and unnecessary risk for parade goers. All registered parade entrants should be informed of this prohibition and efforts taken to cease this practice.
- An Outside Amplifier Permit has been requested and granted. However, event organizers shall not allow music or other amplifications to be played so loud as to unreasonably disturb the peace and good order of the business establishments or neighborhoods in the area.
- At the conclusion of the event, all barricades shall be promptly removed and equipment shall be cleared so as to avoid interfering with vehicular or pedestrian travel.
- Event organizers shall contact Sergeant Carl Jordan (Porterville Police Department) no less than 30 days prior to the event in order to coordinate parade route postings and necessary police involvement. Sergeant Jordan can be contacted at 559-782-7408/559-782-7400.

Proposed Conditions/Requirements/Celebration:

- City Council approval is required for all street/sidewalk closures.
- Participants must not interfere with the normal flow of pedestrian/vehicular traffic.
- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- Consumption of alcohol by participants, attendees, organizers at the event is strictly prohibited.

- An Outside Amplifier Permit has been approved and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.

- At conclusion of event, event organizers shall ensure that affected parks/streets/sidewalks are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling in the area, as well as any other relater materials such as signs, pamphlets and fliers.

- Event organizers shall contact Sergeant Mark Knox (Porterville Police Department) no less than 30 days prior to the event in order to coordinate police involvement. Sergeant Knox can be contacted at 559-782-7408/559-782-7400.
- .

Rich Standridge, Lieutenant
Porterville Police Department

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

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

1 Name and home address of the applicant: CHMA, P.O. Box 2043, Porterville, CA 93258
Grace Muñoz-Rios, 345 west Belleview Ave, Porterville, CA 93257

2 Address where amplification equipment is to be used: Speakers will be on stage @ Veteran's Park

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

4 Type of event for which amplification equipment will be used: Fiesta to include food & non-food vendors, bounce house and live musical entertainment to include DJ type music

5 Dates and hours of operation of amplification equipment: 8AM to 4PM 5/7/17

6 A general description of the sound amplifying equipment to be used: Speakers, Drum Set, Microphones DJ equipment

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

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

Section 18-14 It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or operated, or connected any or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall by the council be deemed objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312)

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

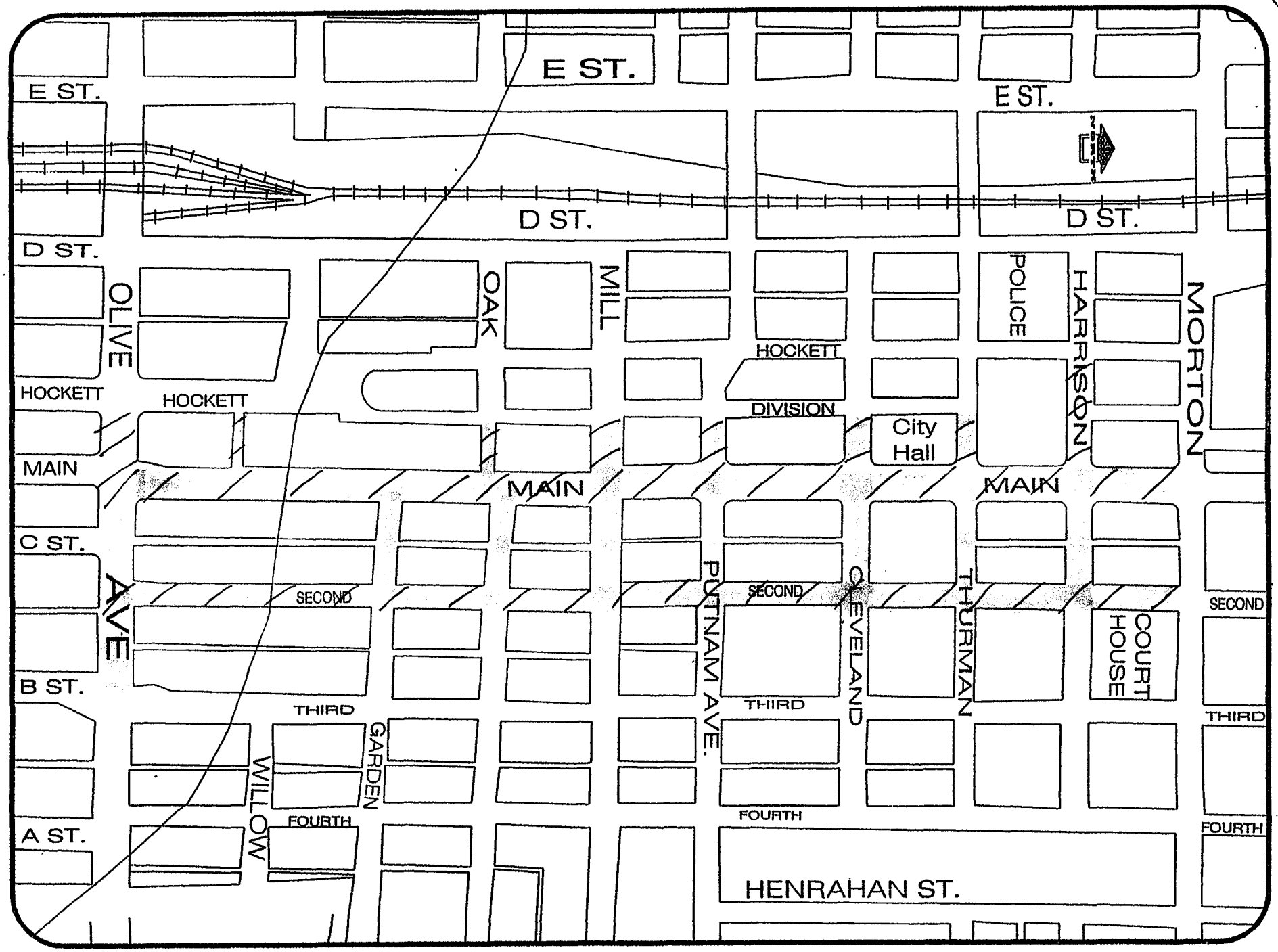
I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

Grace Muñoz Rios — *Signature of Applicant* — 1/24/17 *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.

LT — *City of Porterville, Chief of Police/Designee* — 4-12-17 *Date*

PARADE MAP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HENRAHAN ST.

CINCO DE MAYO FIESTA 2017

FLOOR MAP

FIESTA MAP

Henderson

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Request for Proclamation - Arbor Day - April 28, 2017

SOURCE: Administrative Services

COMMENT: At its meeting of October 1, 2013, the Council amended the process by which proclamations are approved, and affirmed the process at its meeting on February 21, 2017. The process requires that all proclamations must be sponsored by one Council Member, after which the request is then placed on the Council's agenda for consideration and approval by a majority of the Council.

The Parks and Leisure Services Parks Division has requested that the Council consider approval of a proclamation to proclaim April 28, 2017, as "Arbor Day" in Porterville. Council Member Flores is sponsoring this proclamation request. If approved, the proclamation will be presented on April 28, 2017, 11:00 a.m. at The Sports Complex.

RECOMMENDATION: That the City Council consider approval of the request to proclaim April 28, 2017, as "Arbor Day" in the city of Porterville.

ATTACHMENTS: 1. Proclamation Request

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

City of Porterville
REQUEST FOR PROCLAMATION

Date of Request: 4/5/17

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

Name of Sponsoring Organization: CITY OF PORTERVILLE PARKS & RECREATION

Name of Contact Person: DONNIE MOORE

Address: 291 N. MAIN

Phone: 782-7539 FAX: 782-7452

E-mail: dmoore@ci.porterville.ca.us

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

Date(s) of Event: APRIL 28, 2017 11:00AM @ SPORTS COMPLEX

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

Individual or representative attending Council Meeting to receive proclamation:

_____

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

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

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

City Clerk's Section

Request Received: 4/5/17 Sponsored by: Flores Date: 4/5/17

Approved by Council: yes ☐ no ☐ Date: _____

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

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

Comment: _____

WHEREAS: In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees. That day, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS: Arbor Day is now observed throughout the nation and the world; and

WHEREAS: Trees in our cities and towns help clean the air, conserve soil and water, moderate temperature and bring nature into our daily lives, and the Tree City USA designation recognizes the work of elected officials, staff and citizens who plant and care for the community forest; and

WHEREAS: The City of Porterville has been named a Tree City USA community by the National Arbor Day Foundation for the 24th year in a row to honor its commitment to community forestry, now with over 14,000 City street trees within Porterville's 14.8 square miles.

NOW, THEREFORE, I, Milt Stowe, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim April 28, 2017, as—

"ARBOR DAY"

in the City of Porterville, and urge all citizens to support efforts to care for our trees in the urban forest and to support our City's community forestry program. I further urge all citizens to participate in the Community Tree Planting to be held to commemorate this day.

PROCLAIMED this 28th day of April, 2017.

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: City Council Member Requested Agenda Item - Consider Resolution of Support for AB 242 (Arambula); "Certificates of Death: Veterans"

SOURCE: City Manager's Office

COMMENT: Vice Mayor Ward has requested that the City Council consider a Resolution of Support for AB 242 (Arambula); "Certificates of Death: Veterans" as a Scheduled Matter at its May 2nd meeting.

RECOMMENDATION: That the City Council approve Vice Mayor Ward's request to consider a Resolution of Support for AB 242 (Arambula); "Certificates of Death: Veterans" as a Scheduled Matter at the May 2nd Council meeting.

ATTACHMENTS: 1. AB 242 Bill Text

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

AMENDED IN ASSEMBLY MARCH 7, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL No. 242

Introduced by Assembly Members Arambula and Patterson
(Coauthors: Assembly Members Cervantes, Mathis, Chávez, Dababneh, Cristina Garcia, Grayson, Maienschein, Mathis, and Salas)

January 30, 2017

An act to amend Section ~~27521 of, and to add Section 27521.2 to, the Government Code, relating to coroners.~~ *102875 of, and to add Section 102791 to, the Health and Safety Code, relating to certificates of death.*

LEGISLATIVE COUNSEL'S DIGEST

AB 242, as amended, Arambula. ~~Coroners' reports: veterans: suicide.~~ *Certificates of death: veterans.*

Existing law establishes the State Department of Public Health under the direction of the State Public Health Officer. Existing law sets forth the powers and duties of the State Public Health Officer, including, but not limited to, designation as the State Registrar of Vital Statistics, having supervisory powers over local registrars and responsibility for the uniform and thorough enforcement of provisions relating to the registration of certain vital statistics.

Existing law requires that each death be registered with the local registrar of births and deaths in the district in which the death was officially pronounced or the body was found. Existing law sets forth the persons responsible for completing the certificate of death and the required contents of the certificate, including, but not limited to, the

decedent's name, sex, and birthplace. Certain violations of these requirements are a crime.

This bill would require a person completing the certificate of death to record whether the decedent was ever in the Armed Forces of the United States. The bill would also require the State Department of Public Health to access data within the electronic death registration system to compile a report on veteran suicide in California and require the department to annually provide that report to the Legislature and the Department of Veterans Affairs. By changing the definition of existing crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law requires a coroner to perform or cause to be performed an autopsy on a decedent, for which an autopsy has not already been performed, on request of specified relatives. Existing law requires a coroner, medical examiner, or other agency performing a postmortem examination or autopsy to prepare a final report of investigation that lists or describes certain information collected pursuant to the postmortem examination or autopsy.~~

~~This bill would also require the final report of investigation to indicate whether the deceased person was an active or reserve member of the United States military, or was a member of the California National Guard, California Air National Guard, or California National Guard Reserve, either at or prior to the time of his or her death. The bill would require the person preparing the report to consult with the county veterans service officer, if he or she is unable to determine the deceased person's Armed Forces status. The bill would also require the coroner to make data on veteran suicides available to the State Department of Public Health and would require the State Department of Public Health to annually report data on veteran suicides to the Legislature and the Department of Veterans Affairs. By imposing new duties on county coroners, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 102791 is added to the Health and Safety Code, to read:

102791. (a) The State Department of Public Health shall access data within the electronic death registration system implemented pursuant to Section 102778 to compile a report on veteran suicide in California. The report shall include, at a minimum, information on the ages, sexes, nationalities, and methods of suicide of veterans.

(b) (1) The department shall, notwithstanding Section 10231.5, annually provide the report compiled pursuant to subdivision (a) to the Legislature and the Department of Veterans Affairs.

(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795.

SEC. 2. Section 102875 of the Health and Safety Code is amended to read:

102875. The certificate of death shall be divided into two sections.

(a) The first section shall contain those items necessary to establish the fact of the death, including all of the following and those other items as the State Registrar may designate:

(1) (A) Personal data concerning decedent including full name, sex, color or race, marital status, name of spouse, date of birth and age at death, birthplace, usual residence, ~~and~~ occupation and industry or ~~business.~~ *business, and whether the decedent was ever in the Armed Forces of the United States.*

(B) ~~Commencing July 1, 2015, a~~ *A* person completing the certificate shall record the decedent's sex to reflect the decedent's gender identity. The decedent's gender identity shall be reported by the informant, unless the person completing the certificate is presented with a birth certificate, a driver's license, a social security record, a court order approving a name or gender change, a

passport, an advanced health care directive, or proof of clinical treatment for gender transition, in which case the person completing the certificate shall record the decedent's sex as that which corresponds to the decedent's gender identity as indicated in that document. If none of these documents are presented and the person with the right, or a majority of persons who have equal rights, to control the disposition of the remains pursuant to Section 7100 is in disagreement with the gender identity reported by the informant, the gender identity of the decedent recorded on the death certificate shall be as reported by that person or majority of persons.

(C) ~~Commencing July 1, 2015, if~~ *If* a document specified in subparagraph (B) is not presented and a majority of persons who have equal rights to control the disposition of the remains pursuant to Section 7100 do not agree with the gender identity of the decedent as reported by the informant, any one of those persons may file a petition, in the superior court in the county in which the decedent resided at the time of his or her death, or in which the remains are located, naming as a party to the action those persons who otherwise have equal rights to control the disposition and seeking an order of the court determining, as appropriate, who among those parties shall determine the gender identity of the decedent.

(D) ~~Commencing July 1, 2015, a~~ *A* person completing the death certificate in compliance with subparagraph (B) is not liable for any damages or costs arising from claims related to the sex of the decedent as entered on the certificate of death.

(E) ~~Commencing July 1, 2015, a~~ *A* person completing the death certificate shall comply with the data and certification requirements described in Section 102800 by using the information available to him or her prior to the deadlines for completion specified in that section.

(2) Date of death, including month, day, and year.

(3) Place of death.

(4) Full name of father and birthplace of father, and full maiden name of mother and birthplace of mother.

(5) Informant.

(6) Disposition of body ~~information~~ *information,* including signature and license number of ~~embalmer if body embalmed~~ *embalmer, if the body is embalmed,* or name of embalmer if affixed by attorney-in-fact; name of funeral director, or person acting as

such; and date and place of interment or removal. Notwithstanding any other ~~provision of law to the contrary,~~ *law,* an electronic signature substitute, or some other indicator of authenticity, approved by the State Registrar may be used in lieu of the actual signature of the embalmer.

(7) Certification and signature of attending physician and surgeon or certification and signature of coroner when required to act by law. Notwithstanding any other ~~provision of law to the contrary,~~ *law,* the person completing the portion of the certificate setting forth the cause of death may attest to its accuracy by use of an electronic signature substitute, or some other indicator of authenticity, approved by the State Registrar in lieu of a signature.

(8) Date accepted for registration and signature of local registrar. Notwithstanding any other ~~provision of law to the contrary,~~ *law,* the local registrar may elect to use an electronic signature substitute, or some other indicator of authenticity, approved by the State Registrar in lieu of a signature.

(b) The second section shall contain those items relating to medical and health data, including all of the following and other items as the State Registrar may designate:

(1) Disease or conditions leading directly to death and antecedent causes.

(2) Operations and major findings thereof.

(3) Accident and injury information.

(4) Information indicating whether the decedent was pregnant at the time of death, or within the year prior to the death, if known, as determined by observation, autopsy, or review of the medical record. This paragraph shall not be interpreted to require the performance of a pregnancy test on a decedent, or to require a review of medical records in order to determine pregnancy.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

~~SECTION 1. Section 27521 of the Government Code is amended to read:~~

~~27521. (a) A postmortem examination or autopsy conducted at the discretion of a coroner, medical examiner, or other agency upon an unidentified body or human remains is subject to this section.~~

~~(b) A postmortem examination or autopsy shall include, but shall not be limited to, the following procedures:~~

~~(1) Taking of all available fingerprints and palm prints.~~

~~(2) A dental examination consisting of dental charts and dental X-rays of the deceased person's teeth, which may be conducted on the body or human remains by a qualified dentist as determined by the coroner.~~

~~(3) The collection of tissue, including a hair sample, or body fluid samples for future DNA testing, if necessary.~~

~~(4) Frontal and lateral facial photographs with the scale indicated.~~

~~(5) Notation and photographs, with a scale, of significant scars, marks, tattoos, clothing items, or other personal effects found with or near the body.~~

~~(6) Notations of observations pertinent to the estimation of the time of death.~~

~~(7) Precise documentation of the location of the remains.~~

~~(c) The postmortem examination or autopsy of the unidentified body or remains may include full body X-rays.~~

~~(d) (1) At the sole and exclusive discretion of a coroner, medical examiner, or other agency tasked with performing an autopsy pursuant to Section 27491, an electronic image system, including, but not limited to, an X-ray computed tomography scanning system, may be used to fulfill the requirements of subdivision (b) or of a postmortem examination or autopsy required by other law, including but not limited to, Section 27520.~~

~~(2) Nothing in this subdivision imposes a duty upon any coroner, medical examiner, or other agency tasked with performing autopsies pursuant to Section 27491 to use an electronic image system to perform autopsies or to acquire the capability to do so.~~

~~(3) A coroner, medical examiner, or other agency tasked with performing an autopsy pursuant to Section 27491 shall not use an electronic imaging system to conduct an autopsy in any investigation where the circumstances surrounding the death afford~~

~~a reasonable basis to suspect that the death was caused by or related to the criminal act of another and it is necessary to collect evidence for presentation in a court of law. If the results of an autopsy performed using electronic imaging provides the basis to suspect that the death was caused by or related to the criminal act of another, and it is necessary to collect evidence for presentation in a court of law, then a dissection autopsy shall be performed in order to determine the cause and manner of death.~~

~~(4) An autopsy may be conducted using an X-ray computed tomography scanning system notwithstanding the existence of a certificate of religious belief properly executed in accordance with Section 27491.43.~~

~~(e) The coroner, medical examiner, or other agency performing a postmortem examination or autopsy shall prepare a final report of investigation in a format established by the Department of Justice. The final report shall list or describe the information collected pursuant to the postmortem examination or autopsy conducted under subdivision (b) and indicate whether the deceased person was an active or reserve member of the United States military, or was a member of the California National Guard, California Air National Guard, or California National Guard Reserve, either at or prior to the time of his or her death. If the coroner, medical examiner, or other agency preparing the final report is unable to determine the deceased person's Armed Forces status, the person preparing the report shall consult with the county veterans service officer.~~

~~(f) The body of an unidentified deceased person shall not be cremated or buried until the jaws (maxilla and mandible with teeth), or other bone sample if the jaws are not available, and other tissue samples are retained for future possible use. Unless the coroner, medical examiner, or other agency performing a postmortem examination or autopsy has determined that the body of the unidentified deceased person has suffered significant deterioration or decomposition, the jaws shall not be removed until immediately before the body is cremated or buried. The coroner, medical examiner, or other agency responsible for a postmortem examination or autopsy shall retain the jaws and other tissue samples for one year after a positive identification is made, and no civil or criminal challenges are pending, or indefinitely.~~

~~(g) If the coroner, medical examiner, or other agency performing a postmortem examination or autopsy with the aid of the dental examination and any other identifying findings is unable to establish the identity of the body or human remains, the coroner, medical examiner, or other agency shall submit dental charts and dental X-rays of the unidentified deceased person to the Department of Justice on forms supplied by the Department of Justice within 45 days of the date the body or human remains were discovered.~~

~~(h) If the coroner, medical examiner, or other agency performing a postmortem examination or autopsy with the aid of the dental examination and other identifying findings is unable to establish the identity of the body or human remains, the coroner, medical examiner, or other agency shall submit the final report of investigation to the Department of Justice within 180 days of the date the body or human remains were discovered. The final report of investigation shall list or describe the information collected pursuant to the postmortem examination or autopsy conducted under subdivision (b), and any anthropology report, fingerprints, photographs, and autopsy report.~~

~~SEC. 2. Section 27521.2 is added to the Government Code, to read:~~

~~27521.2. (a) The coroner shall make data on veteran suicides available to the State Department of Public Health.~~

~~(b) (1) The State Department of Public Health shall, notwithstanding Section 10231.5, annually report data on veteran suicides to the Legislature and the Department of Veterans Affairs.~~

~~(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795.~~

~~SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

REVISIONS:

Heading—Line 2.

O

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Olive & Lotas Commercial Development

SOURCE: Community Development

BACKGROUND:

The applicant (Smart & Final) is proposing to move from their current location, 1289 W. Olive Avenue, approximately 650 feet west to the former Young's Trucking site, south of Olive Avenue between Beverly Street and Lotas Street. In addition to the anchor tenant space that Smart &Final would occupy, an additional 29,310 sf of commercial space is proposed, for a total of 60,651 square feet. The existing Smart and Final is approximately 10,000 square feet. The Porterville Development Ordinance (PDO) requires the review and approval of a conditional use permit to allow establishments greater than 50,000 square feet in the CG (General and Service Commercial) Zone District.

COMMENT: On November 16, 2016, the Project Review Committee met with the applicant to discuss the proposed project. The project consists of two entitlements, a tentative parcel map to divide the 6.12± acre parcel into three parcels, a conditional use permit to allow the development of a commercial establishment greater than 50,000 square feet and for off-site alcohol sales. The applicant is also requesting approval of a Master Sign Program.

ANALYSIS: The requested phased development includes the creation of three parcels which will divide a 6.12± acre site into three parcels: Parcel 1 - 2.65± acres; Parcel 2 – 1.25± acres; and Parcel 3 – 1.87± acres. The first phase of the development takes place on Parcel 1, which will include the anchor tenant Smart & Final Extra!. The table below establishes what each phase will entail.

Phase	Parcel 1	Parcel 2	Parcel 3
Acres	2.65± acres	1.25± acres	1.87± acres
Retail Space	One tenant space 31,341 SF	Potential for eight tenant spaces cumulatively 8,875 SF	Potential for nine tenant spaces cumulatively 20,435 SF
Parking Spaces	137	101	29
Amenities	Pedestrian walkways	Entry Plaza	Shaded areas, including

	connecting Anchor Tenant to Olive Avenue and Beverly Street. Lighted pedestrian crosswalk to connect development to the north side of Olive Avenue		Outdoor Seating near the northern façade of the Phase III structures

Exhibit A of the Parcel Map Resolution shows phases 1, 2 and 3. The Parcel Map Resolution has conditions in place that require the drive aisle, including pedestrian path, between parcels 1, 2 and 3 to be fully developed and provide connectivity from Olive Avenue with issuance of first building permit. If Parcels 2 or 3 develop first, then both the drive aisle from Olive Avenue between all three parcels and the drive aisle connecting the development to Lotas street shall be constructed concurrent with the development. The shared driveway between Parcels 1 and 3 on Slaughter Avenue shall be fully developed upon issuance of the first permit of either of the affected parcels. Conditions are also in place in the Parcel Map Resolution that as development of any parcel occurs, all right of way improvements along that parcel's frontage shall be constructed.

The second entitlement for the Olive & Lotas Commercial Development is the request of a Conditional Use Permit to accommodate a commercial establishment larger than 50,000 square feet as well as a Type 21 Off-Sale General Alcohol License. The existing Smart & Final store will be relocating to this new site as a Smart & Final Extra!. Smart & Final is a warehouse-style food and supply store that caters to caterers as well as small businesses, restaurants, and individual households. The retail store plans to offer the traditional warehouse conveniences such as party supplies, paper products, and cleaning supplies as well as produce, cuts of meat that are packaged off site, wine, dairy and deli.

The development qualifies as a commercial center per the PDO, and as such, was required to provide an entry plaza, integrated theme, four-sided architecture and landscaping consistent throughout the site. Exhibit B in the Conditional Use Permit Resolution shows elevations for phase 1 development illustrating a prominent entry way along with stone veneer, goose neck lighting and painted metal trellises. Conditions are in place to require that the site provide cohesive development and that the theme, materials and paint colors be consistent. As noted in Section 601.09(c), if a request is received for a change in approval of the approved building or site plan it shall be treated as a new application, except that such changes determined to be minor, in the opinion of the Zoning Administrator, may be approved by the Zoning Administrator.

The applicant also proposes to transfer their existing Type 21 Off-Sale General alcohol license to the new store location. Both the current and the proposed new store location are within Census Tract 36.02, which allows for five On-Sale and six Off-Sale licenses; currently the Census Tract has eleven Off-Sale licenses.

There will not be an increase in licenses for this Census Tract; however, because the tract is over-concentrated the Department of Alcoholic Beverage Control requires a letter of Public Convenience or Necessity.

As part of the comprehensive Olive and Lotas Commercial Development, the applicant is also requesting approval of a Master Sign Program (MSP). Standard processing of an MSP would allow the Zoning Administrator to approve ministerially, however; Section 601.04(C) states applications requiring multiple approvals, permits, adjustments or entitlements under this ordinance shall be heard and acted upon at the same time. The applicant is requesting two 7' monument signs with signage available for two tenants and one 20' freestanding/Center Identification sign with signage available for three tenants per Attachment 6. In sign types, the MSP specifies that creative and imaginative signage is strongly encouraged and will be the standard for the Landlord's review/approval of all sign design submittals. Additionally, the MSP states that signs are to be individual channel letter type, or script, and internally illuminated. Staff has reviewed this MSP with Chapter 3 Article IV of the Porterville Municipal Code and the proposed signage is in compliance, and would result in a beneficial standard of quality for signage in the proposed development.

ENVIRONMENTAL REVIEW:

An initial study was prepared for the project. On March 22, 2017, the Environmental Coordinator made the determination that a mitigated negative declaration would be applicable and appropriate for the project under the California Environmental Quality Act (CEQA) guidelines. The Initial Study has been transmitted to interested agencies, groups and individuals for review and comment. The review period ran beyond the required 20 day period, for 25 days, from March 25, 2017 to April 18, 2017. To date, no comments have been received. A mitigation monitoring plan has been established and shall be incorporated into the conditional use permit as development obligations of the project.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the Mitigated Negative Declaration and mitigation monitoring plan; and
2. Adopt the draft resolution containing findings and conditions in support of approval of Tentative Parcel Map for 2016-040-P; and
3. Adopt the draft resolution containing findings and conditions in support of Conditional Use Permit 2016-040-C for an establishment greater than 50,000 square feet in the CG Zone District, and Type 21 Off-Sale Alcohol license; and
4. Authorize the Mayor to sign the letter of public convenience; and
5. Approve the Master Sign Program.

ATTACHMENTS:

1. Draft Resolution to adopt the Mitigated Negative Declaration

2. Draft Resolution to adopt Parcel Map 2016-040-P
3. Draft Resolution to adopt Conditional Use Permit 2016-040-C
4. Letter of Public Convenience or Necessity
5. Master Sign Program 2017-001

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

RESOLUTION NO. _____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF
A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
FOR THE OLIVE AND LOTAS COMMERCIAL DEVELOPMENT

WHEREAS: On November 16, 2016, the Project Review Committee met with the applicant to discuss a proposed 60,650± square foot commercial development including a Tentative Parcel Map (2016-040-P), Conditional Use Permit (2016-040-C) and Master Sign Program; and

WHEREAS: Tentative Parcel Map 2016-040-P proposes to divide a 6.12 acre of site into three parcels: Parcel 1 - 2.65± acres, Parcel 2 - 1.25± acres, Parcel 3 - 1.87± acres; and

WHEREAS: Conditional Use Permit 2016-040-C proposes a 60,654 square foot commercial development including retail shops, a restaurant, Type 21 Off-Sale General Alcohol License; and

WHEREAS: Master Sign Program 2017-001 proposes for cohesive and creative signage for the entire development; and

WHEREAS: The Environmental Coordinator made the determination that the project is subject to the California Environmental Quality Act (CEQA) and that an Initial Study should be prepared; and

WHEREAS: The Initial Study prepared resulted in the preparation of a Mitigated Negative Declaration (IS/MND), attached as Exhibit A; and

WHEREAS: The City Council considered the following findings in its review of the environmental circumstances for this project:

1. That the Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act inasmuch as it evaluated the environmental impacts of the project as a whole, including cumulative effects.

2. That the subject project will not create adverse environmental impacts. The IS/MND determined that there will not be a significant effect in light of mitigation measures that have been agreed to and will be undertaken by the project applicant. Further, the project is not regionally significant.

3. That the City Council is the decision making body for the project.

4. On March 22, 2017, the environmental coordinator made a preliminary determination that a Mitigated Negative Declaration would be appropriate for the proposed project. The Initial Study has been transmitted to interested agencies and groups for a 20 day review period from March 25, 2017 to April 18, 2017.

5. That review of the environmental circumstances regarding this project indicates that no adverse impacts would accrue to wildlife resources from implementation of this project. The Mitigation Monitoring and Reporting Program (MMRP) lists mitigation measures required of the proposed project; it is attached hereto as Exhibit B.

6. That the environmental assessment and analysis prepared for this project supporting the Mitigated Negative Declaration reflects the independent judgment of the City of Porterville.

7. The developer/applicant shall comply with all mitigation measures adopted as a component of the approval of the Mitigated Negative Declaration for this project. The developer/applicant will be required to sign a document committing to comply with the adopted mitigation measures prior to any construction on the site.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the Mitigated Negative Declaration prepared for the Tentative Parcel Map 2016-040-P and Conditional Use Permit 2016-040-C for the Olive and Lotas Commercial Development and that the mitigation measures defined in Exhibit B shall be implemented by the developer/applicant or his/her partners and successors with project implementation.

PASSED, APPROVED AND ADOPTED this 18th day of April, 2017.

By: _____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

MITIGATED NEGATIVE DECLARATION

Olive and Lotas Commercial Development

March 2017

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/Mitigated Negative Declaration

Olive and Lotas Commercial Development

Prepared for:

City of Porterville
291 North Main Street
Porterville, California 93257
(559) 782-7460
Contact: Julie Phillips, AICP

Prepared by:

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March 2017

Project Reference No. 013-1701

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Chapter 1

INTRODUCTION

INTRODUCTION

1.1 Project Summary

This document is the Initial Study/Mitigated Negative Declaration on the potential environmental effects of the City of Porterville's (City) Olive Commercial Development (Project). The Project Applicant intends to construct a 60,654 square foot commercial development, including retail shops and a restaurant over 6.12 acres. The proposed Project is located on the south side of Olive Avenue between S. Lotas Street and S. Beverly Street, on APN 259-070-045.

The proposed Project will require the approval of a Conditional Use Permit and 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/MND contains five chapters, and appendices. Section 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/MND.

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 15070(b), a Mitigated Negative Declaration is appropriate if it is determined that:

(1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
(2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

The Initial Study contained in Section Three of this document has determined that with mitigation measures and features incorporated into the project design and operation, the environmental impacts are less than significant and therefore a Mitigated Negative Declaration will be adopted.

Chapter 2

PROJECT DESCRIPTION

Project Description

2.1 Project Background

The Project Applicant is proposing a commercial retail development along Olive Avenue between Lotus and Beverly Streets. The commercial retail development consists of approximately 60,654 square feet of retail space with 255 parking stalls in the General and Service Commercial zone district. The project will require a Conditional Use Permit and a Parcel Map Application.

2.2 Objectives

The following are the primary goals of the City of Porterville's Olive 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.
- Ensure compliance with the City of Porterville General Plan Land Use Implementation Policy LU-I-21 (prohibits new strip commercial developments).

2.3 Location

The proposed Project is in the City of Porterville (City), approximately 215 miles southeast of Sacramento and approximately 45 miles north of Bakersfield. The proposed Project is in the western portion of the City and is entirely located on APN 259-07-045. The site is on the south side of Olive Avenue between Beverly and Lotas Streets, and covers approximately 6.12 acres. The site is approximately 0.5 miles west of State Route (SR) 65. See Figures 1 and 2– Regional Map and Vicinity Map, respectively.

Figure 1
Regional Map

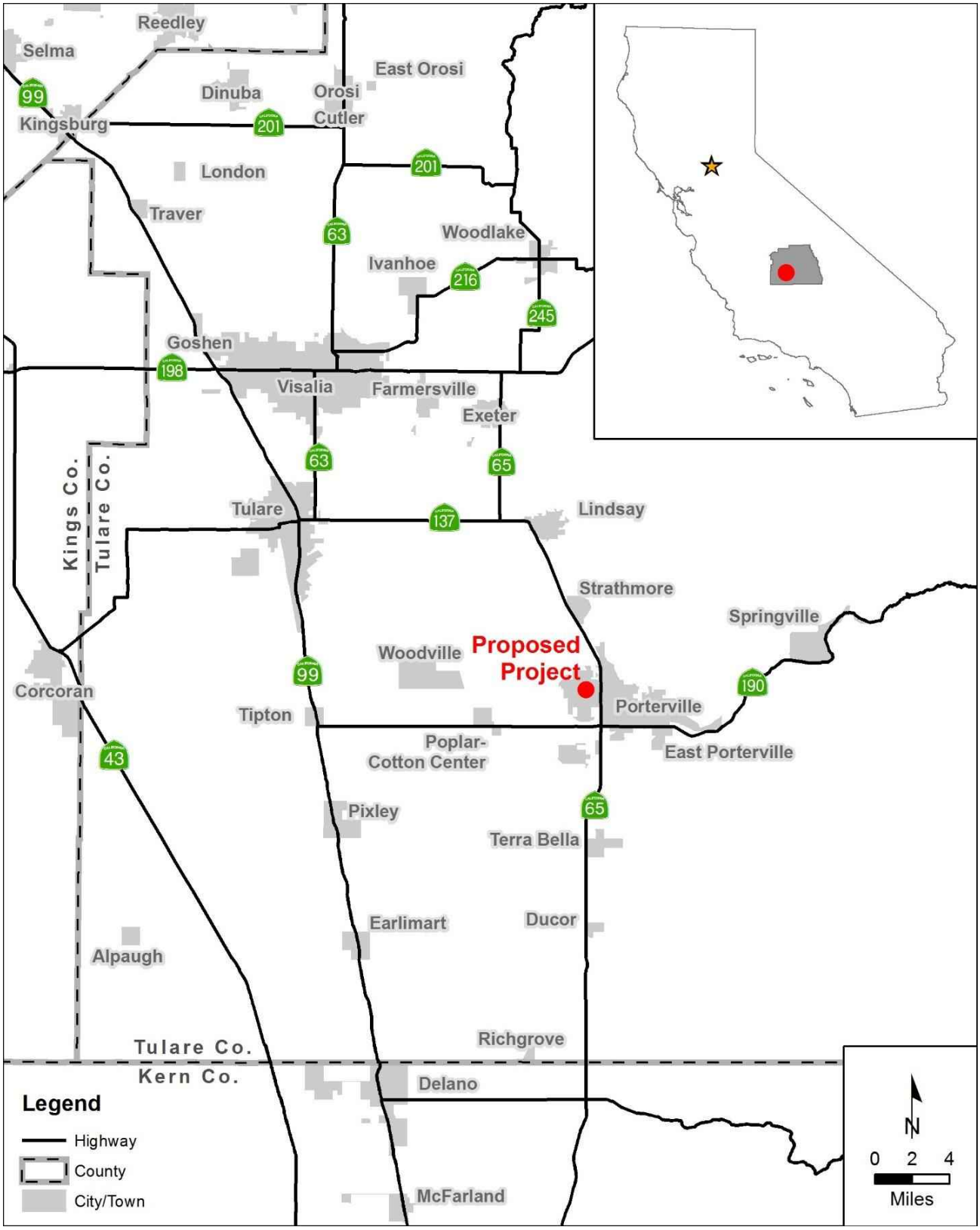


Figure 2
Location Map

2.4 Setting and Surrounding Land Use

The Project site is located in the western central part of the City of Porterville and is currently a paved trucking facility (see Figure 3 – Aerial Map). Existing structures associated with the trucking facility will be removed as a part of the Project. The site is located in an urban area that provides a mix of land uses. Youngs Truck Driving Academy is immediately to the west of the site and residential development is immediately to the south and east of the site. To the north is Olive Avenue which supports a wide variety of commercial retail shops; across from the proposed Project site is a children's boutique, a school, an antique/gift shop and a welding shop.

The site is currently zoned CG (General and Service Commercial). Land use and zoning surrounding the site are identified as follows:

Existing Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification	General Plan Designation
North	Olive Avenue and retail	General and Service Commercial (CG)	General & Service Commercial
South	Single family residences	Low Density Residential (RS-2)	Low Density Residential
West	Retail, restaurant, service commercial, and residences	CG, RS-2, Retail Centers (CR)	General & Service Commercial, Low Density Residential and Retail Centers
East	Restaurant, residences	CG, RS-2	General & Service Commercial and Low Density Residential

Figure 3
Aerial Map

2.5 Project Description

The Project Applicant intends to construct and operate a 60,654 square foot commercial development on APN 259-070-045 on the south side of Olive Avenue between S. Lotas Street and S. Beverly Street (see Figure 4 – Site Plan). Future development on the remaining parcels will comply with the City of Porterville General Plan and Development Ordinance. The Project includes the following components:

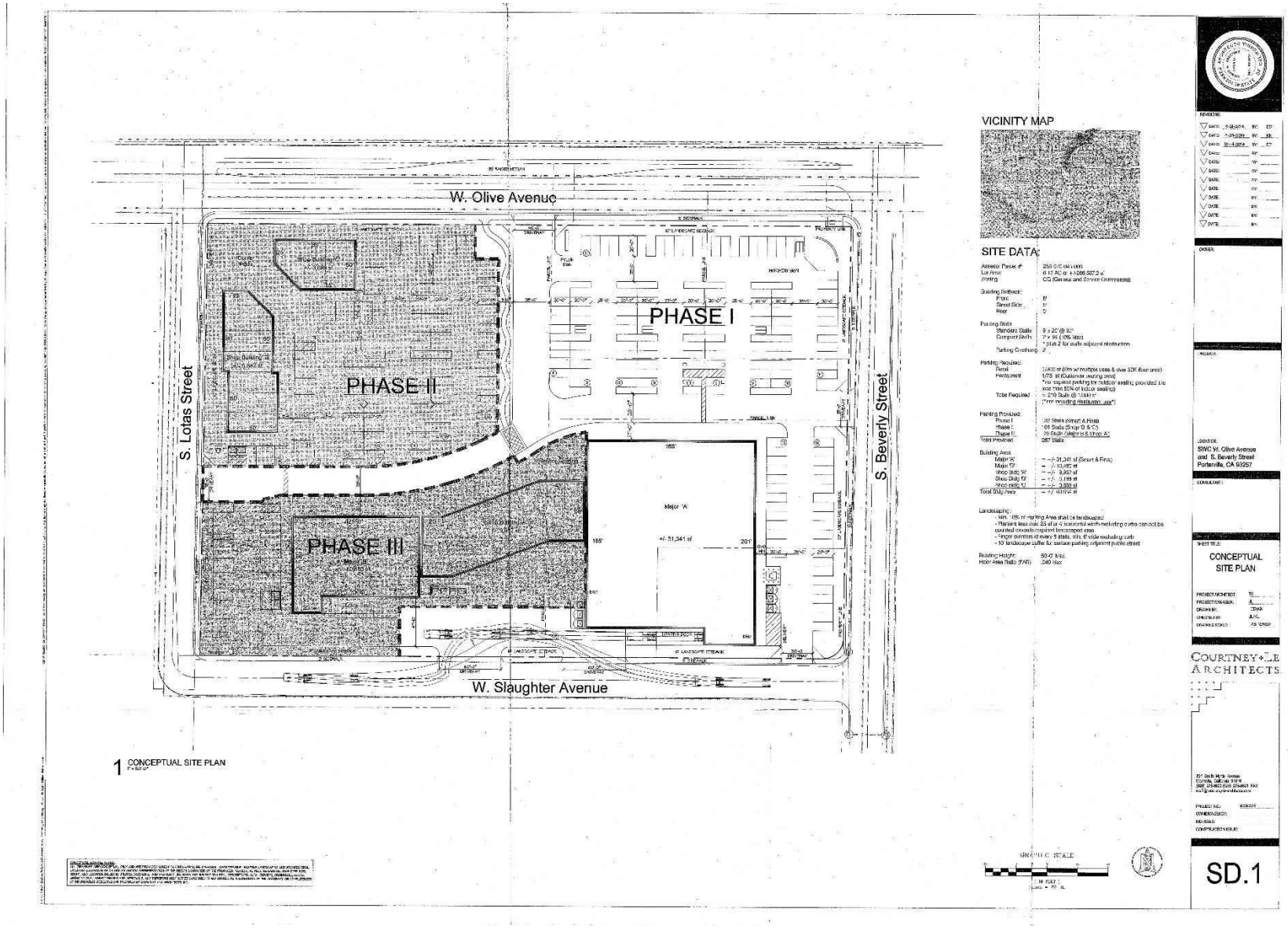
- Construction and operation of five building areas (Smart & Final – Extra!, another major retail building, and three additional shopping buildings) for a combined total square footage of 60,654 square feet.
- Construction of a parking lot with 255 parking stalls and six driveways for ingress/egress.
- Construction of two block walls along each of the loading docks that are adjacent to W. Slaughter Avenue.
- Installation of curb and gutter, a six-foot parkway and six-foot sidewalk along the frontage of the property on S. Lotas Street, W. Slaughter Avenue, and S. Beverly Street.
- Installation of an eight-foot parkway and eight-foot sidewalk along the frontage of W. Olive Avenue.
- Installation of a lighted crosswalk across Olive Avenue, along the west side of Olive Avenue and S. Beverly Street.

The Project will be constructed in three phases. The initial phase will include a 31,341 square foot Smart & Final – Extra! with 137 parking stalls. Phase II of construction will include 8,876 square feet plus 101 parking stalls and the final construction phase will include the remaining 20,437 square feet and 29 parking stalls. As an existing moratorium is in place that prevents open cuts on Olive Avenue, construction cannot begin until October, 2017 and will take approximately six months to complete. The remaining portions of the development will be completed as economic conditions dictate.

Although the exact type of future commercial use has not yet been fully determined, permitted uses (according to Table 203.02 of the City's Development Code) include retail establishments, automotive facilities, financial institutions, restaurants, and limited industry.

Existing City services (water, sewer and stormwater) are located in Olive and the applicant will be required to tie into these existing facilities. Since the development is proposed to be greater than 50,000 square feet, a Conditional Use Permit is required for project approval. Additionally, a Parcel Map will be required to provide parcel configuration that meets the requirements of all applicable codes.

Figure 4
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 Parcel Map 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 – Indirect Source Review, from 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 Olive and Lotas Development Project

Lead agency name and address:

City of Porterville
291 North Main Street
Porterville, CA 93257

Contact person and phone number:

Julie Phillips, AICP, Community Dev. Manager
City of Porterville
(559) 782-7460

Project location:

The proposed Project is in the western portion of the City and is entirely located on APN 259-07-045. The site is on the south side of Olive Avenue between Beverly and Lotas Streets, and covers approximately 6.12 acres. The site is approximately 0.5 miles west of State Route (SR) 65.

Project sponsor's name/address:

Kevin Le, Project Manager
Courtney + Le Architects
801 S. Myrtle Ave.
Monrovia, CA 91016

General plan designation:

General & Service Commercial

Zoning:

CG (General and Service Commercial)

Description of project:

See Section Two – Project Description.

Surrounding land uses/setting:

See Section Two – Project Description.

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

- State of California Native American Heritage Commission
- San Joaquin Valley Air Pollution Control District
- Central Valley Regional Water Quality Control Board

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

The City of Porterville has not received any project-specific requests from any Tribes in the geographic area with which it is traditionally and culturally affiliated with or otherwise to be notified about projects in the City of Porterville.

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 and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Tribal Cultural Resources	☐ 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

Community Development Director

City of Porterville

3/22/17

Date

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 west portion of the City of Porterville, California. The proposed Project site is bounded by Olive Avenue on the north, Beverly Street to the east, Slaughter Avenue to the south, and Lotas Street to the west. Residential development is to the east and south while commercial development is to the north and west. The aesthetic features of the existing visual environment in the proposed Project area are relatively uniform (single family residential, and retail commercial). There are no scenic resources or scenic vistas in the area. State Routes (SR) in the proposed Project vicinity include 99, 65, 190, 137.

View from south of site looking northwest

View from southwest end of site looking northeast

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. Site construction will include a restaurant, retail shops, and associated improvements such as a parking lot, site landscaping, and driveways. The structures will be single story in height and will conform to design standards set forth by the City's General Plan and Zoning Ordinance. The proposed Project site is located in an area that is substantially surrounded 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 proposed 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).

Construction activities will occur over three phases and will be visible from the adjacent roadsides; 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 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 0.9 miles south 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. Established trees on the northwest portion of the proposed Project site would be removed as part of demolition, but new trees would be planted as part of the Projects landscaping plan. The proposed Project would not cause damage to 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 restaurant, retail shops, and associated improvements such as a parking lot, site landscaping, and driveways. The structures will be single story in height and will conform to design standards set forth by the City's General Plan and Zoning Ordinance. The proposed Project site is located in an area that is substantially surrounded by urban uses, including commercial and retail, and as such, will not result in a use that is visually incompatible with the surrounding area. 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 Olive Avenue, and security lighting at the neighboring commercial buildings. The Project would include nighttime lighting for building and parking lot security, as well as potentially illuminated signage for the 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 proposed 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 (O_3), sulfur dioxide (SO_2), nitrogen dioxide

(NO_2), particulate matter (PM_{10} 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 O_3, a State and Federal non-attainment area for $PM_{2.5}$, a State non-attainment area for PM_{10}, and Federal and State attainment area for CO, SO_2, NO_2, and Pb.[1]

<u>Regulatory Setting</u>

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 (NO_2), sulfur dioxide (SO_2), ozone (O_3), particulate matter (PM_{10} 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 (H_2S), and vinyl chloride.

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[1] San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. http://www.valleyair.org/aqinfo/attainment.htm. Accessed February 2017.

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[2]

	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

[2] San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. http://www.valleyair.org/aqinfo/attainment.htm. Accessed February 2017.

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 PM_{10} Prohibitions) – This regulation, a series of eight regulations, is designed to reduce PM_{10} 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.

Table 2
San Joaquin Valley Air Pollution Control District
Regulation VIII Control Measures for Construction Related Emissions of PM_{10}[3]

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.

[3] San Joaquin Valley Air Pollution Control District. Current District Rules and Regulations. http://www.valleyair.org/rules/1ruleslist.htm#reg8. Accessed February 2017.

- 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?

Less than 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 PM_{10}. 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 PM_{10} 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 PM_{10}, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NOx), PM_{10}, 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.

As discussed in Impact c), below, predicted construction and operational emissions would not exceed the SJVAPCD's significance thresholds for ROG, NOx, PM_{10}, 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 status. Additionally, the Project would comply with all applicable rules and regulations. Therefore, this impact is ***less than significant.***

Mitigation Measures: None are required.

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

Less than Significant Impact. Because ozone is a regional pollutant[4], the pollutants of concern for localized impacts are CO and fugitive PM_{10} dust from construction. Ozone and PM_{10} exhaust impacts are addressed under Impact c), below. The proposed Project would not result in localized CO hotspots or PM_{10} impacts, as discussed below. Therefore, the proposed Project would not violate an air quality standard or contribute to a violation of an air quality standard in the Project area.

Localized PM_{10}

Localized PM_{10} would be generated by proposed Project construction activities, which would include earth-disturbing activities. The SJVAPCD indicates that all control measures in Regulation VIII are required for all construction sites by regulation. The SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) lists additional measures that may be required of very large projects or projects close to sensitive receptors.[5] If all appropriate "enhanced control measures" in the GAMAQI are not implemented for very large projects or those close to sensitive receptors, then construction impacts would be considered significant (unless the Lead Agency provides a satisfactory detailed explanation as to why a specific measure is unnecessary). The GAMAQI also lists additional control measures (Optional Measures) that may be implemented if further emission reductions are deemed necessary by the Lead Agency. The SJVAPCD's Regulation VIII (Fugitive PM_{10} Prohibitions) has been updated and expanded since the GAMAQI guidance was written in 2002. Regulation VIII now includes the "enhanced control measures" contained in the GAMAQI.

The proposed Project would comply with the SJVAPCD's Regulation VIII dust control requirements during any proposed construction (including Rules 8011, 8031, 8041, and 8071). Compliance with this regulation would reduce the potential for significant localized PM_{10} impacts to ***less than significant*** levels.

CO Hotspot

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.

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[4] 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 January, 2017.
[5] San Joaquin Valley Air Pollution Control District. Guidance for Assessing and Mitigating Air Quality Impacts. March 19, 2015. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed February 2017.

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 roadways. Therefore, the Project would not significantly contribute to an exceedance that would exceed state or federal CO standards. Impacts are considered ***less than significant***.

Mitigation Measures: None are required.

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)?

Less than Significant Impact. The nonattainment pollutants for the SJVAPCD are ozone, PM_{10} and $PM_{2.5}$. Therefore, the pollutants of concern for this impact are ozone precursors, regional PM_{10}, 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 follows[6]:

- 100 tons per year CO;
- 10 tons per year NOx;
- 10 tons per year ROG;
- 27 tons per year SOx;
- 15 tons per year PM_{10}; and
- 15 tons per year $PM_{2.5}$.

The estimated annual operational emissions are shown below. The California Emissions Estimator (CalEEMod), Version 2016.3.1, was used to estimate construction and operational (vehicle trips) emissions resulting from the proposed Project. Each of the three Project phases were modeled separately as follows:

- Phase I – 31,341 sf of development, construction and operation in 2018
- Phase II – 8,876 sf of development, construction and operation in 2019

[6] 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 February, 2017.

- Phase III – 20,437 sf of development, construction and operation in 2020

The proposed Project is located along the Blue Line of the City Transit system. Two bus stops are on Olive Avenue; one is approximately 300 feet to the west and the other is approximately 500 feet to the east of the proposed Project site. The proposed Project also includes on-site measures to promote walkability in addition to the lighted crossing along Olive Avenue. As such, the model was able to account for these vehicle miles traveled reducing measures. The modeling results are provided in Table 3 and the CalEEMod output files are provided in Appendix A.

Table 3
Proposed Project Construction and Operation Emissions

		CO (tons/year)	NOx (tons/year)	ROG (tons/year)	Sox (tons/year)	PM10 (tons/year)	PM2.5 (tons/year)	CO2 (tons/year)
2018 (Phase I)	Construction	0.45	0.63	0.28	0.00	0.05	0.04	67.74
	Operation	3.72	4.26	0.62	0.01	0.58	0.17	1,139.97
	Total	**4.17**	**4.89**	**0.90**	**0.01**	**0.62**	**0.21**	**1,207.71**
	Exceed SJVAPCD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**	**No**
2019 (Phase II)	Construction	0.42	0.54	0.11	0.00	0.04	0.03	58.59
	Operation	0.94	1.17	0.16	0.00	0.16	0.05	318.81
	Total (+ Phase I operation)	**5.08**	**5.97**	**0.89**	**0.01**	**0.78**	**0.25**	**1,517.37**
	Exceed SJVAPCD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**	**No**
2020 (Phase III)	Construction	0.42	0.50	0.19	0.00	0.03	0.03	61.48
	Operation	1.96	2.57	0.35	0.00	0.38	0.11	724.02
	Total (+ Phase I & II operation)	**7.04**	**8.01**	**1.32**	**0.01**	**1.15**	**0.36**	**2,244.28**
	Exceed SJVAPCD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**	**No**
Annual SJVAPCD Threshold		**100**	**10**	**10**	**27**	**15**	**15**	**--**

Any impacts would be considered ***less than significant***.

Mitigation Measures: None are required.

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 PM_{10}, carbon monoxide, diesel particulate matter, or hazardous pollutants, naturally occurring asbestos, or valley fever, as discussed below.

Localized PM_{10}

As shown in Response III-b, above, the Project would not generate a significant impact for construction-generated, localized PM_{10}. Therefore, the Project would not expose sensitive receptors to unhealthy levels of PM_{10}.

PM Hotspot

A $PM_{2.5}$ and PM_{10} Hotpot Analysis is not required for the Project because it is not a Project of Air Quality Concern (POAQC).

Carbon Monoxide Hotspot

As shown in Impact b), above, the Project would not generate 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 ultrafmafic 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***.

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 4. 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 4
Screening Levels for Potential Odor Sources[7]

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

[7] San Joaquin Valley Air Pollution Control District. Current District Rules and Regulations. http://www.valleyair.org/rules/1ruleslist.htm#reg8. Accessed February 2017.

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 currently consists of a paved trucking facility native vegetation or trees. Landscaped vegetation, including a few trees, exist at the northwest corner of the proposed Project site. Surrounding lands consist of streets, residences and commercial buildings.

No aquatic or wetland features occur on the proposed 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

a. <u>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?</u>

Less than Significant Impact. 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-quad search of the Project area was compiled (see Appendix B) by accessing the California Natural Diversity Database (CNDDB) 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 majority of the site has been paved with the exception of the northwest site corner, which is landscaped with a few large trees. Due to the paving, habitat is precluded for small mammals, reptiles and amphibians. 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 site, and lack of dense vegetation and lack of fallow fields, it is not anticipated that the site trees 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. 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 habitat.[8] 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. The proposed Project site is completely surrounded by highly disturbed urban uses and there is no foraging habitat in the vicinity.

As such, impacts to sensitive species will be ***less than significant***.

Mitigation Measures:

None are required.

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[8] 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.

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 field along with paved and gravel areas. 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.

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 Beatle 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 February 2017 and a Sacred Lands File was conducted by the Native American Heritage Commission (NAHC), also in February 2017 (See Appendix D). According to the SSJVIC records, there have been no previous cultural resource studies conducted within the proposed Project area and there have been six studies conducted within a one-half mile radius. The NAHC reported that no records were found in the Sacred Lands File in the proposed Project area.

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

Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined. CEQA guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR)
- If the resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC unless the preponderance of evidence demonstrates that it is not historically or culturally significant
- The lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (CCR, Title 14, Division 6, Chapter 3, Section 15064.5(a))

Each of these ways of qualifying as a historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the CRHR (PRC 5020.1(k), 5024.1, 5024.1(g)).

A historical resource may be eligible for inclusion in the CRHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Is associated with the lives of persons important in our past
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Has yielded, or may be likely to yield, information important in prehistory or history Properties that area listed in or eligible for listing in the National Register of Historic Places are considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC Section 5024.1(d)(1)).

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 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. <u>Disturb any human remains, including those interred outside of formal cemeteries?</u>

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 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:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

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 (CO_2), methane (CH_4), 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 CO_2-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 CO_2, CH_4, 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 CO_2 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, b. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?

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 shown in Table 3, Proposed Project Construction and Operation Emissions, the Project is estimated to produce 2,244.28 tons per year of CO2 (combined construction and operational totals). This represents approximately nine percent of the reporting threshold.

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. Therefore, construction-generated GHGs are ***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 western portion of the City adjacent to residential and commercial land uses. The site is currently a paved lot with landscaped vegetation at the northwest corner of the site.

The nearest residences are immediately south and east of the Project site. The Project site is approximately two miles northeast 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 three miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately ½ mile north of the site. Burton Horizon Academy is directly across Olive Street from the Project site. West Putnam Elementary School is approximately 0.15 miles to the north while Monache High School and Burton Elementary School are approximately one mile to the north and northwest, respectively.

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. 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 during construction activities to prevent contaminated runoff from leaving the project site. Therefore, no significant impacts would occur during construction activities.

The operational phase of the proposed Project would occur after construction is completed and employees move in to occupy the structures on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses. 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. Burton Horizon Academy, an alternative learning facility offering independent study and online courses for grades seven through 12, is directly across Olive Street from the proposed Project. West Putnam Elementary School is approximately 0.15 miles to the north while Monache High School and Burton Elementary School are approximately one mile to the north and northwest, respectively. As the proposed Project includes the development of retail businesses, similar to other business that flank Olive Avenue, 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. Retail land uses do not generate, store, or dispose of significant quantities of hazardous materials. Such uses also do not normally involve dangerous activities that could expose persons onsite or in the surrounding areas to large quantities of hazardous materials. See also Responses a. and b. regarding hazardous material handling. The impact is ***less than significant.***

Any impacts would be *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 complied pursuant to Government Code Section 65962.5 (Geotracker and DTSC Envirostor databases – accessed in February 2017). The nearest Department of Toxic Substances Control listed site is the Future K-8 site on Newcomb, located at 155 North Newcomb Street (approximately one mile northwest of the proposed Project site). 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 two miles northeast 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 six driveway entrances, as seen in Figure 3, which are not a part of the City's emergency response plan or emergency evacuation

plan. As such, the 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. <u>Violate any water quality standards or waste discharge requirements?</u>

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. As there is no change of zone district or land use designation proposed in this Project, site buildout has been planned for and anticipated. 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)?

Less than 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.

According to the City's General Plan, Urban Water Management Plan (UWMP), and personal communication with the City Engineer, future demand within the City planning area can be met with continued groundwater pumping, surface water purchases and conservation measures. Therefore, the

proposed Project will not result in additional groundwater use that was not already accounted for in the City's UWMP. As such, there is a ***less than significant impact*** to this impact area.

Mitigation Measures: None are required.

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 paved out-of-business trucking facility. As the majority of the site is currently paved, the proposed Project will not introduce any new impervious surfaces. 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 or 500-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 or 500-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 one-half mile 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. <u>Inundation by seiche, tsunami, or mudflow?</u>

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 proposed Project site is located in the northwestern part of the City of Porterville and is currently a paved, out-of-business trucking facility, see Figure 3 – Aerial Map. The site is located in an urban area that provides a mix of land uses. A trucking school is immediately west of the site, residential development is to the south and east, and commercial development is immediately north of the site, along Olive Avenue.

The site is currently zoned CG (General Service & Commercial). General Plan Designation, land use and zoning surrounding the site are identified in Table 5.

Table 5
Existing Land Use, General Plan Designation and Zoning

Location	Existing Land Use	Current Zoning Classification	General Plan Designation
North	Olive Avenue and retail	General and Service Commercial (CG)	General & Service Commercial
South	Single family residences	Low Density Residential (RS-2)	Low Density Residential
West	Retail, restaurant, service commercial, and residences	CG, RS-2, Retail Centers (CR)	General & Service Commercial, Low Density Residential and Retail Centers
East	Restaurant, residences	CG, RS-2	General & Service Commercial and Low Density Residential

Existing land uses in City of Porterville have been organized into generalized categories that are summarized below on Table 6. 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 6
Existing Land Use: City of Porterville Planning Area (2005)[9]

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%

[9] 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 western portion of the City of Porterville. The proposed Project site is an out-of-business paved trucking facility 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 proposed Project is an allowable use within the existing zone district, with the approval of a Conditional Use Permit, as the square footage will be over 50,000 square feet. Additionally, a Parcel Map will be required to provide parcel configuration that meets the requirements of all applicable codes

If approved, the Project will be consistent with the City of Porterville General Plan and Development Ordinance as seen in Table 7.

Table 7
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 south and east. The proposed Project also includes the installation of a lighted pedestrian crosswalk across Olive Avenue promote safe pedestrian traffic.
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 60,654 square feet of retail and restaurant space. The site plan seen in Figure 4 indicates that development will be laid out in a manner consistent with this Policy..
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, it does include revitalization of an existing commercial establishment. 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**

As demonstrated in Table 7, any impacts will be ***less than significant.***

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 Beatle 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 western part of the City of Porterville and is currently an out-of-business trucking facility. The structures associated with the trucking facility will be removed as a part of the proposed Project. See Figure 3 – Aerial Map. The site is located in an urban area that provides a mix of land uses, including commercial, retail and residential.

Regulatory Setting

Federal

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 PPV without experiencing structural damage[32]. The FTA has identified the human annoyance response to vibration levels as 80 RMS.

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 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 8 below.

Table 8
Land Use Compatibility for Community Noise Environment

Land Use Category	Community Noise Exposure, L_{dn} 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 (Olive Avenue) for noise levels greater than 60 dB 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 arterial 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 proposed Project will be required to construct a block wall along the loading docks facing Slaughter Avenue to reduce noise from delivery trucks.

Proposed Project construction related activities will involve temporary noise sources and are anticipated to last approximately four months. 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 9, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

Table 9
Typical Construction Noise Levels

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75

Type of Equipment	dBA at 50 ft	
Truck	91	75

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-4 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 equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.

b. <u>Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</u>

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. Construction associated with the proposed Project includes demolition of the existing onsite structures and the construction of structures associated with the proposed Project.

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 day. Table 10 describes the typical construction equipment vibration levels.

Table 10
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 25 feet south and east of the facility. The impact will be ***less than significant***.

Mitigation Measures: None are required.

c. <u>A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</u>

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.

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 is at approximately 55,490 residents, a 0.5 percent increase from 2012. 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 residential structures currently onsite. The Project will not displace any housing and therefore there is ***less than significant***.

Mitigation Measures: None are required.

c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The 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
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 Porterville Fire Station 2, which is located at the Public Works complex that is approximately 0.64 miles to the northwest of the proposed Project site. The physical address of the fire station is 500 N Newcomb Street. The Porterville Police Department is located approximately 1.76 miles northeast of the proposed Project site at 350 N D Street.

The Teapot Dome Landfill plant is approximately three miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately ½ mile to the north. Burton Horizon Academy is directly across Olive Street from the proposed Project site. West Putnam Elementary

School is approximately 0.15 miles to the north while Monache High School and Burton Elementary School are approximately one mile to the north and northwest, respectively.

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 City of Porterville Fire Station No. 2, which is approximately 0.64 miles northwest of the proposed Project site. No additional fire personnel or equipment is anticipated, as the site is already served by the Fire Station. 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, 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:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

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:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project is located on APN 259-070-045 and totals approximately 6.12 acres on the south side of Olive Avenue between Beverly and Lotas Streets. The site is approximately 0.50 miles west of SR65. See Figures 1 and 2– Regional Map and Vicinity Map, respectively.

The nearest airport to the proposed Project site is the Porterville Municipal Airport, which is located approximately 2.0 miles southwest of the site.

Jaye Street is a major north-south arterial with 4-lanes south of Olive Avenue and a 2-lane roadway to the north. Jaye Street provides access to residential and commercial land uses in the southeast portion of Porterville, as well as access to Porterville High School.

Mathew Street is a north-south two-lane roadway in the vicinity of the project. Mathew Street primarily provides access to residential land uses, but also provides access to some commercial, religious, and educational facilities immediately south of Olive Avenue.

Newcomb Street is a major north-south arterial that provides access to residential land uses, as well as Monache High School. In the vicinity of the proposed Project, it exists as a 4-lane fully developed roadway.

Olive Avenue is a 4-lane major east-west arterial that provides access to commercial and residential land uses across southern Porterville. Between Westwood Street to the west and Plano Street to the east, Olive Avenue is fully developed with curb and gutter. In the vicinity of the proposed Project, Olive Avenue also includes a median.

State Route (SR) 65 is a north-south state Highway/Freeway composed of two segments. The southern segment begins near SR 99 near Bakersfield and terminates at SR 198 near Exeter. SR 65 serves the communities of Oildale, Terra Bella, Porterville, and Lindsay. In the proposed Project vicinity, SR 65 is a 4-lane facility with an interchange at Olive Avenue, approximately 0.5 miles east of the site.

Villa Street is a north-south roadway that is designated as a collector north of Olive Avenue, and a local road south of Olive Avenue. Villa Street provides access to commercial and residential areas in the eastern portion of Porterville. It is a 2-lane facility with curb and gutter in the proposed Project vicinity.

Westwood Street is a major north-south arterial that provides access to residential land across the western portion of Porterville, as well as access to Burton Elementary School. In the vicinity of the proposed Project, Westwood Street is a 4-lane fully developed roadway with median.

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".

The segment of SR 190 in the proposed project vicinity is designated as Segment 3. SR 190 is classified by Caltrans as rural except for the portion in Porterville which 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

<u>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?</u>

Less than Significant Impact With Mitigation. The Project Applicant intends to construct and operate a 60,654 square foot shopping center in the near term on the south side of Olive Avenue between Lotas and Beverly Streets (see Figure 4 – Site Plan). Other Project improvements include:

- Construction of a parking lot with 255 parking stalls and six driveways for ingress/egress.

- Construction of two block walls along each of the loading docks that are adjacent to W. Slaughter Avenue.
- Installation of curb and gutter, a six-foot parkway and six-foot sidewalk along the frontage of the property on S. Lotas Street, W. Slaughter Avenue, and S. Beverly Street.
- Installation of an eight-foot parkway and eight-foot sidewalk along the frontage of W. Olive Avenue.
- Installation of a lighted crosswalk across Olive Avenue, along the west side of Olive Avenue and S. Beverly Street.

A Traffic Study was completed by Ruettgers & Schuler Civil Engineers to assess potential impacts to the surrounding road network; see Appendix E. Proposed Project trip generation, based on the ITE Trip Generation Report, 9th Edition Shopping Center (820) code, can be seen in Table 11.

Table 11
Proposed Project Trip Generation

Project Component	Total Daily Trips	AM Peak Hour In	AM Peak Hour Out	PM Peak Hour In	PM Peak Hour Out
Shopping Center	4,907	71	44	206	223
Pass-by Adjustments (15%)	736	11	7	31	33
Total:	**4,171**	**60**	**37**	**175**	**190**

Existing and Future Traffic

Existing weekday peak hour turning movement volumes were field measured at the following intersections in January 2017:

- N Newcomb St. & W Morton Ave
- W Westwood St & Olive Ave
- Mathew St & Olive Ave
- N Newcomb St & Olive Ave
- SR 65 SB Ramps & Olive Ave
- SR 65 NB Ramps & Olive Ave
- N Villa St & Olive Ave
- S Jaye St & Olive Ave

The existing peak hour volumes for the above-mentioned intersections are shown in Figure 4 of Appendix E. Future traffic was estimated based on the TCAG traffic model data. Based on this data, a conservative average annual growth rate of 2% was applied to existing traffic volumes to estimate future

traffic volumes for the year Build Year (2018) and the Future Year (2035). Future Peak Hour volumes are shown in Figures 6 through 9 of Appendix E.

Intersection Analysis

A capacity analysis of the study intersections was conducted using Synchro 9 software from Trafficware. This software utilizes the capacity analysis methodology in the Transportation Research Board's Highway Capacity Manual. The analysis was performed for the following AM and PM Peak Hour traffic scenarios:

- Existing (2017)
- Build Year (2018)
- Build Year + Project (2018)
- Future (2035)
- Future (2035) + Project

Criteria for intersection level of service (LOS) can be seen in Appendix E.

Level of service for the study intersections is presented in Tables 12 and 13. 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.

Table 12
Signalized Intersection Level of Service AM Peak Hour

#	Intersection	2017	Build Year 2018	Build Year 2018+ Project	2035	2035+ Project
1	N Newcomb St & W Morton Ave	C	C	C	C	C
2	N Westwood St & Olive Ave	C	C	C	D	D
3	Matthew St & Olive Ave	C	C	C	D	D
4	N Newcomb St & Olive Ave	B	B	B	C	C
5	SR 65 SB Off Ramp/SR 65 SB On Ramp & Olive Ave	C	C	C	C	C
6	SR 65 NB On Ramp/SR 65 NB Off Ramp & Olive Ave	B	B	B	B	B
7	N Villa St/S Villa St & Olive Ave	C	C	C	C	C

8	S Jaye St & Olive Ave	C	C	C	C	C

Table 13
Signalized Intersection Level of Service PM Peak Hour

#	Intersection	2017	Build Year 2018	Build Year 2018+ Project	2035	2035+ Project
1	N Newcomb St & W Morton Ave	C	C	C	C	C
2	N Westwood St & Olive Ave	C	C	C	C	C
3	Matthew St & Olive Ave	C	C	C	C	C
4	N Newcomb St & Olive Ave	B	B	B	C	C
5	SR 65 SB Off Ramp/SR 65 SB On Ramp & Olive Ave	B	B	B	C	C
6	SR 65 NB On Ramp/SR 65 NB Off Ramp & Olive Ave	B	B	B	C	C
7	N Villa St/S Villa St & Olive Ave	C	C	C	C	C
8	S Jaye St & Olive Ave	C	C	C	D	D

Roadway Analysis

A capacity analysis of the study roadways was conducted using HCS software from McTrans. This software utilizes the capacity analysis methodology in the Transportation Research Board's Highway Capacity Manual. The analysis was performed for the following AM and PM traffic scenarios:

- Existing (2017)
- Build Year (2018)
- Build Year (2018) + Project
- Future (2035)
- Future (2035) + Project

Level of service for the study roadway segments is presented in Table 14.

Table 14
Roadway Level of Service

Street	2017 Directional LOS		2018 Directional LOS		2018+Project Directional LOS		2035 Directional LOS		2035+Project Directional LOS	
	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM
N Newcomb St: W Morton Ave - Olive Ave	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: W Westwood St - N Mathew St	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: N Mathew St - N Newcomb St	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: N Newcomb - SR 65	A/A	A/B	A/A	A/B	A/A	A/B	B/B	A/B	B/B	A/B
Olive Ave: SR 65 - SR 65	A/A	A/B	A/A	A/B	A/A	A/B	B/B	A/B	B/B	A/B
Olive Ave: SR 65 - N Villa St	B/A	A/B	B/A	A/A	B/A	A/A	B/B	A/B	B/B	A/B
Olive Ave: N Villa St - S Jaye St	A/A	A/A	A/A	A/A	A/A	A/A	B/A	A/A	B/A	A/A

All intersections and roadways within the proposed Project vicinity currently operate at acceptable levels of service and will continue to do so through 2035 with and without the addition of traffic generated by the proposed Project, as demonstrated in Tables 12 through 14. As such, any impacts would be considered ***less than significant.***

Mitigation Measures: None are required.

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?

Less than Significant Impact. As shown in Response a., the proposed Project will have a ***less than significant*** impact on any existing level of service or other travel demand measures. The Project will not conflict with any congestion management programs, as none are applicable to the Project.

Mitigation Measures: None are required.

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 2.0 miles northeast 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. See also Response XVI-a. There is ***no impact.***

Mitigation Measures: None are required.

e. Result in inadequate emergency access?

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. See also Response XVI-a. There is ***no impact.***

Mitigation Measures: None are required.

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

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. See also Response XVI-a. There is ***no impact.***

Mitigation Measures: None are required.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

SETTING

Federal

The National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established federal regulations for the purpose of protecting significant cultural resources. The legislation established the National Register of Historic Places and the National Historic Landmarks Program. It mandated the establishment of the State Historic Preservation Office (SHPO), responsible for implementing statewide historic preservation programs in each state. A key aspect of SHPO responsibilities include surveying, evaluating and nominating significant historic buildings, sites, structures, districts and objects to the National Register. The NHPA also established requirements for federal agencies to consider the effects of proposed federal Projects on historic properties (Section 106, NHPA). Federal agencies and recipients of federal funding are required to initiate consultation with the SHPO as part of the Section 106 review process.[10]

State

California State Office of Historic Preservation (OHP)

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), appointed by the governor, and the State Historical Resources Commission, a nine-member state review board appointed by the governor.

Among OHP's responsibilities are identifying, evaluating, and registering historic properties; and ensuring compliance with federal and state regulations. The OHP administers the State Register of Historical Resources and maintains the California Historical Resources Information System (CHRIS) database. The CHRIS database includes statewide Historical Resources Inventory (HRI) database. The records are maintained and managed under contract by eleven independent regional Information Centers. Tulare, Fresno, Kern, Kings and Madera counties are served by the Southern San Joaquin Valley

[10] Advisory Council on Historic Preservation, National Historic Preservation Program: Overview, http://www.achp.gov/overview.html, accessed February 2017

Information Center (Center), located in Bakersfield, CA. The Center provides information on known historic and cultural resources to governments, institutions and individuals.[11]

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.[12]

Tribal Consultation Requirements: SB 18 (Burton, 2004) [13]

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. This bill amended Section 815.3 of the Civil Code, to amend Sections 65040.2, 65092, 65351, 65352, and 65560 of, and to add Sections 65352.3, 65352.4, and 65562.2 to, the Government Code, relating to traditional tribal cultural Places. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county's jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.

Tribal Consultation Requirements: AB 52 (Gatto, 2014)[14]

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[11] California Office of Historic Preservation, Mission and Responsibilities, http://ohp.parks.ca.gov/?page_id=1066, Accessed February 2017

[12] California Office of Historic Preservation, California Register: Criteria for Designation, http://www.ohp.parks.ca.gov/?page_id=21238. Accessed February 2017

[13] Senate Bill No. 18, Chapter 905, http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB18, Accessed February 2017.

[14] Assembly Bill No. 52, Chapter 532, http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52, accessed February 2017

This bill was approved by Governor Brown on September 25, 2014 and became effective July 1, 2015. This bill amended Section 5097.94 of, and to add Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to, the Public Resources Code, relating to Native Americans. The bill specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. This bill requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated (can be a tribe anywhere within the State of California) with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Existing law establishes the Native American Heritage Commission (NAHC) and vests the commission with specified powers and duties. This bill required the NAHC to provide each California Native American tribe, as defined, on or before July 1, 2016, with a list of all public agencies that may be a lead agency within the geographic area in which the tribe is traditionally and culturally affiliated, the contact information of those agencies, and information on how the tribe may request those public agencies to notify the tribe of projects within the jurisdiction of those public agencies for the purposes of requesting consultation.

The NAHC provides protection to Native American burials from vandalism and inadvertent destruction, provides a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, brings legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintains an inventory of sacred places.[15]

The NAHC performs a Sacred Lands File search for sites located on or near the Project site upon request. The NAHC also provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. As indicated on the NAHC's letter dated February 27, 2017, a Sacred Lands File check indicated negative results (that is, Sacred Lands were not identified) for the Project location (See Appendix D). An opportunity has been provided to Native American tribes listed by the Native American Heritage Commission during the CEQA process as required by AB 52. No Project-specific responses were received by the City in response

[15] Native American Heritage Commission, About the Native American Heritage Commission, http://nahc.ca.gov/about/, accessed February 2017

to the consultation request within the mandatory response time-frames; therefore, this Initial Study has been completed consistent and compliant with AB 52.

RESPONSES

a-i, a-ii. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant Impact. A Tribal Cultural Resource (TCR) is defined under Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included and that is listed or eligible for inclusion in the California Register of Historic Resources or in a local register of historical resources, or if the City of Porterville, acting as the Lead Agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR. As discussed above, under Section V, Cultural Resources, criteria (b) and (d), no known archeological resources, ethnographic sites or Native American remains are located on the proposed Project site. As discussed under criterion (b) implementation of Mitigation Measure CULT-1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less than significant level. As discussed under criterion (d), compliance with California Health and Safety Code Section 7050.5 would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans. Any impacts to TCR would be considered ***less than significant***.

Mitigation Measures: No additional measures are required.

XVIII. 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 three miles southwest of the proposed Project site, while the Porterville Wastewater Treatment Plant is located approximately ½ mile to the north 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 (NDPES) 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. As there is no change of zone district or land use designation proposed in this Project, site buildout has been planned for and anticipated. 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. The City has indicated that it has capacity to serve the Project.

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. As the majority of the site is currently paved, the proposed Project will not introduce any new impervious surfaces. 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. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than 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.

According to the City's General Plan and Urban Water Management Plan (UWMP), and personal communication with the City Engineer, future demand within the City planning area can be met with

continued groundwater pumping, surface water purchases and conservation measures. Therefore, the proposed Project will not result in additional water use that was not already accounted for in the City's UWMP. As such, there is ***a less than significant impact*** to this impact area.

Mitigation Measures: None are required.

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. As there is no change of zone district or land use designation proposed in this Project, site buildout has been planned for and anticipated. 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. The City has indicated that it has capacity to serve the Project. As such, any impacts will be ***less than significant***.

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.

XIX. 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?

Less than Significant Impact With Mitigation. The analyses of environmental issues contained in this Initial Study indicate that the proposed Project is not expected to have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to ***less than significant***.

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)?

Less than 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. Due to the nature of the Project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed Project would not 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). The impact is ***less than significant***.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact With Mitigation. The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the Project design to reduce all potentially significant impacts to ***less than significant.***

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/Mitigated Negative Declaration (IS/MND) for the City of Porterville's Olive and Lotas Commercial Development Project (proposed Project). The MMRP lists mitigation measures recommended in the IS/MND 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.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
CUL-1 ▪ 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 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	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)
	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 avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.	City of Porterville	During construction	City of Porterville	

	Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
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.	City of Porterville	During construction and operation	City of Porterville	
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).	City of Porterville	During construction and operation	City of Porterville	
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 equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.	City of Porterville	During construction	City of Porterville	

Chapter 5

Preparers and References

LIST OF PREPARERS

List of Preparers

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- Travis Crawford, AICP, Principal Environmental Planner
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- Ian Parks, PE

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- Jenni Byers, Community Development Director

California Historic Resources Information System

- Celeste Thomson, Coordinator

Native American Heritage Commission

- Sharaya Souza, Staff Services Analyst

Appendices

Appendix A

CalEEMod Output Files

Olive Commercial Phase I

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	31.34	1000sqft	0.72	31,341.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.7	**Precipitation Freq (Days)**	45
Climate Zone	7			**Operational Year**	2018
Utility Company					
CO2 Intensity (lb/MWhr)	0	**CH4 Intensity (lb/MWhr)**	0	**N2O Intensity (lb/MWhr)**	0

1.3 User Entered Comments & Non-Default Data

Project Characteristics - construction and operation will be in 2018

Land Use - Phase I includes 31,341 square feet of retail development

Construction Phase - construction dates have been modified.

Energy Use -

Mobile Land Use Mitigation - There are two bus stops within 500 feet of the project.
The project includes pedestrian walkways within the site plus a lighted crosswalk across Olive to improve safe pedestrian accssibility.

Area Mitigation -

Table Name	Column Name	Default Value	New Value

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					
2018	0.2809	0.6301	0.4487	7.4000e-004	7.1700e-003	0.0383	0.0454	2.1200e-003	0.0353	0.0374	0.0000	67.7373	67.7373	0.0180	0.0000	68.1877
Maximum	**0.2809**	**0.6301**	**0.4487**	**7.4000e-004**	**7.1700e-003**	**0.0383**	**0.0454**	**2.1200e-003**	**0.0353**	**0.0374**	**0.0000**	**67.7373**	**67.7373**	**0.0180**	**0.0000**	**68.1877**

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					
2018	0.2809	0.6301	0.4487	7.4000e-004	7.1700e-003	0.0383	0.0454	2.1200e-003	0.0353	0.0374	0.0000	67.7372	67.7372	0.0180	0.0000	68.1876
Maximum	**0.2809**	**0.6301**	**0.4487**	**7.4000e-004**	**7.1700e-003**	**0.0383**	**0.0454**	**2.1200e-003**	**0.0353**	**0.0374**	**0.0000**	**67.7372**	**67.7372**	**0.0180**	**0.0000**	**68.1876**

	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	N20	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**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**1-1-2018**	**3-31-2018**	0.4136	0.4136
2	**4-1-2018**	**6-30-2018**	0.4930	0.4930
		Highest	0.4930	0.4930

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	0.1442	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-004
Energy	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402
Mobile	0.5124	4.6761	4.3680	0.0149	0.7474	0.0208	0.7682	0.2012	0.0197	0.2209	0.0000	1,379.6901	1,379.6901	0.1371	0.0000	1,383.1169
Waste						0.0000	0.0000		0.0000	0.0000	6.6804	0.0000	6.6804	0.3948	0.0000	16.5505
Water						0.0000	0.0000		0.0000	0.0000	0.7365	0.0000	0.7365	0.0756	1.7900e-003	3.1598
Total	**0.6576**	**4.6849**	**4.3757**	**0.0149**	**0.7474**	**0.0215**	**0.7689**	**0.2012**	**0.0204**	**0.2216**	**7.4169**	**1,389.2740**	**1,396.6909**	**0.6077**	**1.9700e-003**	**1,412.4681**

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	0.1442	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-004
Energy	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402
Mobile	0.4776	4.2547	3.7087	0.0121	0.5646	0.0166	0.5812	0.1520	0.0157	0.1677	0.0000	1,122.9684	1,122.9684	0.1292	0.0000	1,126.1987
Waste						0.0000	0.0000		0.0000	0.0000	6.6804	0.0000	6.6804	0.3948	0.0000	16.5505
Water						0.0000	0.0000		0.0000	0.0000	0.7365	0.0000	0.7365	0.0756	1.7900e-003	3.1598
Total	**0.6228**	**4.2635**	**3.7164**	**0.0121**	**0.5646**	**0.0173**	**0.5819**	**0.1520**	**0.0164**	**0.1684**	**7.4169**	**1,132.5522**	**1,139.9692**	**0.5998**	**1.9700e-003**	**1,155.5498**

	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	N20	CO2e
Percent Reduction	**5.30**	**9.00**	**15.07**	**18.63**	**24.46**	**19.61**	**24.32**	**24.46**	**19.60**	**24.01**	**0.00**	**18.48**	**18.38**	**1.29**	**0.00**	**18.19**

3.0 Construction Detail

Construction Phase

Olive Commercial Phase I - San Joaquin Valley Unified APCD Air District, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/1/2018	1/1/2018	5	1	
2	Grading	Grading	1/2/2018	1/3/2018	5	2	
3	Building Construction	Building Construction	1/4/2018	5/23/2018	5	100	
4	Paving	Paving	5/24/2018	5/30/2018	5	5	
5	Architectural Coating	Architectural Coating	5/31/2018	6/6/2018	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: 47,012; Non-Residential Outdoor: 15,671; Striped Parking Area: 0 (Architectural Coating – sqft)

<u>OffRoad Equipment</u>

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	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Rubber Tired Dozers	1	1.00	247	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
Architectural Coating	1	2.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	10.00	5.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2018

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	3.9000e-004	4.8800e-003	2.1300e-003	0.0000		2.1000e-004	2.1000e-004		1.9000e-004	1.9000e-004	0.0000	0.4458	0.4458	1.4000e-004	0.0000	0.4492
Total	**3.9000e-004**	**4.8800e-003**	**2.1300e-003**	**0.0000**	**2.7000e-004**	**2.1000e-004**	**4.8000e-004**	**3.0000e-005**	**1.9000e-004**	**2.2000e-004**	**0.0000**	**0.4458**	**0.4458**	**1.4000e-004**	**0.0000**	**0.4492**

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	1.0000e-005	9.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0191	0.0191	0.0000	0.0000	0.0191
Total	**1.0000e-005**	**1.0000e-005**	**9.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0191**	**0.0191**	**0.0000**	**0.0000**	**0.0191**

3.2 Site Preparation - 2018

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	3.9000e-004	4.8800e-003	2.1300e-003	0.0000		2.1000e-004	2.1000e-004		1.9000e-004	1.9000e-004	0.0000	0.4458	0.4458	1.4000e-004	0.0000	0.4492
Total	**3.9000e-004**	**4.8800e-003**	**2.1300e-003**	**0.0000**	**2.7000e-004**	**2.1000e-004**	**4.8000e-004**	**3.0000e-005**	**1.9000e-004**	**2.2000e-004**	**0.0000**	**0.4458**	**0.4458**	**1.4000e-004**	**0.0000**	**0.4492**

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	1.0000e-005	9.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0191	0.0191	0.0000	0.0000	0.0191
Total	**1.0000e-005**	**1.0000e-005**	**9.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0191**	**0.0191**	**0.0000**	**0.0000**	**0.0191**

3.3 Grading - 2018

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	1.0600e-003	9.4300e-003	7.7800e-003	1.0000e-005		6.2000e-004	6.2000e-004		5.9000e-004	5.9000e-004	0.0000	1.0608	1.0608	2.0000e-004	0.0000	1.0659
Total	**1.0600e-003**	**9.4300e-003**	**7.7800e-003**	**1.0000e-005**	**7.5000e-004**	**6.2000e-004**	**1.3700e-003**	**4.1000e-004**	**5.9000e-004**	**1.0000e-003**	**0.0000**	**1.0608**	**1.0608**	**2.0000e-004**	**0.0000**	**1.0659**

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	5.0000e-005	4.0000e-005	3.7000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0763	0.0763	0.0000	0.0000	0.0764
Total	**5.0000e-005**	**4.0000e-005**	**3.7000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0763**	**0.0763**	**0.0000**	**0.0000**	**0.0764**

3.3 Grading - 2018

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	1.0600e-003	9.4300e-003	7.7800e-003	1.0000e-005		6.2000e-004	6.2000e-004		5.9000e-004	5.9000e-004	0.0000	1.0608	1.0608	2.0000e-004	0.0000	1.0659
Total	**1.0600e-003**	**9.4300e-003**	**7.7800e-003**	**1.0000e-005**	**7.5000e-004**	**6.2000e-004**	**1.3700e-003**	**4.1000e-004**	**5.9000e-004**	**1.0000e-003**	**0.0000**	**1.0608**	**1.0608**	**2.0000e-004**	**0.0000**	**1.0659**

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	5.0000e-005	4.0000e-005	3.7000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0763	0.0763	0.0000	0.0000	0.0764
Total	**5.0000e-005**	**4.0000e-005**	**3.7000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0763**	**0.0763**	**0.0000**	**0.0000**	**0.0764**

3.4 Building Construction - 2018

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	0.0542	0.5516	0.3876	5.7000e-004		0.0354	0.0354		0.0326	0.0326	0.0000	52.0058	52.0058	0.0162	0.0000	52.4106
Total	**0.0542**	**0.5516**	**0.3876**	**5.7000e-004**		**0.0354**	**0.0354**		**0.0326**	**0.0326**	**0.0000**	**52.0058**	**52.0058**	**0.0162**	**0.0000**	**52.4106**

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	1.3700e-003	0.0353	7.5300e-003	7.0000e-005	1.6600e-003	3.0000e-004	1.9500e-003	4.8000e-004	2.8000e-004	7.6000e-004	0.0000	6.8656	6.8656	5.9000e-004	0.0000	6.8802
Worker	2.5900e-003	1.8700e-003	0.0187	4.0000e-005	4.0000e-003	3.0000e-005	4.0300e-003	1.0600e-003	3.0000e-005	1.0900e-003	0.0000	3.8168	3.8168	1.4000e-004	0.0000	3.8202
Total	**3.9600e-003**	**0.0371**	**0.0262**	**1.1000e-004**	**5.6600e-003**	**3.3000e-004**	**5.9800e-003**	**1.5400e-003**	**3.1000e-004**	**1.8500e-003**	**0.0000**	**10.6824**	**10.6824**	**7.3000e-004**	**0.0000**	**10.7005**

3.4 Building Construction - 2018

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	0.0542	0.5516	0.3876	5.7000e-004		0.0354	0.0354		0.0326	0.0326	0.0000	52.0058	52.0058	0.0162	0.0000	52.4105
Total	**0.0542**	**0.5516**	**0.3876**	**5.7000e-004**		**0.0354**	**0.0354**		**0.0326**	**0.0326**	**0.0000**	**52.0058**	**52.0058**	**0.0162**	**0.0000**	**52.4105**

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	1.3700e-003	0.0353	7.5300e-003	7.0000e-005	1.6600e-003	3.0000e-004	1.9500e-003	4.8000e-004	2.8000e-004	7.6000e-004	0.0000	6.8656	6.8656	5.9000e-004	0.0000	6.8802
Worker	2.5900e-003	1.8700e-003	0.0187	4.0000e-005	4.0000e-003	3.0000e-005	4.0300e-003	1.0600e-003	3.0000e-005	1.0900e-003	0.0000	3.8168	3.8168	1.4000e-004	0.0000	3.8202
Total	**3.9600e-003**	**0.0371**	**0.0262**	**1.1000e-004**	**5.6600e-003**	**3.3000e-004**	**5.9800e-003**	**1.5400e-003**	**3.1000e-004**	**1.8500e-003**	**0.0000**	**10.6824**	**10.6824**	**7.3000e-004**	**0.0000**	**10.7005**

3.5 Paving - 2018

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	2.3000e-003	0.0219	0.0181	3.0000e-005		1.2800e-003	1.2800e-003		1.1800e-003	1.1800e-003	0.0000	2.4270	2.4270	6.8000e-004	0.0000	2.4441
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**2.3000e-003**	**0.0219**	**0.0181**	**3.0000e-005**		**1.2800e-003**	**1.2800e-003**		**1.1800e-003**	**1.1800e-003**	**0.0000**	**2.4270**	**2.4270**	**6.8000e-004**	**0.0000**	**2.4441**

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	2.3000e-004	1.7000e-004	1.6800e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3435	0.3435	1.0000e-005	0.0000	0.3438
Total	**2.3000e-004**	**1.7000e-004**	**1.6800e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3435**	**0.3435**	**1.0000e-005**	**0.0000**	**0.3438**

3.5 Paving - 2018

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	2.3000e-003	0.0219	0.0181	3.0000e-005		1.2800e-003	1.2800e-003		1.1800e-003	1.1800e-003	0.0000	2.4270	2.4270	6.8000e-004	0.0000	2.4441
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**2.3000e-003**	**0.0219**	**0.0181**	**3.0000e-005**		**1.2800e-003**	**1.2800e-003**		**1.1800e-003**	**1.1800e-003**	**0.0000**	**2.4270**	**2.4270**	**6.8000e-004**	**0.0000**	**2.4441**

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	2.3000e-004	1.7000e-004	1.6800e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3435	0.3435	1.0000e-005	0.0000	0.3438
Total	**2.3000e-004**	**1.7000e-004**	**1.6800e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3435**	**0.3435**	**1.0000e-005**	**0.0000**	**0.3438**

3.6 Architectural Coating - 2018

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	0.2179					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.5000e-004	5.0100e-003	4.6400e-003	1.0000e-005		3.8000e-004	3.8000e-004		3.8000e-004	3.8000e-004	0.0000	0.6383	0.6383	6.0000e-005	0.0000	0.6398
Total	**0.2187**	**5.0100e-003**	**4.6400e-003**	**1.0000e-005**		**3.8000e-004**	**3.8000e-004**		**3.8000e-004**	**3.8000e-004**	**0.0000**	**0.6383**	**0.6383**	**6.0000e-005**	**0.0000**	**0.6398**

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	2.0000e-005	1.9000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0382	0.0382	0.0000	0.0000	0.0382
Total	**3.0000e-005**	**2.0000e-005**	**1.9000e-004**	**0.0000**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0382**	**0.0382**	**0.0000**	**0.0000**	**0.0382**

3.6 Architectural Coating - 2018

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	0.2179					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	7.5000e-004	5.0100e-003	4.6400e-003	1.0000e-005		3.8000e-004	3.8000e-004		3.8000e-004	3.8000e-004	0.0000	0.6383	0.6383	6.0000e-005	0.0000	0.6398
Total	**0.2187**	**5.0100e-003**	**4.6400e-003**	**1.0000e-005**		**3.8000e-004**	**3.8000e-004**		**3.8000e-004**	**3.8000e-004**	**0.0000**	**0.6383**	**0.6383**	**6.0000e-005**	**0.0000**	**0.6398**

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	2.0000e-005	1.9000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0382	0.0382	0.0000	0.0000	0.0382
Total	**3.0000e-005**	**2.0000e-005**	**1.9000e-004**	**0.0000**	**4.0000e-005**	**0.0000**	**4.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0382**	**0.0382**	**0.0000**	**0.0000**	**0.0382**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

Improve Pedestrian Network

	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	0.4776	4.2547	3.7087	0.0121	0.5646	0.0166	0.5812	0.1520	0.0157	0.1677	0.0000	1,122.9684	1,122.9684	0.1292	0.0000	1,126.1987
Unmitigated	0.5124	4.6761	4.3680	0.0149	0.7474	0.0208	0.7682	0.2012	0.0197	0.2209	0.0000	1,379.6901	1,379.6901	0.1371	0.0000	1,383.1169

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Strip Mall	1,389.03	1,317.58	640.30	1,958,710	1,479,694
Total	1,389.03	1,317.58	640.30	1,958,710	1,479,694

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	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
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Strip Mall	0.484516	0.035729	0.166587	0.144029	0.025369	0.006424	0.021435	0.104648	0.001808	0.001854	0.005594	0.001028	0.000979

5.0 Energy Detail

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	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402
NaturalGas Unmitigated	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402

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					
Strip Mall	179584	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402
Total		**9.7000e-004**	**8.8000e-003**	**7.3900e-003**	**5.0000e-005**		**6.7000e-004**	**6.7000e-004**		**6.7000e-004**	**6.7000e-004**	**0.0000**	**9.5833**	**9.5833**	**1.8000e-004**	**1.8000e-004**	**9.6402**

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					
Strip Mall	179584	9.7000e-004	8.8000e-003	7.3900e-003	5.0000e-005		6.7000e-004	6.7000e-004		6.7000e-004	6.7000e-004	0.0000	9.5833	9.5833	1.8000e-004	1.8000e-004	9.6402
Total		**9.7000e-004**	**8.8000e-003**	**7.3900e-003**	**5.0000e-005**		**6.7000e-004**	**6.7000e-004**		**6.7000e-004**	**6.7000e-004**	**0.0000**	**9.5833**	**9.5833**	**1.8000e-004**	**1.8000e-004**	**9.6402**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	327513	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	327513	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

No Hearths Installed

	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	0.1442	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-004
Unmitigated	0.1442	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-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	0.0218					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1224					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	3.0000e-005	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-004
Total	**0.1442**	**0.0000**	**2.9000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**5.6000e-004**	**5.6000e-004**	**0.0000**	**0.0000**	**6.0000e-004**

6.2 Area by SubCategory

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	0.0218					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1224					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	3.0000e-005	0.0000	2.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	5.6000e-004	5.6000e-004	0.0000	0.0000	6.0000e-004
Total	**0.1442**	**0.0000**	**2.9000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**5.6000e-004**	**5.6000e-004**	**0.0000**	**0.0000**	**6.0000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.7365	0.0756	1.7900e-003	3.1598
Unmitigated	0.7365	0.0756	1.7900e-003	3.1598

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	2.32143 / 1.42281	0.7365	0.0756	1.7900e-003	3.1598
Total		**0.7365**	**0.0756**	**1.7900e-003**	**3.1598**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	2.32143 / 1.42281	0.7365	0.0756	1.7900e-003	3.1598
Total		**0.7365**	**0.0756**	**1.7900e-003**	**3.1598**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	6.6804	0.3948	0.0000	16.5505
Unmitigated	6.6804	0.3948	0.0000	16.5505

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	32.91	6.6804	0.3948	0.0000	16.5505
Total		**6.6804**	**0.3948**	**0.0000**	**16.5505**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	32.91	6.6804	0.3948	0.0000	16.5505
Total		**6.6804**	**0.3948**	**0.0000**	**16.5505**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Olive Commercial Phase II

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	8.88	1000sqft	0.20	8,876.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.7	**Precipitation Freq (Days)**	45
Climate Zone	7			**Operational Year**	2019
Utility Company					
CO2 Intensity (lb/MWhr)	0	**CH4 Intensity (lb/MWhr)**	0	**N2O Intensity (lb/MWhr)**	0

1.3 User Entered Comments & Non-Default Data

Project Characteristics - construction and operation will be in 2019

Land Use - Phase II includes 8,876 square feet of retail development

Construction Phase - construction dates have been modified.

Energy Use -

Mobile Land Use Mitigation - There are two bus stops within 500 feet of the project.
The project includes pedestrian walkways within the site plus a lighted crosswalk across Olive to improve safe pedestrian accssibility.

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	OperationalYear	2018	2019

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	0.1149	0.5357	0.4176	6.5000e-004	3.0300e-003	0.0325	0.0355	9.8000e-004	0.0299	0.0309	0.0000	58.5889	58.5889	0.0174	0.0000	59.0245
Maximum	**0.1149**	**0.5357**	**0.4176**	**6.5000e-004**	**3.0300e-003**	**0.0325**	**0.0355**	**9.8000e-004**	**0.0299**	**0.0309**	**0.0000**	**58.5889**	**58.5889**	**0.0174**	**0.0000**	**59.0245**

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	0.1149	0.5357	0.4176	6.5000e-004	3.0300e-003	0.0325	0.0355	9.8000e-004	0.0299	0.0309	0.0000	58.5888	58.5888	0.0174	0.0000	59.0244
Maximum	**0.1149**	**0.5357**	**0.4176**	**6.5000e-004**	**3.0300e-003**	**0.0325**	**0.0355**	**9.8000e-004**	**0.0299**	**0.0309**	**0.0000**	**58.5888**	**58.5888**	**0.0174**	**0.0000**	**59.0244**

	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	N20	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**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**1-1-2019**	**3-31-2019**	0.2956	0.2956
2	**4-1-2019**	**6-30-2019**	0.3508	0.3508
		Highest	0.3508	0.3508

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	0.0408	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-004
Energy	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302
Mobile	0.1320	1.2764	1.1104	4.1500e-003	0.2116	5.3800e-003	0.2170	0.0570	5.1000e-003	0.0621	0.0000	385.2051	385.2051	0.0378	0.0000	386.1503
Waste						0.0000	0.0000		0.0000	0.0000	1.8919	0.0000	1.8919	0.1118	0.0000	4.6870
Water						0.0000	0.0000		0.0000	0.0000	0.2087	0.0000	0.2087	0.0214	5.1000e-004	0.8953
Total	**0.1731**	**1.2789**	**1.1126**	**4.1600e-003**	**0.2116**	**5.5700e-003**	**0.2172**	**0.0570**	**5.2900e-003**	**0.0622**	**2.1006**	**387.9193**	**390.0199**	**0.1711**	**5.6000e-004**	**394.4630**

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	0.0408	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-004
Energy	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302
Mobile	0.1231	1.1657	0.9424	3.3800e-003	0.1599	4.2900e-003	0.1642	0.0430	4.0700e-003	0.0471	0.0000	313.9930	313.9930	0.0358	0.0000	314.8874
Waste						0.0000	0.0000		0.0000	0.0000	1.8919	0.0000	1.8919	0.1118	0.0000	4.6870
Water						0.0000	0.0000		0.0000	0.0000	0.2087	0.0000	0.2087	0.0214	5.1000e-004	0.8953
Total	**0.1642**	**1.1682**	**0.9445**	**3.3900e-003**	**0.1599**	**4.4800e-003**	**0.1644**	**0.0430**	**4.2600e-003**	**0.0473**	**2.1006**	**316.7072**	**318.8077**	**0.1691**	**5.6000e-004**	**323.2001**

	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	N20	CO2e
Percent Reduction	**5.17**	**8.65**	**15.11**	**18.51**	**24.46**	**19.57**	**24.33**	**24.46**	**19.47**	**24.04**	**0.00**	**18.36**	**18.26**	**1.19**	**0.00**	**18.07**

3.0 Construction Detail

Construction Phase

Olive Commercial Phase II - San Joaquin Valley Unified APCD Air District, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/15/2019	1/15/2019	5	1	
2	Grading	Grading	1/16/2019	1/17/2019	5	2	
3	Building Construction	Building Construction	1/18/2019	6/6/2019	5	100	
4	Paving	Paving	6/7/2019	6/13/2019	5	5	
5	Architectural Coating	Architectural Coating	6/14/2019	6/20/2019	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: 13,314; Non-Residential Outdoor: 4,438; Striped Parking Area: 0 (Architectural Coating – sqft)

<u>OffRoad Equipment</u>

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	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Rubber Tired Dozers	1	1.00	247	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
Architectural Coating	1	1.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	3.00	1.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	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	3.6000e-004	4.4600e-003	2.0700e-003	0.0000		1.8000e-004	1.8000e-004		1.7000e-004	1.7000e-004	0.0000	0.4378	0.4378	1.4000e-004	0.0000	0.4413
Total	**3.6000e-004**	**4.4600e-003**	**2.0700e-003**	**0.0000**	**2.7000e-004**	**1.8000e-004**	**4.5000e-004**	**3.0000e-005**	**1.7000e-004**	**2.0000e-004**	**0.0000**	**0.4378**	**0.4378**	**1.4000e-004**	**0.0000**	**0.4413**

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	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0185	0.0185	0.0000	0.0000	0.0185
Total	**1.0000e-005**	**1.0000e-005**	**8.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0185**	**0.0185**	**0.0000**	**0.0000**	**0.0185**

3.2 Site Preparation - 2019

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	3.6000e-004	4.4600e-003	2.0700e-003	0.0000		1.8000e-004	1.8000e-004		1.7000e-004	1.7000e-004	0.0000	0.4378	0.4378	1.4000e-004	0.0000	0.4413
Total	**3.6000e-004**	**4.4600e-003**	**2.0700e-003**	**0.0000**	**2.7000e-004**	**1.8000e-004**	**4.5000e-004**	**3.0000e-005**	**1.7000e-004**	**2.0000e-004**	**0.0000**	**0.4378**	**0.4378**	**1.4000e-004**	**0.0000**	**0.4413**

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	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0185	0.0185	0.0000	0.0000	0.0185
Total	**1.0000e-005**	**1.0000e-005**	**8.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0185**	**0.0185**	**0.0000**	**0.0000**	**0.0185**

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	9.5000e-004	8.6000e-003	7.6900e-003	1.0000e-005		5.4000e-004	5.4000e-004		5.1000e-004	5.1000e-004	0.0000	1.0520	1.0520	2.0000e-004	0.0000	1.0570
Total	**9.5000e-004**	**8.6000e-003**	**7.6900e-003**	**1.0000e-005**	**7.5000e-004**	**5.4000e-004**	**1.2900e-003**	**4.1000e-004**	**5.1000e-004**	**9.2000e-004**	**0.0000**	**1.0520**	**1.0520**	**2.0000e-004**	**0.0000**	**1.0570**

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	5.0000e-005	3.0000e-005	3.3000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0741	0.0741	0.0000	0.0000	0.0742
Total	**5.0000e-005**	**3.0000e-005**	**3.3000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0741**	**0.0741**	**0.0000**	**0.0000**	**0.0742**

3.3 Grading - 2019

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	9.5000e-004	8.6000e-003	7.6900e-003	1.0000e-005		5.4000e-004	5.4000e-004		5.1000e-004	5.1000e-004	0.0000	1.0520	1.0520	2.0000e-004	0.0000	1.0570
Total	**9.5000e-004**	**8.6000e-003**	**7.6900e-003**	**1.0000e-005**	**7.5000e-004**	**5.4000e-004**	**1.2900e-003**	**4.1000e-004**	**5.1000e-004**	**9.2000e-004**	**0.0000**	**1.0520**	**1.0520**	**2.0000e-004**	**0.0000**	**1.0570**

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	5.0000e-005	3.0000e-005	3.3000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0741	0.0741	0.0000	0.0000	0.0742
Total	**5.0000e-005**	**3.0000e-005**	**3.3000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0741**	**0.0741**	**0.0000**	**0.0000**	**0.0742**

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	0.0479	0.4910	0.3772	5.7000e-004		0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548
Total	**0.0479**	**0.4910**	**0.3772**	**5.7000e-004**		**0.0303**	**0.0303**		**0.0279**	**0.0279**	**0.0000**	**51.1502**	**51.1502**	**0.0162**	**0.0000**	**51.5548**

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	2.4000e-004	6.6700e-003	1.3400e-003	1.0000e-005	3.3000e-004	5.0000e-005	3.8000e-004	1.0000e-004	5.0000e-005	1.4000e-004	0.0000	1.3616	1.3616	1.1000e-004	0.0000	1.3645
Worker	7.0000e-004	4.9000e-004	4.9200e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.1113	1.1113	4.0000e-005	0.0000	1.1122
Total	**9.4000e-004**	**7.1600e-003**	**6.2600e-003**	**2.0000e-005**	**1.5300e-003**	**6.0000e-005**	**1.5900e-003**	**4.2000e-004**	**6.0000e-005**	**4.7000e-004**	**0.0000**	**2.4729**	**2.4729**	**1.5000e-004**	**0.0000**	**2.4767**

3.4 Building Construction - 2019

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	0.0479	0.4910	0.3772	5.7000e-004		0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548
Total	**0.0479**	**0.4910**	**0.3772**	**5.7000e-004**		**0.0303**	**0.0303**		**0.0279**	**0.0279**	**0.0000**	**51.1502**	**51.1502**	**0.0162**	**0.0000**	**51.5548**

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	2.4000e-004	6.6700e-003	1.3400e-003	1.0000e-005	3.3000e-004	5.0000e-005	3.8000e-004	1.0000e-004	5.0000e-005	1.4000e-004	0.0000	1.3616	1.3616	1.1000e-004	0.0000	1.3645
Worker	7.0000e-004	4.9000e-004	4.9200e-003	1.0000e-005	1.2000e-003	1.0000e-005	1.2100e-003	3.2000e-004	1.0000e-005	3.3000e-004	0.0000	1.1113	1.1113	4.0000e-005	0.0000	1.1122
Total	**9.4000e-004**	**7.1600e-003**	**6.2600e-003**	**2.0000e-005**	**1.5300e-003**	**6.0000e-005**	**1.5900e-003**	**4.2000e-004**	**6.0000e-005**	**4.7000e-004**	**0.0000**	**2.4729**	**2.4729**	**1.5000e-004**	**0.0000**	**2.4767**

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	2.0700e-003	0.0196	0.0179	3.0000e-005		1.1100e-003	1.1100e-003		1.0300e-003	1.0300e-003	0.0000	2.3931	2.3931	6.8000e-004	0.0000	2.4102
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**2.0700e-003**	**0.0196**	**0.0179**	**3.0000e-005**		**1.1100e-003**	**1.1100e-003**		**1.0300e-003**	**1.0300e-003**	**0.0000**	**2.3931**	**2.3931**	**6.8000e-004**	**0.0000**	**2.4102**

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	2.1000e-004	1.5000e-004	1.4800e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3334	0.3334	1.0000e-005	0.0000	0.3337
Total	**2.1000e-004**	**1.5000e-004**	**1.4800e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3334**	**0.3334**	**1.0000e-005**	**0.0000**	**0.3337**

3.5 Paving - 2019

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	2.0700e-003	0.0196	0.0179	3.0000e-005		1.1100e-003	1.1100e-003		1.0300e-003	1.0300e-003	0.0000	2.3931	2.3931	6.8000e-004	0.0000	2.4102
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**2.0700e-003**	**0.0196**	**0.0179**	**3.0000e-005**		**1.1100e-003**	**1.1100e-003**		**1.0300e-003**	**1.0300e-003**	**0.0000**	**2.3931**	**2.3931**	**6.8000e-004**	**0.0000**	**2.4102**

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	2.1000e-004	1.5000e-004	1.4800e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3334	0.3334	1.0000e-005	0.0000	0.3337
Total	**2.1000e-004**	**1.5000e-004**	**1.4800e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3334**	**0.3334**	**1.0000e-005**	**0.0000**	**0.3337**

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	0.0617					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	0.6397
Total	**0.0624**	**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**	**0.6397**

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	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0185	0.0185	0.0000	0.0000	0.0185
Total	**1.0000e-005**	**1.0000e-005**	**8.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0185**	**0.0185**	**0.0000**	**0.0000**	**0.0185**

3.6 Architectural Coating - 2019

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	0.0617					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	0.6397
Total	**0.0624**	**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**	**0.6397**

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	1.0000e-005	8.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0185	0.0185	0.0000	0.0000	0.0185
Total	**1.0000e-005**	**1.0000e-005**	**8.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0185**	**0.0185**	**0.0000**	**0.0000**	**0.0185**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

Improve Pedestrian Network

	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	0.1231	1.1657	0.9424	3.3800e-003	0.1599	4.2900e-003	0.1642	0.0430	4.0700e-003	0.0471	0.0000	313.9930	313.9930	0.0358	0.0000	314.8874
Unmitigated	0.1320	1.2764	1.1104	4.1500e-003	0.2116	5.3800e-003	0.2170	0.0570	5.1000e-003	0.0621	0.0000	385.2051	385.2051	0.0378	0.0000	386.1503

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Strip Mall	393.38	373.15	181.34	554,721	419,060
Total	393.38	373.15	181.34	554,721	419,060

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	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
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Strip Mall	0.492402	0.034496	0.167383	0.136948	0.023406	0.006040	0.021602	0.106741	0.001802	0.001770	0.005495	0.001006	0.000911

5.0 Energy Detail

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	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302
NaturalGas Unmitigated	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302

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					
Strip Mall	50859.5	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302
Total		**2.7000e-004**	**2.4900e-003**	**2.0900e-003**	**1.0000e-005**		**1.9000e-004**	**1.9000e-004**		**1.9000e-004**	**1.9000e-004**	**0.0000**	**2.7141**	**2.7141**	**5.0000e-005**	**5.0000e-005**	**2.7302**

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					
Strip Mall	50859.5	2.7000e-004	2.4900e-003	2.0900e-003	1.0000e-005		1.9000e-004	1.9000e-004		1.9000e-004	1.9000e-004	0.0000	2.7141	2.7141	5.0000e-005	5.0000e-005	2.7302
Total		**2.7000e-004**	**2.4900e-003**	**2.0900e-003**	**1.0000e-005**		**1.9000e-004**	**1.9000e-004**		**1.9000e-004**	**1.9000e-004**	**0.0000**	**2.7141**	**2.7141**	**5.0000e-005**	**5.0000e-005**	**2.7302**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	92754.2	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	92754.2	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

No Hearths Installed

	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	0.0408	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-004
Unmitigated	0.0408	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-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	6.1700e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0347					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.0000e-005	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-004
Total	**0.0409**	**0.0000**	**8.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**1.6000e-004**	**1.6000e-004**	**0.0000**	**0.0000**	**1.7000e-004**

6.2 Area by SubCategory

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	6.1700e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0347					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.0000e-005	0.0000	8.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	1.6000e-004	1.6000e-004	0.0000	0.0000	1.7000e-004
Total	**0.0409**	**0.0000**	**8.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**1.6000e-004**	**1.6000e-004**	**0.0000**	**0.0000**	**1.7000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.2087	0.0214	5.1000e-004	0.8953
Unmitigated	0.2087	0.0214	5.1000e-004	0.8953

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	0.657764 / 0.403146	0.2087	0.0214	5.1000e-004	0.8953
Total		**0.2087**	**0.0214**	**5.1000e-004**	**0.8953**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	0.657764 / 0.403146	0.2087	0.0214	5.1000e-004	0.8953
Total		**0.2087**	**0.0214**	**5.1000e-004**	**0.8953**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	1.8919	0.1118	0.0000	4.6870
Unmitigated	1.8919	0.1118	0.0000	4.6870

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	9.32	1.8919	0.1118	0.0000	4.6870
Total		**1.8919**	**0.1118**	**0.0000**	**4.6870**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	9.32	1.8919	0.1118	0.0000	4.6870
Total		**1.8919**	**0.1118**	**0.0000**	**4.6870**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Olive Commercial Phase III

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	20.44	1000sqft	0.47	20,437.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.7	**Precipitation Freq (Days)**	45
Climate Zone	7			**Operational Year**	2020
Utility Company					
CO2 Intensity (lb/MWhr)	0	**CH4 Intensity (lb/MWhr)**	0	**N2O Intensity (lb/MWhr)**	0

1.3 User Entered Comments & Non-Default Data

Project Characteristics - construction and operation will be in 2020

Land Use - Phase III includes 20,437 square feet of retail development

Construction Phase - construction dates have been modified.

Energy Use -

Mobile Land Use Mitigation - There are two bus stops within 500 feet of the project.
The project includes pedestrian walkways within the site plus a lighted crosswalk across Olive to improve safe pedestrian accssibility.

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	OperationalYear	2018	2020

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					
2020	0.1913	0.4964	0.4168	7.0000e-004	5.2900e-003	0.0281	0.0334	1.6000e-003	0.0259	0.0275	0.0000	61.4793	61.4793	0.0177	0.0000	61.9207
Maximum	**0.1913**	**0.4964**	**0.4168**	**7.0000e-004**	**5.2900e-003**	**0.0281**	**0.0334**	**1.6000e-003**	**0.0259**	**0.0275**	**0.0000**	**61.4793**	**61.4793**	**0.0177**	**0.0000**	**61.9207**

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					
2020	0.1913	0.4964	0.4168	7.0000e-004	5.2900e-003	0.0281	0.0334	1.6000e-003	0.0259	0.0275	0.0000	61.4793	61.4793	0.0177	0.0000	61.9206
Maximum	**0.1913**	**0.4964**	**0.4168**	**7.0000e-004**	**5.2900e-003**	**0.0281**	**0.0334**	**1.6000e-003**	**0.0259**	**0.0275**	**0.0000**	**61.4793**	**61.4793**	**0.0177**	**0.0000**	**61.9206**

	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	N20	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**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**1-1-2020**	**3-31-2020**	0.3284	0.3284
2	**4-1-2020**	**6-30-2020**	0.3555	0.3555
		Highest	0.3555	0.3555

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	0.0940	0.0000	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-004
Energy	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863
Mobile	0.2757	2.7977	2.3044	9.4000e-003	0.4872	0.0102	0.4974	0.1311	9.6500e-003	0.1407	0.0000	873.2817	873.2817	0.0828	0.0000	875.3526
Waste						0.0000	0.0000		0.0000	0.0000	4.3562	0.0000	4.3562	0.2574	0.0000	10.7923
Water						0.0000	0.0000		0.0000	0.0000	0.4803	0.0000	0.4803	0.0493	1.1600e-003	2.0609
Total	**0.3703**	**2.8034**	**2.3094**	**9.4300e-003**	**0.4872**	**0.0106**	**0.4979**	**0.1311**	**0.0101**	**0.1412**	**4.8365**	**879.5312**	**884.3677**	**0.3897**	**1.2700e-003**	**894.4924**

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	0.0940	0.0000	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-004
Energy	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863
Mobile	0.2572	2.5678	1.9535	7.6600e-003	0.3681	8.1400e-003	0.3762	0.0990	7.7000e-003	0.1067	0.0000	712.9364	712.9364	0.0786	0.0000	714.9013
Waste						0.0000	0.0000		0.0000	0.0000	4.3562	0.0000	4.3562	0.2574	0.0000	10.7923
Water						0.0000	0.0000		0.0000	0.0000	0.4803	0.0000	0.4803	0.0493	1.1600e-003	2.0609
Total	**0.3519**	**2.5735**	**1.9585**	**7.6900e-003**	**0.3681**	**8.5800e-003**	**0.3767**	**0.0990**	**8.1400e-003**	**0.1072**	**4.8365**	**719.1859**	**724.0224**	**0.3855**	**1.2700e-003**	**734.0411**

	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	N20	CO2e
Percent Reduction	**4.99**	**8.20**	**15.19**	**18.45**	**24.46**	**19.29**	**24.34**	**24.46**	**19.33**	**24.08**	**0.00**	**18.23**	**18.13**	**1.09**	**0.00**	**17.94**

3.0 Construction Detail

Construction Phase

Olive Commercial Phase III - San Joaquin Valley Unified APCD Air District, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/1/2020	1/1/2020	5	1	
2	Grading	Grading	1/2/2020	1/3/2020	5	2	
3	Building Construction	Building Construction	1/4/2020	5/22/2020	5	100	
4	Paving	Paving	5/23/2020	5/29/2020	5	5	
5	Architectural Coating	Architectural Coating	5/30/2020	6/5/2020	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: 30,656; Non-Residential Outdoor: 10,219; Striped Parking Area: 0 (Architectural Coating – sqft)

<u>OffRoad Equipment</u>

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	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Grading	Rubber Tired Dozers	1	1.00	247	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
Architectural Coating	1	1.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	7.00	3.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2020

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	3.4000e-004	4.2200e-003	2.0500e-003	0.0000		1.7000e-004	1.7000e-004		1.5000e-004	1.5000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314
Total	**3.4000e-004**	**4.2200e-003**	**2.0500e-003**	**0.0000**	**2.7000e-004**	**1.7000e-004**	**4.4000e-004**	**3.0000e-005**	**1.5000e-004**	**1.8000e-004**	**0.0000**	**0.4280**	**0.4280**	**1.4000e-004**	**0.0000**	**0.4314**

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	1.0000e-005	7.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0180	0.0180	0.0000	0.0000	0.0180
Total	**1.0000e-005**	**1.0000e-005**	**7.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0180**	**0.0180**	**0.0000**	**0.0000**	**0.0180**

3.2 Site Preparation - 2020

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	3.4000e-004	4.2200e-003	2.0500e-003	0.0000		1.7000e-004	1.7000e-004		1.5000e-004	1.5000e-004	0.0000	0.4280	0.4280	1.4000e-004	0.0000	0.4314
Total	**3.4000e-004**	**4.2200e-003**	**2.0500e-003**	**0.0000**	**2.7000e-004**	**1.7000e-004**	**4.4000e-004**	**3.0000e-005**	**1.5000e-004**	**1.8000e-004**	**0.0000**	**0.4280**	**0.4280**	**1.4000e-004**	**0.0000**	**0.4314**

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	1.0000e-005	7.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0180	0.0180	0.0000	0.0000	0.0180
Total	**1.0000e-005**	**1.0000e-005**	**7.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0180**	**0.0180**	**0.0000**	**0.0000**	**0.0180**

3.3 Grading - 2020

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	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005		4.7000e-004	4.7000e-004		4.5000e-004	4.5000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457
Total	**8.7000e-004**	**7.8700e-003**	**7.6200e-003**	**1.0000e-005**	**7.5000e-004**	**4.7000e-004**	**1.2200e-003**	**4.1000e-004**	**4.5000e-004**	**8.6000e-004**	**0.0000**	**1.0408**	**1.0408**	**2.0000e-004**	**0.0000**	**1.0457**

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	3.0000e-005	2.9000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0718	0.0718	0.0000	0.0000	0.0718
Total	**4.0000e-005**	**3.0000e-005**	**2.9000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0718**	**0.0718**	**0.0000**	**0.0000**	**0.0718**

3.3 Grading - 2020

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	8.7000e-004	7.8700e-003	7.6200e-003	1.0000e-005		4.7000e-004	4.7000e-004		4.5000e-004	4.5000e-004	0.0000	1.0408	1.0408	2.0000e-004	0.0000	1.0457
Total	**8.7000e-004**	**7.8700e-003**	**7.6200e-003**	**1.0000e-005**	**7.5000e-004**	**4.7000e-004**	**1.2200e-003**	**4.1000e-004**	**4.5000e-004**	**8.6000e-004**	**0.0000**	**1.0408**	**1.0408**	**2.0000e-004**	**0.0000**	**1.0457**

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	3.0000e-005	2.9000e-004	0.0000	8.0000e-005	0.0000	8.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.0718	0.0718	0.0000	0.0000	0.0718
Total	**4.0000e-005**	**3.0000e-005**	**2.9000e-004**	**0.0000**	**8.0000e-005**	**0.0000**	**8.0000e-005**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0718**	**0.0718**	**0.0000**	**0.0000**	**0.0718**

3.4 Building Construction - 2020

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	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4348
Total	**0.0431**	**0.4426**	**0.3694**	**5.7000e-004**		**0.0261**	**0.0261**		**0.0240**	**0.0240**	**0.0000**	**50.0302**	**50.0302**	**0.0162**	**0.0000**	**50.4348**

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	5.9000e-004	0.0183	3.4600e-003	4.0000e-005	9.9000e-004	1.0000e-004	1.0900e-003	2.9000e-004	1.0000e-004	3.8000e-004	0.0000	4.0503	4.0503	3.2000e-004	0.0000	4.0583
Worker	1.4800e-003	1.0000e-003	0.0102	3.0000e-005	2.8000e-003	2.0000e-005	2.8200e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.5128	2.5128	7.0000e-005	0.0000	2.5146
Total	**2.0700e-003**	**0.0193**	**0.0137**	**7.0000e-005**	**3.7900e-003**	**1.2000e-004**	**3.9100e-003**	**1.0300e-003**	**1.2000e-004**	**1.1400e-003**	**0.0000**	**6.5631**	**6.5631**	**3.9000e-004**	**0.0000**	**6.5729**

3.4 Building Construction - 2020

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	0.0431	0.4426	0.3694	5.7000e-004		0.0261	0.0261		0.0240	0.0240	0.0000	50.0302	50.0302	0.0162	0.0000	50.4347
Total	**0.0431**	**0.4426**	**0.3694**	**5.7000e-004**		**0.0261**	**0.0261**		**0.0240**	**0.0240**	**0.0000**	**50.0302**	**50.0302**	**0.0162**	**0.0000**	**50.4347**

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	5.9000e-004	0.0183	3.4600e-003	4.0000e-005	9.9000e-004	1.0000e-004	1.0900e-003	2.9000e-004	1.0000e-004	3.8000e-004	0.0000	4.0503	4.0503	3.2000e-004	0.0000	4.0583
Worker	1.4800e-003	1.0000e-003	0.0102	3.0000e-005	2.8000e-003	2.0000e-005	2.8200e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.5128	2.5128	7.0000e-005	0.0000	2.5146
Total	**2.0700e-003**	**0.0193**	**0.0137**	**7.0000e-005**	**3.7900e-003**	**1.2000e-004**	**3.9100e-003**	**1.0300e-003**	**1.2000e-004**	**1.1400e-003**	**0.0000**	**6.5631**	**6.5631**	**3.9000e-004**	**0.0000**	**6.5729**

3.5 Paving - 2020

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	1.9300e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**1.9300e-003**	**0.0181**	**0.0178**	**3.0000e-005**		**9.9000e-004**	**9.9000e-004**		**9.2000e-004**	**9.2000e-004**	**0.0000**	**2.3482**	**2.3482**	**6.8000e-004**	**0.0000**	**2.3653**

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	1.9000e-004	1.3000e-004	1.3100e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3231	0.3231	1.0000e-005	0.0000	0.3233
Total	**1.9000e-004**	**1.3000e-004**	**1.3100e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3231**	**0.3231**	**1.0000e-005**	**0.0000**	**0.3233**

3.5 Paving - 2020

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	1.9300e-003	0.0181	0.0178	3.0000e-005		9.9000e-004	9.9000e-004		9.2000e-004	9.2000e-004	0.0000	2.3482	2.3482	6.8000e-004	0.0000	2.3653
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**1.9300e-003**	**0.0181**	**0.0178**	**3.0000e-005**		**9.9000e-004**	**9.9000e-004**		**9.2000e-004**	**9.2000e-004**	**0.0000**	**2.3482**	**2.3482**	**6.8000e-004**	**0.0000**	**2.3653**

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	1.9000e-004	1.3000e-004	1.3100e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	1.0000e-004	0.0000	1.0000e-004	0.0000	0.3231	0.3231	1.0000e-005	0.0000	0.3233
Total	**1.9000e-004**	**1.3000e-004**	**1.3100e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**1.0000e-004**	**0.0000**	**1.0000e-004**	**0.0000**	**0.3231**	**0.3231**	**1.0000e-005**	**0.0000**	**0.3233**

3.6 Architectural Coating - 2020

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	0.1421					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.1000e-004	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396
Total	**0.1427**	**4.2100e-003**	**4.5800e-003**	**1.0000e-005**		**2.8000e-004**	**2.8000e-004**		**2.8000e-004**	**2.8000e-004**	**0.0000**	**0.6383**	**0.6383**	**5.0000e-005**	**0.0000**	**0.6396**

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	1.0000e-005	7.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0180	0.0180	0.0000	0.0000	0.0180
Total	**1.0000e-005**	**1.0000e-005**	**7.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0180**	**0.0180**	**0.0000**	**0.0000**	**0.0180**

3.6 Architectural Coating - 2020

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	0.1421					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.1000e-004	4.2100e-003	4.5800e-003	1.0000e-005		2.8000e-004	2.8000e-004		2.8000e-004	2.8000e-004	0.0000	0.6383	0.6383	5.0000e-005	0.0000	0.6396
Total	**0.1427**	**4.2100e-003**	**4.5800e-003**	**1.0000e-005**		**2.8000e-004**	**2.8000e-004**		**2.8000e-004**	**2.8000e-004**	**0.0000**	**0.6383**	**0.6383**	**5.0000e-005**	**0.0000**	**0.6396**

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	1.0000e-005	7.0000e-005	0.0000	2.0000e-005	0.0000	2.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0180	0.0180	0.0000	0.0000	0.0180
Total	**1.0000e-005**	**1.0000e-005**	**7.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**2.0000e-005**	**1.0000e-005**	**0.0000**	**1.0000e-005**	**0.0000**	**0.0180**	**0.0180**	**0.0000**	**0.0000**	**0.0180**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Increase Transit Accessibility

Improve Pedestrian Network

	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	0.2572	2.5678	1.9535	7.6600e-003	0.3681	8.1400e-003	0.3762	0.0990	7.7000e-003	0.1067	0.0000	712.9364	712.9364	0.0786	0.0000	714.9013
Unmitigated	0.2757	2.7977	2.3044	9.4000e-003	0.4872	0.0102	0.4974	0.1311	9.6500e-003	0.1407	0.0000	873.2817	873.2817	0.0828	0.0000	875.3526

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Strip Mall	905.77	859.17	417.53	1,277,246	964,886
Total	905.77	859.17	417.53	1,277,246	964,886

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	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
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Strip Mall	0.499524	0.033454	0.168279	0.130431	0.021581	0.005690	0.021752	0.108566	0.001799	0.001690	0.005397	0.000987	0.000848

5.0 Energy Detail

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	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863
NaturalGas Unmitigated	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863

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					
Strip Mall	117104	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863
Total		**6.3000e-004**	**5.7400e-003**	**4.8200e-003**	**3.0000e-005**		**4.4000e-004**	**4.4000e-004**		**4.4000e-004**	**4.4000e-004**	**0.0000**	**6.2491**	**6.2491**	**1.2000e-004**	**1.1000e-004**	**6.2863**

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					
Strip Mall	117104	6.3000e-004	5.7400e-003	4.8200e-003	3.0000e-005		4.4000e-004	4.4000e-004		4.4000e-004	4.4000e-004	0.0000	6.2491	6.2491	1.2000e-004	1.1000e-004	6.2863
Total		**6.3000e-004**	**5.7400e-003**	**4.8200e-003**	**3.0000e-005**		**4.4000e-004**	**4.4000e-004**		**4.4000e-004**	**4.4000e-004**	**0.0000**	**6.2491**	**6.2491**	**1.2000e-004**	**1.1000e-004**	**6.2863**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	213567	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Strip Mall	213567	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

No Hearths Installed

	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	0.0940	0.0000	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-004
Unmitigated	0.0940	0.0000	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-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	0.0142					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0798					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	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-004
Total	**0.0941**	**0.0000**	**1.9000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**3.7000e-004**	**3.7000e-004**	**0.0000**	**0.0000**	**3.9000e-004**

6.2 Area by SubCategory

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	0.0142					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0798					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	1.9000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.7000e-004	3.7000e-004	0.0000	0.0000	3.9000e-004
Total	**0.0941**	**0.0000**	**1.9000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**3.7000e-004**	**3.7000e-004**	**0.0000**	**0.0000**	**3.9000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.4803	0.0493	1.1600e-003	2.0609
Unmitigated	0.4803	0.0493	1.1600e-003	2.0609

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	1.51404 / 0.927961	0.4803	0.0493	1.1600e-003	2.0609
Total		**0.4803**	**0.0493**	**1.1600e-003**	**2.0609**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Strip Mall	1.51404 / 0.927961	0.4803	0.0493	1.1600e-003	2.0609
Total		**0.4803**	**0.0493**	**1.1600e-003**	**2.0609**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	4.3562	0.2574	0.0000	10.7923
Unmitigated	4.3562	0.2574	0.0000	10.7923

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	21.46	4.3562	0.2574	0.0000	10.7923
Total		**4.3562**	**0.2574**	**0.0000**	**10.7923**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Strip Mall	21.46	4.3562	0.2574	0.0000	10.7923
Total		**4.3562**	**0.2574**	**0.0000**	**10.7923**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Appendix B

Biological Database Files

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Cairns Corner (3611922) OR Ducor (3511981) OR Fountain Springs (3511888) OR Frazier Valley (3611828) OR Lindsay (3611921) OR Porterville (3611911) OR Sausalito School (3511982) OR Success Dam (3611818) OR Woodville (3611912))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Agelaius tricolor tricolored blackbird	G2G3 S1S2	None Candidate Endangered	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	271 655	948 S:3	0	0	0	0	1	2	2	1	2	1	0
Antrozous pallidus pallid bat	G5 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	900 900	407 S:1	0	0	0	0	0	1	1	0	1	0	0
Atriplex cordulata var. erecticaulis Earlimart orache	G3T1 S1	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	275 305	21 S:2	0	0	0	0	0	2	1	1	2	0	0
Atriplex coronata var. vallicola Lost Hills crownscale	G4T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	275 275	78 S:1	0	0	0	0	0	1	1	0	1	0	0
Atriplex depressa brittlescale	G2 S2	None None	Rare Plant Rank - 1B.2	320 320	61 S:1	0	0	0	0	0	1	1	0	1	0	0
Atriplex minuscula lesser saltscale	G2 S2	None None	Rare Plant Rank - 1B.1	305 305	37 S:1	1	0	0	0	0	0	0	1	1	0	0
Atriplex persistens vernal pool smallscale	G2 S2	None None	Rare Plant Rank - 1B.2	370 370	41 S:1	0	0	0	0	0	1	1	0	1	0	0
Atriplex subtilis subtle orache	G1 S1	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	305 325	24 S:3	1	0	0	0	0	2	2	1	3	0	0
Bombus crotchii Crotch bumble bee	G3G4 S1S2	None None		500 600	233 S:2	0	0	0	0	0	2	2	0	2	0	0

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Branchinecta lynchi vernal pool fairy shrimp	G3 S3	Threatened None	IUCN_VU-Vulnerable	320 500	754 S:7	0	2	0	4	0	1	1	6	7	0	0
Buteo swainsoni Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	310 320	2423 S:2	0	1	1	0	0	0	0	2	2	0	0
Caulanthus californicus California jewelflower	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1	325 325	63 S:1	0	0	0	0	1	0	1	0	0	1	0
Clarkia springvillensis Springville clarkia	G2 S2	Threatened Endangered	Rare Plant Rank - 1B.2	800 800	21 S:1	0	0	1	0	0	0	1	0	1	0	0
Corynorhinus townsendii Townsend's big-eared bat	G3G4 S2	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	900 1,760	625 S:2	0	0	0	0	0	2	2	0	2	0	0
Delphinium recurvatum recurved larkspur	G2? S2?	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	305 320	100 S:4	0	1	0	0	2	1	3	1	2	0	2
Desmocerus californicus dimorphus valley elderberry longhorn beetle	G3T2 S2	Threatened None		490 550	271 S:4	0	2	1	1	0	0	4	0	4	0	0
Diplacus pictus calico monkeyflower	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	600 1,440	63 S:3	0	0	0	0	0	3	3	0	3	0	0
Dipodomys nitratoides nitratoides Tipton kangaroo rat	G3T1T2 S1S2	Endangered Endangered	IUCN_VU-Vulnerable	320 320	78 S:1	0	0	0	0	0	1	1	0	1	0	0
Eryngium spinosepalum spiny-sepaled button-celery	G2 S2	None None	Rare Plant Rank - 1B.2	686 800	90 S:2	0	0	0	0	1	1	1	1	1	1	0
Eumops perotis californicus western mastiff bat	G5T4 S3S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern WBWG_H-High Priority		293 S:1	0	0	0	0	0	1	1	0	1	0	0

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks A	B	C	D	X	U	Population Status Historic > 20 yr	Recent <= 20 yr	Presence Extant	Poss. Extirp.	Extirp.
Fritillaria striata striped adobe-lily	G2? S2?	None Threatened	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture USFS_S-Sensitive	450 1,700	23 S:7	0	1	1	1	2	2	5	2	5	0	2
Gymnogyps californianus California condor	G1 S1	Endangered Endangered	CDF_S-Sensitive CDFW_FP-Fully Protected IUCN_CR-Critically Endangered NABCI_RWL-Red Watch List	1,000 1,000	13 S:1	0	0	0	0	0	1	1	0	1	0	0
Lasiurus cinereus hoary bat	G5 S4	None None	IUCN_LC-Least Concern WBWG_M-Medium Priority		235 S:1	0	0	0	0	0	1	1	0	1	0	0
Leptosiphon serrulatus Madera leptosiphon	G3 S3	None None	Rare Plant Rank - 1B.2 USFS_S-Sensitive	1,000 1,000	27 S:1	0	0	0	0	0	1	1	0	1	0	0
Lytta hoppingi Hopping's blister beetle	G1G2 S1S2	None None			5 S:1	0	0	0	0	0	1	1	0	1	0	0
Lytta molesta molestan blister beetle	G2 S2	None None		480 480	17 S:1	0	0	0	0	0	1	1	0	1	0	0
Lytta morrisoni Morrison's blister beetle	G1G2 S1S2	None None			10 S:1	0	0	0	0	0	1	1	0	1	0	0
Monolopia congdonii San Joaquin woollythreads	G2 S2	Endangered None	Rare Plant Rank - 1B.2 SB_UCBBG-UC Berkeley Botanical Garden		100 S:1	0	0	0	0	0	1	1	0	1	0	0
Northern Claypan Vernal Pool Northern Claypan Vernal Pool	G1 S1.1	None None		325 510	21 S:2	0	0	0	0	0	2	2	0	2	0	0
Perognathus inornatus San Joaquin Pocket Mouse	G2G3 S2S3	None None	BLM_S-Sensitive		122 S:1	0	0	0	0	0	1	1	0	1	0	0
Pseudobahia peirsonii San Joaquin adobe sunburst	G1 S1	Threatened Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	590 1,700	47 S:19	0	2	5	6	4	2	11	8	15	1	3

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Puccinellia simplex California alkali grass	G3 S2	None None	Rare Plant Rank - 1B.2	305 305	71 S:1	0	0	0	0	0	1	0	1	1	0	0
Rana boylii foothill yellow-legged frog	G3 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened USFS_S-Sensitive	1,100 1,100	884 S:1	0	0	0	0	0	1	1	0	1	0	0
Sidalcea keckii Keck's checkerbloom	G2 S2	Endangered None	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	750 750	16 S:1	0	0	0	0	1	0	1	0	0	0	1
Spea hammondii western spadefoot	G3 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	325 325	450 S:1	0	0	0	0	0	1	1	0	1	0	0
Sycamore Alluvial Woodland Sycamore Alluvial Woodland	G1 S1.1	None None		610 610	17 S:1	0	0	1	0	0	0	1	0	1	0	0
Taxidea taxus American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	430 430	533 S:1	0	0	0	0	0	1	1	0	1	0	0
Vulpes macrotis mutica San Joaquin kit fox	G4T2 S2	Endangered Threatened		300 970	981 S:28	0	0	1	1	0	26	27	1	28	0	0

Appendix C

CHRIS Records Search

California
Historical
Resources
Information
System

Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Emily Bowen
Crawford Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Record Search 17-048

Date: February 13, 2017

Re: City of Porterville Olive Commercial 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 six studies conducted within the one-half mile radius, TU-00189, 00283, 01406, 01625, 01631, and 01632.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area and it is not known if any exist there. There are no recorded resources within the one-half mile radius.

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 construction of an approximately 60,654 square foot retail/commercial space at the southeast corner of Olive Avenue and Lotas Street in the City of Porterville. Further, we understand that a portion of project area was previously used as a trucking facility and the entire project area is currently paved. No information was given as to the age of the present structures. If the existing structures are more than 45 years old, prior to alteration or demolition, we recommend they be recorded and evaluated for historical significance by a qualified, professional architectural historian. Additionally, this project area has not been previously studied for cultural resources and, due to the close proximity to the Tule River, there is a reasonable probability they are present under the pavement. Waterways and their surrounding regions are considered extremely sensitive for cultural resources, as indigenous people utilized these areas as permanent villages, temporary camps, and task specific sites. Therefore, after the removal of the pavement and prior to any other ground disturbance activities, we recommend the project area be surveyed for cultural resources by a qualified, professional archaeologist. A list of 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 can 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:** February 13, 2017

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Appendix C

NAHC Sacred Lands Search

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
Fax (916) 373-5471

February 27, 2017

Emily Bowen
Crawford & Bowen Planning

Sent by Email: Emily@candbplanning.com
Number of Pages: 2

RE: City of Porterville Olive Commercial Development, Tulare County

Dear Ms. Bowen:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. **Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.souza@nahc.ca.gov.

Sincerely,

Sharaya Souza
Staff Services Analyst

Native American Heritage Commission
Native American Contacts
Tulare County
2/27/2017

Kern Valley Indian Council
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella , CA 93240

(661) 340-0032 Cell

Tsnungwe
Tubatulabal
Koso

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas , CA 93906
kwood8934@aol.com
(831) 443-9702

Foothill Yokuts
Mono
Wuksache

Kern Valley Indian Council
Robert Robinson, Chairperson
P.O. Box 401
Weldon , CA 93283
brobinson@iwvisp.com
(760) 378-2915 Home
(760) 378-2915 Cell

Tubatulabal
Kawaiisu
Koso

Santa Rosa Indian Community of the Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278

(559) 924-3583 Fax

Tache
Tachi
Yokut

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226
Lake Isabella , CA 93240
(760) 379-4590

(760) 379-4592 Fax

Tubatulabal

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe-nsn.gov
(559) 781-4271

(559) 781-4610 Fax

Yokuts

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources assessments for the updated contact list for the City of Porterville Olive Commercial Development, Tulare County.

Appendix E

Traffic Study

Project No: 524-06

TRAFFIC STUDY

City of Porterville
Commercial Retail Development
Along Olive Avenue

Prepared for:

Crawford & Bowen Planning, Inc.

February 2017

Prepared by:

1800 30TH STREET, SUITE 260
BAKERSFIELD, CA 93301

Ian J. Parks, RCE 58155

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INTRODUCTION

The purpose of this study is to evaluate the potential traffic impact of a proposed commercial retail development along W. Olive Avenue, between S. Lotas Street and S. Beverly Street, in the City of Porterville. A vicinity map is presented in Figure 1 and a location map is presented in Figure 2.

A. Proposed Land Use and Study Area Boundaries

The proposed commercial retail development consists of approximately 60,654 square feet of retail space with 267 parking stalls on 6.24 acres in a GC (General Commercial) zoned district.

The site is bounded by W. Olive Avenue to the north, S. Beverly Street to the east, S. Lotas Street to the west, and W. Slaughter Avenue to the south.

A total of 8 signalized intersections are included in the study. The scope of the study was developed in association with the City of Porterville.

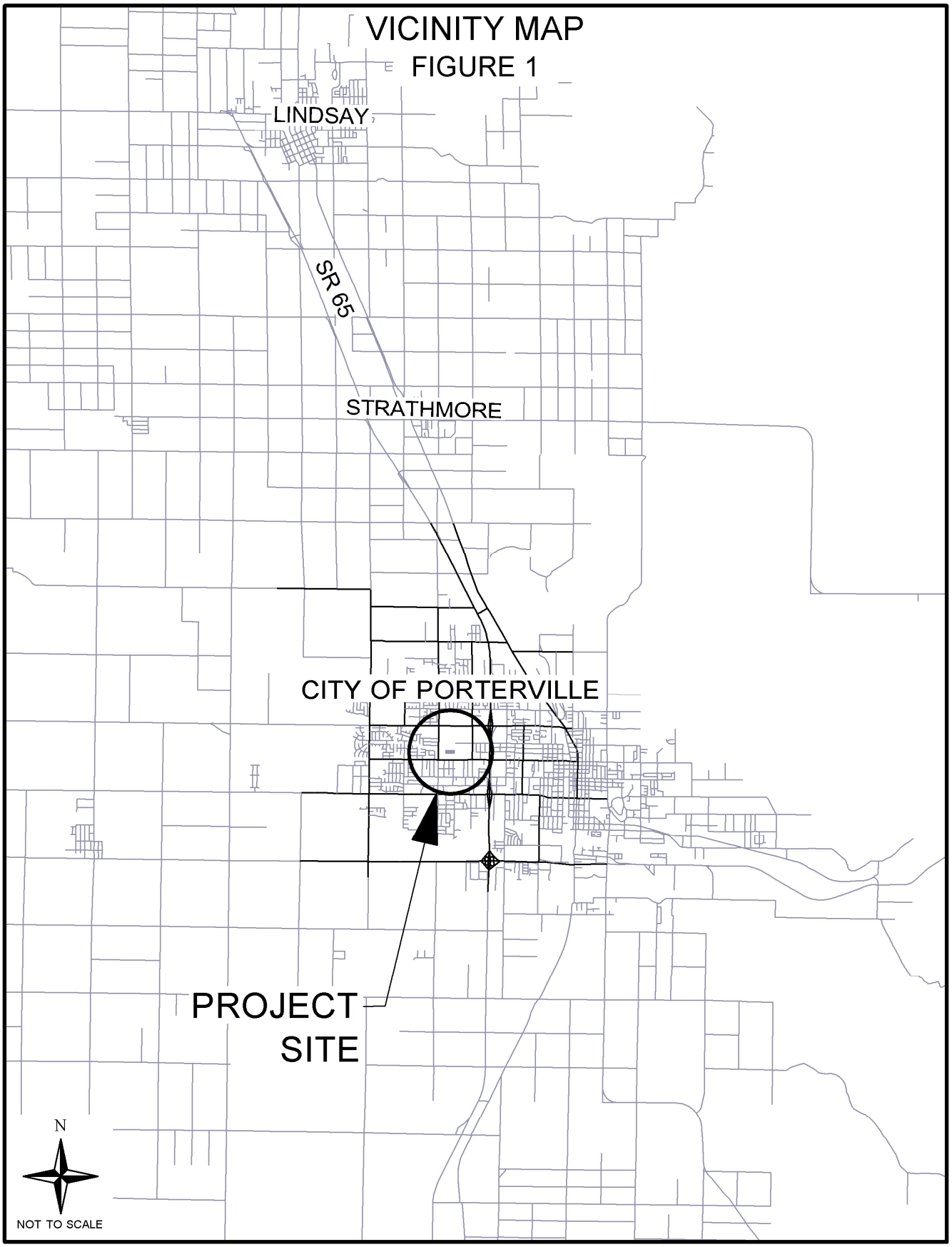
B. Existing Site Uses and Site Access

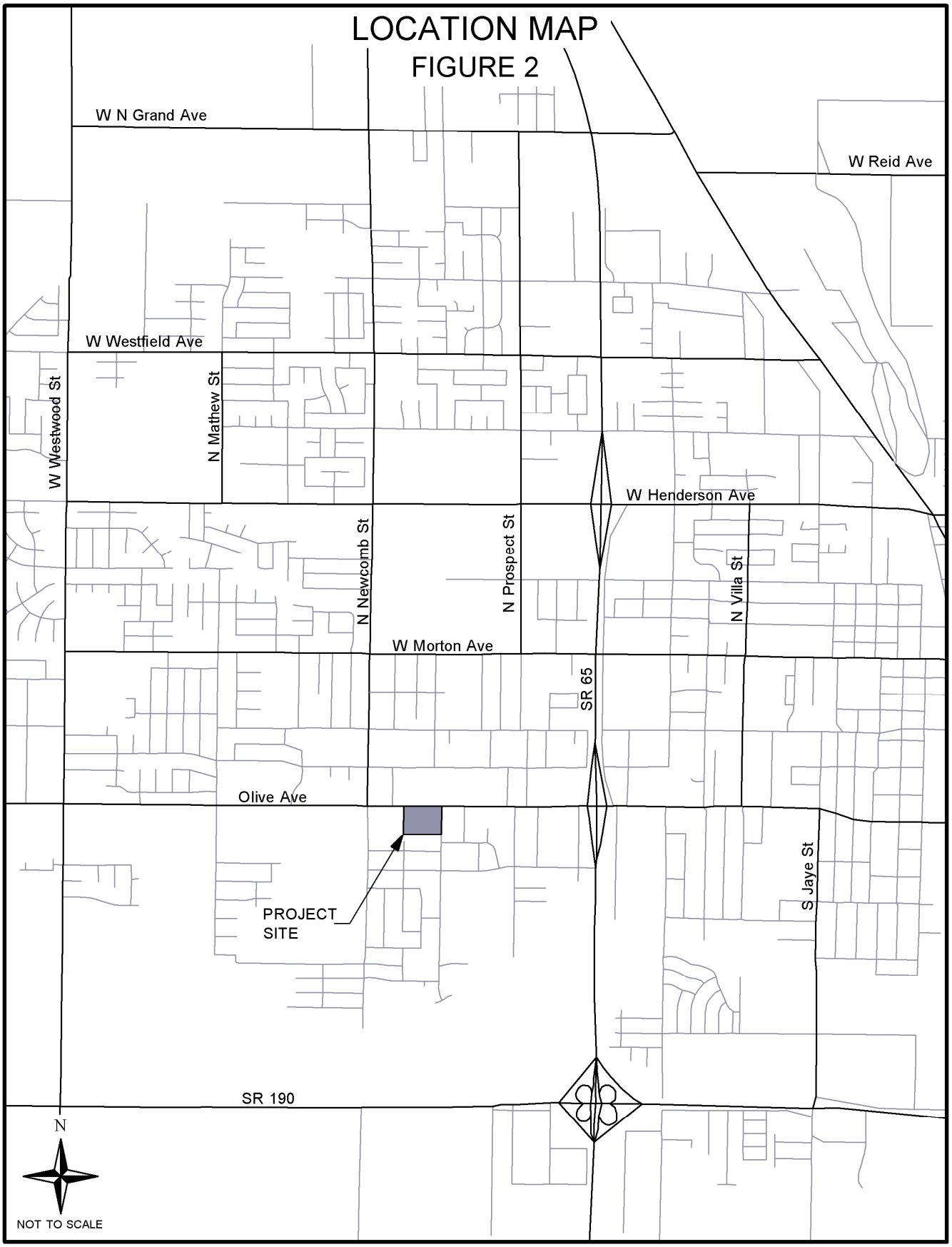
The existing site is paved with structures and operated as a trucking facility.

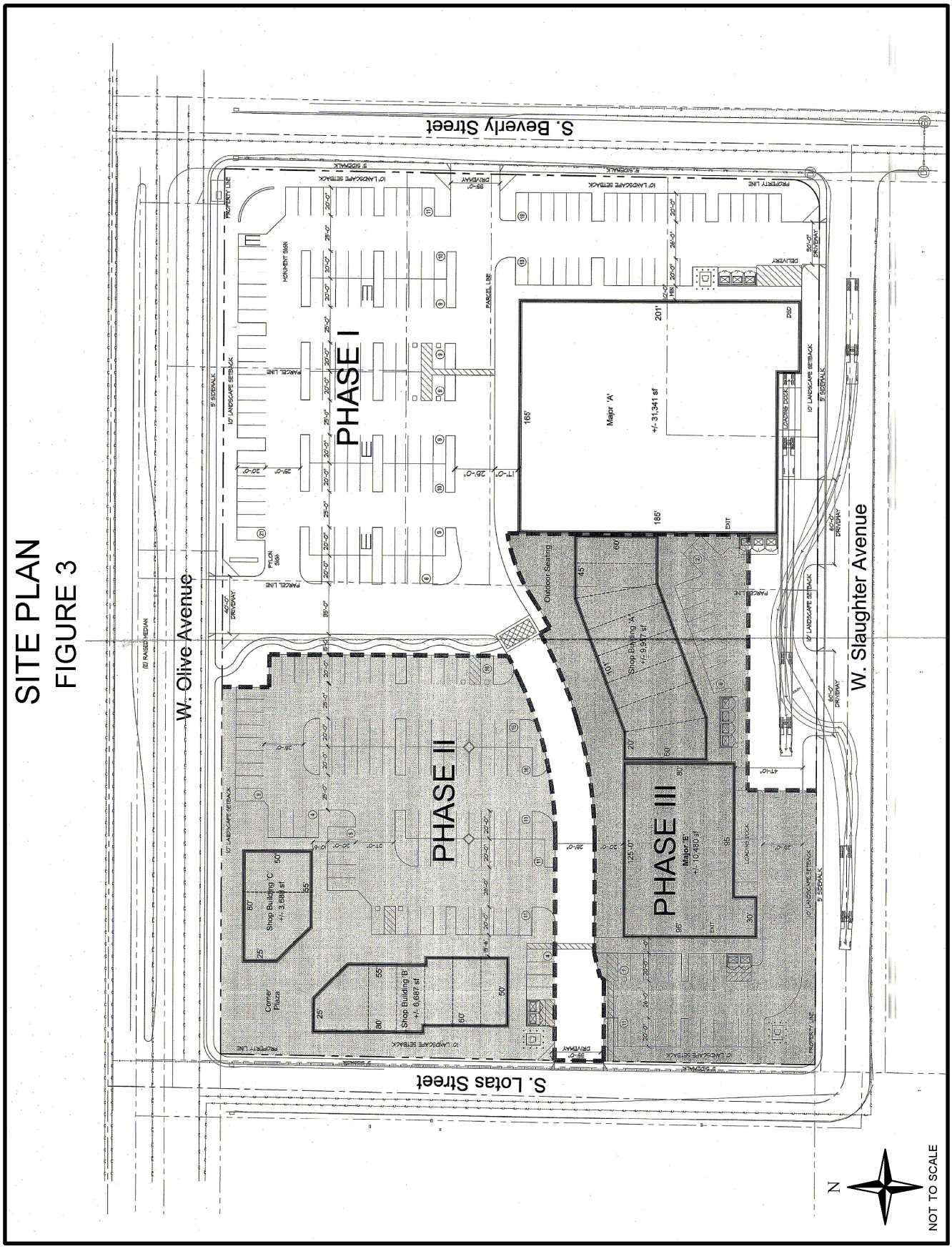
Access to the proposed development will be along W. Olive Avenue, S. Beverly Street, and S. Lotas Street. A loading zone is proposed along W. Slaughter Avenue. A site plan is presented in Figure 3.

C. Existing Uses in Vicinity of the Site

Existing developments in the vicinity of the proposed development include commercial and residential land uses to the east, residential areas to the south, and commercial land uses to the west and north.


VICINITY MAP
FIGURE 1
LINDSAY
SR 65
STRATHMORE
CITY OF PORTERVILLE
PROJECT
SITE
N
NOT TO SCALE


LOCATION MAP
FIGURE 2
W N Grand Ave
W Reid Ave
W Westfield Ave
W Westwood St
N Mathew St
W Henderson Ave
N Newcomb St
N Prospect St
N Villa St
W Morton Ave
SR 65
Olive Ave
S Jaye St
PROJECT SITE
SR 190
N
NOT TO SCALE


SITE PLAN
FIGURE 3
S. Beverly Street
W. Olive Avenue
W. Slaughter Avenue
S. Lotas Street
PHASE I
PHASE II
PHASE III
Major 'A'
+/- 31,341 sf
Shop Building 'A'
+/- 9,937 sf
Shop Building 'B'
+/- 6,687 sf
Shop Building 'C'
+/- 3,698 sf
Major 'B'
+/- 10,450 sf
Corner Plaza
Outdoor Seating
MONUMENT SIGN
PYLON SIGN
LOADING DOCK
DELIVERY
DRIVEWAY
PROPERTY LINE
PARCEL LINE
10' LANDSCAPE SETBACK
5' SIDEWALK
N
NOT TO SCALE

D. Existing Streets and Intersections

Jaye Street is a major north-south arterial with 4-lanes south of Olive Avenue and a 2-lane roadway to the north. Jaye Street provides access to residential and commercial land uses in the southeast portion of Porterville, as well as access to Porterville High School.

Mathew Street is a north-south two-lane roadway in the vicinity of the project. Mathew Street primarily provides access to residential land uses, but also provides access to some commercial, religious, and educational facilities immediately south of Olive Avenue.

Newcomb Street is a major north-south arterial that provides access to residential land uses, as well as Monache High School. In the vicinity of the project, it exists as a 4-lane fully developed roadway.

Olive Avenue is a 4-lane major east-west arterial that provides access to commercial and residential land uses across southern Porterville. Between Westwood Street to the west and Plano Street to the east, Olive Avenue is fully developed with curb and gutter. In the vicinity of the project, Olive Avenue also includes a median.

State Route 65 is a north-south state Highway/Freeway composed of two segments. The southern segment begins near State Route 99 near Bakersfield and terminates at State Route 198 near Exeter. State Route 65 serves the communities of Oildale, Terra Bella, Porterville, and Lindsay. In the vicinity of the project, State Route 65 is a 4-lane facility with an interchange at Olive Avenue.

Villa Street is a north-south roadway that is designated as a collector north of Olive Avenue, and a local road south of Olive Avenue. Villa Street provides access to commercial and residential areas in the eastern portion of Porterville. It is a 2-lane facility with curb and gutter in the vicinity of the project.

Westwood Street is a major north-south arterial that provides access to residential land across the western portion of Porterville, as well as access to Burton Elementary School. In the vicinity of the project, Westwood Street is a 4-lane fully developed roadway with median.

PROJECT TRIP GENERATION AND DESIGN HOUR VOLUMES

The trip generation and design hour volumes shown in Table 1 were calculated using the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition. The ADT, AM and PM peak hour rates, and peak hour directional splits for ITE Land Use Code 820 (Shopping Center) was used to estimate the project traffic.

Table 1
Project Trip Generation

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	60.654 1000 sq ft GLA	eq	4907	eq	62% 71	38% 44	eq	48% 206	52% 223
Adjustments Pass-by		15%		736		11	7		31	33
Total				4,171		60	37		175	190

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

The project trip distribution in Table 2 represents the most logically traveled routes for traffic accessing the project. Project traffic distribution was estimated based on a review of the potential draw from population centers within the region and the type of land use involved. These assumptions were used to distribute project traffic as shown in Figure 5.

Table 2
Project Trip Distribution

Direction	Percent
North	35
East	25
South	15
West	25

The project peak hour traffic was determined to be 7:30 AM to 8:30 AM and 4:30 PM to 5:30 PM.

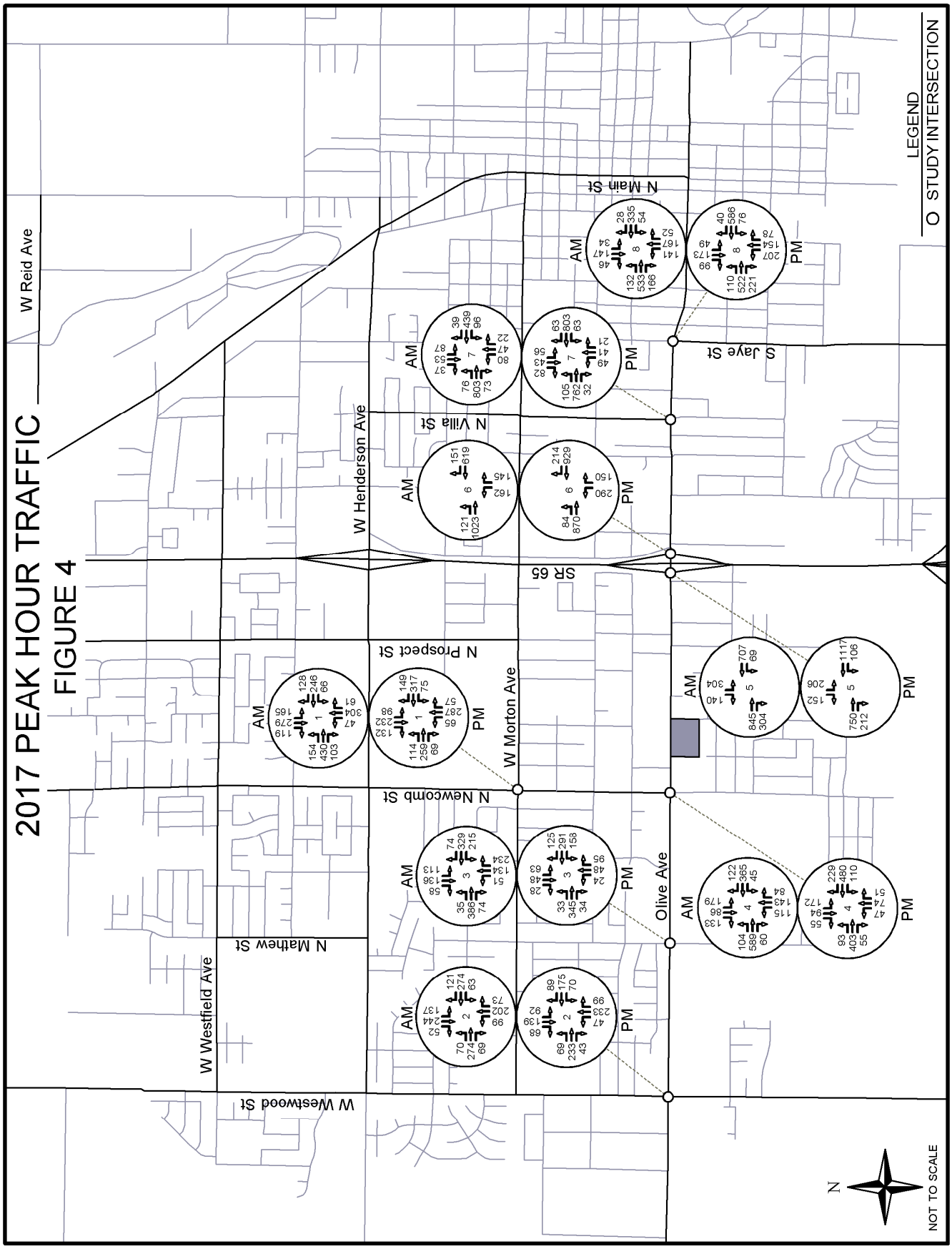
EXISTING AND FUTURE TRAFFIC

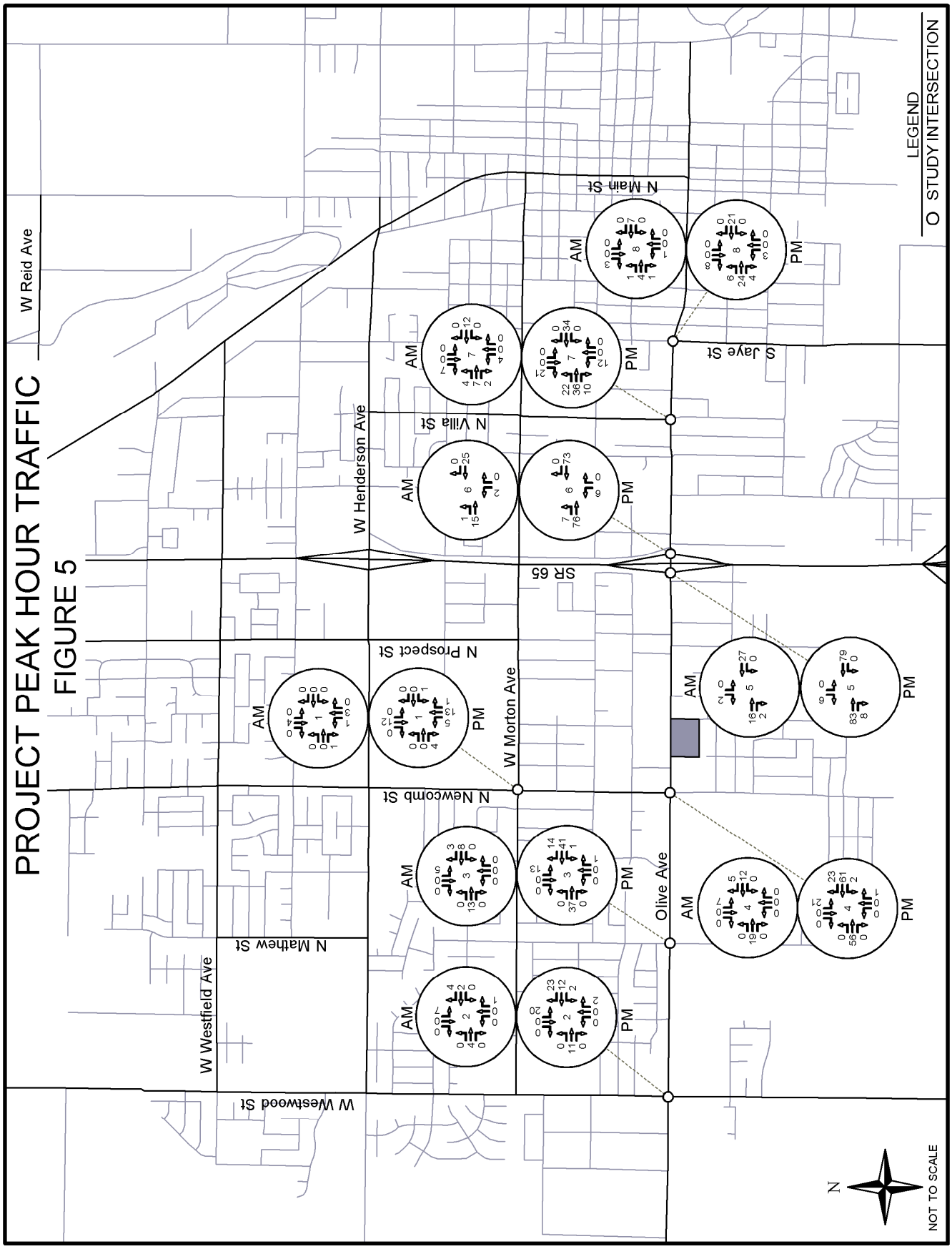
Existing weekday peak hour turning movement volumes were field measured at the following intersections in January 2017:

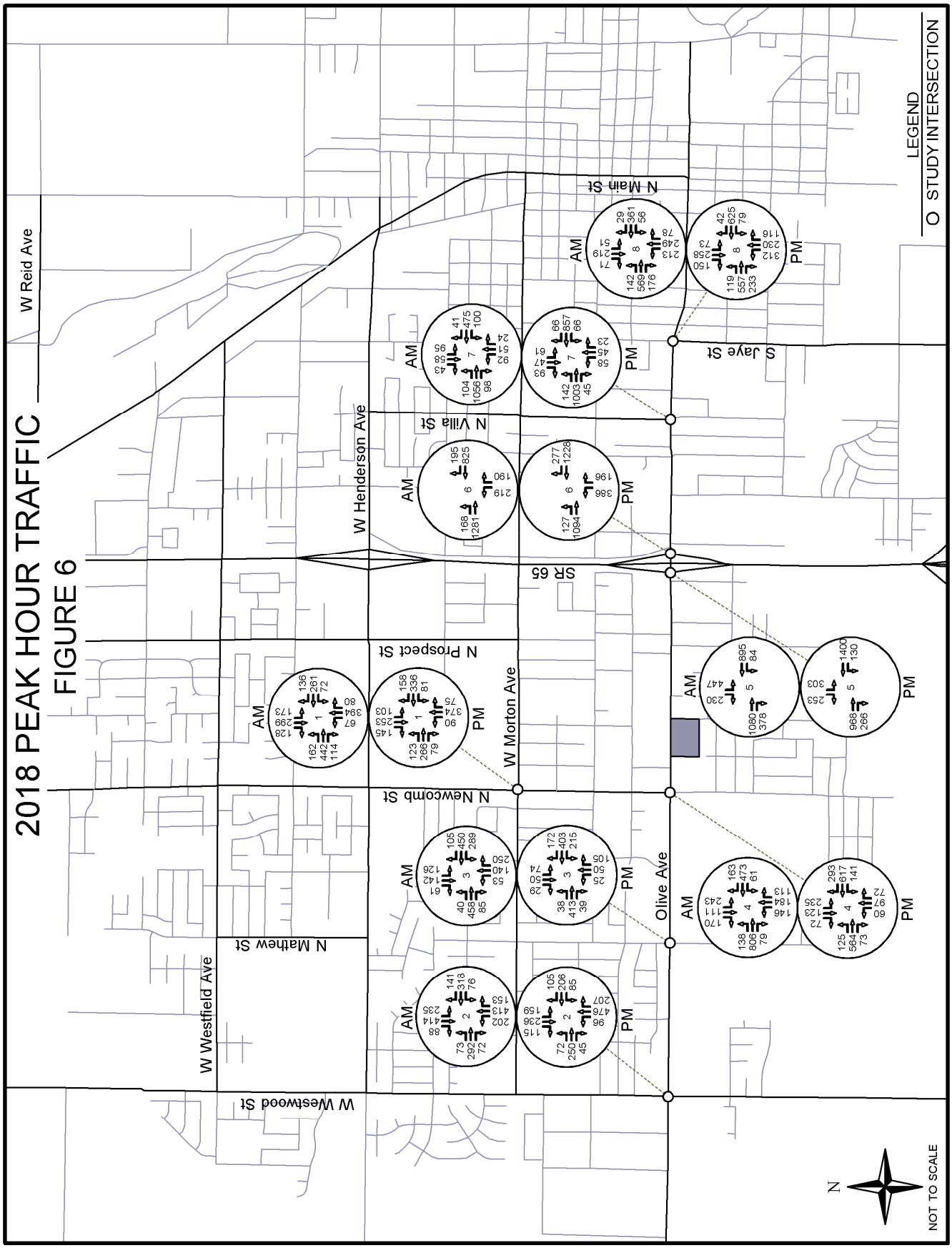
- N Newcomb St. & W Morton Ave
- W Westwood St & Olive Ave
- Mathew St & Olive Ave
- N Newcomb St & Olive Ave
- SR 65 SB Ramps & Olive Ave
- SR 65 NB Ramps & Olive Ave
- N Villa St & Olive Ave
- S Jaye St & Olive Ave

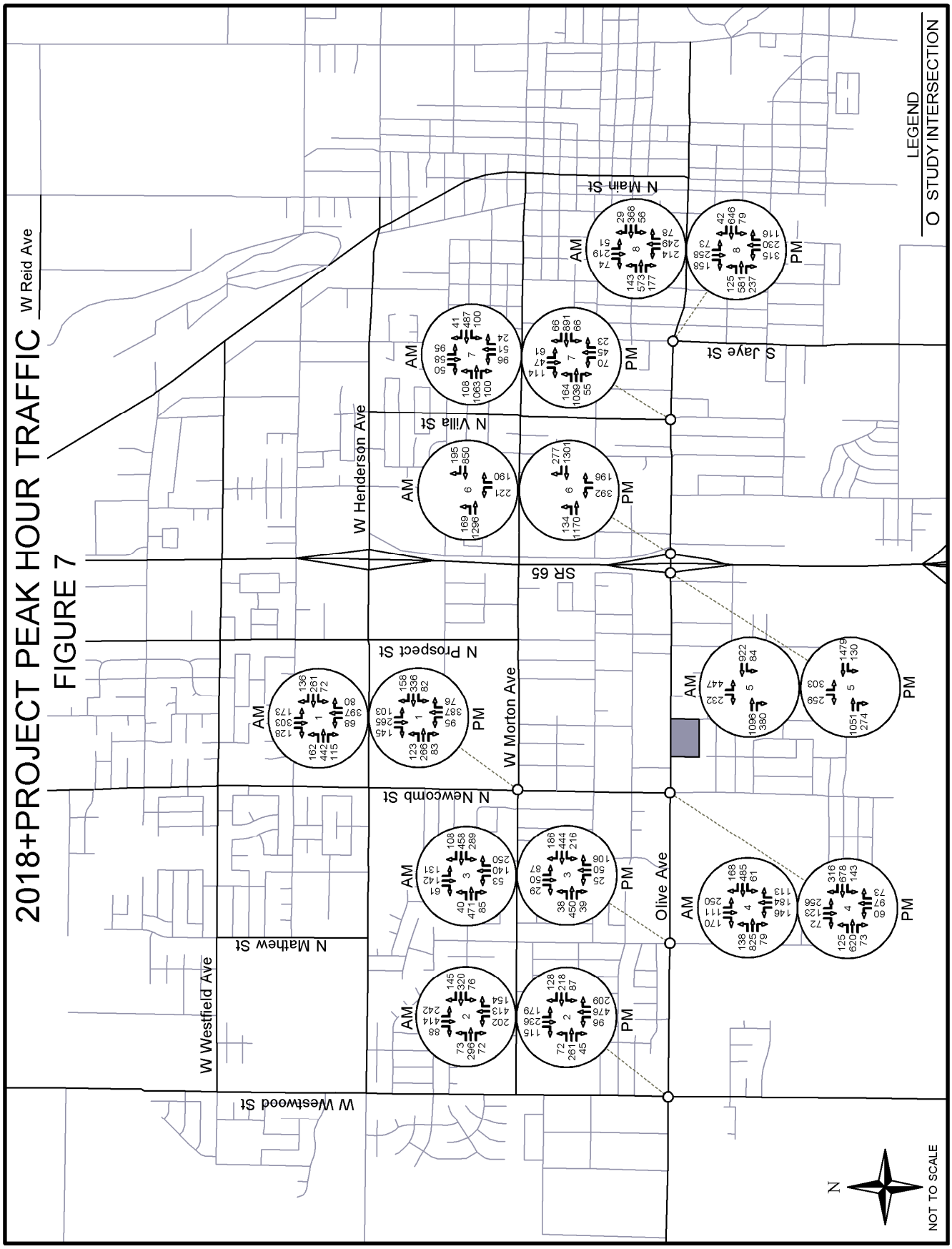
The existing peak hour volumes are shown in Figure 4.

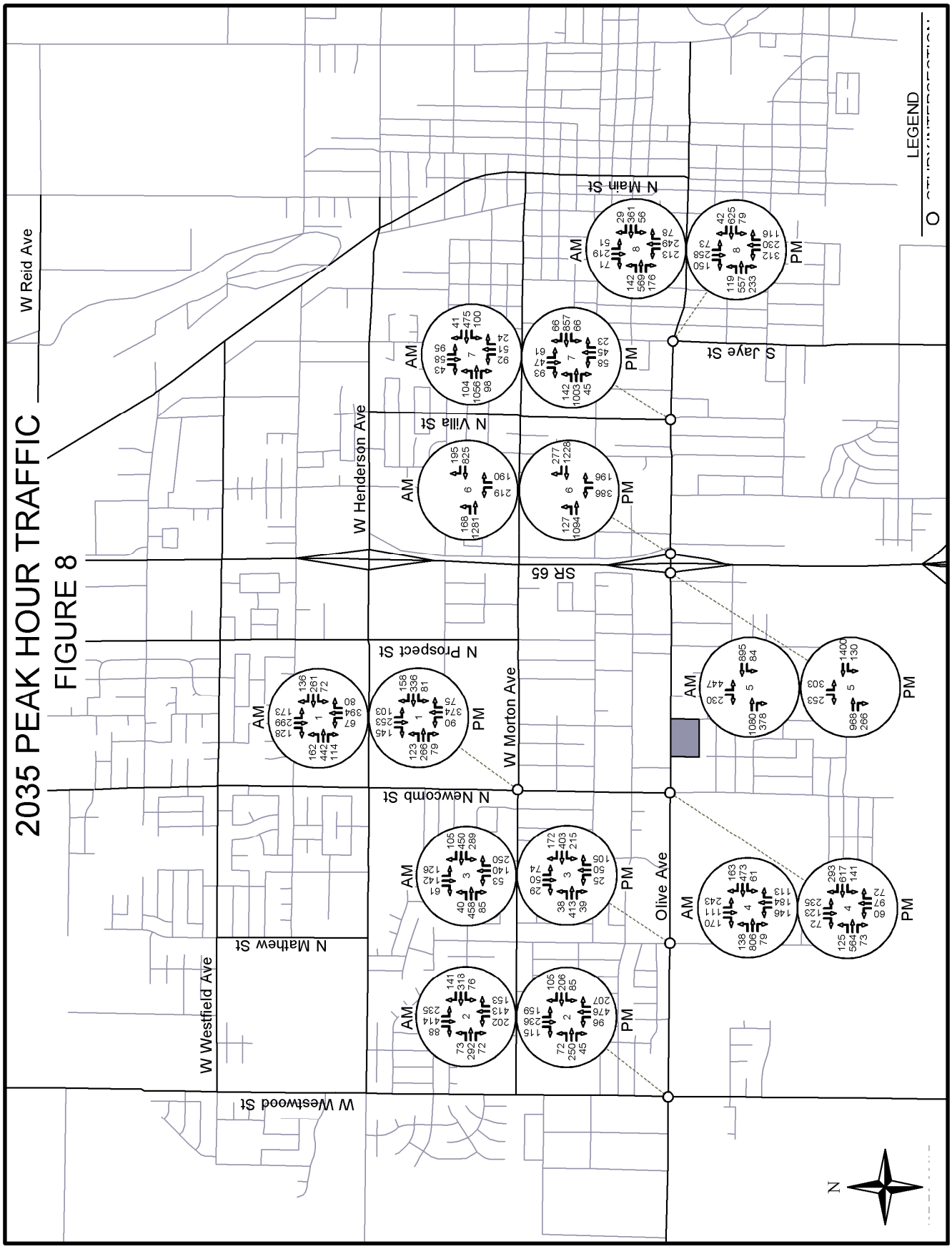
Future traffic was estimated based on the TCAG traffic model data. Based on this data, a conservative average annual growth rate of 2% was applied to existing traffic volumes to estimate future traffic volumes for the year Build Year (2018) and the Future Year (2035). Future Peak Hour volumes are shown in Figures 6 through 9.

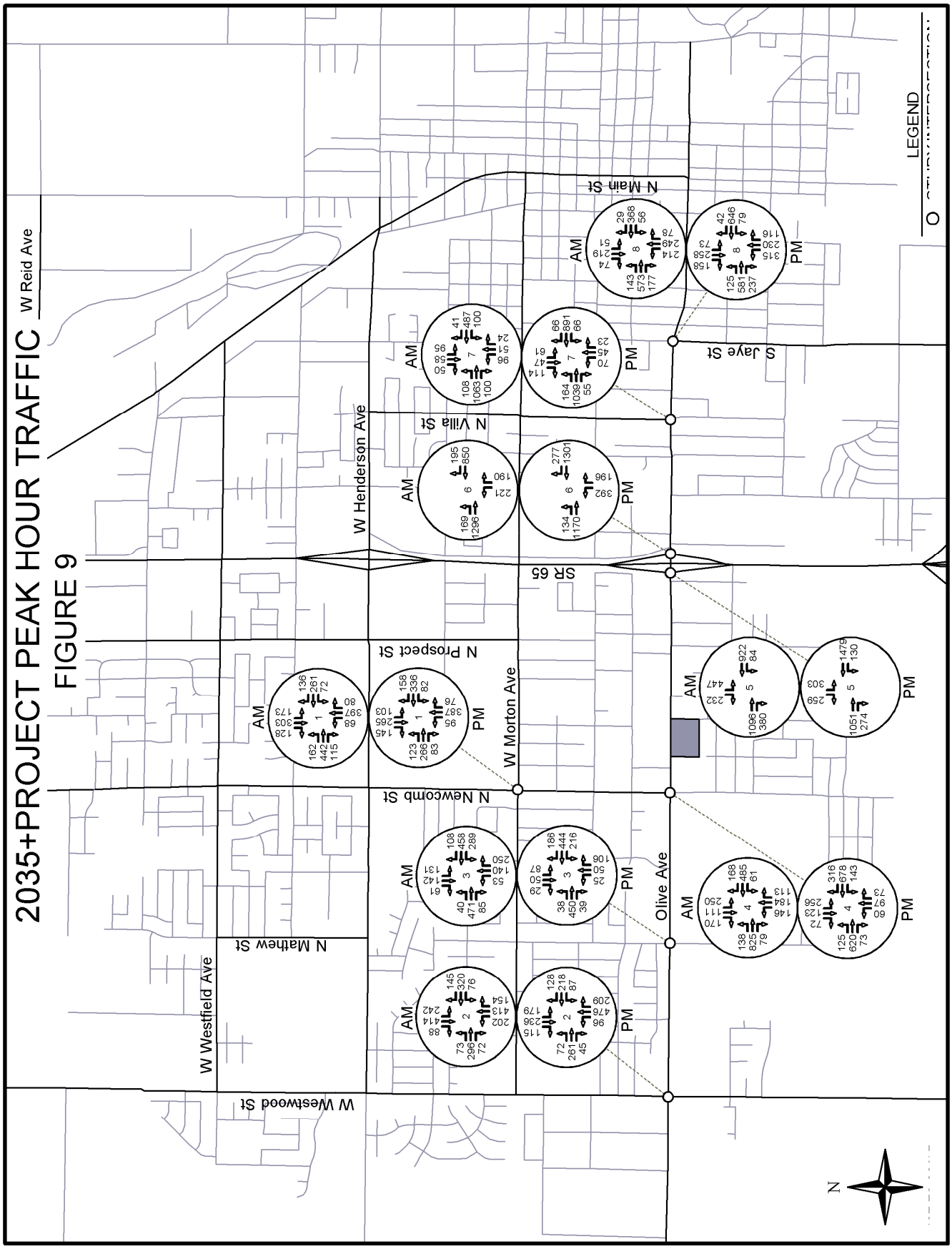

2017 PEAK HOUR TRAFFIC
FIGURE 4
W Reid Ave
W Westfield Ave
W Westwood St
N Mathew St
N Newcomb St
N Prospect St
W Henderson Ave
N Villa St
W Morton Ave
SR 65
Olive Ave
S Jaye St
N Main St
LEGEND
O STUDY INTERSECTION
AM
PM
NOT TO SCALE
N


PROJECT PEAK HOUR TRAFFIC
FIGURE 5
W Reid Ave
W Westfield Ave
W Westwood St
N Mathew St
N Newcomb St
N Prospect St
W Henderson Ave
N Villa St
W Morton Ave
SR 65
Olive Ave
N Main St
S Jaye St
AM
PM
LEGEND
O STUDY INTERSECTION
N
NOT TO SCALE


2018 PEAK HOUR TRAFFIC
FIGURE 6
W Reid Ave
W Westfield Ave
W Westwood St
N Mathew St
N Newcomb St
N Prospect St
W Henderson Ave
N Villa St
W Morton Ave
SR 65
Olive Ave
S Jaye St
N Main St
LEGEND
O STUDY INTERSECTION
AM
PM
NOT TO SCALE
N


2018+PROJECT PEAK HOUR TRAFFIC
FIGURE 7
W Reid Ave
W Westfield Ave
W Westwood St
N Mathew St
N Newcomb St
N Prospect St
W Henderson Ave
N Villa St
W Morton Ave
SR 65
Olive Ave
S Jaye St
N Main St
LEGEND
O STUDY INTERSECTION
AM
PM
NOT TO SCALE
N


2035 PEAK HOUR TRAFFIC
FIGURE 8
W Reid Ave
W Henderson Ave
N Main St
S Jaye St
N Villa St
SR 65
N Prospect St
W Morton Ave
N Newcomb St
Olive Ave
N Mathew St
W Westfield Ave
W Westwood St
LEGEND
AM
PM
N


2035+PROJECT PEAK HOUR TRAFFIC
FIGURE 9
W Reid Ave
W Henderson Ave
N Main St
S Jaye St
N Villa St
SR 65
N Prospect St
W Morton Ave
N Newcomb St
Olive Ave
N Mathew St
W Westfield Ave
W Westwood St
LEGEND
AM
PM
N

INTERSECTION ANALYSIS

A capacity analysis of the study intersections was conducted using Synchro 9 software from Trafficware. This software utilizes the capacity analysis methodology in the Transportation Research Board's Highway Capacity Manual. The analysis was performed for the following AM and PM Peak Hour traffic scenarios:

- Existing (2017)
- Build Year (2018)
- Build Year + Project (2018)
- Future (2035)
- Future (2035) + Project

Criteria for intersection level of service (LOS) are shown in the tables below.

LEVEL OF SERVICE CRITERIA
UNSIGNALIZED INTERSECTION

Average Control Delay (sec/veh)	Level of Service	Expected Delay to Minor Street Traffic
≤ 10	A	Little or no delay
> 10 and ≤ 15	B	Short traffic delays
> 15 and ≤ 25	C	Average traffic delays
> 25 and ≤ 35	D	Long traffic delays
> 35 and ≤ 50	E	Very long traffic delays
> 50	F	Extreme delays

LEVEL OF SERVICE CRITERIA
SIGNALIZED INTERSECTIONS

Volume/Capacity	Control Delay (sec/veh)	Level of Service
< 0.60	≤ 10	A
0.61 - 0.70	> 10 and ≤ 20	B
0.71 - 0.80	> 20 and ≤ 35	C
0.81 - 0.90	> 35 and ≤ 55	D
0.91 - 1.00	> 55 and ≤ 80	E
> 1.0	> 80	F

Level of service for the study intersections is presented in Tables 3a and 3b. 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.

Table 3a
Signalized Intersection Level of Service
AM Peak Hour

#	Intersection	2017	Build Year 2018	Build Year 2018+ Project	2035	2035+ Project
1	N Newcomb St & W Morton Ave	C	C	C	C	C
2	N Westwood St & Olive Ave	C	C	C	D	D
3	Matthew St & Olive Ave	C	C	C	D	D
4	N Newcomb St & Olive Ave	B	B	B	C	C
5	SR 65 SB Off Ramp/SR 65 SB On Ramp & Olive Ave	C	C	C	C	C
6	SR 65 NB On Ramp/SR 65 NB Off Ramp & Olive Ave	B	B	B	B	B
7	N Villa St/S Villa St & Olive Ave	C	C	C	C	C
8	S Jaye St & Olive Ave	C	C	C	C	C

Table 3b
Signalized Intersection Level of Service
PM Peak Hour

#	Intersection	2017	Build Year 2018	Build Year 2018+ Project	2035	2035+ Project
1	N Newcomb St & W Morton Ave	C	C	C	C	C
2	N Westwood St & Olive Ave	C	C	C	C	C
3	Matthew St & Olive Ave	C	C	C	C	C
4	N Newcomb St & Olive Ave	B	B	B	C	C
5	SR 65 SB Off Ramp/SR 65 SB On Ramp & Olive Ave	B	B	B	C	C
6	SR 65 NB On Ramp/SR 65 NB Off Ramp & Olive Ave	B	B	B	C	C
7	N Villa St/S Villa St & Olive Ave	C	C	C	C	C
8	S Jaye St & Olive Ave	C	C	C	D	D

ROADWAY ANALYSIS

A capacity analysis of the study roadways was conducted using HCS software from McTrans. This software utilizes the capacity analysis methodology in the Transportation Research Board's Highway Capacity Manual. The analysis was performed for the following AM and PM traffic scenarios:

- Existing (2017)
- Build Year (2018)
- Build Year (2018) + Project
- Future (2035)
- Future (2035) + Project

Level of service for the study roadway segments is presented in Table 4.

Table 4
ROADWAY LEVEL OF SERVICE

Street	2017 Directional LOS		2018 Directional LOS		2018+Project Directional LOS		2035 Directional LOS		2035+Project Directional LOS	
	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM	N or E AM/PM	S or W AM/PM
N Newcomb St: W Morton Ave - Olive Ave	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: W Westwood St - N Mathew St	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: N Mathew St - N Newcomb St	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A	A/A
Olive Ave: N Newcomb - SR 65	A/A	A/B	A/A	A/B	A/A	A/B	B/B	A/B	B/B	A/B
Olive Ave: SR 65 - SR 65	A/A	A/B	A/A	A/B	A/A	A/B	B/B	A/B	B/B	A/B
Olive Ave: SR 65 - N Villa St	B/A	A/B	B/A	A/A	B/A	A/A	B/B	A/B	B/B	A/B
Olive Ave: N Villa St - S Jaye St	A/A	A/A	A/A	A/A	A/A	A/A	B/A	A/A	B/A	A/A

SUMMARY AND CONCLUSIONS

This study evaluated the potential traffic impact of a proposed commercial retail development along W. Olive Avenue, between S. Lotus Street and S. Beverly Street.

All intersections and roadways within the study area currently operate at acceptable levels of service and will continue to do so through 2035 with and without the addition of project traffic.

No mitigation is necessary for the existing and future conditions as a result of increased future traffic or project traffic from the proposed commercial development.

REFERENCES

1. 2013 Annual Traffic Census, TCAG
2. Highway Capacity Manual, Transportation Research Board
3. Tulare County General Plan, approved 2011
4. Manual on Uniform Traffic Control Devices for Streets and Highways, 2012 Edition, Federal Highway Administration (FHA)
5. Trip Generation, 9th Edition, Institute of Transportation Engineers (ITE)

APPENDIX

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MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the City of Porterville's Olive and Lotas Commercial Development Project (proposed Project). The MMRP lists mitigation measures recommended in the IS/MND 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.

Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
CUL-1 ▪ 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 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	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)
	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 avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code section 21083.2.	City of Porterville	During construction	City of Porterville	

	Mitigation Measure	Party responsible for Implementing Mitigation	Implementation Timing	Party responsible for Monitoring	Verification (name/date)
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.	City of Porterville	During construction and operation	City of Porterville	
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).	City of Porterville	During construction and operation	City of Porterville	
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 equipment (in accordance with the manufacturer's specifications) and by shrouding or shielding impact tools.	City of Porterville	During construction	City of Porterville	

RESOLUTION NO.____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF TENTATIVE PARCEL MAP 2016-040-P TO DIVIDE A 6.12± ACRE SITE INTO THREE PARCELS GENERALLY LOCATED AT THE SOUTH EAST CORNER OF OLIVE AVENUE AND LOTAS STREET

WHEREAS: The City Council of the City of Porterville at its scheduled meeting of April 18, 2017, conducted a public hearing to consider Tentative Parcel Map PRC-2016-040-P; and

WHEREAS: The City Council received testimony from all interested parties relative to said Tentative Parcel Map; and

WHEREAS: The Parcel Map Committee of the City of Porterville at its regularly scheduled meeting of March 22, 2017, conducted a public hearing to consider approval of Tentative Parcel Map 2016-040-P to divide a 6.12± acre vacant site into three (3) parcels as follows:

Parcel 1 – 2.65± acres
Parcel 2 – 1.25± acres
Parcel 3 – 1.87± acres

WHEREAS: The Parcel Map Committee discussed concerns and conditions relevant to the proposed project, provided the opportunity to the public and all interested parties to comment on the proposed parcel map; and

WHEREAS: On March 21, 2017, the Environmental Coordinator made a preliminary determination that in compliance with the California Environmental Quality Act, a Mitigated Negative Declaration would be appropriate for the proposed project; and

WHEREAS: The Parcel Map Committee has made the following findings:

1. That the proposed parcel map is consistent with applicable general and specific plans.

2. The proposed use of the site shall be required to be operated and maintained to comply with State Law, the City of Porterville Development Ordinance, adopted Building Codes and all other applicable laws and ordinances.

4. The design and improvements of the parcel map and the proposed project are consistent with the General and Service Commercial General Plan designation, as represented in Exhibit A.

5. That the site is physically suitable for the type and density of the proposed development.

The subject site is flat. Conformance with the City Storm Drain Master Plan, and requirements relative to grading, the California Building Code, etc., will be required. Additionally, compliance with federal, State and local regulation requiring that storm water runoff monitored and maintained free of heavy concentration of pollutants will mitigate this potential impact to a level of insignificance (NPDES standards).

6. That the design of the parcel map or proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

   The subject site is already developed as a truck yard, and has been consistently used and occupied since its initial development over 50 years ago. No habitat exists on site.

7. That the design of the parcel map or type of improvements will not cause serious public health problems.

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

8. That the design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed parcel map.

NOW, THEREFORE, BE IT RESOLVED: That the Parcel Map Committee does hereby recommend that the City Council review and approve Tentative Parcel Map 2016-040 subject to the following conditions:

1. The project shall comply with all local, State, and federal laws, summarized in part through comments provided by the Project Review Committee in the letter dated December 22, 2016.

2. An easement shall be recorded prior to the issuance of the first building permit that provides ingress/egress, parking, trash and connectivity throughout all three parcels of the development.

3. The developer/applicant shall cause all unnecessary easements to be vacated prior to or in conjunction with the Parcel Map processing.

4. As shown on Exhibit A, the drive aisle, including pedestrian path, between Parcels 1, 2 and 3 shall be fully developed and provide connectivity from Olive Avenue with issuance of first building permit. If Parcels 2 or 3 develop first, then both the drive aisle from Olive Avenue between all three parcels and the drive aisle connecting the development to Lotas Street shall be constructed concurrent with the development. The shared driveway between

Parcels 1 and 3 on Slaughter Avenue shall be fully developed upon issuance of the first permit of either of the affected parcels.

5. As development of any parcel occurs, all right of way improvements along that parcel's frontage shall be constructed, as represented in Exhibit A. In the event Parcel 3 should develop prior to Parcel 2, the frontage improvements shall be completed for Parcel 2 at that time.

6. The developer/applicant shall submit design master plans consisting of combined grading and drainage and sewer and water utilities to ensure the proper functioning and/or phasing of the development. These plans are to be reviewed and approved by the City Engineer. If the City Engineer determines that construction of improvements is needed to protect public health and safety or for orderly development of the surrounding area, the developer/applicant shall construct or provide a surety for said improvements.

7. Prior to issuance of any building permit for the Project, access easements for ingress/egress, parking, parking lot maintenance and trash pick-up shall be recorded as deemed necessary by the City Engineer and Community Development Director. Copies of the easements shall be provided to the City.

8. The developer/applicant shall dedicate a one foot limitation of access (restrictive vehicular access) strip at locations where, in the opinion of the City Engineer, it is undesirable to allow access.

9. Unless otherwise noted, the developer/applicant shall comply with the City Master Plans and Standard Drawings, Standard Specifications for Public Works Construction (2015 Edition), and Standard Plans and Specifications (2015 Standards), except where they are in conflict with current access compliance regulations, the current California Building Code, the Tulare County Hazardous Waste Management Plan, the California Manual on Uniform Traffic Control Devices, the Porterville Circulation Element, and the Tulare County Congestion Management Program.

10. The developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc. along all street frontages, except where they exist and are in good condition in the opinion of the City Engineer at the time of inspection prior to building permit issuance (Ordinance No. 1306). Existing frontage improvements were evaluated and determined that a portion of the improvements are non-compliant.

    Developer/applicant shall construct curb and gutter, 6' parkway and 6' sidewalk along the frontage of the property on S. Lotas Street, W. Slaughter Avenue, and S. Beverly Street. Developer/applicant shall construct 8' parkway and 8' sidewalk along the frontage of W. Olive Avenue. Existing driveways that are not a function of the facility shall be removed and replaced with curb, gutter and sidewalk. The developer/applicant shall remove and replace the non-compliant curb return at the intersection of Olive Ave and S. Beverly St., S. Beverly St. and W. Slaughter Ave., W. Slaughter Ave and S. Lotas St., and S. Lotas St. and Olive Ave. per City standards 20' curb return (existing 15'± radius at Lotas St. and

Olive Ave. can be maintained to prevent relocation of existing power pole). The developer/ applicant shall be responsible for any and all street paveouts required to tie proposed improvements into existing street sections.

11. The developer/applicant shall dedicate a 6' right-of-way on Olive Ave. to allow for an 8' parkway and 8' sidewalk. The developer/applicant shall dedicate a 5' right-of-way on S. Beverly St. and W. Slaughter Ave. to allow for a 6' parkway and 6' sidewalk. The developer/applicant shall dedicate a 10' right-of-way on S. Lotas St. to allow for a 6' parkway and 6' sidewalk. Additionally, the developer/applicant shall dedicate the required property for accessible ramp(s).

12. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, before the issuance of a certificate of occupancy (e.g., foundations, septic tanks, irrigation pipes, etc.).

13. The developer/applicant shall abandon existing wells, if any, after first getting an abandonment permit from the Tulare County Environmental Health Department, and providing the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.

14. The developer/applicant shall install a lighted crosswalk across Olive Ave., along the west side of Olive Ave. and S. Beverly Street upon issuance of the first building permit pulled.

15. An existing moratorium is in place on Olive Avenue. The moratorium prevents open cuts within Olive Street until October 2017.

16. Existing water lines in the proximity of the subject parcels are not adequately looped and do not meet City standard diameter sizing (6" diameter minimum). The developer/applicant is required to develop a water system that is redundant and meets current City standards, or as necessary to meet Fire Code.

17. The developer/applicant shall be required to install sewer mains along parcel frontages where none exists, to City standards (6" diameter minimum).

18. 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.

19. The dedication of easements or any other potential dedications shall be clearly identified on the Parcel Map. A Dedications Statement shall be placed on the map that reads:

    "Pursuant to the authority conferred by the City of Porterville, Ordinance No. 1590, adopted February 20, 2001, the undersigned, on behalf of the Public and City Council of the City of Porterville consents to the acceptance and recordation of the _____ dedication(s) as shown on this map.

Dated this _____ day of _____, 20__

By Javier Sanchez, Acting City Engineer RCE 70356"

20. Prior to recording the Parcel Map, the developer/applicant shall provide improvements by the method indicated below:

    Simultaneous recording of a separate legal instrument or placement of a statement on the Parcel Map, if appropriate, that reads as follows:

    "In accordance with Section 66411.1 of the Government Code, the construction of on-site and off-site improvements, such as but not limited to, curbs, gutters, sidewalks, driveways, paveouts, pavement transitions, traffic signage, markings, water mains and sewer mains, utilities, grading, parking lot improvements, well abandonment (if any), removal of irrigation lines (if any), etc. has been deferred until such time as a permit or other grant of approval for development of the parcel is issued. Such construction may be phased when only a portion of the parcels shown herein receive such approval. The phased construction shall consist of all improvements related to the specific parcels plus that required to make the installed improvements function."

21. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. All hydrants must be in place and accepted by the Fire Department prior to any combustibles being brought onto the site.

22. The City will test and maintain all fire hydrants in the City whether on private property or not. Right of access is required from the owner.

23. Access roads shall be provided for every facility, building or portion of a building, when any portion of the facility or portion of an exterior wall is located more than 150 feet from a fire apparatus access as measured by an approved route around the exterior of the building.

24. Project must meet minimum fire flow requirements per the table in Appendix B and C of the California Fire Code. Fire flow for the project as proposed would be 1,500 GPM.

25. Areas identified as "Fire Lanes" must be identified as such by red painted curbs and identified per requirements set forth in the California Vehicle Code Section 22500.1.

26. The project shall comply with all mitigation measures identified in the approved California Environmental Quality Act document approved via Resolution ___-2017.

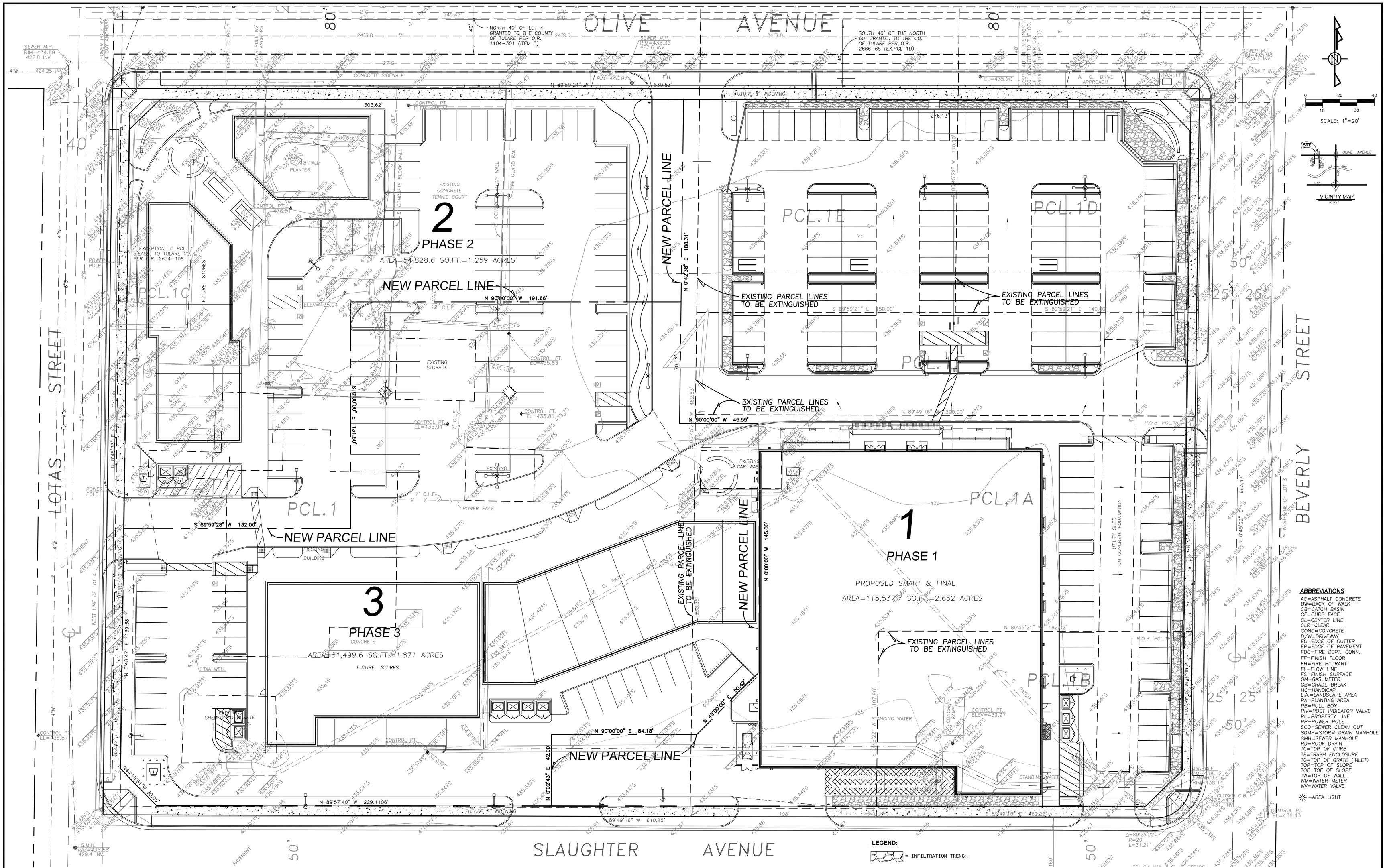
PASSED, APPROVED AND ADOPTED this 18th day of April, 2017.

By: _____
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



LEGAL DESCRIPTION:
LOT 4 OF PUTNAM AND BOATMANS SUBDIVISION, IN THE COUNTY OF TULARE, STATE OF CALIFORIA, AS PER MAP RECORDED IN BOOK 4, PAGE 28 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPT THE SOUTH 160.00 FEET THEREOF.

NOTE: PCL. NUMBERS REFER TO ORIGINAL DESCRIPTION PARCELS.

OWNERS:
LARRY YOUNG & JODY YOUNG,
TRUSTEES OF THE LARRY AND JODY YOUNG FAMILY TRUST

PREPARED BY:

PFEILER & ASSOCIATES ENGINEERS, INC.
CIVIL ENGINEERING & LAND SURVEYING
22609 La Palma Avenue, Suite 202/203 Yorba Linda, CA 92887
Telephone (909) 993-5800 Fax (909) 993-5801

BASIS OF BEARINGS:
THE BEARING OF NORTH 89° 59'21" WEST FOR THE CENTERLINE OF OLIVE AVENUE, SHOWN AS EAST ON PUTNAM AND BOATMANS SUBDIVISION, M.B. 4/28.

BENCHMARK: CITY OF PORTERVILLE #10978
CHISLED SQUARE IN CONCRETE CURB RETURN SOUTHEAST CORNER OF ROBY AVENUE AND BEVERLY STREET.
ELEVATION = 437.180 (1977 ADJ., VERTCON)

AREA = 266,294 SQUARE FEET = 6.133 ACRES (GROSS)
251,869 SQUARE FEET = 5.782 ACRES (NET)

ASSESSORS PARCEL NO. 259-07-045

NOTE: EXISTING SITE WILL BE FULLY DEMOLISHED, NEW DEVELOPMENT WILL HAVE RECIPROCAL EASEMENTS FOR INGRESS, EGRESS, PARKING AND CROSS LOT DRAINAGE, SITE WILL INFILTRATE TO SITE INFILTRATION TRENCHES.

EASEMENTS WERE PLOTTED BASED ON FIRST AMERICAN TITLE COMPANIES PRELIMINARY REPORT NO. 5405-5251015 DATED FEBRUARY 17 2017.
1. TAXES
2. LIEN OF SUPPLEMENTAL TAXES.
3. EASEMENT FOR PUBLIC HIGHWAY PURPOSES RECORDED DECEMBER 2, 1944 IN O.R. BOOK 1104, PAGE 301. (PLOTTED)
4. COVENANTS , CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED NOVEMBER 14, 1955 AS INSTRUMENT NO. 35369, O.R. BOOK 1871, PAGE 310.
5. EASEMENT FOR PUBLIC ROAD PURPOSES RECORDED JANUARY 26, 1966 AS INSTRUMENT NO. 3269, O.R. BOOK 2634, PAGE 108. (PLOTTED)
6. DEED OF TRUST
7. DEFECTS, LIENS, ENCUMBRANCES
8. RIGHTS OF THE PUBLIC IN AND TO ROADS, STREETS, ALLEYS OR HIGHWAYS.
9. WATER RIGHTS
10. RIGHTS OF PARTIES IN POSSESSION.
11. TITLE MATTERS

TENTATIVE PARCEL MAP

PRC 2016-040-P

44 SOUTH LOTAS STREET

PORTERVILLE, CALIFORNIA

9 MARCH 2017

SHEET 1 OF 1 SHEET
2017-005A

Community Development Department

December 22, 2016

Courtney + Le Architects
c/o Kevin Le
801 S Myrtle Ave
Monrovia, CA 91016

RE: PRC 2016-040 Change of Occupancy and Commercial Retail Development of approximately 60,654 square feet with 210 parking stalls at 44 S Lotas St in General and Commercial zoning districts

Next Level of Submittal: SEE ATTACHED

Dear Whom It May Concern:

[ ] The Project Review Committee, during the course of its regularly scheduled meeting of has determined that materials and data submitted for City review of the above-referenced project are complete as of this date and the procedural steps for consideration of those items shall commence as of _____.

[X] This item has been deemed incomplete pursuant to California Government Code Section §65920. The Project Review Committee, during the course of its regularly scheduled meeting of **November 16, 2016** determined that additional materials, forms, fees and/or data submitted for City review of the above-referenced project are required. Please see attached.

cc: Parks and Leisure Services
Building Division
Police Department
Fire Department
File Copy

The Project Review Committee (PRC) has reviewed the proposed project. The following topics and requirements were discussed at the Project Review Committee (PRC) Meeting on **November 16, 2016.**

The applicant is proposing a commercial retail development along Olive Avenue between Lotus and Beverly Streets. The project consists approximately 60,654 square feet of retail space with 267 parking stalls on 6.24 acres in the GC (General and Service Commercial) zone district.

Please note the following comments and conditions, and amend the submitted plans as noted below:

1. The following are standard applications and fees required for a Conditional use Permit, which is required because greater than 50,000 square feet of residential development is proposed.
   - Conditional Use Permit: $1,164.00
   - Environmental Fee: See comment 2, below.
   - County Filing Fee: To be determined based on level of environmental review (Make check payable to Tulare County Clerk)
   - Noticing map and labels - 300' radius from property: $26.50. Please note this is an optional fee for the City to provide the required map and mailing labels.

2. The proposed project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). The City retains three on-call consultants to prepare such documents. Fees are based on actual consultant cost, plus 10% contingency, plus 10% administrative cost.

3. The developer/applicant shall submit a fee made payable to the Tulare County Clerk in the appropriate amount for the State Department of Fish and Wildlife review and the Tulare County Clerk filing fee. The amount will be determined once the level of environmental review has been established.

4. The proposed site plan shows parcel lines which are not identified in city records. Depending on the intent of what the developer ultimately would like to do, a Parcel Merger or Lot Line Adjustment would be required. The developer/applicant shall have a registered Civil Engineer or Land Surveyor prepare and submit a Parcel Merger/Lot Line Adjustment in order to provide parcel configuration that meets the requirements of all applicable codes.

5. Pursuant to Section 300.11 Public improvements shall be provided in compliance with the following standards to any property or lot where public improvements were never constructed or installed to City standards, or where such public improvements for whatever cause have deteriorated to a condition that they that they no longer adequately serve their intended purpose. An applicant for a Conditional Use Permit or building permit shall be required to provide for said public improvements along the frontage.

6. The project submittal did not include elevations of the façades of the building. Pursuant to Porterville Development Ordinance (P.D.O.) 203.03(a) buildings shall provide adequate articulation and detail to avoid a bulky and box-like appearance. The building façade shall be articulated with measures such as, indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame, and projecting elements, such as awnings or marquees to provide shade and shelter.

7. The project as proposed shows five commercial establishments. Pursuant to P.D.O. 203.04(c) commercial centers containing four or more establishments in the commercial use classification are subject to the following standards and criteria for approval.

   Standards:
   - *Entry Plazas/Passenger Loading Areas.*
   - *Pedestrian Walkways*
   - *Parking Setback from Buildings.*
   - *Location of Loading and Service Areas.*

   Design Criteria, in order to receive permit approval for a commercial center, the review authority shall find that all of the following criteria have been met:

   - Integrated Theme. Buildings and structures will exhibit an integrated architectural theme that includes similar or complementary materials colors and design details.
   - Building Entrances. Building entrances to anchor tenants and other large stores are prominent and inviting. The architectural details of building entrances are integrated with the overall building design in terms of materials, scale, proportion, and design elements.
   - Four-Sided Architecture. Buildings include a complementary level of design detail on all facades.
   - Pad Developments. Freestanding pad developments, if included in the development, are integrated into the site design in terms of parking lot layout, on-site vehicular and pedestrian circulation routes, landscaping, and building design. Internal cross access is provided between pad developments and the surrounding commercial center. Building scale, materials, colors, and design details are complementary to the surrounding center.
   - Drive-Through Facilities. Drive-through lanes for restaurants, banks, pharmacies, and other uses, where included, are integrated into the design in terms of parking lot layout, on-site vehicular and pedestrian circulation routes, layout in such a way as to provide safe, efficient vehicular and pedestrian circulation. Adequate vehicular stacking or queuing spaces are provided to avoid waiting vehicles from blocking drive aisles, Drive-through facilities are located to as to minimize the visual impact from the right of way and to provide adequate screening from internal uses.
   - Vehicular Circulation. Safe, convenient vehicular circulation will be provided within the development through an appropriate system of internal vehicular circulation routes based on a hierarchy of drive aisles and cross routes. Vehicular and pedestrian conflicts will be minimized. Where pedestrian circulation routes cross vehicular traffic aisles and driveways within a development, there are clearly delineated crosswalks that include clear sight lines, adequate warning signage for both vehicles and pedestrians, adequate lighting, and protective barrier posts or similar features for separation at walkway entrances.

- Pedestrian Safety and Amenities. Safe and convenient pedestrian access will be provided through a continuous system of walkways that connects on-site buildings to one another, to automobile and bicycle parking areas, to any on-site open space areas or pedestrian amenities, and to the adjacent public right-of-way. Pedestrian facilities will create an attractive, quality environment with integrated landscaping, shading, lighting, surface treatment, and other amenities.
- Entry Plazas. Entry plazas and passenger loading areas, where required, include unique decorative paving materials, adequate seating areas, and provision of adequate shade from the summer sun, and attractive landscaping including trees or raised planters.
- Transit Facilities. Transit facilities, where included, are developed with effective shading from the summer sun, comfortable seating, attractive landscaping, decorative paving, public art features and efficient pedestrian routes to adjacent development.
- Lighting. A combination of attractively designed and located lighting fixtures, including low pole lights, ground-mounted fixtures, light bollards, and architectural lighting is used to provide interesting compositions for outdoor lighting, as well as a safe, secure environment.
- Shade Areas. Pedestrian areas, such as walkways, building entrances, and gathering areas, are adequately shaded from the summer sun through such techniques as the careful placement of trees and landscaping, trellis structures, projecting canopies, covered walkways, arcades, porticos, building orientation, and similar techniques.

8. The number of parking stalls required for retail is calculated as one per 250 square feet of floor area. The number of parking spaces for restaurants is calculated as one per 75 square feet of customer seating area; no parking is required for outdoor seating when seats provided equal 50 percent or less of total indoor seating.

9. All parking stalls shall be clearly outlined with striping, and all aisles, approach lanes and turning areas shall be clearly marked with directional arrows and lines as necessary to provide for safe traffic movement.

10. A minimum of ten percent of any parking lot area shall be landscaped. For the purpose of calculating required parking lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas.

11. A landscaped island at least six feet in all interior dimensions and containing at least one 15 gallon size tree shall be provided at each end of each row of parking stalls and between every eight consecutive parking stalls.

12. Trees shall be planted to result in 50 percent shading of parking lot surface areas within fifteen years or provide a tree in landscaped islands between every six parking spaces.

13. Pursuant to Section 304.10(i)(5) of the Porterville Development Ordinance, a landscaped buffer area shall be provided between any surface parking area and any property line adjacent to a public street. The landscaped buffer shall have a minimum width of six feet clear of overhang.

14. Pursuant to Section 304.10(i)(6) of the Porterville Development Ordinance, a landscaped area at least three feet wide shall be provided between the outside edge of any surface parking area and any adjacent lot for the length of the parking area and a five feet wide landscaped area shall be provided where commercial abuts an R District.

15. Pursuant to Section 304.10(j)(4) of the Porterville Development Ordinance, separate vehicular and pedestrian circulation systems shall be provided where possible. Parking areas for commercial and mixed-use developments that are 80 feet or more in depth and/or include 50 or more parking spaces shall have distinct and dedicated pedestrian access from the commercial use to parking areas and public sidewalks, according to the following standards:

    - Connection to Public Sidewalk. An on-site walkway shall connect the main building entry to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main building entry and sidewalk, no more than one hundred 125 percent of the straight-line distance.

    - Materials and Width. Walkways shall provide at least five feet of unobstructed width and be paved with concrete, stone, tile, brick, or comparable material.

    - Identification. Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, a different paving material, or similar method.

    - Separation. Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it shall be raised and separated from the auto travel lane by a raised curb at least four (4) inches high, bollards, or other physical barrier.

16. Screening of parking lots from adjacent public streets shall be three feet in height. Screening along interior lot lines that abut residential districts shall be six feet in height, except within the required front setback of the applicable zoning district, where screening shall be three feet. Screening may consist of one or any combination of the methods listed below:

    - Walls. Low-profile walls consisting of decorative concrete, stone, or masonry materials.

    - Fences. An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. This option does not include the use of chain-link or vinyl fencing.

    - Planting. Plant materials consisting of compact evergreen plants that form an opaque screen. Such plant materials shall achieve a minimum height of two feet within 18 months after initial installation.

    - Berms. Berms planted with grass, ground cover or other low growing plant materials.

17. The developer/applicant shall comply with Section 300.07 of the Porterville Development Ordinance for Lighting and Illumination. Public parking areas designed to accommodate ten or more vehicles shall be provided with a minimum of one-half foot candle and a maximum average of three foot-candles of light over the parking surface during the hours of use from one-half hour after dawn. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination. Parking lot lighting shall to the maximum extent feasible be designed and installed so that light and glare is not directed onto residential use areas or adjacent public rights of way, consistent with Chapter 306, Performance Standards.

18. A photometric plan shall be included with the building permit submittal that illustrates compliance to Section 304.10 (g), Parking Area Design and Development Standards, of the Porterville Development Ordinance.

19. Pursuant to Section 303.04 (c) the portions of a building façade that face onto a customer parking lot or front a public street shall have one or more landscape planters installed along a minimum twenty percent of that building face. The minimum width of the planter shall be three feet. This standard does not apply where a building is located on the front or corner side property line and there is no setback between the building and the property line.

20. The developer/applicant shall comply with Ordinance No. 1830, as it relates to water conservation and Landscaping irrigation. Ordinance No. 1830 contains landscaping design principles, irrigation design criteria, grading design requirements and other landscaping and irrigation requirements. Natural turf shall be prohibited. A landscaping plan shall be included with the building permit submittal.

21. The developer/applicant shall comply with Section 300.13 of the Porterville Development Ordinance (Trash and Refuse Collection Areas) as follows:

    - Solid waste and recycling storage areas located outside or on the exterior of any building shall be enclosed per City standards for refuse and recycling enclosures.

    - Enclosure material shall be solid masonry or concrete tilt-up with decorated exterior-surface finish compatible to the main structure(s).

    - Gate material shall be decorative, solid, heavy-gauge metal or a heavy-gauge metal frame with a covering of a view-obscuring material. If not visible from a public street, public parking area, or residential area, the enclosure gates may be constructed of chain link with wood or plastic inserts.

    - Each solid waste and recycling enclosure serving a residential project shall be designed to allow walk-in access without having to open the main enclosure gate.

    - Pads shall be a minimum of six (6) inch-thick concrete.

    - Concrete curbs or equivalent shall protect enclosures from adjacent vehicle parking and

travel ways.

- The perimeter of the recycling and trash enclosure, except for areas used for access, shall be planted, if feasible, with drought resistant landscaping, including a combination of shrubs and/or climbing evergreen vines.

- The area in front of all enclosure types shall be kept clear of obstructions, and shall be painted, striped, and marked "No Parking."

22. Pursuant to Section 300.15 all electrical, telephone, cable television and similar distribution lines providing direct service to a development site shall be installed underground within the site.

23. The developer/applicant shall comply with General Plan Implementation Policy C-1-21 develop a series of continuous walkways within new office parks, commercial districts and residential neighborhoods so they can connect to one another.

24. Unless otherwise noted, the developer/applicant shall comply with the City Master Plans and Standard Drawings, Standard Specifications for Public Works Construction (2015 Edition), and Standard Plans and Specifications (2015 Standards), except where they are in conflict with current access compliance regulations, the current California Building Code, the Tulare County Hazardous Waste Management Plan, the California Manual on Uniform Traffic Control Devices, the Porterville Circulation Element, and the Tulare County Congestion Management Program.

25. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). You have 90 days from the date fees are paid to file a written protest.

26. If developer/applicant anticipates that interstate (extra length) trucks will service this property, then the developer/ applicant shall pay the required fee and apply for revision to the STAA Truck Route before issuance of the building permit.

27. The developer/applicant shall file an "Underground Storage Tank Closure" application and obtain a "Permit to Abandon" from Tulare County Division of Environmental Health Services prior to the excavation and removal of any underground storage tanks. The developer/applicant is required to provide the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.

28. The developer/applicant shall submit design master plans consisting of combined grading & drainage and sewer & water utilities to ensure the proper functioning and/or phasing of the development. These plans are to be reviewed and approved by the City Engineer. If the City Engineer determines that construction of improvements is needed to protect public health and safety or for orderly development of the surrounding area, the developer/applicant shall construct or provide a surety for said improvements.

29. The developer/applicant shall identify phasing and/or the phase line on the parcel merger for the project. The parcel merger shall illustrate the parcel configurations presented on the site plan and illustrate any additional right of way dedications required for the project.

30. Easement(s) shall be in place that allow for mutual ingress, egress and maintenance of the parking lot.

31. Easement(s) shall be in place that allow for mutual use of sewer and water, if applicable.

32. The developer/applicant shall dedicate a one foot limitation of access strip at locations where, in the opinion of the City Engineer, it is undesirable to allow access.

33. The developer/applicant shall comply with Appendix J, "Grading" of the current California Building Code, including provision of a grading and drainage plan signed by a licensed civil engineer. Drainage calculations must be submitted to verify that reduced drainage area will capture necessary runoff.

34. The developer/applicant shall comply with City Retaining Wall Standards (adopted by City Council January 3, 1989) at lot lines where such standards are applicable.

35. The developer/applicant shall provide a geotechnical report in conformance with Chapter 18 of the current California Building Code (CBC). The scope of the geotechnical investigation including the number and types of borings and/or soundings, the equipment used to drill or sample, the in-situ testing equipment and the laboratory testing program shall be determined by a registered Civil or Geotechnical Engineer. At a minimum, the report shall investigate the conditions identified in section 1803.5 CBC. Additionally, per section 1803.7, a geologic investigation shall be included within the report. Where required for the construction of public improvements, the geotechnical report shall also include R-Value testing, expansion indexes, etc.

36. Offsite frontage improvement are triggered when the building permit valuations is over $22,151 (Per City of Ordinance No. 1644 and adjusted annual by the Engineers New Record). In such a case, the developer/applicant shall construct and/or repair street, curb, gutter, sidewalk, etc. along the full parcel frontage, except where they exist and are determined to be in good condition and in compliance with current accessibility standards in the opinion of the City Engineer (Ordinance No. 1306). Existing frontage improvements were evaluated and determined that a portion of the improvements are non-compliant.

    Developer/applicant shall construct curb and gutter, 6' parkway and 6' sidewalk along the frontage of the property on S. Lotas Street, W. Slaughter Avenue, and S. Beverly Street. Developer/applicant shall construct 8' parkway and 8' sidewalk along the frontage of W. Olive Avenue. Existing driveways that are not a function of the facility shall be removed and replaced with curb, gutter and sidewalk. The developer/applicant shall remove and replace the non-compliant curb return at the intersection of Olive Ave and S. Beverly St., S. Beverly St. and W. Slaughter Ave., W. Slaughter Ave and S. Lotas St., and S. Lotas St. and Olive Ave. per

City standards 20' curb return (existing 15'± radius at Lotas St. and Olive Ave. can be maintained to prevent relocation of existing power pole). The developer/ applicant shall be responsible for any and all street paveouts required to tie proposed improvements into existing street sections.

37. The developer/applicant shall dedicate a 6' right-of-way on Olive Ave. to allow for a 8' parkway and 8' sidewalk. The developer/applicant shall dedicate a 5' right-of-way on S. Beverly St. and W. Slaughter Ave. to allow for a 6' parkway and 6' sidewalk. The developer/applicant shall dedicate a 10' right-of-way on S. Lotas St. to allow for a 6' parkway and 6' sidewalk. Additionally, the developer/applicant shall dedicate the required property for accessible ramp(s).

38. The developer/applicant shall comply with driveway vehicular sight distance requirements per Section 300.16 of the Development Ordinance and driveway separation from property line per City standards. Maximum driveway width shall be 50'.

39. The developer/applicant shall design the parking lot in conformance with Chapter 304 of the Development Ordinance if the project includes establishment, alteration, expansion, or change in any use or structure. Minimum cross slopes within the parking lot shall be 1.5% for asphalt concrete or 1% for concrete paving areas.

40. The developer/applicant shall design the parking lot stall layout such that parked cars will not back into the onsite drive aisle that connects off of W. Olive Ave. and S. Lotas St.

41. The developer/applicant shall provide a site plan that illustrates truck-turning movements within the parking lot, where applicable. The site plan shall be approved prior to issuance of a building permit application. (This requirement includes, but is not limited to, refuse trucks.)

42. The developer/applicant shall maintain existing traffic circulation and vehicular movements along all perimeter streets.

43. The developer/applicant shall install a lighted crosswalk across Olive Ave., along the west side of Olive Ave. and S. Beverly Street.

44. An existing moratorium is in place on Olive Avenue. The moratorium prevents open cuts within Olive Street until October 2017.

45. The developer/applicant shall install a dual refuse container enclosure that will accommodate solid waste and recyclable materials removal or collection according to City Standards (Sec. 13-15). The enclosure location is to be approved by the City prior to the issuance of the building permit. The enclosure should be oriented for direct pick up. An accessible path to the enclosure must be provided for employee use to comply with current accessibility standards. The developer/ applicant shall also sign a waiver of liability for refuse truck damage to the parking lot if the refuse container location requires refuse trucks to travel on the parking lot.

46. The developer/applicant shall comply with City Standard for "backflow" prevention pursuant

to Resolution No. 9615 (1981). A double backflow preventer is required off the water main and is to be located in an above ground enclosure.

47. 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.

48. The developer/applicant is hereby notified that the installation of an additional water meter, servicing the irrigation system, is required for monitoring actual water usage if the landscape area is 1000 square feet or more. The City will require payment of impact fees based on estimated usage and will monitor actual water usage for one year. The City will bill/credit the owner the difference between the estimated impact fees paid and the actual water usage.

49. The developer/applicant shall design on-site water systems meeting the requirements of the current California Plumbing and Fire Codes. It shall be noted that the City water system complies with Title 22 of the California Administrative Code and any assurance to effectively provide water pressure for multi-story buildings is the sole responsibility of the owner/builder.

50. The developer/applicant shall construct drainage facilities as required to serve the property (Ordinance No. 1306). The parking lot is to be designed to convey water to the City drainage system without crossing driveways.

51. The developer/applicant shall move (or provide accessible path of travel around) existing utility structures (i.e., poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet of clear space in the sidewalk area and a minimum of two feet of clear space from the curb face to the structure, unless the utility structures are below grade (Title 24 OSA).

52. The developer/applicant shall provide street lights around the project perimeter on Marbelite poles following Southern California Edison Company specifications, as approved by the City Engineer. Spacing between street lights shall not exceed 160 feet. Wood poles are expressly prohibited without prior written approval of the City Engineer.

53. The developer/applicant shall, under City inspection, remove all existing abandoned and unnecessary items, to the satisfaction of the City Engineer, before the issuance of a certificate of occupancy (for example, foundations, septic tanks, irrigation pipes, etc.).

54. The developer/applicant shall abandon existing wells, if any, after first getting an abandonment permit from the Tulare County Environmental Health Services Division. The developer/applicant is required to provide the City Engineer with proof of compliance with County regulations before performing any grading or issuance of the building permit, whichever comes first.

55. The developer/applicant shall assure compliance with Section 7-8, Work Site Maintenance of the Standard Specifications. Applicable requirements from both San Joaquin Valley Unified Air Pollution Control District Regulation VIII, Fugitive PM10 Prohibitions and the California Green Code Standards must also be met. During grading operations the "Supervising Civil Engineer" shall be responsible for enforcing the dust control provisions of Section 7-8 or the

developer/applicant shall pay inspection fees on the grading cost to compensate the City for dust control inspection.

56. The developer/applicant shall not allow onsite runoff or debris outside of the limits of the property during construction. Applicable best management practices (BMPs) shall be implemented to protect the City's drainage system and inhibit vehicle track-out onto City streets. The improvement plans shall show the location of BMPs and areas designated for erosion and waste control. The developer/applicant shall remove and properly dispose of waste and spills deposited in the project area.

57. The developer/applicant is advised that they are obligated to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for discharge of Storm Water Associated with construction activity will be required (except operations that result in disturbance of less than one acre of total land area and which are not a part of a larger common plan of development or sale). Before construction begins, the proponent must submit a Notice of Intent (NOI) to comply with the permit, a site map, and appropriate fee to the State Water Resources Control Board (SWRCB). The proponent must also prepare a Storm Water Pollution Prevention Plan (SWPPP) for the entire project before construction begins. The SWPPP must contain at a minimum all items listed in Section A of the permit, including descriptions of measures to be taken to prevent or eliminate unauthorized non-storm water discharges and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, detention basins, etc.) best management practices that will be implemented to prevent pollutants from discharging with storm water into water of the United States. If portions of the project area are to be sold off before the entire project is completed, the proponent must submit to the California Regional Water Quality Control Board a change of information form identifying the new owners along with a revised site map clearly depicting those portions that were sold and those that are remaining. The proponent is also responsible for informing each new owner of their responsibility to submit their own NOI, site map, and appropriate fee to the SWRCB and to prepare their own SWPPP.

58. San Joaquin Valley Air Pollution Control District (District) Adoption of Rules 9510 and 3180 – Indirect Source Review (ISR) Rules:

    The San Joaquin Valley Air Pollution Control District enforces the Indirect Source Rule (ISR). ISR applies to projects that are at least:

    - 50 residential units
    - 2,000 square feet of commercial space
    - 9,000 square feet of educational space
    - 10,000 square feet of government space
    - 20,000 square feet of medical or recreational space
    - 25,000 square feet of light industrial space
    - 39,000 square feet of general office space
    - 100,000 square feet of heavy industrial space
    - Or, 9,000 square feet of any land use not identified above.

Projects that meet the above thresholds but are found through the application process to have mitigated emissions of less than two tons per year each of nitrogen oxides and PM10 (particulate matter 10 microns and smaller) are not subject to the emission-reduction requirements of the rule.

For more information regarding the Indirect Source Rule, please contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000.

59. The developer/applicant shall submit three complete sets of plans, signed by a licensed Architect or Engineer, including two sets of energy calculations and structural calculations.

60. Plan submittals shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.

61. Plan submittals shall comply with all current applicable Codes. Per the discussion held at the Project Review Committee meeting; please pay particular attention to the following requirements:

    - Retail food stores with 8,000 or more square feet of conditioned area, and have refrigerated displays or walk-in coolers, shall have a head-recovery system per Section 120.6(b) of the California Energy Code (CEC).
    - Tenant spaces shall be separated with fire-partitions per Section 708 of the California Building Code (CBC).
    - Anchor building(s) shall be separated from other buildings with a 2-hour firewall per CBC Section 707.
    - Buildings located at or near property lines shall have 2-hour firewalls for each direction; 4-hour total separation per CBC Table 602.

62. The developer/applicant shall make payment of the required plan check fees at the time of building permit plan submittal.

63. The developer/applicant shall provide soil compaction test(s) as required by the applicable building code sections.

64. The developer/applicant shall pay School Development fees and all other City fees at the time table determined by current City Ordinance.

65. The developer/applicant shall pay all fees according to the Municipal Code and State Law.

66. The developer/applicant shall obtain plan approval from the Tulare County Health Department and provide proof of said approval to the City of Porterville Building Department prior to the issuance of the building permit.

67. Restrooms, main entrance/s, and paths of travel from the required accessible parking stalls and public sidewalk shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.

68. Plan submittals shall include the installation of bike racks if the occupant load is ten or more per California Green Code.

69. Plan submittals shall include the installation of Clean Air parking stall(s) if ten or more parking stalls are required for the project per California Green Code.

70. Plan submittals shall include a Commissioning Plan for all buildings over 10,000 sq ft. per California Green Code.

71. Compliance forms and worksheets are required to be included on all plan submittals per California Green Code.

72. All construction offices, storage containers, etc. planned and/or intended for temporary use during construction must receive approval from the Chief Building Official through a separate permit process prior to their installation and/or placement on the property and must be removed from the jobsite prior to final occupancy being requested and/or approved.

73. The developer/applicant shall submit a racking plan with supporting engineering calculations, if applicable to the project.

74. Signs require separate plan submittal and separate permit per the Development Ordinances.

75. Tulare County Health Department must conduct their inspection and provide approval of the building construction prior to final occupancy being requested/granted by the City of Porterville.

76. The Building Official has designated the proposed construction to be a "M" Occupancy Classification.

77. Allow two weeks review time for the initial plan check submittal and an additional two weeks review time for each subsequent re-submittal.

78. See attached plan check list.

79. No deferred items. Plans submitted with deferred items will automatically be rejected and are not guaranteed a complete plan review prior to said rejection.

80. The project must comply with latest applicable codes.

81. Additional hydrants will be required as per appendix C table C105.1

82. No obstructions, including walls, trees, light and signposts, meter, shall be placed within Three

feet of any hydrant.

83. Knox box will be required. A "Grand Master" key that opens all locked areas including locked gates will also be required and placed inside the Knox Box. An application and ordering is done on line at the Knox box web page. http://www.knoxbox.com/

84. All structures shall be provided with a NFPA 13 fire sprinkler system in accordance with current adopted California Building and Fire Code. Underground and above ground plans must be submitted at the same time. A hydrant will be required within 50 feet of the Fire Department Connection.

85. Fire extinguishers shall be installed in accordance with the Uniform Fire Code. The placement of extinguishers shall be subject to review by the Fire Department.

86. A fire monitoring system shall be installed on the interior of the structure near the fire alarm annunciator panel.

87. A fire alarm system shall be installed.

88. Emergency lighting is required when more than one exit is required.

89. Two improved access roads minimum 26ft. are required capable of supporting 75,000 pounds.

Sincerely,

Elena Barragan
Assistant Planner

April 18, 2017

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

RE: Smart & Final Extra!, Olive and Lotas Commercial Development, 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 21 Off-Sale General (beer, wine and distilled spirits) license for Smart & Final Extra! Located on the south side of Olive Avenue between Beverly Street and Lotas 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 36.02 which allows XX off-sale licenses. At present time XX licenses currently exist in this tract. Due to the over concentration of off-sale licenses a Letter of Public Convenience or Necessity is required.
2. On April 18, 2017, the City Council conditionally approved Conditional Use Permit (PRC 2016-040-C), review attached resolution, to allow the off sale of beer, wine and distilled spirits located at the Olive and Lotas Commercial Development. As a condition of approval, a Letter of Public necessity was 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 21 Off-Sale General (beer, wine and distilled spirits) license.

Further issuance of an off-sale license allowing beer, wine and distilled spirits sales represents a viable economic asset to the community which will contribute tax revenues to the local economy. The subject site is consistent with the General Plan Land Use Designation for CG, General and Service Commercial. The CG designation is intended to provide convenient retail for the local neighborhood. The proposed change of address from the existing location 1289 W. Olive Avenue 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 convenience store is a permitted use in the CG Zone District and alcohol sales are permitted with the approval of a Conditional Use Permit.

For these reasons, the City Council of the City of Porterville supports issuance of a Type 21 Off-Sale, (beer, wine and distilled spirits) license for Smart & Final Extra!

Sincerely,

Milt Stowe, Mayor

Attachment: Resolution No. ____-2017

Olive & Lotas Development Shopping Center

W Olive Ave & Beverly St. Porterville, CA

LATEST UPDATE:
April 4 201 7

SIGN CRITERIA

image national signs
...bringing your image to light!

W Oie Ave Rt. CA

Applicant: Ross McArthur
Permits2U
951 Iron Horse Dr. San
Marcos, CA 92078
(760) 274-4325

Owner: Mgr. Tom Apodaca
600 Citadel Drive
Commerce, CA 98040
(323) 895-8688

PROJECT DIRECTORY

Signage Consultant: Image National Signs
16265 Star Road, Nampa
Idaho 83687 USA
Direct Phone:
(208) 287-1929
Fax: (208) 336-9886

City: Nampa, Idaho

Architect: Courtney + Le Architects
801 South Myrtle Avenue
Monrovia, CA 91016
Direct Phone:
(626) 275-6800
Fax: (626) 275-6801

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Overview

1. Purpose: The purpose of the following criteria is to establish a coordinated sign program that gives each Tenant adequate identification, while achieving a unified, attractive appearance among all lease spaces. In order to maintain the integrity of the criteria and balance among all occupants, deviations from the criteria will not generally be approved.

2. Owner Approval: To secure Landlord's approval, Tenant agrees to conform to the following procedures:
   a. Three (3) copies of the detailed sign design, one copy, to be in full color of the proposed sign or signs, submitted to and approved by Landlord prior to submittal to the City of Porterville, CA.
   b. The detailed sign design shall be submitted on sheets of no larger than 11" x 17".

3. City Approval: Prior to sign fabrication, the Tenant shall submit drawings of the proposed sign or signs to the City of Porterville, CA per their requirements. Upon approval tenant shall provide a copy of the permitted plans to Landlord.

4. Permits: The Tenant or the Tenant's sign contractor shall secure a sign permit from the City of Porterville, CA by submitting three (3) copies of fully dimensioned scaled drawings as follows:.

   a. A site plan showing the location of the occupant space on the site.

   b. A detailed elevation of the Tenant's lease space drawn to scale and showing sign or signs placement and Tenant's space width, showing all colors, materials, dimensions and copy.

   c. Fabrication and installation details, including structural and engineering data, U.L. electrical specifications.

   d. Any other drawings, details and information as required by the City of Porterville, CA.

5. Cost of permits: All permits for signs and the installation thereof shall be obtained by the Tenant's sign contractor and paid for by the Tenant.

6. Compliance with Codes: All signs and the installation thereof shall comply with all current local zoning, building and electrical codes.

7. A copy of the signed off permit job card shall be provided to the Landlord.

Submittal And Approval (Part 1)

There is a formal process for the creation, review and approval of Tenant's signs at the Shopping Center. All Tenant signage is subject to the Landlord's, or their managing agent (hereinafter referred to as "Landlord"), written approval. Approval will be granted based on the following:

1. Design, fabrication and method of installation of all signs shall conform to this sign program.
2. Proposed signage is in harmony with adjacent signage conditions and conforms with the design standards for the Shopping Center.

A. Submittal to Landlord:

Tenant shall submit three (3) color copies of detailed shop drawings to Landlord for approval prior to permit submittal or sign fabrication. Submit copies to: Landlord. Sign drawings are to be prepared by a California licensed sign contractor. All signs must conform to the requirements of the City of Porterville, CA. All submittals are subject to approval at full discretion of the Landlord.

Submittals shall include the following:

1. Storefront Elevations:
Scaled elevation of Tenant's storefront depicting the proposed sign design and all dimensions as they relate to the Tenant's storefront.

2. Shop Drawings:
Fully dimensioned and scaled shop drawings specifying exact dimensions, copy layout, type styles, materials, colors, means of attachment, illumination, electrical specifications, and all others details of construction. Section through letter and/or sign panel showing dimensioned projection of the face of the letter of the sign panel and the illumination.

If the shop drawings are denied, Tenant must resubmit revised plans until Landlord's approval is obtained. Request to implement signs that vary from the provisions of this sign program shall be submitted to the Landlord for approval and then submitted to the City of Porterville, CA for approval only if approved in writing by Landlord. The Landlord may approve signs that depart from the specific provisions and constraints of this sign program in order to:

a. Encourage exceptional design.
b. Accommodate imaginative, unique and tasteful signs that capture the spirit and intent of this sign program.
c. Mitigate problems in the application of this sign program.

B. Submittal to City:

Tenant or their Sign Contractor must submit to the City of Porterville, CA Planning and Building Department, and will be responsible for all applicable applications, due diligence, and permit fees as required in order to attain permits.

Tenant and their Sign Contractor will not be permitted to commence installation of the exterior sign unless all of the following conditions have been met:

1. A stamped or signed set of final drawings reflecting the Landlord's and the City of Porterville, CA approval shall be on file in the Landlord's office.
2. All sign contractors must be fully insured and approved by Landlord prior to installation. Landlord must receive the Sign Contractor's Certificate of Insurance naming Landlords as additional insured prior to commencement of any work. Coverage to be a minimum of three million dollars general aggregate.
3. The Landlord must be notified 48 hours in advance prior to sign installation.

Submittal And Approval (Part 2)

C. Installation:

Tenant's Sign Contractor shall install required signage within 90 days after the Landlord's turn over date and the tenant has accepted the premises. If signage is not in place by that date, Owner may order sign fabrication and installation on Tenant's behalf and at the Tenant's expense. Signs must be removed withing 15 days after their departure.

D. Tenant's Responsibility:

The Landlord may, at their sole discretion and at the Tenant's expense, correct, replace, or remove any sign that is installed without written approval and/or that is deemed unacceptable pertaining to this sign program.

If the Tenant chooses to change their exterior sign at anytime during the term of their lease, then Tenant must comply with the requirements set forth herein and any future modifications, revisions or changes which have been made to sign program for this center after the execution of their lease agreement.

Tenant shall be ultimately responsible for the fulfillment of all requirements and specifications, include those of the Owner, City, UL, and the Uniform Electrical Code.

Tenant shall be responsible for all expenses relating to signage for their store, including but not limited to:

- Design consultant fees (if applicable).
- 100% of permit processing cost and application fees.
- 100% of costs for sign fabrication and installation including review of shop drawings and patterns.
- All costs relating to sign removals, including repair of any damage to the building.

Construction Requirements

1. All signs and their installation shall comply with all local building and electrical codes.
2. All electrical signs will be fabricated by a U.L. approved sign company, according to U.L. specifications and bear U.L. label.
3. Sign Company to be fully licensed with the City and State and shall have full Workman's Compensation and general liability insurance.
4. All penetrations of building exterior surfaces are to be sealed waterproof in a color and finish to match existing exterior.
5. Internal illumination to be LED, installed and labeled in accordance with the California Energy Code.
6. Logo and letter heights shall be as specified and shall be determined by measuring the normal capital letter of a type font.
7. All sign fabrication shall be of excellent quality. All logo images and type-styles shall be accurately reproduced. Lettering that approximates type styles will not be acceptable. The Owner reserves the right to reject any fabrication work deemed to be below standards.
8. All lighting must match the exact specifications of the approved working drawings. No exposed conduit or raceways will be allowed.
9. Signs must be made of durable rust-inhibiting materials that are appropriate and complimentary to the building.
10. Color coating shall match the colors as similarly as specified on the approved plans.
11. Joining materials (e.g., seams) shall be finished in a way as to be unnoticeable. Visible welds shall be continuous and ground smooth. Rivets, screws, and other fasteners that extend to visible surfaces shall be flush, filled, and finished so as to be unnoticeable.
12. Finished surfaces of metal shall be free from oil canning and warping. All sign finishes shall be free from dust, orange peel, drips, and runs and shall have a uniform surface conforming to the highest standards of the industry.
13. In no case shall any manufacturer's label be visible from the street from normal viewing angles.
14. Exposed raceways are not permitted unless they are incorporated into the overall sign design.
15. All raceways, conduits, etc. installed on rock background, corrugated metal and/or back of parapets to be painted a specific color to be approved by the architect or landlord.
16. Premises identification signs (address numerals) are subject to the approval of the City Engineering and Fire Department.

Miscellaneous Restrictions

1. Hours of Business and Telephone Numbers: Limited to no more than 3 square feet or less than 10% of window area, whichever is less, for each business frontage with a customer entrance.

2. Flashing Signs: Animated, flashing or audible signs will not be permitted.

3. Lettering painted directly on a building surface, including windows will not be permitted.

4. Projections above or below the designated sign area will not be permitted.

5. Temporary Signs: Shall be shall be subject to Landlord review/approval and comply with city code requirements. Refer to Ordinance Chapter 21, Article 305 of Porterville City Code.
   A) A temporary sign permit is required by code to install, or otherwise display a temporary sign. A temporary sign permit shall be granted for any one business or building for a period of three (3) calendar months. A temporary sign permit shall authorize the business to display a banner, hand-held sign, portable sign, or inflatable sign for the duration of the permit.
   B) A maximum of two (2) such signs may be permitted with a single application. No more than one temporary sign shall be in effect simultaneously for any business. Each business shall be limited to a maximum of four (4) temporary sign permits in any calendar year. A temporary sign is not intended to be in lieu of a permanent sign. A temporary sign permit shall not be permitted longer than one year before a permanent sign is installed
   C) All banners, regardless of their ratio allowance of signage to linear building frontage, shall not exceed forty (40) square feet in size.

6. Any item not addressed in this sign criteria shall be governed by the applicable municipal, state or federal laws, and must be approved in writing by the Owner.

7. Internally illuminated or non-illuminated standard plex-face cabinet signs are not allowed. Non-standard internally illuminated fluorescent "cloud" signs that provides character to the building to which it's attached are allowed.

8. Prohibited signs addressed under Section 305.06 of the Porterville Development Ordinance.

9. All signs must be architecturally compatible. A sign that spills over the "natural" boundaries or is detrimental to visual order is not permitted.

10. Directional signs not exceeding 40 inches in height and not exceeding 4 square feet in area can be allowed at each of the entrances to the shopping center.

11. Exit and Enter Signs shall be placed as needed to insure traffic flow and will not be included in the overall square footage allowed.

All Companies Bidding To Manufacture

1. Substitutions: All companies bidding to manufacture and install an Tenant's signs are advised that no substitutes will be accepted by the Landlord whatsoever, unless so indicated in the specifications which are approved in writing by the Landlord. Signs that deviate from these criteria without such approval must be removed at the Tenant's expense.

2. Insurance: The Tenant's sign fabrication and installation company shall carry Worker's Compensation and Public Liability Insurance against all damage suffered to any and all persons and/or property while engaged in the construction or erection of signs in the amount of Three Million Dollars ($3,000,000.00) combined single limit.

3. Erection: The Tenant's sign company shall completely erect and connect (including all wiring) the subject sign in accordance with these criteria and all local zoning, building and electrical codes.

Sign Types

Creative and imaginative signage is strongly encouraged and will be the standard for Landlords review/approval of all sign design submittals.
There are many acceptable sign treatments, however, a mixed media three-dimensional approach combining several different fabrication and lighting techniques is preferred.
Tenants are strongly encouraged to consider the specific architectural style of their facade, the overall concept of the project, the scale of the proposed sign and the critical viewing angles and sight lines when designing appropriate graphics and signs for the storefront. Note that specific locations and surrounding architectural treatments can limit the maximum sign height and length, which may differ from the general guidelines proposed above. The Landlord reserves the right to approve or reject any proposed sign on the basis of its size and placement.
Acceptable sign styles include:

1. Signs to be individual channel letter type, or script, interally illuminated U.L. Listed and Labeled
2. Illumination must be LED illuminated

Note: All other signage not listed in MSP are subject to Porterville City Ordinance under zoning bylaw Chapter 3, Article IV.

Anchor Tenant Wall Signs

1. Approval Required: All signs shall be attached to the building only at a location approved by the Landlord and the City of Porterville, CA.

2. Primary Wall Sign: The main business identification sign shall be located on the building fascia at the location shown on pg. 16.

3. Suite Address Number Sign: The suite number or address of the lease space shall be centered above the door per fire department requirement with white vinyl film.

4. Sign type: Tenants signs shall be composed of channel letters, logos and cloud signs.
   a. The aggregate sign area (all signs on one wall) shall not exceed two (2) square feet per one (1) linear foot of building frontage.
   b. Sandblasted or painted signs are not permitted.

5. Tenant Identification Signs:
   a. The maximum sign area allowed for the Primary Wall Sign is as follows: Two (2) square feet per one (1) linear foot of building frontage.
   b. The maximum size for the Primary Wall Sign shall not exceed the calculation above and letter height of four (4) feet. The Primary Wall sign shall consist of channel letters, logos or icons. Secondary signs (Pharmacy, Garden center, etc.) shall not exceed one (1) square feet for each lineal foot of building space.
   c. Signs on Secondary elevation shall not exceed 2 sf per linear feet of wall length with a maximum letter height of 42".
   d. Location: Landlord shall reasonably approve location of another Tenant signs which shall be in keeping with the architectural design of the building. Signs to be located only within the space and surface specifically provided for on the building.
   e. Maximum sign area per sign not to exceed 300 square feet.

6. Materials:
   a. Sign Face: Acrylic sheet (i.e. Plexiglas). Landlord must approve colors prior to sign permit submittal.
   b. Letter return material: Aluminum, painted to match building colors or Landlord approved colors.
   c. Letter return depth: Not to exceed 7" from the face of the building.
   d. Trim cap size: ¾" for 24" signs or smaller letters and 1" for signs greater than 24".

7. Lighting:
   a. All signs shall be internal illuminated, LED illuminated.
   b. All signs to be U.L. listed.

Major Tenant B Wall Sign

1. Approval Required: All signs shall be attached to the building only at a location approved by the Landlord and the City of Porterville, CA.

2. Primary Wall Sign: The main business identification sign shall be located on the building fascia above storefront.

3. Suite Address Number Sign: The suite number or address of the lease space shall be centered above the door per fire department requirements with white vinyl film.

4. Sign type: Tenants signs shall be composed of channel letters, logos and cloud signs.
   a. The aggregate sign area (all signs on one wall) shall not exceed one (1) square feet per one (1) linear foot of building frontage.
   b. Sandblasted or painted signs are not permitted.

5. Tenant Identification Signs:
   a. The maximum sign area allowed for the Primary Wall Sign is as follows: One (1) square feet per one (1) linear foot of building frontage. Secondary building frontage may have wall signs with a maximum of one (1) square foot per one (1) linear foot of building frontage.
   b. The maximum size for the main ID sign shall not exceed the calculation above, with a maximum letter height of three (3) feet for Major B, and thirty (30) inches for Shop Building C. The main ID sign can consist of channel letters, logos or icons. Secondary signs not permitted.
   c. Location: Landlord shall reasonably approve location of Major Tenant signs which shall be in keeping with the architectural design of the building. Signs to be located only within the space and surface specifically provided for on the building.

6. Materials:
   a. Sign Face: Acrylic sheet (i.e. Plexiglas). Landlord must approve colors prior to sign permit submittal.
   b. Letter return material: Aluminum, painted to match building colors or Landlord approved colors.
   c. Letter return depth: Not to exceed 7" from the face of the building.
   d. Trim cap size: ¾" for 24" signs or smaller and 1" for signs greater than 24".

7. Lighting:
   a. All signs shall be internal illuminated, LED illuminated.
   b. All signs to be U.L. listed.

Pad Tenant Wall Signs

1. Approval Required: All signs shall be attached to the building only at approved locations.

2. Tenant Space ID Sign: The main business identification sign shall be located on the building fascia at a location approved by the Landlord and the City of Porterville, CA.

3. Window Sign: The business identification window sign shall be centered on the store front glass nearest the main pedestrian entrance. The sign shall not exceed three (3) square feet or less than 10% of the window area, whichever is less, and shall be composed of white vinyl Helvetica medium lettering. Copy shall consist of name of business, hours of operation and emergency phone numbers.

4. Suite Number Sign: The suite number or address of the lease space shall be centered above the door per fire department's requirement with white vinyl film.

5. Sign type: Tenants signs shall be composed of channel letters, logos and cloud signs.
   a. Sandblasted or painted signs are not permitted.

6. Tenant Identification Signs:
   a. The maximum sign area allowed for the main ID sign is as follows: One (1) square foot per one (1) linear foot of building frontage.
   b. The maximum size for the main ID sign shall not exceed one (1) square foot per one (1) linear foot of building frontage, with a maximum letter height of thirty (30) inches. The main ID sign can consist of channel letters, logos or icons Secondary signs shall not be permitted.
   c. Tenants with elevations that faces a street or parking lot shall be permitted signage on those elevations, with signage allowed on a maximum of three (3) elevations. Signs shall not exceed one square foot of signage per one (1) foot of lineal frontage.
   d. Location: Landlord shall reasonably approve location of Pad Tenant signs which shall compliment with the architectural design of the building. Signs to be located only within the space and surface specifically provided for on the building.
   e. Every business with a drive thru facility is permitted a maximum of two (2) menu/order board signs. The sign shall be adjacent to the drive thru aisle. The sign shall not be located as to impair the vision of the driver of a vehicle traveling either into, out of, or through the drive thru aisle. The area of each sign shall not exceed forty-eight (48) square feet. The height of the sign including the pole or base shall not exceed eight (8) feet from grade to the top of the sign. Should the business elect to build a single menu board, the sign shall not exceed 64 square feet and the height shall not exceed eight (8) feet, base included.
   f. Exit and Enter signs shall be placed as needed to insure traffic flow and will not be included in the overall square footage allowed. A plot plan showing all signs (Menu Boards and Exit and Enter signs) must be approved by the Landlord and City of Porterville.

7. Materials:
   a. Sign Face: Acrylic sheet (i.e. Plexiglas). Landlord must approve colors prior to sign permit submittal.
   b. Letter return material: Aluminum, painted to match building colors or Landlord approved colors.
   c. Letter return depth: Not to exceed 7" from the face of the building.
   d. Trim cap size: ¾" for 24" signs or smaller and 1" for signs greater than 24".

8. Lighting:
   a. All signs shall be internal illuminated, LED illuminated.
   b. All signs to be U.L. listed.

Inline Tenant Wall Sign

1. Approval Required: All signs shall be attached to the building only at a location approved by the Landlord and the City of Porterville, CA.

2. Primary Wall Sign: The main business identification sign shall be located on the building fascia above each storefront.

3. Window Sign: The business identification window sign shall be centered on the store front glass nearest the main pedestrian entrance. The sign shall not exceed three (3) square feet or less than 10% of the window area, whichever is less, and shall be composed of white vinyl Helvetica medium lettering. Copy shall consist of name of business, hours of operation and emergency phone numbers.

4. Suite Number Sign: The suite number or address of the lease space shall be centered above the door per fire department's requirements with white vinyl film.

5. Sign type: Tenants signs shall be composed of channel letters, logos and cloud signs.
   a. Sandblasted or painted signs are not permitted.

6. Tenant Identification Signs:
   a. The maximum sign area allowed for the Tenant Space ID sign is as follows: 1sq. ft. per linear frontage.
   b. The maximum size for the main ID sign shall not exceed 150 square feet with a maximum height of 24 inches. The main ID sign can consist of channel letters, logos or icons. Secondary signs shall not be permitted.
   c. Tenant with more than one (1) elevation shall be permitted one (1) sign per each elevation, following the above mentioned criteria. Signs shall not exceed one square feet of signage per one (1) foot of lineal frontage of lease space.
   d. Location: Landlord shall reasonably approve location of Major Tenant signs which shall be in keeping with the architectural design of the building. Signs to be located only within the space and surface specifically provided for on the building.

7. Materials:
   a. Sign Face: Acrylic sheet (i.e. Plexiglas). Landlord must approve colors prior to sign permit submittal.
   b. Letter return material: Aluminum, painted to match building colors or Landlord approved colors.
   c. Letter return depth: Not to exceed 7" from the face of the building.
   d. Trim cap size: ¾" for 24" signs or smaller and 1" for signs greater than 24".

8. Lighting:
   a. All signs shall be internal illuminated, LED illumination.
   b. All signs to be U.L. listed.

Shared Signage Criteria

1. Approval Required: All signs to be installed into shared tenant freestanding signs shall first and foremost be approved by the Landlord and the City of Porterville, CA.

2. Pylon Sign Area Distribution: Total allowed sign area is 200 square feet.
   a. Anchor Tenant will occupy 120 square feet (60%) of the total allowed sign area.
   b. Other tenants occupying the remaining two spaces will be alloted 80 square feet total, or 40 square feet each (40% total, 20% each) of the total allowed sign area.

3. Monument Sign Area Distribution: Total allowed sign area is 32.5 square feet.
   a. Anchor Tenant will occupy 19 square feet (60%) of the total allowed sign are.
   b. Other tenant will occupy the remaining 13 square feet (40%) of the total allowed sign area

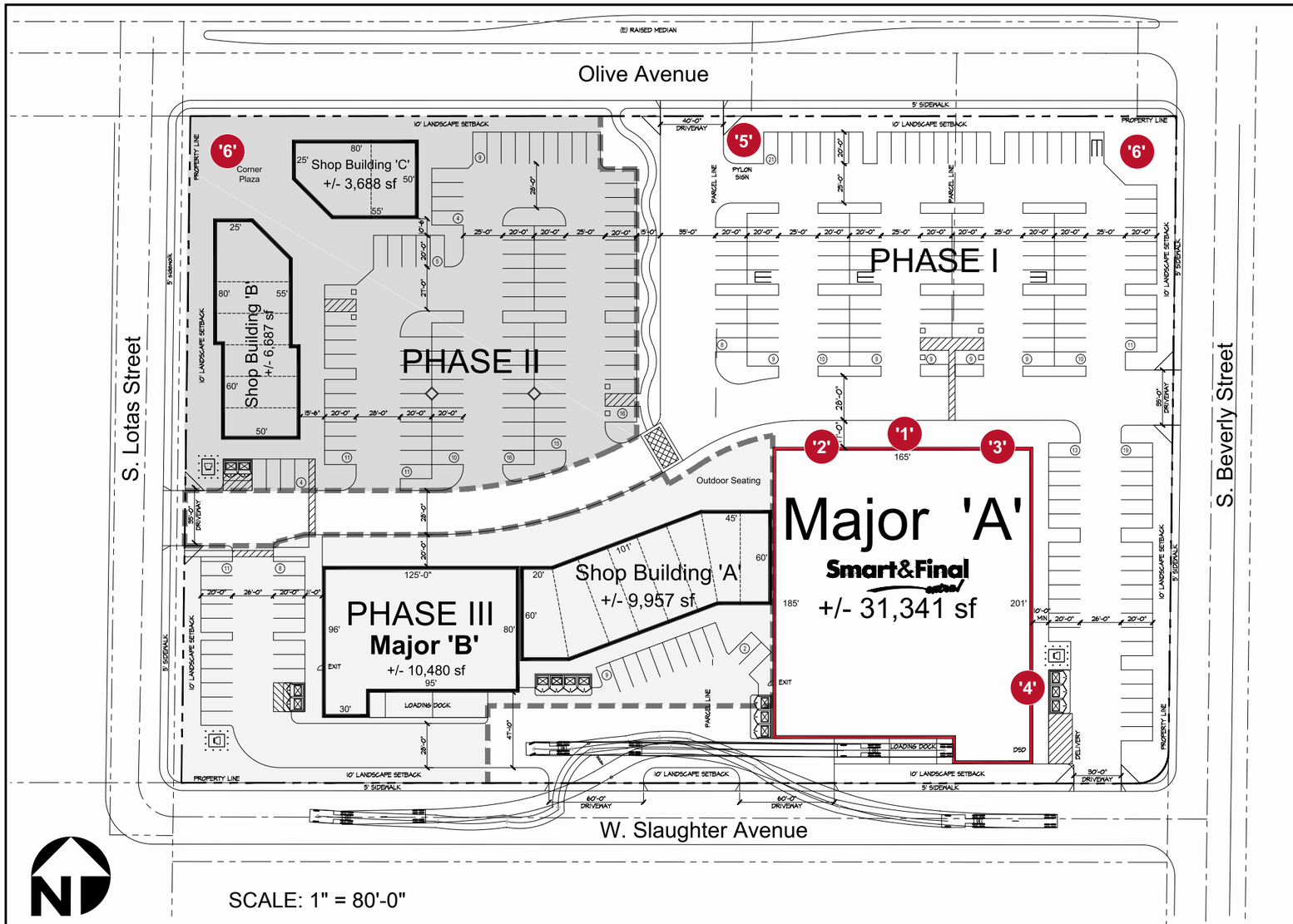
4. Sign type: Tenant signs shall be panels to be installed into sign cabinet.

5. Pylon Sign Materials:
   a. Sign Face Substrate: 177 Polycarbonate with 1st surface vinyl. Landlord must approve colors prior to sign permit submittal.
   b. Vinyl: See vinyl schedule page 20
   c. Cabinet: Aluminum Angle/Skin construction, painted & textured - see paint schedule page 20
   d. Retainers & Base: Painted & Textured - see paint schedule page 20
   e. Concrete Pad: 3'-6" Tall
   f. Stucco finish required.

6. Monument Sign Materials
   a. Sign Face Substrate: 150 Polycarbonate with 1st surface vinyl. Landlord must approve colors prior to sign permit submittal.
   b. Vinyl: See vinyl schedule page 21
   c. Cabinet: Extruded aluminum construction, painted & textured - see paint schedule
   d. Retainers & Bases: Painted and textured - see paint schedule
   e. Concrete Pad: 4'-6" Tall
   f. Stucco finish required.

W Olive Ave & S Beverly Blvd, CA

Site Information & Signage Location



Overall Aerial Site Plan - Signage Placement

'1' STD CHANNEL LETTERS/LOGO WALL SIGNAGE - SFELM48SSFE
SCALE: 3/16"=1'-0"
232 SF

'2' STD CHANNEL LETTERS SIGNAGE - SFELM16SFFP
SCALE: 1/4"=1'-0"
45.2 SF

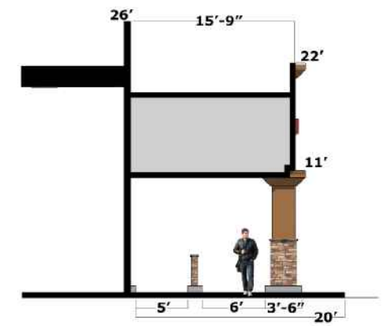
'3' STD CHANNEL LETTERS SIGNAGE - SFELM16LFM
SCALE: 1/4"=1'-0"
18.5 SF

'4' STD CHANNEL LETTERS/LOGO WALL SIGNAGE - SFELM42SSFE
SCALE: 3/8"=1-0"
200 SF

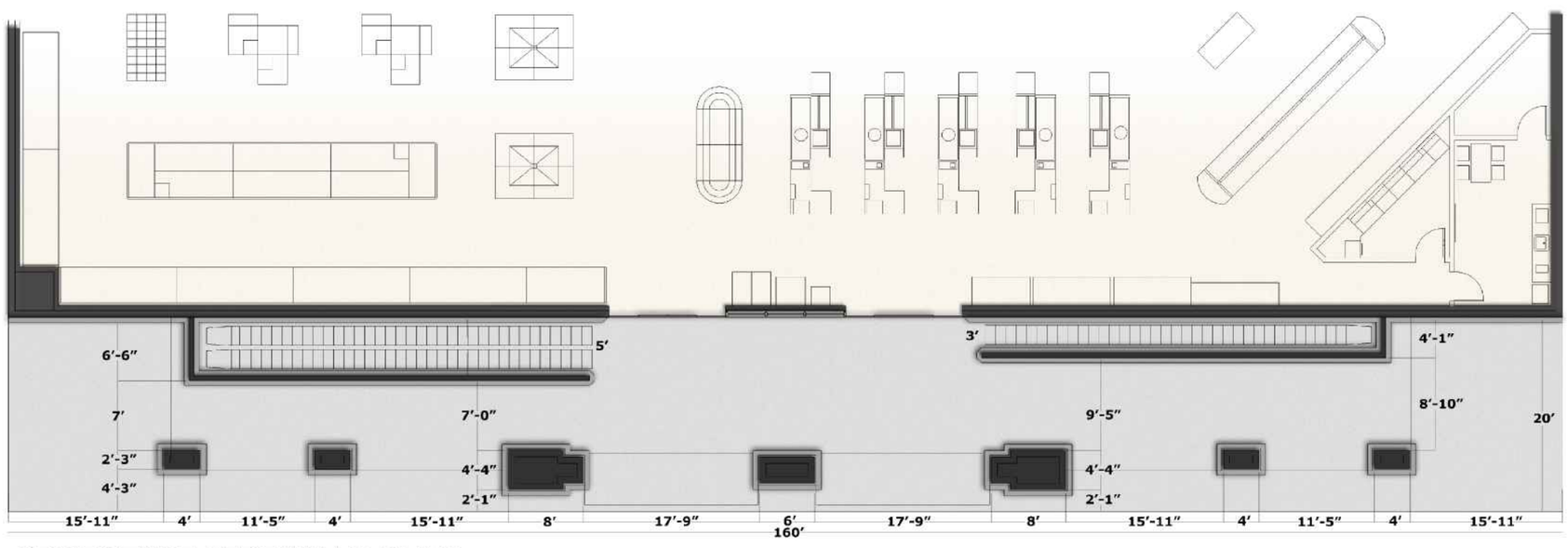
'5' D/F FREESTANDING PYLON SIGN
SCALE: 1/4"=1-0"
200 SF

'6' '2' D/F FREESTANDING MONUMENT SIGNS
SCALE: 1/2"=1-0"
32.5 SF EACH

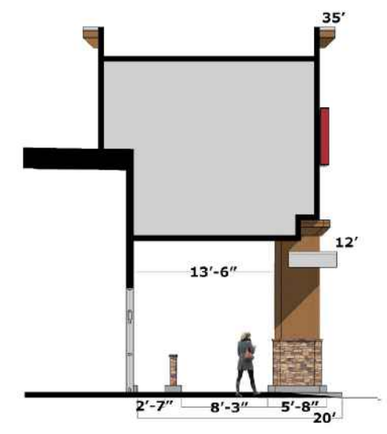
PROTOTYPE EXTERIOR ELEVATION



CANOPY SECTION



PROTOTYPE SIDEWALK PLAN



CANOPY SECTION

1 Dunn Edwards Paint DE 6178 "Boutique Beige"

2 Dunn Edwards Paint DE 6222 "Weather Board"

3 Dunn Edwards Paint DEA 164 "autumn Bark"

4 Flat "Eyebrow" Metal Canopy

5 Cultured Stone, Country Ledgestone "Caramel"

6 Painted Metal Trellis Wall Mounted

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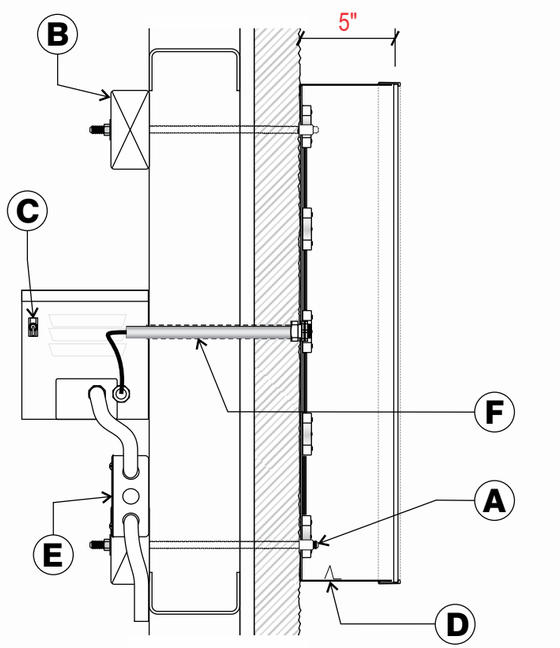
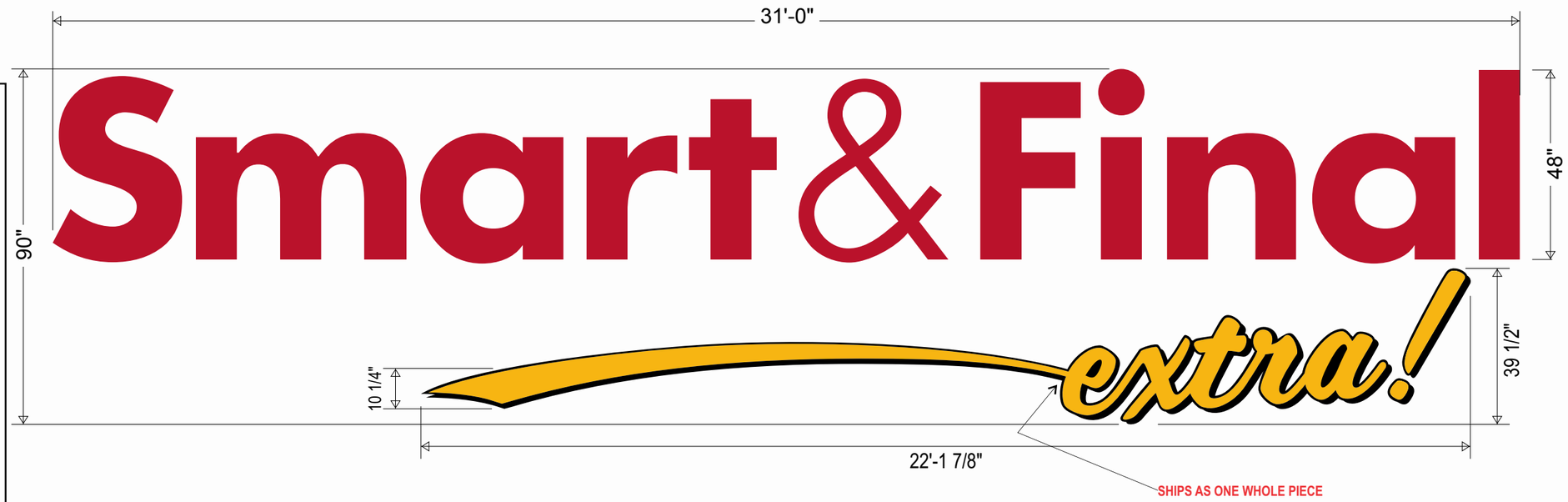
Smart and Final Channel Letters



TYPICAL SECTION DETAIL
NOT TO SCALE

INSTALL

- **A.** 1/4" Rivet Nut Inserts in Back of Letter for Non-Corrosive Securement Using Appropriate Mounting Hardware
- **B.** Blocking as Required per Location
- **C.** Disconnect Switch at Transformer Can
- **D.** 1/4" Drain Holes as Required W/ WEEP HOLES
- **E.** 20 amp 120 V. Circuits Required (Supplied by Others Than Image National)
- **F.** Mfg. Plastic Pass-Thru



'1' LED ILLUMINATED CHANNEL LETTERS - REMOTE

SCALE: 3/8"=1'-0"

SMART & FINAL LETTERS-
- FACES - 3/16" #2447 WHITE ACRYLIC WITH FIRST SURFACE 3M 3630-53 RED
- TRIMCAP - 1" RED JEWELITE
- ILLUMINATION - GE MAX WHITE
- RETURNS - 5" PRE-PAINTED HUNTER RED .040 ALUMINUM
- BACKS - .063 WHITE ALUMINUM

RETURN LENGTH - 159'-4" LF

EXTRA! SWOOSH & LETTERS -
- FACES - .150 WHITE POLYCARBONATE WITH FIRST SURFACE TRANS ARLON 125 GOLDEN (YELLOW) VINYL & FIRST SURFACE 3M 3630-22 BLACK VINYL (DROPSHADOW)
- TRIMCAP - 1" BLACK JEWELITE
- ILLUMINATION - GE MAX WHITE
- RETURNS - 5" PRE-PAINTED BLACK .040 ALUMINUM
- BACKS - .063 WHITE ALUMINUM

RETURN LENGTH - 132'-0" LF

ELECTRICAL REQUIREMENTS
(1) CIRCUIT @ 120 VOLTS 2.6 AMPS TOTAL

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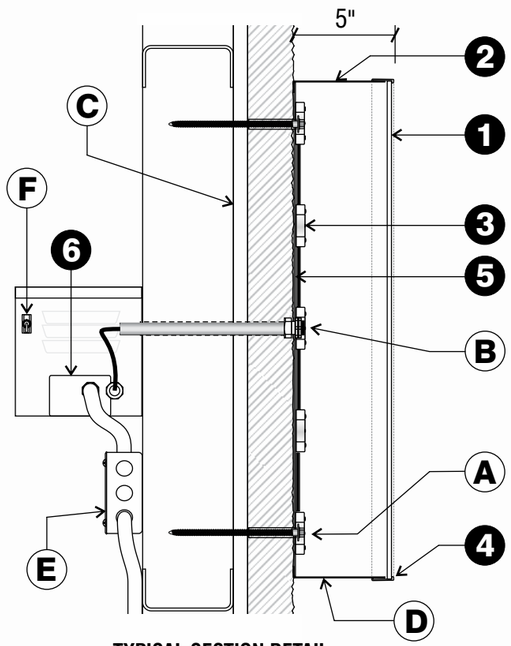
Smart & Final Channel Letters

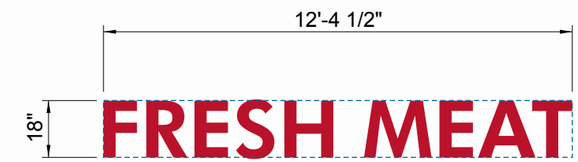


TYPICAL SECTION DETAIL
NOT TO SCALE

INSTALL

- **A.** Hole in Back of Letter for Non-Corrosive Securement Using Appropriate Mounting Hardware
- **B.** 1/2" (MFG) Plastic Pass-Through
- **C.** Blocking as Required per Location
- **D.** 1/4" Drain Holes as Required
- **E.** 20 amp 120 V. Circuits Required (Supplied by Others Than Image National)
- **F.** Disconnect Switch at Transformer Can

'2' STD CHANNEL LETTERS SIGNAGE - SFELM16SFFP
SCALE: 1/4"=1'-0"
45.2 SF



'3' STD CHANNEL LETTERS SIGNAGE - SFELM16LFM
SCALE: 1/4"=1'-0"
18.5 SF

INTERNALLY LED ILLUMINATED CHANNEL LETTERS W. REMOTE POWER SUPPLIES

ANCILLARY LETTERS

1 FACE: **MATERIAL:** MODIFIED ACRYLIC **COLOR:** WHITE (2447) WITH FIRST SURFACE VINYL TO MATCH 3M 3630-53 RED	**2 RETURNS:** **MATERIAL:** 5" DEEP PRE-PAINTED .040 ALUM. **COLOR:** HUNTER RED	**3 ILLUMINATION:** **MATERIAL:** GE MAX LED **COLOR:** WHITE
4 TRIMCAP: **MATERIAL:** 1" JEWELITE TRIMCAP **COLOR:** RED	**5 BACKS:** **MATERIAL:** PRE-PAINTED WHITE .040 ALUM.	**6 ELECTRICAL:** POWER SUPPLIES BEHIND WALL (1) 20 AMP CIRCUIT REQUIRED @ 120 V.

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Smart & Final Wall Sign - East Elevation

Typical Store Side Partial Elevation (East Elevation)

scale: 1/16"=1'-0"

SPLIT BOXED

3.5'x27'-1 1/4"=
94.8sf

2'-10 1/2 x 19'-5"=
55.8sf
150.6sf

'4' **STD CHANNEL LETTERS/LOGO WALL SIGNAGE - SFELM42SSFE**
SCALE: 3/16"=1'-0"
150.6 SF

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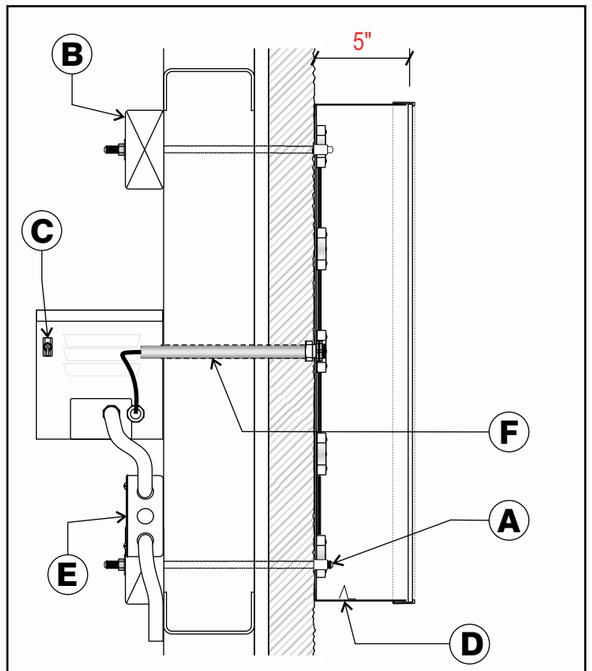
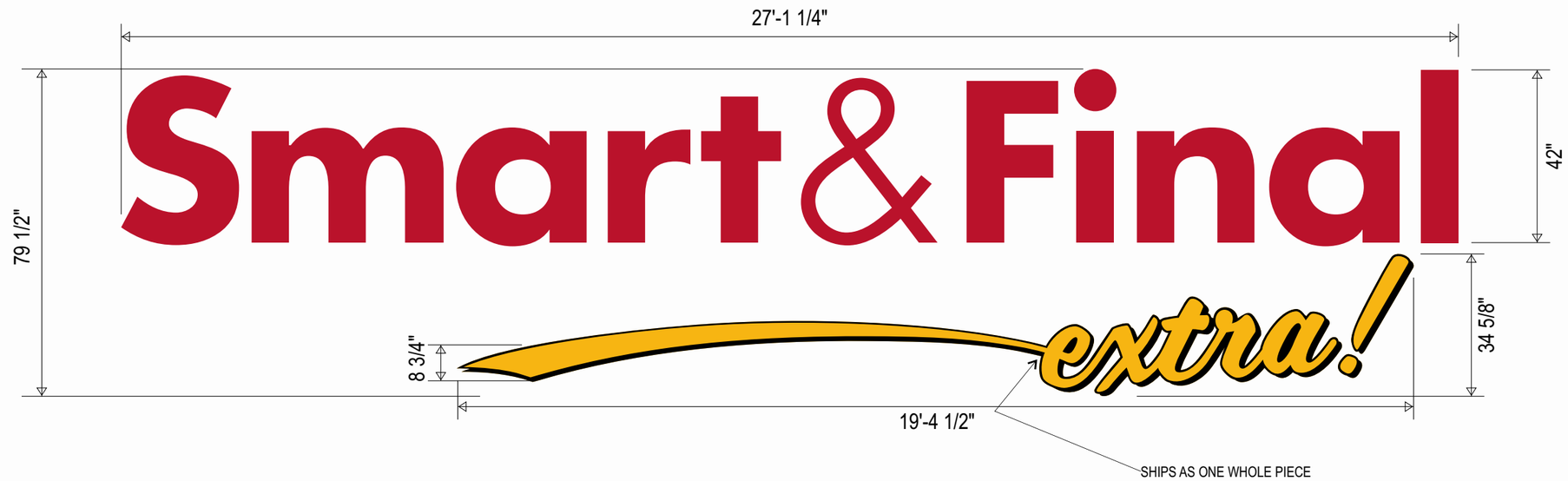
LED Illuminated Channel Letters - Remote



TYPICAL SECTION DETAIL
NOT TO SCALE

I N S T A L L

- **A.** 1/4" Rivet Nut Inserts in Back of Letter for Non-Corrosive Securement Using Appropriate Mounting Hardware
- **B.** Blocking as Required per Location
- **C.** Disconnect Switch at Transformer Can
- **D.** 1/4" Drain Holes as Required W/ WEEP HOLES
- **E.** 20 amp 120 V. Circuits Required (Supplied by Others Than Image National)
- **F.** Mfg. Plastic Pass-Thru



LED ILLUMINATED CHANNEL LETTERS - REMOTE

SCALE: 3/8"=1'-0"

SMART & FINAL LETTERS-
- FACES - 3/16" #2447 WHITE ACRYLIC WITH FIRST SURFACE 3M 3630-53 RED
- TRIMCAP - 1" RED JEWELITE
- ILLUMINATION - GE MAX WHITE
- RETURNS - 5" PRE-PAINTED HUNTER RED .040 ALUMINUM
- BACKS - .063 WHITE ALUMINUM

RETURN LENGTH - 139'-5" LF

EXTRA! SWOOSH & LETTERS -
- FACES - .150 WHITE POLYCARBONATE WITH FIRST SURFACE TRANS ARLON 125 GOLDEN (YELLOW) VINYL & FIRST SURFACE 3M 3630-22 BLACK VINYL (DROPSHADOW)
- TRIMCAP - 1" BLACK JEWELITE
- ILLUMINATION - GE MAX WHITE
- RETURNS - 5" PRE-PAINTED BLACK .040 ALUMINUM
- BACKS - .063 WHITE ALUMINUM

RETURN LENGTH - 122'-0" LF

ELECTRICAL REQUIREMENTS
(1) CIRCUIT @ 120 VOLTS 2.6 AMPS TOTAL

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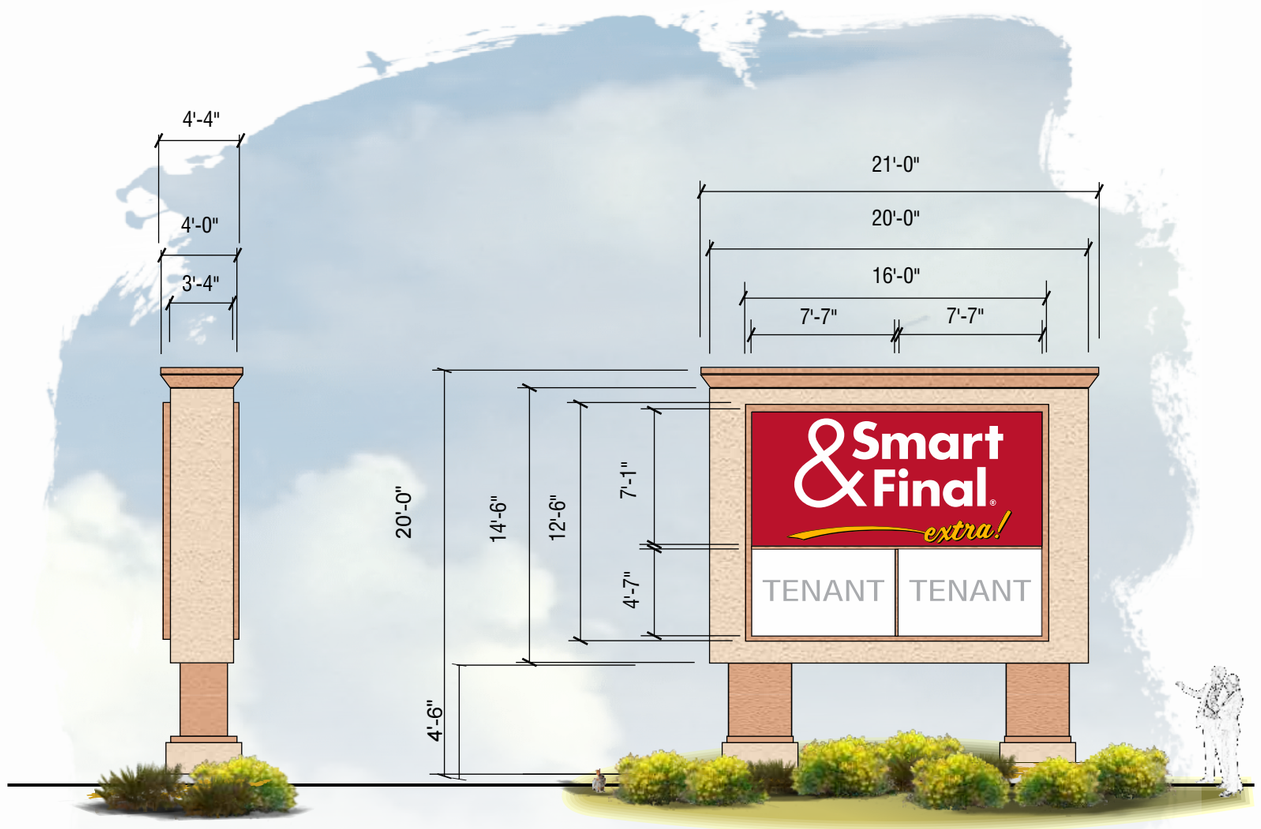
Pylon Sign



VINYL SCHEDULE	
	3M CARDINAL RED #3630-53 - PMS 200C
	3M GOLDEN YELLOW #3630-125 - PMS 1235C
	3M BLACK #3630-22 - PMS BLACKC

PAINT SCHEDULE		TEXTURE	FINISH
	DUNN EDWARDS -DE6178 'BOUTIQUE BEIGE'	MED	SATIN
	DUNN EDWARDS -DEA 164 'CARAMEL'	MED	SATIN

NOTE: STUCCO FINISH REQUIRED

SIGN AREA:		
• SIGN FACE CAB.	12'-6" x 16'-0"	200 SF
	Smart & Final sign area:	**(60%) 120 SF**
	Other Tenants area:	**(40%) 80 SF**
	TOTAL SIGN AREA:	**200 SF**

'5' **D/F FREESTANDING PYLON SIGN**
SCALE: 1/8"=1-0"
200 SF

- FACE SUBSTRATE - .177 POLYCARBONATE W/ 1ST SURFACE VINYL
- VINYL - SEE VINYL SCHEDULE
- CABINET - ALUM. ANGLE/SKIN CONSTRUCTION, PAINTED & TEXTURED - SEE PAINT SCHEDULE
- RETAINERS & BASE - CULTURED STONE, COUNTRY LIMESTONE - SEE PAINT SCHEDULE
- CONCRETE PAD - 3 1/2" TALL

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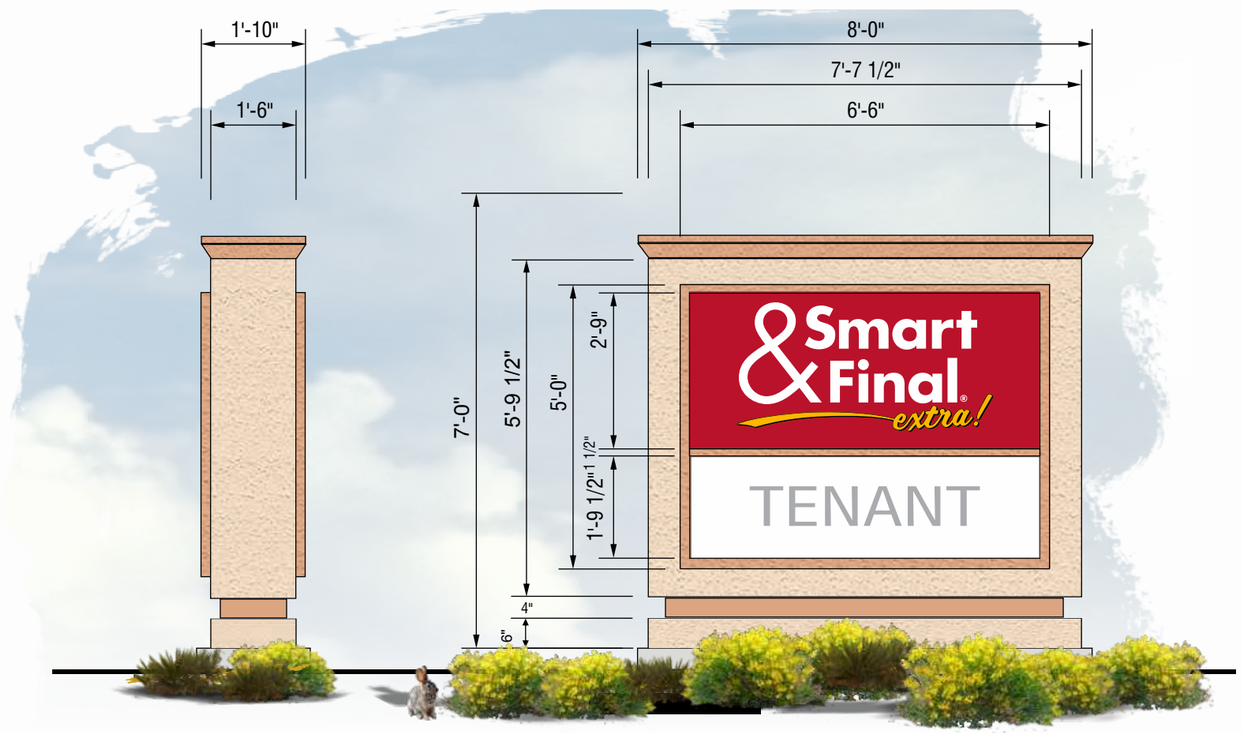
Monument Sign



VINYL SCHEDULE
3M CARDINAL RED #3630-53 - PMS 200C
3M GOLDEN YELLOW #3630-125 - PMS 1235C
3M BLACK #3630-22 - PMS BLACKC

PAINT SCHEDULE	TEXTURE	FINISH
DUNN EDWARDS -DE6178 'BOUTIQUE BEIGE'	MED	SATIN
DUNN EDWARDS -DEA 164 'AUTUMN BARK'	MED	SATIN

NOTE: STUCCO FINISH REQUIRED

SIGN AREA:		
• SIGN FACE CAB.	5'-0" x 6'-6"	32.5 SF
	Smart & Final sign area:	(60%) 19.5 SF
	Other Tenants area:	(40%) 13 SF
	TOTAL SIGN AREA:	32.5 SF

'6' **'2 D/F FREESTANDING MONUMENT SIGNS**
SCALE: 3/8"=1-0"
32.5 SF EA.

- FACE SUBSTRATE - .150 POLYCARBONATE W/ 1ST SURFACE VINYL
- VINYL - SEE VINYL SCHEDULE
- CABINET - EXTRUDED ALUMINUM CONSTRUCTION, PAINTED & TEXTURED - SEE PAINT SCHEDULE
- RETAINERS & BASE - PAINTED & TEXTURED - SEE PAINT SCHEDULE
- CONCRETE PAD - 4 1/2" TALL

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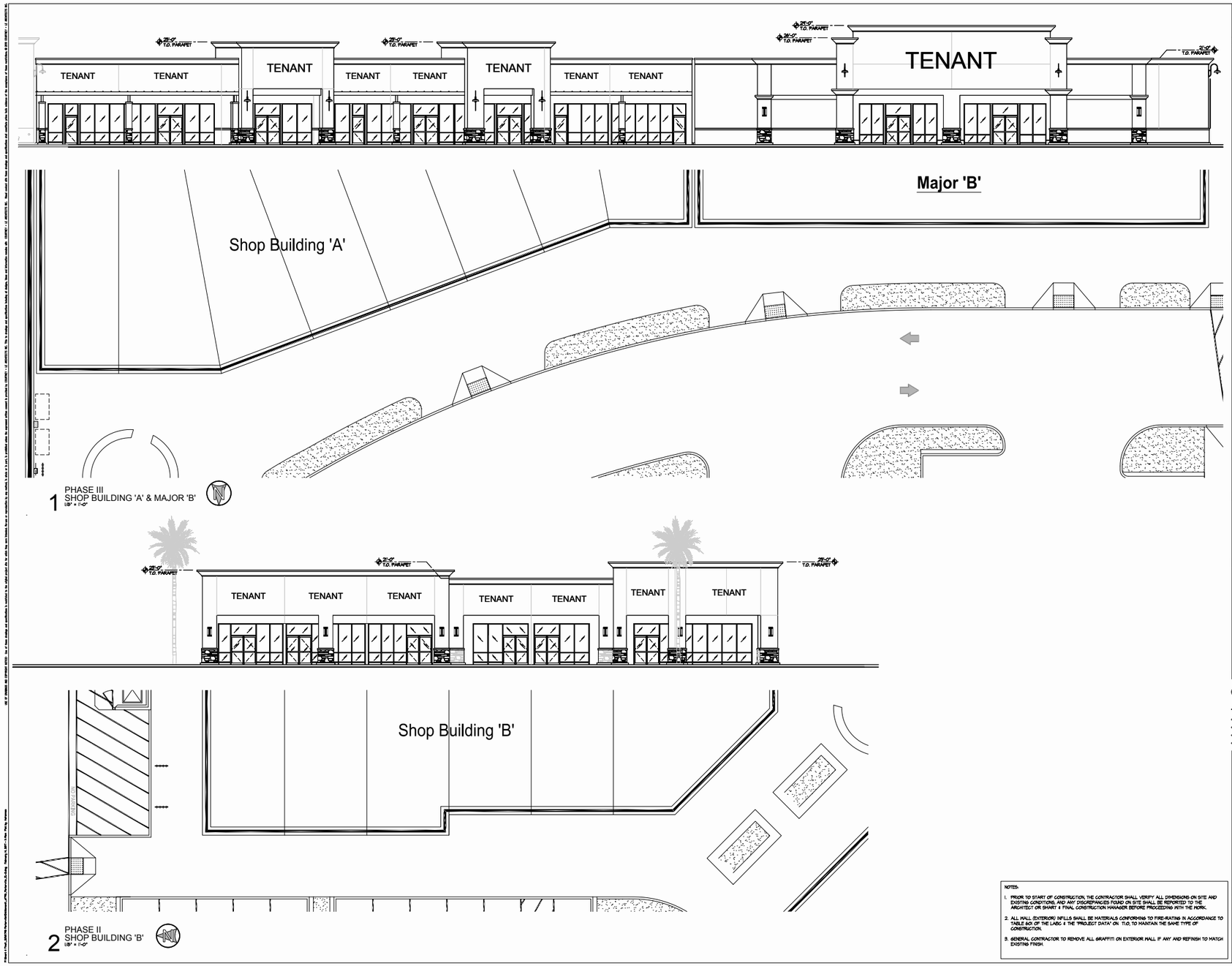


NOTES:

1. PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON SITE AND EXISTING CONDITIONS, AND ANY DISCREPANCIES FOUND ON SITE SHALL BE REPORTED TO THE ARCHITECT OR SMART & FINAL CONSTRUCTION MANAGER BEFORE PROCEEDING WITH THE WORK.
2. ALL WALL (EXTERIOR) INFILLS SHALL BE MATERIALS CONFORMING TO FIRE-RATING IN ACCORDANCE TO TABLE 601 OF THE UBC & THE "PROJECT DATA" ON T1.0, TO MAINTAIN THE SAME TYPE OF CONSTRUCTION.
3. GENERAL CONTRACTOR TO REMOVE ALL GRAFFITI ON EXTERIOR WALL IF ANY AND REFINISH TO MATCH EXISTING FINISH.

REVISIONS:

DATE: BY:

OWNER:

PROJECT:

LOCATION:
SWC W. Olive Avenue
and S. Beverly Street
Porterville, CA 93257

CONSULTANT:

SHEET TITLE:
SHOP BUILDING ELEVATIONS

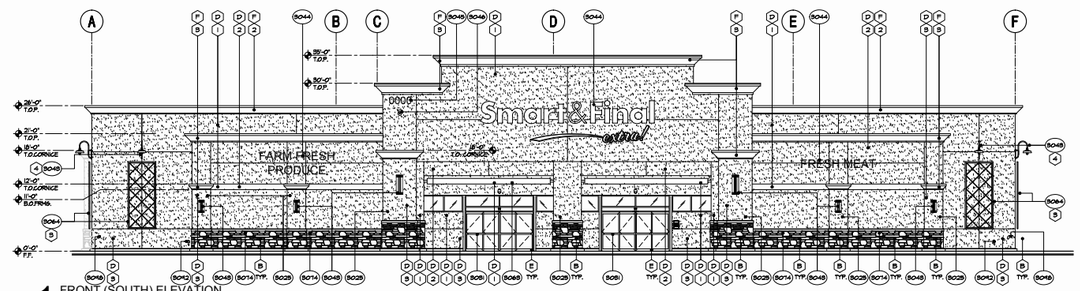
PROJECT ARCHITECT: TC
PROJECT MANAGER: JL
DRAWN BY: KL/AS
CHECKED BY: JL/KL
DRAWING SCALE: 1/8"=1'-0"

COURTNEY+LE ARCHITECTS

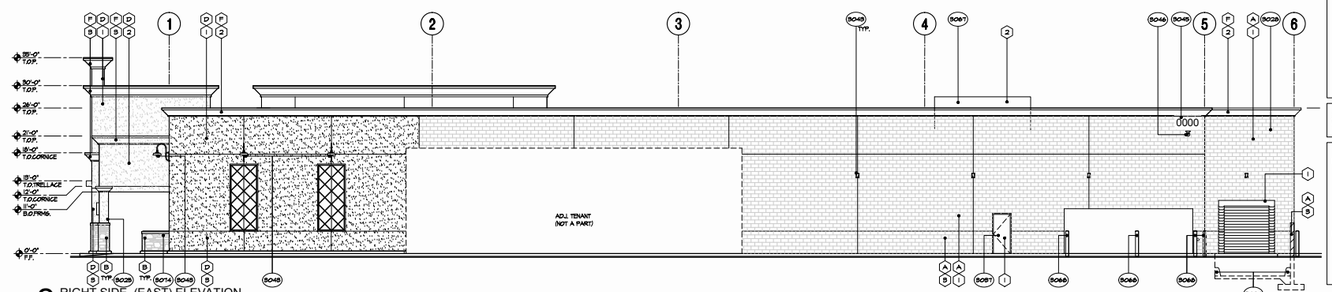
801 South Myrtle Avenue
Monrovia, California 91016
(626) 275-6800 (626) 275-6801 FAX
mail@courtney-le-architects.com

PROJECT NO.: 1606014
OWNER/AGENCY:
BID ISSUE:
CONSTRUCTION ISSUE:

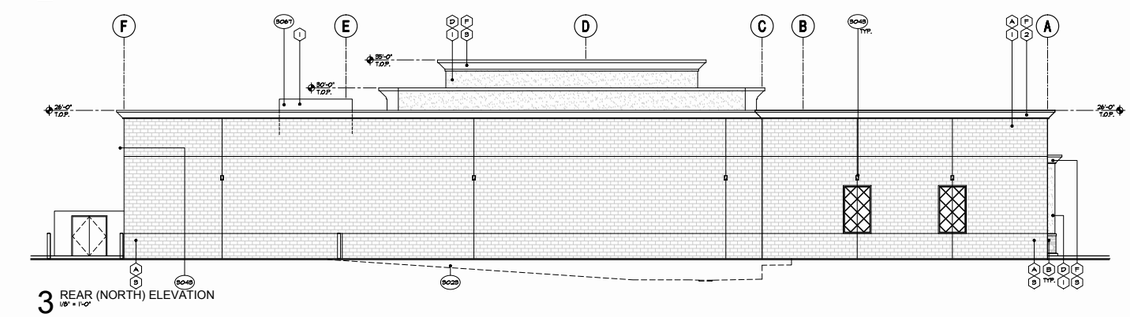
EL-2



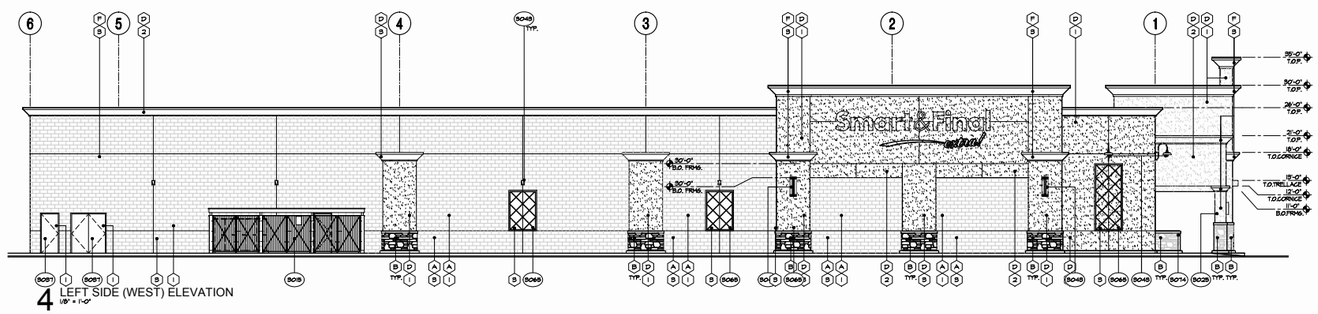
1 FRONT (SOUTH) ELEVATION
1/8" = 1'-0"



2 RIGHT SIDE (EAST) ELEVATION
1/8" = 1'-0"



3 REAR (NORTH) ELEVATION
1/8" = 1'-0"



4 LEFT SIDE (WEST) ELEVATION
1/8" = 1'-0"

A SCHEDULE OF GENERAL NOTES

RE: A5.0, EXTERIOR ELEVATIONS
NOTE: TEXT WITH STRIKETHROUGH IS NOT USED.

1. PAINT GAS LINES, SCUPPER PIPES, ETC. TO MATCH ADJACENT WALL COLOR.
2. WHERE PIPE BOLLARD(S) ARE LOCATED IN FRONT OF AN ACCESS AISLE (LOADING/UNLOADING BETWEEN ACCESSIBLE PARKING SPACES) (E.G. TO VERIFY THAT A CLEAR PASSAGE OF 48" MIN. IS PROVIDED OTHERWISE, E.C. TO MOVE ONE BOLLARD TO PROVIDE SUCH PASSAGE.
3. RAINGUTTER PAINT IS NO TO BE 4'-0"A.F.F. AT STOREFRONT AND WRAP AROUND BUILDING AT A CONSISTENT LEVEL HEIGHT.
4. REFINISH ANY EXTERIOR STUCCO FINISH WORK TO THE NEAREST PLASTER CONTROL JOINTS TO ELIMINATE THE LOOK OF "TOUGH UPS" OR "PATCH WORK".

B SCHEDULE OF KEYED NOTES

RE: A5.0, EXTERIOR ELEVATIONS
NOTE: TEXT WITH STRIKETHROUGH IS NOT USED.

UTILITIES
5011 (N) ELECTRICAL MAIN SWITCH GEAR (RE: ELECTRICAL DRAWINGS)
5014 JUNCTION BOX, PAINT.
5015 TRASH ENCLOSURE
WALLS/PARAPETS
5023 APPROXIMATE LINE OF BUILDING BELOW GRADE.
5024 PROVIDE NEW LOADING DOCK CURB, FULL LENGTH OF LOADING DOCK WALL. (RE: 5D.3-5)
5025 COLUMN. (RE: A4.0 & STRUCTURAL DRAWINGS)
5028 LINE OF ROOF / DECK PARAPET BEYOND.
DOORS/WINDOWS
5035 (N) AUTOMATIC SLIDING DOOR PACKAGE AND STOREFRONT. (RE: A8.0 & STRUCTURAL DRAWINGS.)
5037 METAL DOOR AND FRAME, PAINT. (RE: PAINT SCHEDULE AND A8.0)
SIGNAGE/LIGHTING
5043 LIGHT FIXTURE. SEE ELECTRICAL DRAWINGS FOR MORE INFORMATION INCLUDING BACKUP BATTERY-EQUIPPED FIXTURES.
5044 (N) SIGN PACKAGE. COORDINATE POWER REQUIREMENTS OF SIGN. PROVIDE AND COORDINATE BLOCKING FOR MOUNTING LOGO. SHART & FINAL SIGN ELEVATIONS INDICATION OF SIGN IS FOR COORDINATION PURPOSES ONLY. APPROVAL IS UNDER SEPARATE PERMIT.
5045 (N) EXTERIOR BUILDING NUMBERING. 60MM BRAND BLACK ANODIZED CAST ALUMINUM CHANNEL LETTERS. 1/2" THICK & 12" HIGH, SURFACE MOUNTED. HELVETICA FONT (QUANTITY = TWO (2)
5046 PROVIDE UPLIGHT FIXTURE AS REQUIRED TO ILLUMINATE SURFACE MOUNTED ADDRESS NUMBERS. (RE: ELECTRICAL DRAWINGS)
MISCELLANEOUS
5060 (N) METAL GUARDRAIL, PAINT WITH " DUNN EDWARDS" DEA184 "AUTUMN BARK" (RE: A1.0, SD.3-8414)
5063 (N) STL. TUBE SOFFIT TRELLIS, PAINT. (RE: RCP A6.0, A8.3-16120, A8.2-14 STRUCT. DWGS.)
5064 (N) WALL MTD. STEEL TRELLIS, PAINT. (RE: A8.3-18)
5065 (N) WALL MTD. STEEL TRELLIS, PAINT. (RE: A8.3-14)
5066 PLASTER CONTROL JOINTS, TYP. (RE: SD.3-2)
5067 (N) VEGA ROOF SCREEN BEYOND. (RE: A4.3-20)
5068 (N) PIPE BOLLARDS. (RE:SD.4-8)
5074 (N) CART STORAGE WALL. (RE: SD.2-1)
5083 (N) FIRE DEPARTMENT CONNECTION.
5084 (N) GAS METER. (RE: A1.0-1 & PLUMBING DRAWINGS)
5092 (N) HOSE BIBB. (RE: PLUMBING DWGS)
5093 (N) OVERFLOW DRAIN OUTLET.

C SCHEDULE OF EXTERIOR MATERIALS & FINISHES

RE: A5.0, EXTERIOR ELEVATIONS

MATERIAL:
- (A) SMOOTH/PLAIN FACE CMU, GREY
- (B) (N) STONE VENEER, CULTURED STONE COUNTRY LEDGESTONE "CARAMEL"
- (C) CONCRETE CURB
- (D) CEMENT PLASTER, PROVIDE FINISH EQUAL TO LA HABRA SAND FLOAT ⅜" FINISH, TYP.
- (E) CLEAR ANODIZED ALUMINUM
- (F) CORNICE/COPING WITH E.I.F.S

PAINT/FINISH:
- (1) PAINT WITH "DUNN EDWARDS" DE 6178 "BOOTIQUE BEIGE"
- (2) PAINT WITH "DUNN EDWARDS" DE 6222 "HEATHER BOARD"
- (3) PAINT WITH "DUNN EDWARDS" DEA 184 "AUTUMN BARK"
- (4) 180 BRUSHED ALUMINUM

RE: SPECIFICATIONS FOR APPROVED PAINT MANUFACTURERS. SUBMIT SAMPLES TO ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.

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REVISIONS:
- DATE: BY:
- DATE: BY:
- DATE: BY:
- DATE: BY:
- DATE: BY:

OWNER:
Smart&Final extra!
COMMERCE
600 CITADEL DRIVE
COMMERCE, CA 90040
TEL: (323) 869-7895
FAX: (323) 869-7856

PROJECT:
2017
NEW BUILDING
FOR
Smart & Final
#796
PORTERVILLE

LOCATION:
SEC of Olive Avenue
and S. Lotas Street
Porterville, CA 93257

CONSULTANT:

SHEET TITLE:
BUILDING ELEVATIONS

PROJECT ARCHITECT: TC
PROJECT MANAGER: JL
DRAWN BY: KL/AS
CHECKED BY: JL/KL/AS
DRAWING SCALE: 1/8"=1'-0"

COURTNEY+LE ARCHITECTS

801 South Myrtle Avenue
Monrovia, California 91016
(626) 275-8800 (626) 275-6811 FAX
mail @ courtney-le-architects.com

PROJECT NO: 16080.04
OWNER/AGENCY:
BID ISSUE:
CONSTRUCTION ISSUE:

A3.0

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Community Development Block Grant Action Plan 2017/18

SOURCE: Community Development

COMMENT: The U.S. Department of Housing and Urban Development (HUD) requires all Community Development Block Grant (CDBG) entitlement cities to prepare a three or five-year Consolidated Plan. Porterville's 2015 Five-Year Consolidated Plan was adopted by the City Council on June 16, 2015, and subsequently submitted to and approved by HUD. This 2017/2018 Action Plan reflects the third year investment plan within the scope of the Consolidated Plan. Action Plans need to be submitted to HUD 45 days before the start of the program year. The President's draft 2018 Budget shows an elimination of funding for the CDBG program, because of this HUD has not announced allocation amounts. Due to this uncertainty, the City is still required to go through the mandated process, but may delay submission of its consolidated plan or action plan to HUD until 60 days after the date allocations are announced, or until August 16, 2017 (whichever comes first). This delay will give a grantee time to revise its action plan to incorporate actual allocation amounts, and to conduct any additional citizen participation, if necessary.

The Action Plan, (Exhibit A to the draft resolution), identifies activities the City would undertake during the next year to address priority needs of lower income households. Proposed activities are designed to benefit lower income households by maintaining affordable housing, achieving public housing improvements, removing barriers to affordable housing, evaluating and reducing lead-based hazards, reducing the number of households with incomes below the poverty line, improving job availability, enhancing the institutional structure to address the needs of lower income households, addressing obstacles to meeting underserved needs, and enhancing coordination between public and private housing and social service agencies.

The Action Plan presents ongoing and proposed CDBG funded programs for the Fiscal Year beginning July 1, 2017, through June 30, 2018. As previously discussed, the future of the program has yet to be determined. Staff has, for estimate purposes, used the 2016/2017 entitlement amount of $634,391 as the 2017/2018 estimate. The Action Plan would implement a variety of programs and projects accompanied by program income generated by the First-Time Low Income Home Buyer Program, the Owner Occupied Housing Rehabilitation and Public Utility Program, and the Business Assistance Loan Program.

The table below provides an overview of the entitlement funding allocation as presented to the Citizens Advisory and Housing Opportunity Committee, and the funds available from previous years' unexpended entitlement and program income, as

well as anticipated program income for the fiscal year.

PROPOSED CDBG BUDGET
17/18 ACTION PLAN

PROGRAM	2017/2018 Entitlement Allocation $634,391*	Anticipated Program Income 2017/2018	Expected carry over	Estimated Total Program Funds Available for 2017/2018*
Administration	$135,878.20	$0	$0	$135,878.20
City -Operated Youth Center	$90,842.63	$0	$0	$90,843
Shelter Plus Care Program for the Homeless	$15,000 Part of 15% Public Service	$0	$0	$15,000
Kings Tulare Continuum of Care	$5,000 Part of 15% Public Service	$0	$0	$5,000
First Time Low Income Homebuyer	$0	$15,000	PI: $0.00	$15,000
Homebuyer Education Program	$0	$0	$0.00	$0
Owner Occupied Housing Rehab	$100,343.22	$11,000	Ent: $0.00 PI: $0.00	$111,343.22
Parks Improvement Program	$0.00	$0	$0.00	$0.00
Land Acquisition	$0	$0	$15,000	$15,000
Clearance	$0.00	$0	$20,000.00	$20,000.00
Disposition	$0.00	$0	$3,000.00	$3,000.00
Business Assistance Program	$0.00	$19,000	Ent: $309,481.09 PI: $401,242.23	$729,723.32
Section 108 Debt Service	$287,326.95	$0	$0.00	$287,326.95
Total	$634,391.00	$45,000	$748,723.32	1,428,114.32

***All totals are estimates based on last years' allocation as HUD has not announced 2017/2018 allocations, totals for all programs will be adjusted based on the actual allocation received per contingency descriptions in AP-35.**

Providing ongoing youth activities is a high priority within the community. The City's Parks & Leisure Services Department has been operating the City's Youth Center since 1997 and has been located at the Heritage Center for nine years. Anticipated CDBG funding to the Parks & Leisure Services Department to administer the ongoing youth recreational program, inclusive of new program elements within Census Tract 41, is $90,842.63. The Parks & Leisure Services proposal and budget for operating the Youth Center is included in the Action Plan, Section VIII. Additionally, this is the fourth year of $15,000 being pledged to be expended as match for the Shelter + Care Program vouchers awarded through the Continuum of Care to address homelessness in the community; and the second year that $5,000 entitlement funds are awarded to the Continuum of Care on Homelessness to assist with Project Homeless Connect and Point in Time Survey and the writing of applications for HUD funding. These three programs together will make up the allowed 15% allocation of the annual entitlement for public service projects.

In 2005/06, the City completed the construction of the Heritage Center building in Census Tract 41 utilizing Section 108 loan funds. Additional improvements, including the development of the parking lot for the future ball fields, utilized the remaining loan funds. Using CDBG-R stimulus funds, along with other grant sources, construction was completed on the Rails to Trails Project that runs adjacent to the Heritage Center. The entitlement allocation for debt payments on the Section 108 loan in 2017/18 will be $287,326.95 or 42.9% of the anticipated entitlement allocation.The total debt will be paid in 2023/24.

Administration of the CDBG program will be allocated $135,878.20 which is the allowed 20% of the entitlement plus 20% of anticipated program income for the year.

Entitlement funds in the amount of $100,343 are being designated to the Housing Rehabilitation and Public Utilities Loan Program (HRLP) including a the component to assist disabled and elderly homeowners with wheelchair ramp construction projects to assist low to moderate income homeowners to make health and safety, code violation repairs, install an ADA ramp or connect to public utilities.

The First Time Homebuyer Education Program and the First Time Low-Income Home Buyer Program (FTHB) will be funded from a HOME grant, unexpended entitlement funds and program income.

Business Assistance Programs, Park Improvement Program, Land Acquisition, Clearance and Disposition Programs will utilize unexpended entitlement and Program Income funds from previous years' allocations.

Revised program models are included in the attached Action Plan.

On February 15, 2017, the first community meeting was held to bring

recommendations and comments from the community before the CDBG Citizens' Advisory and Housing Opportunity Committee (Committee). On March 1, 2017, the Committee held the first public hearing to consider the proposed projects for the 2017/2018 Action Plan. The Committee unanimously recommended approval of the proposed Action Plan, as presented. Public notices were published both in English and Spanish for the above mentioned public hearing. A public notice was also published in English and Spanish announcing the thirty-day comment and review period which ends May 2, 2017. No written comments were received from the public.

RECOMMENDATION: That the City Council:

1. Adopt the draft resolution approving the 2017/2018 and the proposed program models; and
2. Direct staff to submit the 2017/2018 Action Plan to HUD.

ATTACHMENTS:

1. President's 2018 Draft Budget for Department of Housing
2. Draft Resolution - CDBG Action Plan

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Department of Housing and Urban Development (HUD) promotes decent, safe, and affordable housing for Americans and provides access to homeownership opportunities. This Budget reflects the President's commitment to fiscal responsibility while supporting critical functions that provide rental assistance to low-income and vulnerable households and help work-eligible families achieve self-sufficiency. The Budget also recognizes a greater role for State and local governments and the private sector to address community and economic development needs.

The President's 2018 Budget requests $40.7 billion in gross discretionary funding for HUD, a $6.2 billion or 13.2 percent decrease from the 2017 annualized CR level.

The President's 2018 Budget:

- Provides over $35 billion for HUD's rental assistance programs and proposes reforms that reduce costs while continuing to assist 4.5 million low-income households.

- Eliminates funding for the Community Development Block Grant program, a savings of $3 billion from the 2017 annualized CR level. The Federal Government has spent over $150 billion on this block grant since its inception in 1974, but the program is not well-targeted to the poorest populations and has not demonstrated results. The Budget devolves community and economic development activities to the State and local level, and redirects Federal resources to other activities.

- Promotes fiscal responsibility by eliminating funding for a number of lower priority programs, including the HOME Investment Partnerships Program, Choice Neighborhoods, and the Self-help Homeownership Opportunity Program, a savings of over $1.1 billion from the 2017 annualized CR level. State and local governments are better positioned to serve their communities based on local needs and priorities.

- Promotes healthy and lead-safe homes by providing $130 million, an increase of $20 million over the 2017 annualized CR level, for the mitigation of lead-based paint and other hazards in low-income homes, especially those in which children reside. This also funds enforcement, education, and research activities to further support this goal, all of which contributes to lower healthcare costs and increased productivity.

- Eliminates funding for Section 4 Capacity Building for Community Development and Affordable Housing, a savings of $35 million from the 2017 annualized CR level. This program is duplicative of efforts funded by philanthropy and other more flexible private sector investments.

- Supports homeownership through provision of Federal Housing Administration mortgage insurance programs.

RESOLUTION NO ___-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING THE 2017-2018 ACTION PLAN, ACCOMPANYING PROGRAM MODELS AND PROPOSED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

BE IT HEREBY RESOLVED that the City Council of the City of Porterville does hereby approve the 2017-2018 Action Plan with Program Models, attached as Exhibit A, and proposed use of Community Development Block Grant Funds with a 2017 Program Year Entitlement Allocation as follows:

Section 108 Debt Service	$ 287,326.95
Administration	$ 135,878.20
City-Operated Youth Center	$ 90,842.63
Shelter Plus Care Voucher Program	$ 15,000.00
Kings/Tulare Continuum of Care on Homelessness	$ 5,000.00
Housing Rehabilitation and Public Utilities Loan Program	$ 100,343.22
Total Funding	$ 634,391.00

PASSED, APPROVED AND ADOPTED this 18th day of April, 2017.

_____
Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk

DRAFT

CITY OF PORTERVILLE

COMMUNITY DEVELOPMENT BLOCK GRANT

2017-2018 ACTION PLAN

ENTITLEMENT APPLICATION

MARCH 2017

OMB Control No: 2506-0117 (exp. 07/31/2015)

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Porterville (City) is an entitlement jurisdiction that receives federal funds from the U.S. Department of Housing and Urban Development (HUD) to invest in local communities.

The City receives HUD funding under the Community Development Block Grant (CDBG) Program, which is designed to assist low- and moderate-income (LMI) households.

The primary objective of the CDBG program is to develop viable communities through the provision of decent housing, a suitable living environment, and expanded economic opportunities. CDBG grantees are eligible to use the resources they receive for Planning and Administration, Public Services, Community and Economic Development, Capital Improvement Projects (CIP) Public Facilities/Infrastructure, and CIP Housing Rehabilitation. Planning and Administration costs include staffing, preparation of the Consolidated Plan, general management, oversight and coordination. Public Service projects provide social services and/or other direct support to individuals and households in need of assistance. Community and Economic Development projects are focused on assisting businesses and organizations with small business loans, façade improvements, and other initiatives. CIP Public Facilities/Infrastructure projects are those which aim to improve public facilities and infrastructure. CIP Housing Rehabilitation projects are for housing rehabilitation improvements of single and multi-unit housing. The City anticipates approximately $634,000 in CDBG funding for FY 2017/2018. All totals are estimates based on last years' allocation as HUD has not announced 2017/2018 allocations, totals for all programs will be adjusted based on the actual allocation received per contingency descriptions in AP-35.

2. Summarize the objectives and outcomes identified in the Plan

The Action Plan incorporates outcome measures identified in the Consolidated Plan. Activities are selected in accordance with the Federal Register Notice dated March 7, 2006, which require the following Performance Measure Objectives/Outcomes to be associated with each activity funded:

<u>General Objective Categories: Activities will meet one of the following</u>:

Decent Housing (DH)
A Suitable Living Environment (SL)
Economic Opportunity (EO)

OMB Control No: 2506-0117 (exp. 07/31/2015)

Outcome Categories: Activities will meet one of the following:

Availability/Accessibility
Affordability
Sustainability

1	**Goal Name**	Affordable Housing
	Goal Description	Assist in the creation and preservation of affordable housing opportunities.
2	**Goal Name**	Homelessness
	Goal Description	Supportive activities to prevent and end homelessness
3	**Goal Name**	Strengthening Neighborhoods
	Goal Description	Support activities that strengthen neighborhoods. **Land Acquisition**: General Objective: A Suitable Living Environment Outcome: Sustainability **Parks Improvement**: General Objective: A Suitable Living Environment Outcome Categories: Availability/Accessibility
4	**Goal Name**	Economic Development
	Goal Description	Expand economic development and employment opportunity programs.

Goals and Objectives Table

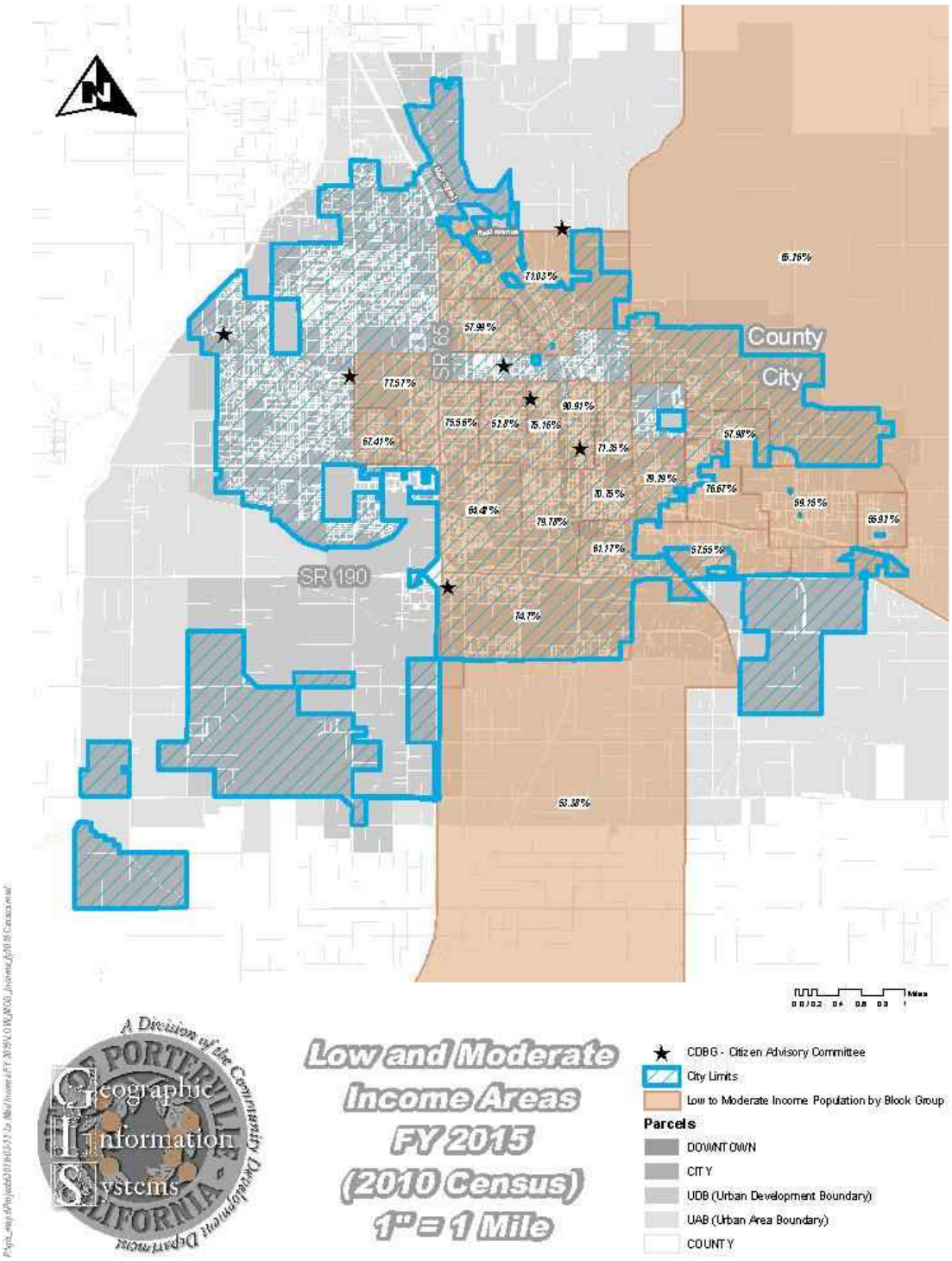
3. Evaluation of past performance

The City is responsible for ensuring compliance with all rules and regulations associated with the CDBG entitlement grant programs. The City's Annual Action Plans and Comprehensive Annual Performance and Evaluation Reports (CAPER) have provided many details about the goals, projects and programs completed by the City since 1982.

The City recognizes that the evaluation of past performance is critical to ensure the City and its subrecipients are implementing activities effectively and that those activities align with the City's overall strategies and goals. The performance of programs and systems are evaluated annually.

Goals for future projects were set in the 2015-2020 Consolidated Plan, by evaluating the success of existing programs as well as evaluating the needs that exist in the community. With 42.9 (for year 2016/17) percent of entitlement funding received applied to the Section 108 loan, there is a limited amount of discretionary funding available for large projects. The City will continue funding salaries for the very successful Youth Center, and the Shelter-Plus-Care Program, and as more funding becomes available the City will look for ways to improve living conditions, eliminate slum and blight, and improve public facilities.

A City of Porterville Map is included with the overlapping Low Mod Income Areas identified in the Census.



City of Porterville Low Mod Area Map

4. Summary of Citizen Participation Process and consultation process

To maximize participation in the preparation of the 2017/2018 Action Plan, the City held a community meeting, designed and administered a community needs survey, will hold two public hearings, conduct outreach by email, social media and committee meetings. The purpose is to inform and seek input on the City's housing and community development needs and proposed use of funds to achieve objectives, priorities, and actions for addressing those needs during FY 2017/2018. Views obtained during this hearing will be considered for the final Action Plan. There was a total of 13 attendees at the community meeting. The number of attendees present to the two public hearings will be reported. Emails and social media audience as well as survey responses will be reported after the 30-day comment period is complete. Feedback and comments received during the community meetings and public hearings will also be in this section.

5. Summary of public comments

Community Meeting February 15, 2017

Community feedback was received for continued support for Housing Programs, Public Services Programs, Business Assistance Programs, and Community Benefit Programs. Support for new park improvement projects, infrastructure improvement, tenant and landlord advocacy and slum and blight removal were also noted in the surveys completed at the meeting. All feedback was gathered and presented to the CDBG Citizens participation and housing advisory committee.

CDBG Advisory and Housing Committee Meeting and Public Hearing March 1, 2017

Public comments, if any received, will be updated in this section.

Public Hearing April 18, 2017

Public comments, if any received, will be updated in this section. Additionally, if HUD has not announced the funding allocations in time to update this document to be approved as a final version, a continuance may take place in order to submit the final document to City of Porterville City Council for approval.

6. Summary of comments or views not accepted and the reasons for not accepting them

Public comments, if any received, will be updated in this section.

7. Summary

The 2017/18 Action plan follows the established 2015-2020 Goals, and takes into account new comments from the Community Development Block Grant Advisory and Housing Opportunity Committee

OMB Control No: 2506-0117 (exp. 07/31/2015)

recommendation to City Council as well as any other public comments received during the development of the plan.

OMB Control No: 2506-0117 (exp. 07/31/2015)

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lea Agency	Porterville, CA	Community Development Department
CDBG Administrator	Porterville, CA	Community Development Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Porterville (City) is the Lead Agency for the United States Department of Housing and Urban Development (HUD) entitlement programs. The City's Department of Community Development is responsible for administering the funds it receives under the Community Development Block Grant (CDBG).

Consolidated Plan Public Contact Information

Community Development Department
Jennifer Byers
Community Development Director
291 N. Main Street
Porterville, CA 93257
(559) 782-7460

OMB Control No: 2506-0117 (exp. 07/31/2015)

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City launched a comprehensive public engagement strategy to consult with stakeholders of the City to prioritize needs, set goals, and inform strategies for the implementation of the 2017/2018 Action Plan. The City's outreach effort focused on engaging community residents, beneficiaries of entitlement funds, and stakeholders of the City. The City held a community meeting to introduce the Annual Action Plan Planning process to meeting participants and gather information regarding the community's top priorities. The City also conducted a Community Survey to gather input from community residents and stakeholders of the City. Survey respondents were asked to identify the greatest needs and priorities in the City that could be addressed through entitlement funding programs and to provide feedback on the use of those funds and to comment on existing programs.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

City staff worked collaboratively with public officials, City departments, community residents and stakeholders, and beneficiaries of entitlement funds to craft the priorities and strategies included in this Action Plan. The City facilitated a community outreach and engagement effort to further strengthen the dialogue between public and assisted housing providers and private and governmental health, mental health and service agencies that receive federal funding. The City held a community meeting to prompt discussions on the City's top community needs and approaches to addressing them.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Kings and Tulare County Continuum of Care (Alliance) is comprised of a group of service providers, advocates, public agencies, and homeless individuals to address the needs of the homeless population in the Kings and Tulare County regions. The City is an active participant in monthly Alliance meetings, which are intended to enhance coordination, share information on best practices, and develop a better understanding of the needs of the homeless population in jurisdictions across both counties. The Alliance recently implemented Every Door Open, a coordinated entry and assessment system to serve Kings and Tulare counties. Every Door Open is designed to help individuals at-risk of or currently experiencing homelessness. The coordinated entry and assessment system prioritizes the most vulnerable homeless individuals, including the chronically homeless, families with children, veterans, and unaccompanied youth.

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Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Not applicable. The City does not receive Emergency Solutions Grant Funds.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

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Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	Kings/Tulare Counties Continuum of Care
	Agency/Group/Organization Type	Services - Homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	An email was sent to all members inviting them to attend the community meeting and public hearings to provide input. Additionally, a survey was distributed at the February 23rd, 2017 membership meeting and input was requested from all present members to better understand the needs and priorities of the homeless population and use of funds for the 2017/2018 Action Plan.
2	**Agency/Group/Organization**	Central California Family Crisis Center
	Agency/Group/Organization Type	Services - Victims of Domestic Violence Services - Victims
	What section of the Plan was addressed by Consultation?	Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives completed a survey to provide input to help prioritize the City's community needs.

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3	**Agency/Group/Organization**	Family Services of Tulare County
	Agency/Group/Organization Type	Services - Housing Services - Homeless Services - Victims
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives attended at least one community meeting and completed a survey to provide input to help prioritize the City's community needs.
4	**Agency/Group/Organization**	Community Services and Employment Training (C-SET)
	Agency/Group/Organization Type	Services - Housing Services - Persons with Disabilities Services - Homeless Services - Education Services - Employment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives completed a survey to provide input to help prioritize the City's community needs and attended at least one community meeting.

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5	**Agency/Group/Organization**	Family Healthcare Network
	Agency/Group/Organization Type	Services - Health
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives completed a survey to provide input to help prioritize the City's community needs.
6	**Agency/Group/Organization**	Housing Authority of Tulare County
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Public Housing Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives attended at least one community meeting and completed a survey to provide input to help prioritize the City's community needs.

Identify any Agency Types not consulted and provide rationale for not consulting

The City reached out to many different agencies, groups, and organizations and invited them to participate in the preparation of this Action Plan. They were provided with a stakeholder flyer that included information on the community meeting and public hearings. These groups were asked to share this information with colleagues and mailing lists. They were also encouraged to complete the community survey. While many of the groups that were invited to participate in the public meetings did not attend, the City did not intentionally exclude any groups from the consultation process. It is possible that the representatives of these organizations completed the community needs survey, which heavily informed the preparation of the Action Plan. However, to encourage greater survey participation, survey responses were kept anonymous.

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Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Kings/Tulare Homeless Alliance	Connecting the Dots is a Ten-Year Plan to prevent and end homelessness in the Kings and Tulare County region. This effort is aligned with the Strategic Plans goal to support activities that prevent and end homelessness.
San Joaquin Valley Fair Housing and Equity Assess	California Coalition for Rural Housing	The FHEA provides an overview of racial and economic segregation patterns in the City and describes its impact on residential mobility. The report also includes a set of recommendations to promote integration in the City and lessen the negative consequences generated as a result of segregation identified within the report. Both plans focus on supporting and promoting the creation of affordable housing opportunities for LMI and special needs households.
City of Porterville General Plan Housing Element	City of Porterville	The Housing Element identifies the housing needs of the community, goals and objectives to address those needs, and outlines the communities' efforts to pursue specific policies and programs to achieve its goals and objectives. The Strategic Plan supports the Housing Elements plan to ensure that there is an adequate supply of affordable housing to meet the current and future needs of the population.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

Many organizations were consulted at community meetings or by email to engage them in providing feedback, some were anonymous while others attended the community meeting and/ or public hearings.

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AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

To maximize participation in the preparation of the 2017/2018 Action Plan, the City held a community meeting, designed and administered a community survey, will hold two public hearings, conducted outreach by email, social media and committee meetings, to inform and seek input on the City's housing and community development needs and proposed use of funds to achieve objectives, priorities, and actions for addressing those needs during FY 2017/2018. Views obtained during this hearing will be considered for the final Action Plan. There was a total of 13 attendees at the community meeting. Public hearing attendance, outreach responses and survey responses will be updated after the end of the 30–day comment period.

Feedback and comments received during the community meetings and public hearings will be updated in this section.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community	13 Participants attended	Feedback included reinforcement of the need for affordable housing programs, youth programs, economic development, homeless programs and removal of slum and blight.	No comments were rejected, all were considered.	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	Non-targeted/broad community	March 1, 2017, Meeting lead by the Citizens Advisory and Housing Opportunity Committee. Public comments will be updated after meeting takes place.	Citizens Advisory and Housing Opportunity Committee contributed to the Action Plan by developing a plan to present to City Council for approval	No Public comments were received.	
3	Public Hearing	Non-targeted/broad community	Will be updated after hearings	Will be updated after hearings	Will be updated after hearings	
4	Internet Outreach	Non-targeted/broad community	Will be updated after hearings	Will be updated after hearings	Will be updated after hearings	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
5	Newspaper Ad	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	Notice of community meeting and public hearings as well as 30 day review period for the Draft 2017/2018 Action Plan were placed in the local newspaper the Porterville Recorder as well as in the Spanish edition of Noticiero Semanal. Public hearing notices are attached for verification	Will be updated after hearings	Will be updated after hearings	
6	Message Board at City Hall	Non-English Speaking - Specify other language: Spanish Non-targeted/broad community	A flyer for the Community Meeting and the Public Notices were posted at City Hall to increase awareness and seek citizen participation.	Will be updated after hearings	Will be updated after hearings	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
7	Internet Outreach	Persons with disabilities Non-targeted/broad community	A Facebook post was placed on the Choose Porterville Facebook inviting the community to attend the Community Meeting.	Will be updated after hearings	Will be updated after hearings	
8	Internet Outreach	Non-targeted/broad community	A Facebook post was placed on the Porterville Chamber of Commerce Facebook inviting the community to attend the Community Meeting.	Will be updated after hearings	Will be updated after hearings	
9	Porterville Project Homeless Committee	Non-targeted/broad community	A presentation was made before the Porterville Project Homeless Committee to seek input on the development of the Action Plan	Comments received supported the allocations for Continuum of Care and Shelter plus care.	All comments were accepted	

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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
10	Public Counters	Non-targeted/broad community	Copies of surveys and Draft Action Plan will be placed at public counters in City Hall, Porterville Public Library, and at the Chamber of Commerce for review and feedback.	Will be updated after hearings	Will be updated after hearings	

Table 4 – Citizen Participation Outreach

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Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

At this time HUD has not announced the new funding allocations; therefore, the City is using last years' amounts as an estimate of what it may receive for the following fiscal year. The City's federal entitlement funding decreased by approximately 4.4 percent in PY 2016-2017 from the PY 2015-2016. The Program income is an estimate based on expected debt payments from current outstanding loans.

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan $	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	Public - Federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services Clearance Disposition	Will be updated once it is announced. It is estimated around 634,391	45,000	784,723.32	1,428,114.32	1,428,114.32	CDBG funds will be used for public improvements, economic development, and public services that benefit low income and special needs households.

Table 5 - Expected Resources – Priority Table

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Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The amounts in Priority Table for Expected Amount Available are estimates based on expenditure projections through 6/30/2017 and of anticipated grant from HUD, which has not been announced yet. The City of Porterville is proactive in prioritizing the needs of the community. Staff continues to dedicate time, collaborating with non-profit agencies through the Homeless Alliance whose main target is to house homeless individuals. The City uses $15,000 in CDBG funds to contribute to the hiring of a social worker for the Shelter-Plus-Care Program administered by Family Services of Visalia. When available, funds will also be allocated to the Alliance to continue the efforts to end homelessness. Staff works closely with local non-profit agencies using an active referral system where a pool of resources is made available to those in need. City staff continuously promotes the housing programs through various methods as well as within several faith-based organizations. When available, the City uses state funding, such as HOME and CalHome in conjunction with CDBG funds to create safe and suitable living environments for the low- and moderate- income members of the Porterville community.

Leverage, in the context of entitlement funding, means bringing other local, state, and federal financial resources to maximize the reach and impact of the City's HUD Programs. HUD, like many other federal agencies, encourages the recipients of federal monies to demonstrate that efforts are being made to strategically leverage additional funds in order to achieve greater results. Leverage is also a way to increase project efficiencies and benefit from economies of scale that often come with combining sources of funding for similar or expanded scopes. Funds will be leveraged if financial commitments toward the costs of a project from a source other than the originating HUD program are documented.

As previously discussed, in addition to its annual CDBG entitlement, the City anticipates annual HOME Investment Partnerships Program (HOME) funds will be available to meet the goals of the Consolidated Plan. HOME funding is intended to be used for various housing-related programs and activities. HOME funds are generally used to address the housing needs of jurisdictions through the preservation or creation of affordable housing. New construction, housing rehabilitation, assistance to homebuyers, and tenant-based rental assistance are all eligible uses of HOME funds. The City's HOME dollars come from program income and a new HOME Grant received in FY 2016/17. These funds will be used to meet affordable housing needs. HOME PI is a result of payments received by the City for First Time Homebuyer Loans made in the past with State HOME grants. The First Time Homebuyer Loan Program will not be allocated New CDBG Entitlement funds, as there are funds available for this program from HOME PI and the new HOME grant awarded to the City. The City of Porterville discloses any and all funding available for the priorities identified in the Con Plan and Action Plan to explain how those goals are met despite not allocating any new CDBG Entitlement or expected CDBG PI to a specific program.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

During Fiscal Year 2014-2015 the Successor Agency to the Porterville Redevelopment Agency acquired a property located at the corner of Olive Avenue and Main Street in downtown Porterville. The property was the former site of the Porterville Hotel; a fire destroyed the abandoned building, and the land is now vacant. The Agency's intent is to market the property and find a developer willing to create new retail and office space in the downtown business corridor. The desired outcome of the project would be retail opportunities leading to job creation.

The City also owns approximately seven acres of property located at the Jaye Street Industrial Complex. These properties are marketed in cooperation with the Tulare County EDC for recruitment of manufacturing and industrial uses to Porterville. The desired outcome of these projects is job creation.

Discussion

Below is a list of potential financial resources considered a part of the City's overall financial plan to address priority needs and specific objectives identified in the Consolidated Plan. The number and availability of these programs to assist cities is limited, and funding for new projects is unpredictable. The following programs are local, state, and federal programs. None of these are managed locally by the City through funds accessed directly from HUD:

- Housing Authority of Tulare County (HATC): HATC is a public housing authority with jurisdiction within the City and the County. It administers federal and state funds for its public housing projects and government-assisted housing units, such as the Section 8 Housing Choice Voucher Program and Veterans Affairs Supportive Housing (VASH) vouchers.
- Low-Income Housing Tax Credit Program (LIHTC): The LIHTC program provides federal and state tax credits for private developers and investors who agree to set aside all or an established percentage of their rental units for low-income households for no less than 30 years. Tax credits may also be utilized on rehabilitation projects, contributing to the preservation program. The program begins when developers and investors apply for an allocation of tax credits from the California Tax Credit Allocation Committee (CTCAC). Tax credits are awarded on a competitive basis at varying times. Compliance is monitored according to Internal Revenue Service (IRS) rules and regulations. Multi-Family Housing Program: If California's Housing and Community Development Department awards Multi-Family Housing Program loans to assist rental housing developments affordable to low-income households in the City, the City will assist the developers with identifying

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local funding.

- National Housing Trust Fund (HTF): States and state-designated entities are eligible grantees for the HTF. HUD will allocate HTF funds by formula annually. A State must use at least 80 percent of each annual grant for rental housing; up to 10 percent for homeownership; and up to 10 percent for the grantee's reasonable administrative and planning costs.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2015	2019	Affordable Housing	Citywide	Affordable Housing Community Services, Public Facilities, Public	CDBG: $300,221.42	Public service activities for Low/Moderate Income Housing Benefit: 60 Households Assisted Homeowner Housing Added: 1 Household Housing Unit Homeowner Housing Rehabilitated: 4 Household Housing Unit Direct Financial Assistance to Homebuyers: 1 Households Assisted

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Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
2	Homelessness	2015	2019	Homeless	Citywide	Homelessness	CDBG: $20,000	Public service activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 2 Households Assisted
3	Strengthening Neighborhoods	2015	2019	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Economic Development	CDBG: $378,169.58	Parks improvement 15,415 persons Youth: 100 persons
4	Economic Development	2015	2019	Non-Housing Community Development	Citywide	Economic Development	CDBG: $729,723.32	Jobs created/retained: 1 Jobs Businesses assisted: 1 Businesses Assisted

Table 6 – Goals Summary

Goal Descriptions

1	**Goal Name**	Affordable Housing
	Goal Description	Assist in the creation and preservation of affordable housing opportunities.
2	**Goal Name**	Homelessness
	Goal Description	Supportive activities to prevent and end homelessness

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3	**Goal Name**	Strengthening Neighborhoods
	Goal Description	Support activities that strengthen neighborhoods. **Land Acquisition**: General Objective: A Suitable Living Environment Outcome: Sustainability **Parks Improvement**: General Objective: A Suitable Living Environment Outcome Categories: Availability/Accessibility
4	**Goal Name**	Economic Development
	Goal Description	Expand economic development and employment opportunity programs.

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

Please refer to Goal Outcome Indicators.

The amended Five-Year Consolidated Plan SP-45 states 300 people will be served under Affordable housing, but this is referring to the five-year period. Therefore, a new goal of 60 people will be served per year in the 5 year span.

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AP-35 Projects – 91.220(d)

Introduction

The Consolidated Plan goals below represent high priority needs for the City and serve as the basis for the strategic actions the City will use to meet these needs. The goals, listed in no particular order are:

1. Assist in the creation and preservation of affordable housing opportunities
2. Support activities to prevent and end homelessness
3. Support activities that strengthen neighborhoods.
4. Expand economic development and employment opportunity programs.

#	Project Name
1	CDBG Planning and Administration
2	City-Operated Youth Center
3	Shelter Plus Care Program for the Homeless
4	First Time Low-Income Homebuyer Program
5	Homebuyer Education
6	Owner Occupied Housing Rehabilitation & Public Utilities Loan Program
7	Business Assistance Programs
8	Section 108 Loan Repayment
9	Parks Improvement Program
10	Land Acquisition
11	Continuum of Care
12	Disposition
13	Clearance

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocations are based on community needs assessment established in the Five Year Consolidated Plan 2015-2020. Additionally, public comment is sought annually for any other community needs or for support of current allocations.

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Projects

AP-38 Projects Summary

Project Summary Information

Table 9 – Project Summary

1	**Project Name**	**CDBG Planning and Administration**
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing Homelessness Community Services, Public Facilities, Public Economic Development
	Funding	CDBG: $135,878.20
	Description	A portion of the CDBG entitlement allocation will be used for reasonable planning and administrative costs associated with the administration of the CDBG funds and other related federal requirements. Administration funds will support oversight activities of the housing department, legal services from the City Attorney's Office, and environmental reviews. The actual amount is based on an estimated amount dependent on anticipated Program Income for FY 2017/18. **Allocation amount**: up to 20% of Grant allocation plus 20% of current years' expected PI. **Carry Over**: $0 is anticipated carryover from PY 2016/17, however if any carryover remains on 6/30/2017 it shall be allocated to Owner Occupied Housing Rehabilitation Program.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	
	Planned Activities	CDBG Planning and Administration
2	**Project Name**	**City-Operated Youth Center**
	Target Area	Citywide

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	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Community Services, Public Facilities, Public
	Funding	CDBG: $90,842.63
	Description	A Portion of the CDBG entitlement allocation will be used for the Heritage Center. Youth services and the provision of youth activities is a high priority for the City. The Youth Center is a free, drop-in recreation program that meets this need within the City's lowest income areas. The program prevents and diverts youth ages 10-18 from negative behavior and surrounds them in a positive and productive environments. The actual amount is based on an estimated amount dependent on anticipated Program Income for FY 2016/17. **Allocation amount**: up to 15% of Grant allocation plus 15% of prior year PI. (Excluding $20,000 which will be allocated to other Public Service Programs: Shelter + Care program for the Homeless and Kings Tulare Continuum of Care) $90,842.63 is estimated using this formula, based on last years' CDBG Entitlement Grant. **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be allocated to Owner Occupied Housing Rehabilitation Program.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	100 Households Assisted
	Location Description	256 E. Orange Ave, Porterville CA 93257
	Planned Activities	A few program objectives include: enhancing self-esteem, building leadership skills, and learning teamwork and the ability to cooperate with others. A sample of the activities for the youth include: participation in City athletic leagues, homework tutoring, arts & crafts, cooking classes, community service projects, and an assortment of video and traditional games.
3	**Project Name**	**Shelter Plus Care Program for the Homeless**
	Target Area	Citywide
	Goals Supported	Homelessness

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	Needs Addressed	Homelessness
	Funding	CDBG: $15,000
	Description	A portion of the CDBG entitlement allocation will be used for the S+C voucher program. It functions like a Section 8 voucher; the clients pays 30% of their income towards housing, and the remaining balance of the Fair-Market rent is paid by the voucher. All of the units in the program are existing scattered site market rate apartments. The program requires a dollar for dollar match of supportive services for each dollar of housing provided through the S+C voucher, and Family Services has committed to providing the balance of the services. **Allocation amount**: $15,000 granted it does not exceed the 15% public service Cap. **Carry Over**: $0 is anticipated carryover from PY 2016/17, however if any carryover remains on 6/30/2017 it shall be allocated to Owner Occupied Housing Rehabilitation Program.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	2
	Location Description	Citywide
	Planned Activities	The City of Porterville executed a subrecipient agreement with Family Services of Tulare County to administer this voucher program that provides services within the City of Porterville with the City funding up to $15,000 annually for the case manager services.
4	**Project Name**	**First Time Low-Income Homebuyer Program**
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: $15,000

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	Description	CDBG program income funds will be used to facilitate movement of low-income, renter households into the home ownership category with affordable mortgages through a revolving loan program. **Allocation amount**: $15,000 is anticipated New PI from debt repayment of home loans that will be returned to the RL fund to continue to operate the CDBG FTHB loan program. **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall remain in the RL fund to continue the FTHB Loan Program.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	1
	Location Description	Citywide
	Planned Activities	Using CDBG program income, the City plans to assist in the purchase of newly constructed or existing homes.
5	**Project Name**	**Homebuyer Education**
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Community Services, Public Facilities, Public
	Funding	CDBG: $0
	Description	If funding permits, CDBG new entitlement funds will be used to prepare low-income renter households for the responsibilities and challenges of homeownership which will facilitate the use of the City's First Time Homebuyer Low Income Loan Program. The City is requiring this eight to nine hour training course as a prerequisite to applying for City assistance in the purchase of their first home. **Allocation amount**: $0 will be allocated for PY 2017/18 **Carry Over:** $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be allocated to Owner Occupied Housing Rehabilitation Program. This program continues, however it will be funded with HOME Admin funds; unless there is available CDBG funds from the public services cap that can be allocated to this project. In that case, no more than $2000 will be allocated.

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	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	60
	Location Description	291 N. Main St. Porterville CA 93257
	Planned Activities	The curriculum includes, but is not limited to the following topics: advantages/disadvantages of homeownership, what the applicant can afford, developing budgets, determining debt ratios, explanation of the loan process, down payments, and closing costs, selection of a real estate agent, selection of property, lead base paint visual assessment certification, writing an offer, the escrow process, and maintenance of the home. Using the funding allocation, the City plans to provide this homebuyer education course free of charge to qualified low income persons.
6	**Project Name**	**Owner Occupied Housing Rehabilitation & Public Utilities Loan Program**
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: $111,343.22
	Description	Using New Entitlement and program income funds the City will participate in a meaningful and effective housing rehabilitation program including connection to City water and/or sewer service, to assist low- and moderate-income homeowners and to supplement previous funding allocated over the past 29 years to Housing Rehabilitation Loan Program (HRLP) **Allocation amount**: $100,343 (estimate based on remaining New Entitlement Grant after all other projects have been funded using last years' allocation, this total will be updated once HUD announces the 2017/2018 Entitlement Grant) from New CDBG Entitlement plus $11,000 from anticipated PI, will be allocated for PY 2017/18 **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be carried over into the RL fund to continue funding the Owner Occupied Housing Rehabilitation Program.

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	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	Four households
	Location Description	Citywide
	Planned Activities	Once an applicant is income qualified, an inspection of the premises is made to identify building code deficiencies, applicable lead-based paint mitigations, and zoning violations. For water and/or sewer connection feasibility, verification will be performed by the City's Engineering Department. The applicant is then counseled as to the extent and cost of the work covered by a rehabilitation loan, the process of selecting a contractor, and maintaining an equity reserve after rehabilitation construction. A systemized program evaluating work completed through on-site inspections and progress payment issuance is administered by the City to assure that abuses of the program do not occur. Final payment is held until the City Chief Building Inspector, Rehabilitation Specialist, and homeowner have indicated completion and satisfaction with the work.
7	**Project Name**	**Business Assistance Programs**
	Target Area	Citywide
	Goals Supported	Economic Development
	Needs Addressed	Economic Development
	Funding	CDBG: $729,723.32

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	Description	Program Income and Old Entitlement will be used for the Business Assistance Programs. Large Business Assistance Program (LBAP) Revolving Loan Fund: The main objective of this program is to provide financing options to industrial/commercial businesses for the retention and expansion of the job market within the City of Porterville. Small Business Assistance Program (SBAP) Revolving Loan Fund: The main objective of this program is to provide "gap" funding for small businesses that are either just starting business in Porterville or are trying to expand their business. **Allocation amount:** $0 will be allocated for PY 2017/18 **Carry Over**: $729,723.32 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be carried over into the RL fund to continue funding the Business Assistance Loan Programs as the City continues to accept and review applications for those programs.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	One small and one large business
	Location Description	Citywide
	Planned Activities	Large Business Assistance Program (LBAP), Commercial and Industrial Development. This program will provide financial assistance in the amount of $50,000 or greater. The goal of the LBAP is to encourage businesses to expand which will lead to increase business activity, job sustainability, and job creation. Small Business Assistance Program (SBAP): SBAP assistance is a minimum of $1,000 and a maximum of $50,000 and will be directed towards businesses that have the greatest potential for long-term job creation. One of the goals of the program is to encourage business owner to partake in facade improvements, which will lead to increased business activity.
8	**Project Name**	**Section 108 Loan Repayment**
	Target Area	Citywide
	Goals Supported	Strengthening Neighborhoods Economic Development
	Needs Addressed	Community Services, Public Facilities, Public

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	Funding	CDBG: $287,326.95
	Description	CDBG Entitlement funds are allocated to provide the annual debt service payment on the Section 108 loan for the Heritage Center which housed the City-Operated Youth Center. **Allocation amount**: Debt repayment, this will be paid before any other allocations are made to meet the debt agreement. **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall remain in the RL fund to continue the FTHB Loan Program.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	The center is located in Census Tract 41
	Planned Activities	CDBG Entitlement funds are allocated to provide the annual debt service payment on the Section 108 loan for the Heritage Center which housed the City-Operated Youth Center.
9	**Project Name**	**Parks Improvement Program**
	Target Area	Citywide
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Community Services, Public Facilities, Public
	Funding	CDBG: $0
	Description	The main objective of this program is to improve the deteriorated amenities and infrastructure at both Murry Park and Zalud Parks in order to continue to keep the park as a safe, clean, and attractive recreation facility. Allocation amount: $0 will be allocated for PY 2017/18 Carry Over: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall remain in this project to continue funding park improvement projects at the designated parks.
	Target Date	6/30/2018

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	Estimate the number and type of families that will benefit from the proposed activities	15415
	Location Description	Murry Park and Zalud park are in Census Tracts 39.01 and 37 respectively, but also serve 38.01, 38.02 and 41.01
	Planned Activities	Using previous entitlement and Program income the City plans to continue making improvements to Murry Park and Zalud Park. **Allocation amount**: $0 will be allocated for PY 2017/18 **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall remain in this project to continue funding park improvement projects at the designated parks.
10	**Project Name**	**Land Acquisition**
	Target Area	Citywide
	Goals Supported	Affordable Housing Strengthening Neighborhoods
	Needs Addressed	Affordable Housing
	Funding	CDBG: $15,000
	Description	The City may utilize CDBG funds for acquisition of real property to be used for the purpose of Low/Mod Housing Benefit. The property if ready to donate for rehabilitation, will be donated to a non-profit which currently has a program for rehabilitation, or construction of homes to be purchased by Low/Mod households. Using old entitlement the city will utilize CDBG funds for acquisition of real property which its primary purpose will be to provide Low/Mod Housing. This funding was obligated in FY 15/16 and is a carry over to FY 17/18. **Allocation amount:** $0 will be allocated for PY 2017/18 **Carry Over**: $15,000 is anticipated carryover from PY 2016/17, as no new land acquisition project has been secured and it shall remain available for this purpose as the City continues to secure a new project.
	Target Date	6/30/2018

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	Estimate the number and type of families that will benefit from the proposed activities	One Low/Mod Income family
	Location Description	Citywide
	Planned Activities	The intent of acquiring real property is to benefit Low/Mod Housing, by donating it to a non-profit that will build Low/Mod housing if the current building cannot be rehabilitated
11	**Project Name**	**Continuum of Care**
	Target Area	Citywide
	Goals Supported	Homelessness
	Needs Addressed	Homelessness
	Funding	CDBG: $5,000
	Description	The Kings/Tulare Homeless Alliance (formerly Kings/Tulare Continuum of Care on Homelessness) is a consortium of partners working to address the housing and supportive service needs of the homeless population located in the Kings and Tulare County region, through the annual Project Homeless Connect and the Point-In-Time survey. **Allocation amount**: $5,000 granted it does not exceed the 15% public service Cap. **Carry Over**: $0 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be allocated to Owner Occupied Housing Rehabilitation Program.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	200
	Location Description	No specific location has been set at this time.

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	Planned Activities	Project Homeless Connect, is a homeless resource fair that brings services to the homeless and at risk of homelessness in one location as a one stop shop. A few years ago it was paired to coincide with the Point In Time (PIT) Census time frame, in order to allow the Continuum of Care to collect more data to help address the homeless needs in a more efficient way. Although the PIT is completed during the resource fair, it is not mandatory for attendees to partake in it, as the main focus of the event is to bring the needed resources to the homeless community in one location.
12	**Project Name**	**Clearance**
	Target Area	Citywide
	Goals Supported	Affordable Housing Strengthening Neighborhoods
	Needs Addressed	Affordable Housing
	Funding	CDBG: $20,000
	Description	The City may utilize CDBG funds for clearance of real property to be used for the purpose of Low/Mod Housing Benefit. **Allocation amount:** $0 will be allocated for PY 2017/18 **Carry Over:** $20,000 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be remain in this project to continue funding Clearance projects for future Land Acquisition Projects.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	1 Low/Mod Family
	Location Description	87 S. G St, Porterville CA 93257
	Planned Activities	The intent of clearance activity is to benefit Low/Mod Housing, by donating it to a non-profit that will build Low/Mod housing.
13	**Project Name**	**Disposition**
	Target Area	Citywide

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	Goals Supported	Affordable Housing Strengthening Neighborhoods
	Needs Addressed	Affordable Housing
	Funding	CDBG: $3,000
	Description	The City may utilize CDBG funds for disposition of real property to be used for the purpose of Low/Mod Housing Benefit. **Allocation amount**: $0 will be allocated for PY 2017/18 **Carry Over**: $3,000 is anticipated carryover from PY 2016/17; however, if any carryover remains on 6/30/2017, it shall be remain in this project to continue funding Disposition projects for future Land Acquisition Projects.
	Target Date	6/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	1 Low/Mod Family
	Location Description	87 S. G St, Porterville CA 93257
	Planned Activities	The intent of disposition activity is to benefit Low/Mod Housing, by donating it to a non-profit that will build Low/Mod housing.

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AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Not applicable. The City has not established specific target areas to focus the investment of entitlement funds.

Geographic Distribution

Target Area	Percentage of Funds
Citywide	100

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Not applicable.

Discussion

Please see discussion above.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Although entitlement resources are limited, the City does anticipate expending a significant portion of its CDBG entitlement on the preservation and provision of affordable housing. A detailed discussion of how HUD entitlements will be used to support community and economic development needs within the City is provided in AP-35, with the number of households to be assisted itemized by goal.

One Year Goals for the Number of Households to be Supported	
Homeless	2
Non-Homeless	6
Special-Needs	0
Total	8

Table 11 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	2
The Production of New Units	1
Rehab of Existing Units	4
Acquisition of Existing Units	1
Total	8

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion

Please see discussions above.

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AP-60 Public Housing – 91.220(h)

Introduction

The Housing Authority of Tulare County of Tulare (HATC) was established in 1945 and is committed to providing rental housing assistance to LMI households, seniors, the disabled, and special-needs populations throughout the region. The agency administers various housing assistance programs, including the public housing program, housing choice voucher program, farm labor program, and senior housing program. HATC currently provides affordable and well-maintained rental housing to over 5,000 households countywide.

Additionally, HATC is a participant of HUD's Moving to Work (MTW) demonstration program, which grants participating public housing authorities (PHAs) the ability to test innovative approaches to delivering housing assistance to households in need. MTW is a HUD effort to build and support innovative programs that enhance the efficacy of PHAs. HATC has capitalized on the organizational and procedural flexibility it has gained through MTW to become a more efficient agency.

Actions planned during the next year to address the needs to public housing

[This section will be updated after receiving updates from HATC] HATC will continue to own and manage 110 units in the City of Porterville. According to HATC, there is no plan to purchase additional public housing units, nor is there a plan to remove any units from its inventory. In the Fiscal Year 2015 - 2016, HATC invested a total of $156,000 in Capital Fund improvements for its Public Housing Stock located in the City of Porterville. The noted expenditures will cover maintenance and rehabilitation in public-housing units within the City of Porterville. Capital Fund expenditures will cover a large range of projects, including roofing replacement, landscaping improvements, carpet replacement along with Air Conditioning and Heating unit improvements.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

[This section will be updated after receiving updates from HATC] HATC is proactive in the inclusion of public-housing residents in the policy making process. An equitable and transparent policy making process that includes the opinions of public housing residents is achieved through the participation of two tenant commissioners on the HATC Board. Furthermore, HATC has installed a Resident Counsel, which is made up of five residents from all of HUD funded programs (Multifamily Housing, LIHTC, HOME, Section 8 Housing Choice Vouchers and public-housing). The Resident Counsel works with HATC staff on evaluating the effectiveness and efficiency of HATC rental assistance programs. This provides members the opportunity to provide input on necessary program modifications.

A vital driving factor in the implementation of HATC programs is the promotion of tenant self-sufficiency. HATC views the goal of homeownership for program participants as one of the long term goals for all of

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our clients. HATC staff works with tenants to effectively provide them with the necessary resources to achieve homeownership and its Annual Re-Examination Notice provides public-housing participants with an extensive referral list that provides assistance with homeownership. This list includes programs managed by: CSET, City of Porterville, Habitat for Humanity, CalHFA, and Self Help Enterprises. HATC's program coordinator works with any interested public housing tenant in order to effectively inform them of all the different programs that are available to them. Effective collaboration between the agency and other public and nonprofit agencies is imperative to help promote homeownership among all of its tenants. Lastly, the agency has consistently been a sponsor and active participant of the Tulare County Housing Resource Fair, an event that provides participants the opportunity to access available public/private programs to purchase their first home.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

Please see discussions above.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

As previously discussed, the Alliance is a consortium of partners working to address the housing and supportive service needs of the homeless population located in the Kings and Tulare County region.

The bi-county region's 10 year plan to end homelessness, Connecting the Dots, was developed by the Alliance in 2010. The goals of the Plan include:

Create and implement action steps to reduce and prevent future homelessness; Form and/or expand the collaborations needed to successfully develop new housing units and connect homeless individuals with services; Capitalize on existing resources and leverage new sources of funding in order to be efficient in addressing the needs of at-risk and homeless community members; Expand the capacity of local agencies by utilizing existing best practices and educating on the effectiveness of a Housing First model; Be proactive in the Alliance's approach to addressing homelessness.

To accomplish these goals, the Plan objectives are organized into three strategic categories: 1) Housing; 2) Supportive Services and Income Supports; and 3) Prevention and Outreach.

As a result, the Alliance has started using a Coordinated Entry System (Every Door Open) "It is based on national best practices and is consistent with federal guidelines, which ensure that our most vulnerable neighbors are receiving the limited housing resources in our community. Every Door Open directs households who are at-risk of becoming homeless or are currently experiencing homelessness, to seek assistance through a Housing Navigator, partner agency, or through 2-1-1. Households are evaluated through the Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT). Assistance is prioritized for households who have been literally homeless for long periods of time and have high service needs." https://www.kthomelessalliance.org/point-in-time-1/

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

On an annual basis, the Alliance conducts a Point in Time (PIT) count in conjunction with the Project Homeless Connect (PHC) event. Through these two events, the Alliance is able to acquire a snapshot of the adults, children in households and unaccompanied youth living in the City who meet HUD's definition of homelessness. Information gathered through the PIT is used to understand the causes and trends over time of homelessness, as well as to determine the unmet shelter and service needs of the homeless. The City contributes CDBG funds to support the Alliance efforts and City staff participates in the annual bi-

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county PIT count.

The Alliance has a three-prong street outreach approach, which includes events such as PHC and the PIT Count, coordination with law enforcement for referrals of street homeless, and coordination with programs serving daily meals, which is an opportunity to identify clients in need of emergency services.

PHC is a national best practice that is a one-stop-shop of comprehensive support services for people experiencing homelessness. Guests attending the event are partnered with volunteers who assist in identifying and accessing necessary resources.

Addressing the emergency shelter and transitional housing needs of homeless persons

Although the City's CDBG funding is limited to directly contribute to applicable programs, a high priority is given to the need of providing permanent support housing, emergency shelters and transitional housing, as well as, substance abuse treatment, case management, mental health care, life skills training, etc. through collaboration with the Alliance and its members. Being an active participant in the Alliance, the City plays an important part in the strategic planning for the organization and for applications for funding resources. The City will continue to support the efforts of the Alliance and will continue cooperating with the operators of the Central Valley Family Crisis Center, Salvation Army, Red Cross, the PAAR Center, Porterville Area Coordinating Council and other such facilities within the City in providing adequate facilities to meet the emergency and transitional housing needs of the homeless and those threatened with homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

In 2012 the City partnered with the City of Tulare and the City of Visalia to submit a HUD application for 10-15 housing vouchers for the homeless through the Shelter Plus Care program. This was an expansion of the successful Shelter Plus Care program administered by the City of Tulare and Family Services of Tulare County. Implementation of the grant is now in its seventh year and has proven to be extremely successful in housing chronically homeless. Each city pledged $15,000 annually for five years to fund a case manager to serve the three cities, and is renewable yearly thereafter. Family Services of Tulare County will continue to be the administering agency with assistance in Porterville from Central California Family Crisis Center. Consequently, the FY 2017-2018 Action Plan allocates $15,000 for the eight year to this program. The objective for this project/outcome for this program is "availability/accessibility for the

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purpose of providing decent affordable housing."

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City will continue its efforts to combat homelessness by awarding funding to the Alliance to assist in Project Homeless Connect, and the Point-In-Time homeless census. The City will also continue to support applications for HUD funding, and providing technical assistance and training local agencies that serve the homeless. In addition, the City will sponsor Project Homeless Connect for the tenth consecutive year. The objective for this project/outcome is "availability/accessibility for the purpose of providing decent affordable housing."

Discussion

Please see discussion above.

One year goals for the number of households to be provided housing through the use of HOPWA for:
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total

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AP-75 Barriers to affordable housing – 91.220(j)

Introduction

The disparity between income and housing costs stand as the greatest barriers for households seeking to obtain affordable housing in the City. Other barriers to affordable housing in the City may include permit and development impact fees, building codes, and off-street parking standards stand, as these public policies may negatively affect the development of affordable housing and residential investment in jurisdictions across the state.

Permit and Development Impact Fees: As with many other jurisdictions across California, the City collects permit and development impact fees to offset the administrative and service costs generated from these projects, such as processing permits and building inspections. California law requires that City-enforced fees be reasonable and relative to the cost of providing specific services. These fees, however, may limit the supply of affordable housing produced due to the additional costs associated with housing construction.

Building Codes: Building codes set guidelines that identify minimum standards to ensure that building and non-building structures protect the health and safety of the community. Local building codes, however, often mandate that costly improvements be made to meet regulation requirements. The City adopted the 2016California Building Code (CBC), which is grounded on the International Building Code. The City's building codes prove to be in line with those of other California jurisdictions and do not have significant negative consequences on the development of affordable housing in the City.

Off-street Parking Standards: Parking standards for housing units may stand as a limitation to the development of affordable housing, as these requirements increase development costs and diminish the availability of land for additional units. According to Development Ordinance Section 304.04, the City Council shall have the authority to allow a reduction in the number of required multi-family parking spaces, if a developer can demonstrate that the project will not generate a need for as much parking as such a project designed for a general market.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City through its Certificates of Participation, California Infrastructure loans, and other funding sources strives to provide new wells, major sewer and water trunk connections, and expansion of the Wastewater Treatment Facility to accommodate residential growth, and ensure maintenance of affordable housing.

Notwithstanding this fact, the City will continue to evaluate its zoning ordinance and general plan policies to ensure no undue hardship is created in the development of LMI housing. Specifically, the adopted

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Housing Element establishes, as one of its action plan goals, "to reduce governmental constraints to the development, improvement, and preservation of housing, particularly to housing affordable to lower and moderate income households."[1] To accomplish this goal, zoning ordinances have been adopted to ensure that the City is compliant with second unit law and global warming solutions and will include green building material incentives or alternative to construction materials.

Additionally, the Development Ordinance addresses the following:

- Minimum lot sizes and densities consistent with the Plan's land use classifications;
- Development standards that permit townhouses and zero-lot line attached or detached single-family dwellings on sites designated for low-medium, medium, or medium-high densities;
- Development standards that permit second units, small family daycares, and residential care homes in neighborhoods in accordance with State law;
- Sustainable design standards that will achieve compact, walkable neighborhoods and provide an interconnected network of local streets;
- Provisions for emergency shelters, transitional housing, supportive housing, and residential care facilities for six or fewer persons;
- Provisions for Single-Room Occupancy units; and
- Provisions for farmworker housing

The Housing Element also addresses other actions to be taken to preserve the existing housing stock, conserve existing affordable housing opportunities, provide adequate residential sites through appropriate land use designation and zoning to accommodate the City's share of regional housing needs, identify and encourage mixed-use and infill development, and ensure adequate services to infrastructure and housing.

Moreover, through its First Time Low Income Home Buyers Assistance Program, the City has attempted to mitigate one of the greatest barriers to affordable housing, namely the need for a substantial down payment. It is the City's intent to continue this program with program income funds during the FY 2017/2018 and a new HOME grant received in the current fiscal year. The City will apply for future grant opportunities as they arise.

Discussion

Governmental constraints to the production of housing are minimal in Porterville. In sum, the City's land use regulations, expedited permit processing, and relatively low development fees serve to encourage the construction of lower-cost dwelling units compared to other Central Valley communities. This conclusion is supported by the following facts:

- The City allows for a broad range of residential densities, up to 30 dwelling units per acre, and in

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no way discourages proposals for higher density housing through burdensome permit processes or exactions.

- Expedited permit processing times. In 2008, the City of Porterville updated the project review and plan check process for a more efficient and expedited turnaround period. The revised plan check process included input from the local developers, consultants and contractors. Submitted projects are now returned to project proponents within two weeks with comments or permits where the previous process took at least three (3) weeks.
- City fees are relatively low, and there are minimal development exactions.
- Most residential zones allow for alternative housing types, including mobile homes, second dwelling units, and group homes.
- Zoning and parking standards are not overly restrictive; the minimum single family lot size is sufficient to induce homebuilders to construct single family dwelling units for low- and moderate-income first-time home buyers.

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AP-85 Other Actions – 91.220(k)

Introduction

This section discusses the City's efforts in addressing the underserved needs, expanding and preserving affordable housing, reducing lead-based paint hazards, and developing institutional structure for delivering housing and community development activities.

Actions planned to address obstacles to meeting underserved needs

Please see activities in AP-35 to address the housing and community development needs in the City. Also, please see AP-75 regarding potential actions to address barriers to meet the City's affordable housing needs.

Actions planned to foster and maintain affordable housing

Please see AP-15 for actual and potential housing resources available, and AP-35 for activities that will be funded to address the housing and community development needs in the City. Also, please see AP-75 regarding potential actions to address barriers to meet the City's affordable housing needs.

Actions planned to reduce lead-based paint hazards

While the City of Porterville currently does not directly oversee a lead based paint (LBP) eradication program unless it is in conjunction with CDBG, HOME, or CalHome funded owner occupied housing rehabilitation projects. However the City is exploring the possibility of applying for a LBP abatement grant directly from HUD.

All properties being rehabilitated or acquired for affordable housing are inspected for LBP. No federally funded rehabilitation is allowed to occur without due screening for LBP hazards. The City conducts visual assessment, paint testing or risk assessment on all of its projects. Lead hazard reduction activities include paint stabilization, interim controls, standard treatments, lead abatement, safe work practices and clearance to confirm that no LPB hazards remain when work is complete.

Actions planned to reduce the number of poverty-level families

The City, in its continuing effort to reduce poverty, is implementing the following goal in an effort to increase family self-sufficiency through economic development:

- Expand economic development and employment opportunity programs.

Additionally, the City has identified areas that must be addressed to achieve long-term economic

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prosperity, which include the following:

- Responding to and preventing any issues that could be raised as a result of the drought, which has affected many households in the City and surrounding areas.
- Ensuring that land within the City is "shovel ready" and available for development.
- Educating and training the City's workforce to continue to fill any new jobs that may be coming into the City.

The City will continue to work with the HATC to support the maintenance of adequate Section 8 Vouchers and other public housing within the City in proportion to the City's LMI population. The City will also be working closely with the Tulare County Economic Development Corporation, Tule River Economic Development, CSET, Proteus, and Workforce Investment Board (WIB), to facilitate and enhance economic workforce development opportunities in the City. Additionally, Community Development Department staff will continue to work closely with the Economic Development Division to administer the CDBG-funded Business Assistance Program and Small Business Revolving Loan Fund.

The City will continue to work closely with, and in support of, the community service providers in meeting the special needs of its homeless and low- and moderate-income populations. Further, the City will continue to evaluate its delivery system and those of the agencies it works with to see if improvements can be made. The City anticipates that at least one (1) household will qualify for the purchase of a home under the City's First Time Low-Income Homebuyer Program funded with CDBG, HOME or CalHome funds.

Actions planned to develop institutional structure

The City will continue to work closely with, and in support of, the community service providers in meeting the special needs of its homeless and LMI populations. The City will also continue to participate in the Kings/Tulare Continuum of Care to ensure coordination and implementation of the strategic plan. Coordination with local lending institutions assisting lower income first time home buyers will be continued through public meetings and periodic Housing Fairs and/or Workshops. The City will also be working with the lenders to research various lending programs for approval to use with the City's assistance programs. Additionally, Community Development Department staff will continue to work closely with the Parks and Leisure Services Department to administer the ongoing youth recreational programs. The provision of youth activities is a high priority within the community. The Youth Center is a free, drop-in recreation program that meets this need within the City's lowest income areas. The program prevents and diverts youth ages 10-18 from negative behavior and surrounds them in a positive and productive environment. A few program objectives include: enhancing self-esteem, building leadership skills, and learning teamwork and the ability to cooperate with others. A sample of the activities for the youth include: participation in City athletic leagues, homework tutoring, arts & crafts, cooking classes,

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community service projects, and an assortment of video and traditional games.

Actions planned to enhance coordination between public and private housing and social service agencies

The City benefits from a strong jurisdiction and region-wide network of housing, homeless and community development partners, such as the Kings/Tulare Continuum of Care and Porterville Unified School District, and HATC. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local jurisdictions and developers in sharing information and resources.

As discussed in AP-65, one successful example of coordination includes the Shelter Plus Care program. In 2012 the City partnered with the City of Tulare and the City of Visalia to submit a HUD application for 10-15 housing vouchers for the homeless through the Shelter Plus Care program. This was an expansion of the successful Shelter Plus Care program administered by the City of Tulare and Family Services of Tulare County. Implementation of the grant is now in its fifth year and has proven to be extremely successful in housing chronically homeless. Each city pledged $15,000 annually for five years to fund a case manager to serve the three cities, and renewable yearly thereafter. Family Services of Tulare County will continue to be the administering agency with assistance in Porterville from Central California Family Crisis Center. Consequently, the FY 2016-2017 Action Plan allocates $15,000 for the fifth year to this program. The objective for this project/outcome for this program is "availability/accessibility for the purpose of providing decent affordable housing." The city plans to renew this program for additional years.

In addition to the actions listed above, the City will continue to be an active participant in the Alliance. The City plays an important part in the strategic planning for the organization and for applications for funding resources. The City will continue to support the efforts of the Alliance and will continue cooperating with the operators of the Central Valley Family Crisis Center, Salvation Army, Red Cross, the PAAR Center, Porterville Area Coordinating Council and other such facilities within the City in providing adequate facilities to meet the emergency and transitional housing needs of the homeless and those threatened with homelessness. One focus is youth exiting from the foster care system. The City will work closely with the Alliance in reaching out to this vulnerable group.

The City actively participates in Chamber of Commerce events to network and promote its programs, including the Business Assistance Program by:

- Hosting/Presenting at First Friday Coffee, which is a networking opportunity and then a formal

OMB Control No: 2506-0117 (exp. 07/31/2015)

presentation of the City programs.

- Active member of the Business and Development Committee which consists of small businesses.
- Business After Hours networking events
- Business Showcase of Porterville- Set up booth at event
- Various other networking events held by the Chamber of Commerce

The City also:

- Meets with private industry businesses and developers on a constant basis.
- Attends events where information is given to the general public.
- Attend conferences with the international council of shopping centers to recruit new retail to come to Porterville and market the Business Assistance Program as an added incentive to bring the jobs to Porterville.
- Member of the Tulare County Association of Realtors
- Speak before college members of the entrepreneurship group
- Distributes Flyers on the programs
- Posts information on the City Website
- Hosts a social media page: Choose Porterville to promote the programs and market Porterville as a place to do business.

Discussion

Please see discussions above.

OMB Control No: 2506-0117 (exp. 07/31/2015)

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction

The following provides additional information about the CDBG program income and program requirements.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	**0**

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income.	0
3. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	70.00%

Discussion

AP-35 describes how current and new PI will be allocated.

OMB Control No: 2506-0117 (exp. 07/31/2015)

Attachments

OMB Control No: 2506-0117 (exp. 07/31/2015)

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
HOUSING REHABILITATION AND PUBLIC UTILITIES ASSISTANCE REVOLVING LOAN PROGRAM and WHEELCHAIR RAMP GRANT PROGRAM

2017 FUNDING RECOMMENDATION: **$0 CDBG Funds**
Funded under OOR/PUAP Program

PROGRAM PLAN:

This Program Model was established in 2014. The wheelchair grant fund concept utilizes the authority granted by the U. S. Department of Housing and Urban Development to enable the City to administer a grant program for eligible disabled and elderly (over 62) low- and moderate-income homeowners to build needed accessibility ramps in their homes and is an eligible activity identified in Federal Regulations 24 CFR 570.202 (a).

SPECIFIC PROGRAM OBJECTIVES:

To make progress toward satisfying the objectives of the Action Plan and the Housing Element of the City's General Plan, and to meet one of the National Objectives of the Community Development Block Grant Program, 24 CFR 570.208(a)(3), the City will participate in a meaningful and effective housing rehabilitation program including connection to City water and/or sewer service, and wheelchair ramp construction and ADA accessibility, to assist low and moderate-income homeowners and to supplement previous funding allocated over the past 32 years to the Housing Rehabilitation Loan Program (HRLP). The outcome/objective for this program in the new HUD Performance Measurement System is "affordability for the purpose of providing decent affordable housing".

To assist individuals with disabilities and the elderly (62 or older) that need barrier removal to make their homes easily accessible with the installation of wheelchair ramps as established by the Disabled Access Guidelines and Title 24 of the California Building Code is allowed. Those homes located on the "Local Register of Historic Places" and those which require Design Review would be required to have the appropriate City Department approvals.

SPECIFIC PROGRAM ACTION:

These funds, allocated under the Housing Rehabilitation and Public Utilities Assistance Loan Program specifically to meet ADA requirements for the disabled and the elderly in the form of a grant. The funds will be utilized according to the policies and procedures approved for the administration of the HRLP.

Applications from City-wide homeowners are submitted by prospective eligible applicants, then

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

reviewed and verified for accuracy prior to submission to the Community Development Financial Assistance Review Committee (CDFARC). The City provides a grant not to exceed the amount of $10,000.

Once an applicant is income qualified, an inspection of the premises is made to identify the ADA accessibility needs. The applicant is then counseled as to the extent and cost of the work covered by a rehabilitation grant, and the process of selecting a contractor. A systemized program evaluating work completed through on-site inspections and progress payment issuance is administered by the City to ensure that abuses of the program do not occur. Final payment is held until the City Building Inspector, Rehabilitation Specialist, and homeowner have indicated completion and satisfaction with the work.

The administration of the program is accomplished by City staff in accordance with Federal regulations.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

1984 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
BUSINESS ASSISTANCE LOAN PROGRAM

2017 FUNDING RECOMMENDATION:			**$0 (as there are unspent funds from prior year allocations)**
PRIOR YEAR FUNDING:	**1984**	**$140,000**	**CDBG ENTITLEMENT**
	1988	**$370,000**	**REALLOCATION**
	1989	**$155,000**	**REALLOCATION**
	1997	**$200,000**	**CDBG ENTITLEMENT**
	1998	**$ 57,000**	**CDBG ENTITLEMENT & REALLOCATION**
	1999	**$795,555**	**CDBG ENTITLEMENT & REALLOCATION**
	2000	**$ 1,650**	**CDBG PROGRAM INCOME**
	2001	**$225,000**	**CDBG ENTITLEMENT**
	2002	**$ 0**	
	2003	**$ 63,651**	**CDBG PROGRAM INCOME**
	2004	**$262,950**	**ENTITLEMENT**
		$ 45,000	**PROGRAM INCOME**
	2005	**$ 64,603**	**ENTITLEMENT**
		$ 42,472	**PROGRAM INCOME**
	2006	**$ 0**	
	2007	**$ 90,035**	**ENTITLEMENT**
	2008	**$ 66,046**	**ENTITLEMENT**
		$ 32,165	**PROGRAM INCOME**
	2009	**$ 63,514**	**ENTITLEMENT**
		$ 37,585	**PROGRAM INCOME**
	2010	**$ 0**	**ENTITLEMENT**
		$ 42,981	**PROGRAM INCOME**
	2011	**$ 80,822**	**ENTITLEMENT**
		$139,762	**PROGRAM INCOME**
	2012	**$ 0**	**ENTITLEMENT**
		$145,122	**PROGRAM INCOME**
	2013	**$138,000**	**PROGRAM INCOME**
		$167,000	**TRANSFER TO PARKS IMP. PROG.**
	2014	**$ 39,987**	**ENTITLEMENT**
		$812,800	**PROGRAM INCOME**
	2015	**$0**	**ENTITLEMENT**
		$40,037	**PROGRAM INCOME**
	2016	**$56,493.18**	**ENTITLEMENT**
		$44,000.00	**PROGRAM INCOME**

PROGRAM PLAN:

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

Commercial and Industrial Property Assistance Projects (Large Business Assistance Program loans over $50,000)

The Central Business District (CBD) and other peripheral business and industrial areas of the City of Porterville are abundantly developed with numerous structures which have been used for commercial, commercial/residential (apartment/hotels), and industrial use for many years. The commercial areas continue to function as the social and cultural centers of the community. The significance of these areas as a center of activity for Porterville is apparent when one considers the fact that location near these districts is a prime attraction for the construction of seniors' multi-family housing and that, for example, promotions, holidays and most various significant local celebrations are conducted in these areas. Industrial areas provide employment opportunities for local residents. Many of these facilities were constructed several years ago and suffer from functional obsolescence, or there is vacant land available in industrial parks for the expansion of existing businesses or for the construction of a facility for a new industry. Furthermore, strong business associations and the Chamber of Commerce virtually assure that there will be a continued interest in the future of Porterville's commercial and industrial areas.

Commercial and industrial development within the City of Porterville contributes to stabilization and improvement of the local economy. Expansion of commercial and industrial enterprises in Porterville provides a variety of benefits to the community. Not only is the tax base broadened and expanded, but increased employment opportunities are one of the single largest factors in the prevention of homelessness and poverty.

It is the desire of the community to provide incentives and methods to encourage the investment of time and money on a city-wide basis in commercial, industrial, and professional office districts. This can be done using a variety of approaches which have been investigated by staff and include private financing, Small Business Administration participation through the Business Finance Center, Certified Development Corporation, and additional injection financing with CDBG large business loans. In addition to the CDBG funds being used for property improvements, they can also be used for working capital and equipment purchases for these larger business assistance projects that do not qualify under the small business revolving loan fund. This program is based on the Community Development Block Grant (CDBG) National HUD objective of job creation for low and moderate income persons (24 CFR 570.208(a)(4)) and is an eligible activity by Federal Regulations 24 CFR Section 570.203(a). The City will require that a business assisted with these funds meet the public benefit standard of creating or retaining one full-time equivalent job for every $35,000 in assistance.

Small Business Revolving Loan Fund

To assist small business start-ups and expansions, the City has implemented a Revolving Loan Program (RLP) to fill the financing gap that is often faced by small businesses. The RLP will only provide funds to bridge the "financial gap" that allows business to move forward and is designed to provide no more than one-half of a small business's total financing requirements. RLP assistance is a minimum of $1,000 and a maximum of $50,000 and will be directed towards businesses that have the greatest potential for long-term job creations. The guidelines were developed for the

program in 2008 and updated in 2013. This activity will be eligible under Federal Regulations 24 CFR Section 570.201(O) and the National Objective will be either job creation for low and moderate income persons (LMJ) or assistance to Limited Clientele (LMC).

Businesses will also have the opportunity to participate in a Downtown Storefront Improvement Program to encourage the revitalization of downtown. The goal of the program is to encourage business owners to partake in façade improvements, which will lead to increased business activity and job creation.

Public Facilities Program for Commercial/Industrial Areas:

If funds are available, it is proposed that this program will also provide improvements to downtown public parking lots, acquisition of property and construction of new public parking lots, and the development of a park in the downtown area. Use of these funds will assist in enhancing the infrastructure needed to attract employers to currently vacant and underutilized buildings. The downtown parking lots are currently in need of substantial reconstruction in order to adequately serve the surrounding commercial businesses. Their deteriorated conditions have contributed substantially to the extensive and prolonged high vacancy rate of adjacent buildings. In conjunction with the CDBG Business Assistance Program, which will provide funding for improvements to the buildings, the reconstruction of the parking lots and development of new lots can eliminate blighted conditions and provide economic development opportunities. The downtown area serves the entire community and is the commercial activity center located immediately adjacent to the area's two most economically disadvantaged census tracts (Census Tracts 39 and 41). As a result of developing the Porterville Redevelopment Agency Strategic Plan, it became evident that for downtown to thrive, improvements were necessary to increase pedestrian access and safety, and to promote downtown as a destination place to go to, not through. In these respects, sidewalks were improved, street lighting and streetscape designs developed, and one-way traffic was redirected to two-way traffic. Another major element of the Redevelopment Strategic Plan was the need for improvements to existing public parking lots and developing new public parking areas and public open space to assist in downtown revitalization.

These CDBG funds may also be used for construction of new parking improvements for commercial, professional office, or industrial use. Completion of newly constructed parking lot improvements, in conjunction with commercial, professional office, or industrial business development will generate employment opportunities for low-and moderate income persons and eliminate blighted conditions.

The proposed parking lot improvement is an eligible activity under 24 CFR 570.201 (c) Public Facilities and Improvements and predicated on the Community Development Block Grant (CDBG) HUD National Objective of addressing slum and blight on an area basis (570.208(b)(1)), or in some cases on a spot basis (570.208 (b)(2)).

This program will meet the CDBG National Objective for either job creation for low and moderate income persons (LMJ) (570.208(a)(4)), or addressing slum and blight on an area basis (570.208(b)(1)), or in some cases on a spot basis (570.208 (b)(2)). This is an eligible activity by Federal Regulations 24 CFR Section 570.201(c).

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

SPECIFIC PROGRAM OBJECTIVES:

Commercial and Industrial Development (Large Business Assistance Program):

The rehabilitation of commercial, commercial/residential, industrial, and professional office structures on a city-wide basis and/or the acquisition of vacant land for commercial and industrial use accomplishes a multitude of objectives. The first, and most obvious, is that of revitalizing by providing for face-lifting and interior remodel of the shopping, industrial, and professional office places of Porterville residents. To the extent that these areas are shown to be enhanced significantly in the offering of these program funds, the City benefits, in that Porterville is a safer and more attractive place to shop, maintain an office, or industrial operations. These efforts make Porterville more appealing to the consumer; the subsequent effect being a retention of jobs, and the addition of employment opportunities.

The development of upper stories of historical, commercial buildings provides a wider degree of choice in housing opportunities and housing in attractive surroundings which is accessible to services and also expands business location options. The development of housing over commercial structures downtown would provide for the housing of special needs groups, specifically those who desire studio or efficiency apartments which are close to services and provide for an attractive environment apart from traditional housing sources.

The renovation of structures in commercial areas of Porterville removes blight conditions, attracts businesses, and serves to provide an anchor of on-going services for neighborhoods and the community as a whole. Renovating industrial structures or assisting in the acquisition of property for expansion or new construction will assist manufacturing, warehousing, and service industries desiring to locate or expand in Porterville.

Small Business Revolving Loan Fund

The main objective of this program is to provide "gap" funding for small businesses that are either just starting business in Porterville or are trying to expand their business. Of course, providing resources for small businesses helps to stabilize the local economy and produce much needed jobs in the community. As the business pays back the City loan, program income will be realized and used to assist other businesses.

SPECIFIC PROGRAM ACTION:

Commercial and Industrial Development (Large Business Assistance Program):

Eligible businesses will apply for these funds in accordance with the program guidelines. Servicing of loans should be accomplished through City staff or the use of a private sector entity. Control of the terms of the financing will have the effect of enabling the City to ensure benefit to low- and moderate-income persons.

Small Business Revolving Loan Fund

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

Eligible businesses will apply for those funds in accordance with the adopted guidelines for the program. Loan applications will be reviewed by the Community Development Financial Assistance Committee who will make the determination for assistance. The Loans will be serviced by City staff.

Storefront Improvement Program:

Eligible businesses will apply for funds in accordance with adopted guidelines for the program. The program applications will be reviewed by the Community Development Financial Assistance Committee who will make the determination for assistance. The program will be administered by City staff.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

2015 COMMUNITY DEVELOPMENT BLOCK GRANT MODEL

Action Plan 2017/18

CLEARANCE

2017 FUNDING RECOMMENDATION: $ 0 **(prior CDBG Entitlement balance available)**

PRIOR YEAR FUNDING:	**2015**	**$20,000**	**CDBG Entitlement** (Substantial amendment 2/17 added Clearance)
	2016	**$0**	

PROGRAM PLAN:

The City may utilize CDBG funds for Clearance of real property to be used for the purpose to provide decent and affordable housing for low/mod families in conjunction with the Land Acquisition Project, when the structure cannot be rehabilitated.

The program is predicated on the Community Development Block Grant (CDBG) National HUD objective of "providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households." (24 CFR Section 570.208(a)(3)) and is shown as an eligible activity by Federal Regulations 24 CFR Section 570.201(d).

One possible site includes property located on South G Street, Porterville CA. However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM OBJECTIVES:

Implementation of the Program would result providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households.

Additionally, the installation of the proposed improvements in the target low income neighborhoods will complement the City's Low Income Housing Rehabilitation Program since it is directly aimed at improving low income neighborhoods by the removal of factors contributing to blighted neighborhood conditions.

PROGRAM DEMOGRAPHICS:

One possible site includes property located on South G Street, Porterville CA. Located in However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM ACTION:

In the event that the home cannot be rehabilitated, the City will clear the property through the Clearance Activity before donating the acquired property through the Disposition Project.

2013 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Continuum of Care on Homeless

2017 FUNDING RECOMMENDATION: $ 5,000 Entitlement

PROGRAM PLAN:

The City of Porterville will: 1) Host a Project Homeless Connect (PHC) event. PHC will connect homeless and people at-risk of homelessness with critical services such as health and dental care, employment assistance, housing assistance, legal services, social services and access to mainstream benefits. Provide consumables to homeless clients (which can include items such as prescription eyeglasses, DMV reduced-fee ID cards, sleeping bags, laundry cards, and food). 2) Conduct the 2018 Point-In-Time homeless census. The data derived from this count will be compiled into a report which can be utilized by the City of Porterville in completing annual reports, by local services providers who are seeking funding and developing programs, and to gain a better understanding of the unmet needs of the homeless population in order to create/adjust programs within the community.

The Continuum of Care (CoC) will: 1) Write the consolidated Application on behalf of the member agencies of the CoC. Organize and facilitate two Continuum of Care application trainings. Provide ongoing technical assistance to the agencies preparing for the 2017 HUD Continuum of Care NOFA process. Submit completed Consolidated Application, all attachments, and project applications according to the HUD NOFA timeline. 2) Provide targeted technical assistance and training to local agencies that serve the homeless. Examples include assistance with the Technical Submission process for finalizing HUD funding, establishing and achieving performance measures, program design and implementation, assistance with grant compliance, and best practices. 3) Assist with the narrative for the Special Population section of the Action Plan as it pertains to the homeless population within the City of Porterville.

This program is an eligible activity identified in Federal regulations 24 CFR 570.201(e) Public Services and meets the National Objective of direct benefit to low-and-moderate-income persons under Federal Regulation 24 CFR 570.208(a).

SPECIFIC PROGRAM OBJECTIVES:

The City's proposed use of CDBG funds and other federal funding sources for the CoC will address the community's needs of addressing homelessness as determined by the adopted Consolidated Plan and General Plan Housing Element and documented in the annual Point in Time Survey of the homeless and the number of homeless served in the annual Project Homeless Connect event.

The outcome/objective for this program in the HUD Performance Measurement System is "to serve very-low or extremely-low income persons".

SPECIFIC PROGRAM ACTION:

The City of Porterville executed a Sub recipient Agreement with Kings/Tulare Continuum of Care on Homelessness for funding of $5,000 to continue services to prevent homelessness.

The City is being proactive in addressing the current and future need for programs that serve the homeless in Tulare County.

2015 COMMUNITY DEVELOPMENT BLOCK GRANT MODEL
Action Plan 2017/18
DISPOSITION

2017 FUNDING RECOMMENDATION: $ 0 **(prior CDBG Entitlement balance available)**

PRIOR YEAR FUNDING:	**2015**	**$3000**	**CDBG Entitlement** (Substantial amendment 2/17 added Disposition)
	2016	**$0**	

PROGRAM PLAN:

The City may utilize CDBG funds for Dispositon of real property to be used for the purpose to provide decent and affordable housing for low/mod families in conjunction with the Land Acquisition Project.

The program is predicated on the Community Development Block Grant (CDBG) National HUD objective of "providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households." (24 CFR Section 570.208(a)(3)) and is shown as an eligible activity by Federal Regulations 24 CFR Section 570.201(b).

One possible site includes property located on South G Street, Porterville CA. However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM OBJECTIVES:

Implementation of the Program would result providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households.

Additionally, the installation of the proposed improvements in the target low income neighborhoods will complement the City's Low Income Housing Rehabilitation Program since it is directly aimed at improving low income neighborhoods by the removal of factors contributing to blighted neighborhood conditions.

PROGRAM DEMOGRAPHICS:

One possible site includes property located on South G Street, Porterville CA. Located in However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM ACTION:

The City will donate the acquired land to a non-profit to rehabilitate the exciting home or build a new home if current structure cannot be rehabilitated. In the event that the home cannot be rehabilitated, the City will clear the property through the Clearance Activity before donating it through the Disposition Project.

2002 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/2018
HOME BUYER EDUCATION PROGRAM

2017 CDBG FUNDING RECOMMENDATION: $0		**Will leverage with HOME funds**
PRIOR YEAR FUNDING: 2002	**$ 12,316**	**CDBG REALLOCATED FUNDS**
2003	**$10,000**	**CDBG Entitlement Funds**
2004	**$10,000**	**CDBG Entitlement Funds**
2005	**$ 6,000**	**CDBG Entitlement Funds**
2006	**$0**	
2007	**$0**	
2008	**$0**	
2009	**$ 3,000**	**CDBG Entitlement Funds**
2010	**$0**	
2011	**$0**	
2012	**$ 1,000**	**CDBG Previous Entitlement**
2013	**$ 1,000**	**CDBG Previous Entitlement**
2014	**$ 1,000**	**CDBG Previous Entitlement**
2015	**$0**	**Funding with Funds Transferred from other CDBG Programs**
2016	**$ 2000**	**CDBG Entitlement Funds**

PROGRAM PLAN:

Prior year CDBG Entitlement and HOME funds will be leveraged prepare low-income renter households for the responsibilities and challenges of homeownership which will facilitate the use of the City's First Time Homebuyer Low Income Loan Program which is funded with CDBG and HOME funds. The City is requiring this eight to nine hour training course as a prerequisite to applying for City assistance in the purchase of their first home. The City is convinced that the more information the applicants receive regarding the entire process of purchasing a home, the more intelligent and fiscally responsible decisions will be made. The course is taught by qualified individuals in both English and Spanish. The curriculum includes, but is not limited to the following topics: advantages/disadvantages of homeownership, what the applicant can afford, developing budgets, determining debt ratios, explanation of the loan process, down payments, and closing costs, selection of a real estate agent, selection of property, lead base paint visual assessment certification, writing an offer, the escrow process, and maintenance of the home. Using the funding allocation, the City plans to provide this homebuyer education course free of charge to qualified low income persons.

Most of the housing problems experienced by low-income households are associated with cost burden factors. Relative to other income groups, these income groups have a disproportionate need for housing assistance. Approximately 82 percent of Porterville's low-income households (30 percent AMI) were faced with some form of housing problem in 2010, compared to 57 percent for low income households (5 1-80% AMI). In order to meet the needs of low- and moderate income households, some form of assistance will be required. This program is an eligible activity identified in Federal regulations 24 CFR 570.201(k).

This program, would be a first step in meeting the Quantified Objectives and in accomplishing Goal C in the Housing Element: "To meet a reasonable share of the City's low- and moderate-income housing needs." In detailing policies that would help achieve this goal, the City commits to pursuing "state and federal funding assistance that is appropriate to Porterville's need to develop housing that is affordable to low- and moderate-income households." Use of CDBG funds in educating low- and moderate-income first-time home buyers seems very appropriate in helping to address the housing needs of the low- and moderate-income in Porterville and meet one of the National Objectives 570.208(a)(3) where, contrary to many areas of the state, owning an affordable home can become a reality.

SPECIFIC PROGRAM OBJECTIVES:

The City's proposed use of CDBG funds and other federal and state funding sources for the Homebuyer Education Program will address the community's housing needs as determined by the adopted Consolidated Plan and General Plan Housing Element. In preparing low-income households for home ownership, the City is taking an aggressive approach to reduce overcrowding and to reduce the number of renters that are overpaying for their housing. The training course will provide the education necessary for intelligent and financially responsible decisions for these people to purchase a home with three to four bedrooms and start investing their money instead of paying it in rent. As the 2015-2023 Housing Element states "Following cost burden, the second most common housing problem in the City is overcrowding. Two percent of households (895 households) are overcrowded, with more than one person per room. Eighty-one percent of overcrowded households have incomes at or below 80% Area Median Income (AMI). "

The outcome/objective for this program in the HUD Performance Measurement System is "availability/accessibility for the purpose of providing decent affordable housing" for those households who's end result is the purchase of a home. For those that do not end up buying a home this program falls under "public service activities for Low/Moderate Income Housing Benefit."

SPECIFIC PROGRAM ACTION:

CDBG funds used for the Homebuyer Education course provide the necessary foundation for the use of CDBG and other state and federal funds for the First Time Low Income Homebuyer Loan Program. When funds for the First Time Low Income Homebuyer Program are available, the course will be available on a regularly scheduled basis in both English and Spanish and will be taught by qualified instructors.

The City will take an aggressive approach in marketing the program through advertising and Promotional displays. The City will also meet with developers, real estate professionals, and community groups to disseminate information about the program. The local media will be used for press releases relating to the program.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

1993 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
FIRST-TIME LOW-INCOME HOME BUYER LOAN PROGRAM

2017 FUNDING RECOMMENDATION	**$15,000**		**CDBG Program Income (HOME PI & GRANT also available)**
PRIOR YEAR CDBG FUNDING:	**1993:**	**$300,000**	**CDBG Entitlement**
	1993:	**$300,000**	**HOME**
	1994:	**$750,000**	**HOME**
	1994:	**$187,500**	**RDA 1994 HOME Match**
	1995:	**$429,662**	**BEGIN**
	1995:	**$107,416**	**RDA 1995 BEGIN Match**
	1997:	**$200,000**	**CDBG Entitlement**
	1998:	**$172,000**	**CDBG**
	1999:	**$176,765**	**CDBG Reallocation from other CDBG Programs**
	2000:	**$130,350**	**CDBG**
		$500,000	**HOME Grant**
		$500,000	**CalHome Grant**
	2001:	**$180,000**	**CDBG plus $60,000 HOME Program Income, $120,000 HOME 2000 Grant Funds**
	2002:	**$ 50,000**	**CDBG Program Income**
		$600,000	**HOME Grant**
	2003:	**$79,000**	**CDBG Program Income**
	2004:	**$60,000**	**CDBG Program Income**
		$1.2 mil	**HOME Grant**
	2005:	**$60,000**	**CDBG Program Income**
		$500,000	**CalHome Grant**
	2006:	**$ 42,000**	**CDBG Program Income**
		$600,000	**HOME 2006 Grant**
	2007	**$42,000**	**CDBG Program Income**
	2008	**$ 50,000**	**CDBG Program Income**
		$100,000	**HOME Program Income**
		$ 50,000	**CalHome Program Income**
		$400,000	**HOME 2008 Grant**
	2009	**$ 24,000**	**CDBG Program Income**
		$ 50,000	**HOME Program Income**
	2010	**$ 24,000**	**CDBG Program Income**
		$ 50,000	**HOME Program Income**
	2011	**$ 20,000**	**CDBG Program Income**
		$ 60,000	**HOME Program Income**
	2012	**$ 20,000**	**CDBG Program Income**
		$ 60,000	**HOME Program Income**
	2013	**$ 20,000**	**CDBG Program Income**

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

	$ 60,000	**HOME Program Income**
2014	**$ 20,000**	**CDBG Program Income**
	$ 50,000	**HOME Program Income**
2015	**$ 20,000**	**CDBG Program Income**
	$ 50,000	**HOME Program Income**
	$ 15,000	**CDBG Program Income**
2016	**$ 50,000**	**HOME Program Income**

PROGRAM PLAN:

CDBG funds will be used to facilitate movement of low-income, renter households into the home ownership category with affordable mortgages through a revolving loan program. This plan is feasible because of the current moderate prices of homes in the Porterville area. Using the funding allocations, the City plans to assist in the purchase of newly constructed or existing homes. Large families are identified as a group with special housing needs based on the generally limited availability of adequately sized (three or more bedrooms) affordable housing units**.** In 2010, there were 2,195 large families (i.e., those with 5 or more members) living in Porterville. Of these families, 1,207 (55%) were very-low or low-income households. The City's overall overcrowding rate grew from 5% in 1980 to 13% in 1999 to 19% in 2000. For very low- and low-income large families, it is likely that many have to pay more than 30 percent of their income for housing or enter into overcrowded living arrangements to reduce housing expenses. It is also likely that many families opt to do both.

Most of the housing problems experienced by low-income households were associated with cost burden factors. Relative to other income groups, these income groups have a disproportionate need for housing assistance. Approximately 82 percent of Porterville's very low-income households (30 percent AMI) were faced with some form of housing problem in 2010, compared to 57 percent for low income households (51-80% AMI). In order to meet the needs of low- and moderate income households, some form of assistance will be required. This program is an eligible activity identified in Federal regulations 24 CFR 570.201(n).

This program, using CDBG funds, would be a first step in meeting the Quantified Objectives and in accomplishing Goal C in the Housing Element: "To meet a reasonable share of the City's low- and moderate-income housing needs." In detailing policies that would help achieve this goal, the City commits to pursuing "state and federal funding assistance that is appropriate to Porterville's need to develop housing that is affordable to low- and moderate-income households." Use of CDBG funds in providing for a low- and moderate-income First-Time Home Buyer Program seems very appropriate to help address the housing needs of the low- and moderate-income in Porterville and meet one of the National Objectives 570.208(a)(3) where, contrary to many areas of the state, owning an affordable home can become a reality.

SPECIFIC PROGRAM OBJECTIVES:

The City's proposed use of CDBG funds and other federal and state funding sources for the First-Time Home Buyer Program will address the community's housing needs as determined by the adopted Consolidated Plan and General Plan Housing Element. In making home ownership possible for low-income households, the City is taking an aggressive approach to reduce

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

overcrowding and to reduce the number of renters that are overpaying for their housing. The program will provide the opportunity for these people to purchase a home with three to four bedrooms and start investing their money instead of paying it in rent. As determined in the Housing element, overcrowding represents a chronic and increasing problem in Porterville. The 2010 Census reported 19 percent of all households were overcrowded. Among renter-households, 26 percent were overcrowded, relative to 14% of all owner-households. Overcrowding is a problem, in particular, for low-income families with four or more members. The City will need to continue its land use policies which encourage affordable rental and ownership housing." In addition, the Housing Element indicates that a large percentage of low-income renter households are overpaying.

The outcome/objective for this program in the new HUD Performance Measurement System is "affordability for the purpose of providing decent affordable housing".

SPECIFIC PROGRAM ACTION:

CDBG funds used for acquisition under the Low- and Moderate-Income First-Time Home Buyer Program would only be used in areas that are already zoned appropriately for residential development and have approved subdivision maps and approved plans. All houses must be within the city limits and pass an inspection by City building officials. The program will provide up to $40,000 in loan assistance for the acquisition of a house for a qualified First-Time Homebuyer.

In marketing the program, the City will be advertising and conducting general informational workshops to inform the public about the general guidelines of the program. The City will also meet with developers, real estate professionals, and community groups to disseminate information about the program. The local media will be used for press releases relating to the program.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

1982 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
HOUSING REHABILITATION AND PUBLIC UTILITIES ASSISTANCE REVOLVING LOAN PROGRAM

2017 FUNDING RECOMMENDATION:$111,343.22* CDBG Entitlement and PI

PRIOR YEARS CDBG FUNDING:

HRLP		
1982	$282,000	Entitlement
1983	$ 43,000	Entitlement
1986	$ 70,000	Entitlement
1986	$ 15,000	Reallocation from other CDBG Programs
1990	$103,000	Entitlement
1991	$ 47,000	Entitlement
1992	$169,000	Entitlement
1993	$211,000	Entitlement
1998	$ 50,000	Entitlement
1999	$ 18,000	CDBG Prog Income
2000	$ 8,500	CDBG Prog Income
2001	$ 10,000	CDBG Prog Income
2002	$ 10,000	CDBG Prog Income
	$200,000	HOME Grant
2003	$ 10,000	CDBG Prog Income
2004	$ 10,000	CDBG Prog Income
2005	$ 10,000	CDBG Prog Income
2006	$ 7,500	CDBG Prog Income
	$100,000	HOME 2006 Grant
2007	$ 7,500	CDBG Prog Income
2008	$ 7,500	CDBG Prog Income
	$400,000	HOME 2008 Grant
2009	$ 8,000	CDBG Prog Income
2010	$ 8,000	CDBG Prog Income
2011	$ 10,700	CDBG Prog Income

PUAP	
1983	$20,000
1989	$20,159
1990	$10,000
1990	$43,487 Reallocation from other CDBG Programs
1991	$15,000
1993	$ 2,061 Reallocation from other CDBG Programs
1997	$ 1,402 Reallocation from other CDBG Programs
1999	$13,720 Reallocation from other CDBG Programs
2000	$ 850 CDBG Prog Income
2001	$18,550 CDBG Ent. & PI
2002	$ 1,000 CDBG Program Inc
2003	$ 1,000 CDBG Program Inc
2004	$30,000 Reallocated Prog In
2005	$ 1,000 Program Income
2006	$ 500 Program Income
2007	$30,500 Grant & PI
2008	$50,000 CDBG Entitlement
	$ 500 CDBG Prog Income
2009	$50,000 CDBG Entitlement
	$ 500 CDBG Prog Income
2010	$ 500 CDBG Prog Income
	$23,850 CDBG Prog Income
2011	$ 200 CDBG Prog Income
2012	$16,107 CDBG Prog Income
(Programs were combined in 2013)	
2013	$11,000 CDBG Prog Income
2014	$11,000 CDBG Prog. Income
2015	$10,000 CDBG Prog. Income
2016	Carry over Balance from old entitlement plus $10,000

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

CDBG Program Income Only, $0 from PY 2016 Entitlement Grant

PROGRAM PLAN:

This Program Model was originally established in 1982. The revolving rehabilitation loan fund concept utilizes the authority granted by the U. S. Department of Housing and Urban Development to enable the City to administer a Revolving Loan program for eligible low- and moderate-income homeowners to rehabilitate their homes and is an eligible activity identified in Federal Regulations 24 CFR 570.202 (a).

SPECIFIC PROGRAM OBJECTIVES:

To make progress toward satisfying the objectives of the Action Plan and the Housing Element of the City's General Plan, and to meet one of the National Objectives of the Community Development Block Grant Program, 24 CFR 570.208(a)(3), the City will participate in a meaningful and effective housing rehabilitation program including connection to City water and/or sewer service, to assist low and moderate-income homeowners and to supplement previous funding allocated since 1982 to the Housing Rehabilitation Loan Program (HRLP). The outcome/objective for this program in the new HUD Performance Measurement System is "affordability for the purpose of providing decent affordable housing".

SPECIFIC PROGRAM ACTION:

These additional funds, allocated to the Housing Rehabilitation and Public Utilities Assistance Loan Program, will be utilized according to the policies and procedures approved for the administration of the HRLP.

Applications from City-wide homeowners are submitted by prospective eligible applicants, then reviewed and verified for accuracy prior to submission to the Community Development Financial Assistance Review Committee (CDFARC). The City provides zero percent deferred loans up to $40,000. Program income derived from repayment of these loans is used to provide funding for new expenditures in the HRLP.

Once an applicant is income qualified, an inspection of the premises is made to identify building code deficiencies, applicable lead based paint mitigations, and zoning violations. For water and/or sewer connection feasibility verification will be performed by Engineering Department. The applicant is then counseled as to the extent and cost of the work covered by a rehabilitation loan, maintaining an equity reserve after rehabilitation construction, and the process of selecting a contractor. A systemized program evaluating work completed through on-site inspections and progress payment issuance is administered by the City to ensure that abuses of the program do not occur. Final payment is held until the City Building Inspector, Rehabilitation Specialist, and homeowner have indicated completion and satisfaction with the work.

The administration of the program is accomplished by City staff in accordance with Federal regulations.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

2015 COMMUNITY DEVELOPMENT BLOCK GRANT MODEL

Action Plan 2017/18

LAND ACQUISITION

2017 FUNDING RECOMMENDATION:		**$ 0**	**(prior CDBG Entitlement balance available)**
PRIOR YEAR FUNDING:	**2015**	**$28,478.48**	**CDBG Entitlement** (Substantial amendment 2/17 original $47,016 amount reduced to fund Disposition and Clearance by $18,537.52) Leaving only
	2016	**$0**	**prior CDBG Entitlement balance available**

PROGRAM PLAN:

The City may utilize CDBG funds for acquisition of real property to be used for the purpose of of to provide decent and affordable housing for low/mod families and as a secondary benefit it may also eliminate specific conditions of slum and blight or physical decay.

The program is predicated on the Community Development Block Grant (CDBG) National HUD objective of "providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households." (24 CFR Section 570.208(a)(3)) and is shown as an eligible activity by Federal Regulations 24 CFR Section 570.201(a).

One possible site includes property located on South G Street, Porterville CA. However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM OBJECTIVES:

Implementation of the Program would result providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households.

Additionally, the installation of the proposed improvements in the target low income neighborhoods will complement the City's Low Income Housing Rehabilitation Program since it is directly aimed at improving low income neighborhoods by the removal of factors contributing to blighted neighborhood conditions.

PROGRAM DEMOGRAPHICS:

One possible site includes property located on South G Street, Porterville CA. Located in However, staff will evaluate other sites as they become available based on Census Tracts and affordability.

SPECIFIC PROGRAM ACTION:

The City will acquire vacant land and donate it to a non-profit to rehabilitate the exciting home or build a new home if current structure cannot be rehabilitated. In the event that the home cannot be rehabilitated, the City will clear the property through the Clearance Activity and then donate it through the Disposition Activity.

2002 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
PARK IMPROVEMENT PROJECT
(Previously the Murry Park Improvement Project)
(CITY OWNED FACILITY)

2017 FUNDING RECOMMENDATION: $0 **Program will continue with prior entitlement and PI carryover if any.**

PRIOR FUNDING:	**2002**	**$573,324**	**CDBG Reallocated Funds**
	2003	**$468,850**	**CDBG Entitlement**
		$ 86,900	**Reallocated Funds**
	2004	**$157,000**	**CDBG Entitlement Funds**
	2005	**$157,000**	**CDBG Entitlement Funds**
	2006	**$112,765**	**CDBG Entitlement Funds**
	2007	**$ 0**	
	2008	**$ 70,000**	**Reallocated Funds from BAP**
	2009	**$193,892**	**Reallocated Funds from Admin and BAP**
	2010	**$170,329**	**CDBG Entitlement Funds**
	2011	**$ 0**	
	2012	**$ 21,286**	**CDBG Entitlement Funds**
	2013	**$ 46,892**	**CDBG Entitlement Funds**
	2014	**$ 74,109**	**CDBG Entitlement Funds & PI**
	2015	**$ 0**	**Funding with Previous Entitlement**
		$130,000	**Substantial Amendment (2/2017) reallocated from Parking Lot programs PI**
	2016	**$47,721.78**	**CDBG Entitlement Funds and Previous Entitlement**

PROGRAM PLAN:

Murry Park Improvement Project

This program has allocated funds over a multi-year period to plan, design, renovate, rehabilitate, and construct improvements to the 100 year old City owned Murry Park. Special emphasis was placed on the reconstruction of the 48 year old community swimming pool which was in need of major renovation. The previous pool complex consisted of three separate and varied pools, plus a spacious pool office and restroom. The last major renovation to remove leakage in the pools was completed in 1987. Fifteen years later the pools were once again leaking water and major improvements were necessary. Additional improvements to the swimming pool complex have been restroom and accessibility improvements and the installation of a water slide. Improvements to the Park have included the reconstruction of the public restroom facilities incorporating

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

historical architectural design, and a concrete slab poured where the old restrooms were. This slab was transformed into a very nice new picnic area including tables, a trash can and barbecue grill. Additional improvements may include, but are not limited to: upgrades to the existing shelter structures, irrigation and landscaping improvements, renovation of existing rock structures used for drinking fountains and other amenities, fence improvement on the north edge of the park, an aerator for the duck and fish pond, renovation of the bridges, improvement and installation of lighting, removal of dead and diseased trees and planting of new trees, realignment of the street and construction of a parking lot to serve the community pool area, and the addition of parking spaces on the west side of the Park. A master plan for the Park was developed in 1990 and provides the priorities for expenditure of funds. Environmental work including a cultural resources survey has been completed. The City has also acquired the property to the north of Murry Park and has amended the Park Master Plan and environmental documents to include the property making it eligible as well for CDBG funding. The park is located in Census Tract 39.01, but serves the adjacent census tracts 41.01 and 38.02 area where the greatest concentration of the City's minority population and low-to moderate- income residents reside. The proposed facility is an eligible activity under 24 CFR 570.201 (c) Public Facilities and Improvements and predicated on the Community Development Block Grant (CDBG) HUD National Objective of direct benefit to low- and moderate-income area under Federal Regulation 24 CFR 570.208(a)(1).

Lime Street Neighborhood Park Project

The Lime Street Neighborhood Park was originally established in a small water drainage basin. Playground equipment was installed in a sandlot and the surrounding sloped areas were planted with grass and pine trees for a park atmosphere. This park is located in Census Tract 37 an adjacent to two low income multi-housing rental units to the south and a single family neighborhood to the north and thus the area has a substantial number of children residing within it. Over the past several years, maintenance dollars had not been available for the park and the outdated playground equipment was removed. CDBG Entitlement funds made it possible do a feasibility study of the reconstruction of the park and, and found it to be feasible. Improvements to the park were completed in PY 2012/2013. The facility is an eligible activity under 24 CFR 570.201 (c) Public Facilities and Improvements and predicated on the Community Development Block Grant (CDBG) HUD National Objective of direct benefit to low- and moderate-income area under Federal Regulation 24 CFR 570.208(a)(1).

This multi-year program will require annual approval for CDBG funding allocations.

Zalud Park Improvement Project

The Zalud Park Improvement Project is a new project for 2016 FY. This park hosts the only Tennis and Basketball courts in the city which are lighted. Those amenities are widely used and are in need of improvement. The facility is an eligible activity under 24 CFR 570.201 (c) Public Facilities and Improvements and predicated on the Community Development Block Grant (CDBG) HUD National Objective of direct benefit to low- and moderate-income area under Federal Regulation 24 CFR 570.208(a)(1).

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

SPECIFIC PROGRAM OBJECTIVE:

Murry Park Improvement Project

Since Murry Park and especially the swimming pool complex is utilized by large numbers of low- to moderate- income residents on a regular basis and is a very popular place for recreation, the main objective of this project is to improve the deteriorated amenities and infrastructure in the park in order to continue to keep the Park as a safe, clean, and attractive recreation facility. The objective of this program can best be summed up by the words on the1954 dedication plaque at the swimming pool, "For the Health and Recreation of our People".

Lime Street Neighborhood Park Project

The objective of this project to restore the storm drainage basin to the active neighborhood amenity that it once was has been completed. This park is located in an area that is lacking facilities for the children to safely play, so they are typically found in the streets or driveways of the apartment complexes playing. The main restoration to the park included, installation of new benches, installation of a drinking fountain, restoration of landscaped areas, walkway around the park, lighting, area for kickball, and a larger waiting area for the bus stop. Naturally, a related objective was to improve the opportunities for family activities and therefore improve family relationships.

In the HUD Performance Measurement System, the outcome/objective for this program is "availability/accessibility for the purpose of creating a suitable living environment".

Zalud Park Improvement Project

Since Zalud Park is utilized by large numbers of low-to moderate- income residents on a regular basis and is a very popular place for recreation especially for the Tennis Courts and Basketball Courts, being the only publicly lit courts in the City, the main objective of this project is to improve the deteriorated courts in the park in order to continue to keep the Park as a safe, clean and attractive recreation facility.

In the HUD Performance Measurement System, the outcome/objective for this program is "availability/accessibility for the purpose of creating a suitable living environment".

PROGRAM DEMOGRAPHICS:

Murry Park Improvement Project

The benefit area for this project includes census tracts 39.01, 38.02, and 41.01. 68.7% of the households in this area are at or below 80% of median income as determined in the federal IDIS system.

Lime Street Neighborhood Park Project

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

This park is located in census tract 37 where approximately 56% of the households are at or below 80% of median income.

Zalud Park Improvement Project

This park is located in census tract 37 where approximately 56% of the households are at or below 80% of median income. Additionally, this park serves census tracts 39.01 and 38.02.

SPECIFIC PROGRAM ACTION:

Murry Park Improvement Project

The basic swimming pool improvements were completed in 2004 and the water slide installation that had been postponed is due to be completed by June 2010. The master plan with the cultural and environmental studies was adopted by City Council in 2007. With the substantial amendment approved in February 2017, new funds were added to this park from remaining funds in the Parking Lot improvement programs to continue improving or adding new amenities in FY 2015.

As the funding becomes available, it will be utilized for projects on the priority list.

Lime Street Neighborhood Park Project

Staff was instructed by the City Council to proceed with the improvement options for Lime Street Park with reconstruction costs not to exceed the allocated amount of $20,000 from CDBG Entitlement. Modest improvements have been made to add recreational amenities to the park and then utilize a property based assessment district for continued maintenance of the park.

Zalud Park Improvement Project

Once City Council approves the CDBG allocation, staff will work with parks and Leisure Department to begin improvement of the deteriorated courts in the park. With the substantial amendment approved in February 2017, new funds were added to this park from remaining funds in the Parking Lot improvement programs to continue improving or adding new amenities in FY 2015.

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1995 COMMUNITY DEVELOPMENT BLOCK GRANT MODEL
Action Plan 2017/18
NEIGHBORHOOD COMMUNITY CENTER (HERITAGE CENTER)
SECTION 108 LOAN

2017 FUNDING RECOMMENDATION:		**$287,326.95**	**Entitlement Funds used for Debt Service on Loan**
PRIOR YEAR FUNDING:		**$3.885 Million**	**Section 108 Loan Received by the City**
	2004	**$118,115**	**Entitlement Funds used for Debt Service on Loan**
	2005	**$310,252**	**Entitlement Funds used for Debt Service on Loan**
	2006	**$316,045**	**Entitlement Funds used for Debt Service on Loan**
	2007	**$320,007**	**Entitlement Funds used for Debt Service on Loan**
	2008	**$323,988**	**(Debt Service)**
	2009	**$327,136**	**Entitlement Funds used for Debt Service on Loan**
		$191, 221	**CDBG –R Stimulus Funds for Rails to Trails Project**
	2010	**$331,439**	**Entitlement Funds used for Debt Service on Loan**
	2011	**$334,875**	**Entitlement Funds used for Debt Service on Loan**
	2012	**$337,461**	**Entitlement Funds used for Debt Service on Loan**
	2013	**$341,195**	**Entitlement Funds used for Debt Service on Loan**
	2014	**$344,695**	**Entitlement Funds used for Debt Service on Loan**
	2015	**$347,886**	**Entitlement Funds used for Debt Service on Loan**
	2016	**$272,465.20**	**Entitlement Funds used for Debt Service on Loan**

PROGRAM PLAN:

<u>Neighborhood Community Center (Heritage Center):</u>

This program utilized $3.885 million in Section 108 loan funds to plan and construct a neighborhood community center. The center is located within Census Tract 41 where over 70 percent of the households earn less than 80 percent of the area median income and the greatest

concentration of the City's minority population resides. Census Tract 41 is bounded on the north by Olive Avenue, on the east by Plano Street, on the south by Gibbons Avenue, and on the west by State Highway 65. The proposed facility is an eligible activity under 24 CFR 570.201 (c) Public Facilities and Improvements and predicated on the Community Development Block Grant (CDBG) HUD National Objective of direct benefit to low- and moderate-income area under Federal Regulation 24 CFR 570.208(a)(1).

It is anticipated that the operations and maintenance of the center, up to the allowed expenditure, will be funded from annual entitlement allocations.

SPECIFIC PROGRAM OBJECTIVE:

Neighborhood Community Center:

The main objective of the neighborhood community center is to provide an equal opportunity for all persons, including low-income youth, to become self-sufficient and productive members of the community. The neighborhood community center enables an increased number of youth to improve their self-esteem and to develop the social skills compatible with mainstream society.

Major prerequisites of delinquent behavior include a lack of appropriate support, positive role modeling, parenting skills, recognition between logical and immediate consequences, social conscience, breakdown of traditional family values and, also, a lack of positive, alternative activities for youth that allow them the opportunities to choose between positive and negative actions. Many youth experiencing a small degree of these prerequisites manage to become productive citizens of the community provided that positive alternatives are available where the ideal balance of these fundamentals can be made accessible.

Additionally, the neighborhood community center provides a location to conduct activities for senior citizens. The center also provides a location for programs such as health screening and a tutorial center, including a library and computers. The center can function as a starting, ending, and gathering place for City sponsored walk/run or bike events, provide recreational areas, including ball fields, for use by the community.

SPECIFIC PROGRAM ACTION:

Neighborhood Community Center

After an extensive environmental clearance process, ground breaking for this project took place in March 2003. Construction was completed on the main building in fall 2005. Additional improvements to the grounds, including a tot lot were constructed in 2006, and the final expenditure of Section 108 loan funds for additional improvements to the parking lot adjacent to the future ball fields was completed in 2008. However, in 2009, the City received an allocation of CDBG-R stimulus funds which have been designated for the completion of the Rails to Trails

Project Phase 2 which is part of the Neighborhood Community Center Complex. A Substantial Amendment to the 09/10 Action Plan was approved for the expenditure of these funds. The outcome/objective for this part of the project is "availability/accessibility for creating suitable living environments"

CDBG Entitlement funds are allocated to provide the annual debt service payment on the Section 108 loan.

2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
Shelter Plus Care Voucher Program for the Homeless

2017 FUNDING RECOMMENDATION:		**$15,000**	**Entitlement**
PRIOR YEAR FUNDING:	**2011**	**$15,000**	**Entitlement**
	2012	**$15,000**	**Entitlement**
	2013	**$15,000**	**Entitlement**
	2014	**$15,000**	**Entitlement**
	2015	**$15,000**	**Entitlement**
	2016	**$15,000**	**Entitlement**

PROGRAM PLAN:

In the adopted 2010 Five Year Consolidated Plan and the 2010 Action Plan for the use of Community Development Block Grant Funds (CDBG), the possibility was identified for the City of Porterville to apply for Shelter Plus Care Housing (S+C) vouchers in the annual HUD funding cycle for the Continuum of Care homeless programs. This application was planned to replicate the successful application for the Tulare Housing First Shelter Plus Care Program that was awarded in 2008 to the City of Tulare in conjunction with Family Services of Tulare County. However, instead of applying separately for this grant, the City joined forces with both the City of Tulare and the City of Visalia to submit one application for the Tulare Housing First (THF) Program II for a Permanent Supportive Housing (PSH) program to serve Tulare County utilizing S+C housing vouchers. If awarded, the THF Program II will be combined with the existing THF program to create one regional S+C program which will be a more cost-effective approach because a single Case Manager will be dedicated to serve the participants of the THF Program and focus specifically on PSH and develop the most effective supportive service and housing models to move chronically homeless residents into permanent supportive housing.

The S+C voucher functions like a Section 8 voucher; the client pays 30% of their income towards housing, and the remaining balance of the Fair Market Rent is paid by the voucher. All of the units in the program are existing scattered site market rate apartments.

The program requires a dollar for dollar match of supportive services for each dollar of housing provided through the S+C voucher, and Family Services has committed to providing the balance of the services. The application for the Tulare Housing First (THF) Program II includes expanding the THF Program to apply for 10-15 additional vouchers for a countywide S+C program. The S+C application must be for five (5) years in the initial term, and will be eligible for annual renewals thereafter. Each of the three participating jurisdictions will contribute $15,000/year to fund the Case Manager position through Family Services, who will coordinate and oversee the supportive services for the S+C program clients, rotating between the three cities. These funds will be allocated from the annual CDBG Entitlement and will be obligated in the annual Action Plan adopted each year. The City of Tulare will continue to be the lead applicant and the Housing Authority has committed to provide the HQS inspections and other required PHA components of

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

the THF project. If funded, five (5) vouchers would be assigned to each of the participating cities, and the remaining vouchers would be available based on need.

In addition, the Central California Family Crisis Center (CCFCC) has agreed to be a partner in the program, and will assist Family Services in identifying clients in Porterville, and connecting them with the appropriate services. Some of those services may be on-site at CCFCC and provided through existing CCFCC programs.

This program is an eligible activity identified in Federal regulations 24 CFR 570.201(e) Public Services and meets the National Objective of direct benefit to low-and moderate-income persons under Federal Regulation 24CFR 570.208 (a).

SPECIFIC PROGRAM OBJECTIVES:

The City's proposed use of CDBG funds and other federal funding sources for the Shelter Plus Care Program will address the community's needs of addressing homelessness as determined by the adopted Consolidated Plan and General Plan Housing Element and documented in the annual Point in Time Survey of the homeless and the number of homeless served in the annual Project Homeless Connect event. The S+C program is a "housing first" model that places homeless persons in permanent housing with wrap around supportive services to help sustain them in the housing and keep them from once again becoming homeless.

The outcome/objective for this program in the HUD Performance Measurement System is "availability/accessibility for the purpose of providing decent affordable housing".

SPECIFIC PROGRAM ACTION:

The City of Porterville executed a sub recipient agreement with Family Services of Tulare County to administer this voucher program that provides services within the City of Porterville with the City funding up to $15,000 annually for the case manager services. At least five (5) vouchers will be assigned to each of the participating cities, and the remaining vouchers will be available based on need.

The City is being proactive in addressing the current and future need for programs that serve the homeless in Tulare County.

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

1994 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM MODEL
Action Plan 2017/18
CITY OPERATED YOUTH CENTER
(Formerly Porterville Community Youth Center - Non-Profit Subrecipient Grant)

2017 FUNDING RECOMMENDATION: $89,783.22* ENTITLEMENT

PRIOR YEAR FUNDING:	**1994**	**$ 90,000**	**PYI**
	1995	**$110,000**	
	1996	**$113,500**	
	1997	**$110,000**	**(City Operated beginning 10/1/97)**
	1998	**$109,000**	
	1999	**$109,650**	
	2000	**$109,650**	
	2001	**$113,700**	
	2002	**$112,650**	
	2003	**$130,350**	
	2004	**$127,650**	
	2005	**$121,282**	
	2006	**$144,956**	
	2007	**$133,394**	
	2008	**$105,615**	
	2009	**$105,615**	
	2010	**$115,615**	
	2011	**$ 94,615**	
	2012	**$ 94,615**	
	2013	**$106,499**	
	2014	**$104,602**	
	2015	**$102,055**	
	2016	**$89,783.22**	

BACKGROUND:

Porterville Youth Incorporated (PYI), a non-profit community service organization since 1978 which provided youth-oriented assistance programs, received CDBG funding from the City of Porterville in 1994 in order to expand their existing youth programs to include a community-based youth center in a low- and moderate-income neighborhood. PYI continued to receive funding from the CDBG grant program in the next three program years, through early 1997, by offering new service components to the youth center each year and complying with requirements set out in the regulatory agreement for subrecipients. On October 1, 1997, the City permanently accepted responsibility for the youth community center at the written request of PYI's Board of Directors.

PROGRAM PLAN:

The City-Operated Youth Center was established in 1994 as the Porterville Community Youth Center Program Model. It met the Community Development Block Grant National HUD

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

Objective of being a "direct benefit to low and moderate income persons" under Federal Regulation 24 CFR 570.208 (a)(2). The City of Porterville Parks and Leisure Services Department will continue to administer, manage, and meet budget and financial obligations for the Porterville Youth Center in accordance with all applicable Federal Regulations. The annual operating grant is eligible under 24 CFR 570.201 (e).

The Heritage Center is now the home of the youth center activities. The Center is located well within Census Tract 41, where over 70 percent of the households earn less than 80 percent of the area median income and where the greatest concentration of the City's minority population resides. Census Tract 41 is bounded on the north by Olive Avenue, on the east by Plano Street, on the south by Gibbons Avenue, and on the west by State Highway 65. This activity meets the HUD National Objective of direct benefit to low-and moderate-income area under Federal Regulation 24CFR 570.208(a)(1). Demographic documentation on youth participating in programs offered through the youth center will still be maintained.

SPECIFIC PROGRAM OBJECTIVES:

The main objective of the Community Youth Center will be to provide an equal opportunity for all youth, including low and moderate income ages 10 to 18, to become self-sufficient and productive members of the community. The community youth center will enable an increased number of youth to improve their self-esteem and to develop the social skills compatible with mainstream society.

A major prerequisite of delinquent behavior is not only a lack of appropriate support, positive role modeling, parenting skills, logical and immediate consequences, social conscience, or breakdown of the traditional family, but also a lack of positive alternative activities for youth that allows them the opportunity to choose between the positive and the negative. Many youth who have had little of the above can still manage to become productive citizens of the community provided that positive alternatives are available where the ideal balance of these fundamentals can be made accessible.

Using the HUD Performance Measurement System, the outcome/objective for this activity is "availability or accessibility for the purpose of creating a suitable living environment".

SPECIFIC PROGRAM ACTION: (See attached program proposal.)

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

CDBG FUNDING REQUEST
7/1/2017 - 6/30/2018
FOR PORTERVILLE COMMUNITY YOUTH CENTER

I. SCOPE OF SERVICE

The contractor for this project will be the City of Porterville. This contractor shall ensure that the Porterville Community Youth Center (PCYC) continues to operate the existing youth center recreation program established in September 1994 through the CDBG 2017-2018 fiscal year.

The Porterville Community Youth Center will continue to operate in Porterville Census Tract 41 at 256 E. Orange Ave. The program will prevent and divert youth ages 10 - 18 from negative behavior and surround them in a productive and positive environment.

No youth from within the City of Porterville will be excluded from participation in PCYC activities. However, it is intended through use of CDBG funds that a minimum of 51% of the youth participating will come from low and moderate income households. A report for the Month of April 2016 is included as proof that the 51% is exceeded monthly.

A. OBJECTIVES

The purpose of this program is to:

1. Enhance self-esteem.
2. Build leadership skills.
3. Learn teamwork and the ability to cooperate with others.
4. Improve physical and mental health.
5. Empower teens to develop interpersonal skills.
6. Engage in positive alcohol and drug-free behavior.
7. Promote an atmosphere where trustworthiness, respect, responsibility, fairness, caring and citizenship are core values.
8. Provide a drop-in center for recreational opportunities.

B. CLIENTS TO BE SERVED

The contractor shall ensure service by the City of Porterville Community Youth Center to a minimum of 51% low and moderate income residents of Porterville, between the ages of 10 to 18. Participants shall be recruited through local schools, community organizations, social service agencies, and law enforcement.

C. CONTINUED ACTIVITIES TO BE PERFORMED

The contractor shall ensure the provisions of services through continued implementation of the current COPCYC supervised recreation program over the 2016/17 year. The center will

be open five days per week for no less than 20 hours. The youth center will run weekly throughout the one-year period. A minimum of 100 unduplicated youth will participate in the following Youth Center activities each quarter of the one-year grant period.

1. A general recreation area within the same facility to provide youth with other positive activities.

This general recreation area includes games such as pool, ping-pong, table soccer, video games, music, computers and board games. Arts & crafts, homework tutoring, nutrition and music classes, and special projects also take place in this area.

Youth will be involved in occasional tournaments, holiday specific activities, and city-wide special events to help maintain their interest.

2. Homework tutoring in the classroom.

Staff hired with CDBG funds will administer a homework tutoring program. An incentive program is in place to encourage youth to complete their homework prior to going home.

3. Arts & crafts.

Arts & crafts projects and classes are held throughout each month.

4. Outdoor paved area.

An outdoor paved area next to the Youth Center provides a place for hockey, badminton, volleyball, handball, soccer and more.

5. Outdoor grass area.

An outdoor grass area behind the Youth Center provides a place for flag football, soccer, frisbee, baseball, dodge ball and more.

6. Off-site recreational activities.

The basketball, arena soccer, and baseball programs will continue to be offered at the available playing fields specified further in the text. Youth are also encouraged to participate in track and field which is held at the local junior college.

D. NEW ACTIVITIES TO BE PERFORMED

The contractor shall ensure the provision of new services through the inclusion of younger children, continuation of tutorial programs in reading, writing, science and math. Outdoor activities weekly over the 2016-2017 CDBG funding cycle shall be implemented. For a minimum of 12 hours per week, at least 4 days each week, supervised athletics will be available for 10-18 year old youth. A minimum of 50 unduplicated youth will participate in these activities each quarter.

In addition, a minimum of 8 hours of supervised community service work will be completed weekly by 10-18 year old youth. A minimum of 25 unduplicated youth will participate in this program each quarter of the CDBG funding cycle. Also, a minimum of 2 days per week will be open for non-league play so youth can participate in athletic activities on a less formal, just-for-fun basis. Program details are provided below:

1. Equipment – A weight room is available for the youth to get some exercise. An assortment of other equipment is provided enabling a wide array of recreational opportunities.
2. Community service - Hours of community service are served by Youth Center members working such events as the egg hunt, fishing derby, concerts in the park, runs, kid days in the

park, youth sports and projects around the Youth Center.
3. Classes - Staff classes are taught on an ongoing basis in arts & crafts, drawing, cooking, music, sport instruction and health & fitness.
4. Athletics - Open athletic play and leagues are available. League play is offered in the following sports: basketball, baseball, arena soccer, track & field and fall soccer. A coach for each sport will be provided.
5. Fund raising - Staff will continue to create fund raising for the participants to generate additional funding to offset cost of excursions and special activities. Donation solicitations are made to local businesses as the need arises. The biggest revenue generator is the sale of snacks and drinks at the Youth Center.

E. SITE LOCATION

Within the Census Tract 41, the original Porterville Community Youth Center services shall be provided at the following location: 256 E. Orange Ave., Porterville, CA 93257. Sign-ups for athletic play, leagues, tutorial programs, arts & crafts, and outdoor activities will take place at this location. Additional program implementation will take place at the following locations: Porterville Sports Complex, Municipal Pool, and Santa Fe School.

The main location is within the boundaries of Census Tract 41 and the other locations will provide access to youth over a broader range of low and moderate income areas within the city.

F. PROJECT STAFF

(1)	Leisure Services Specialist	$23.94/hr	10/hrs	52/wks
(1)	Leisure Services Coordinator	$19.92/hr	20/hrs	52/wks
(1)	Clerical Asst. II	$15.45/hr	2/hrs	52/wks
(1)	Recreation Leader III	$12.00/hr	22/hrs	52/wks
(2)	Recreation Leader II	$10.00/hr	20/hrs	52/wks

G. BUDGET

Total CDBG funds requested are $89,783.22*.

City of Porterville Community Youth Center
2017 – 2018 Budget

Salaries

01	Specialist	$23.94/hr	x	10hrs/wk	x	52/wks	$12,448.80
	Coordinator	$19.92/hr	x	20/hrs/wk	x	52/wks	$20,716.80
	Cler. Asst. II	$15.45/hr	x	2/hrs/wk	x	52/wks	$1,606.80
02	1-Rec Leader III	$12.00/hr	x	22/hrs/wk	x	52/wks	$13,728.00
	2-Rec Leader II	$10.00/hr	x	21/hrs	x	52/wks	$21,840.00

$70,340.40

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

Benefits

09	Specialist	$12,448.80	x	33.40%	$4,157.90
	Coordinator	$20,716.80	x	31.73%	$6,567.23
	Cler. Asst. II	$1,606.80	x	30.50%	$490.07
	Rec Leaders	$21,840	x	3.89%	$850.00
					$12,065.20

Professional Services

22	Printing/Copying	$57	
23	Prof/Temp Service	$25	
			$100

Supplies and Material

32	Office / Computer Supplies	$100	
35	Tools / Equipment	$100	
			$200

Other Operating Cost

42	Utilities	$500	
43	Uniform Allowance	$100	
45	Publication and Dues	$700	
			$1,300

Other Expenses

66	Special Activities, Supplies & Fieldtrips	$8,126	
	Rec Equipment & Supplies	$1,320	
			$5,777.62

Grand Total **$89,783.22***

**Estimate based on prior year allocation and will be updated according to contingencies specified in Action Plan AP-38 Projects section*

CITY OF PORTERVILLE
ADVERTISING REQUEST

DATE: January 31, 2017

PUBLIC MEETING DATE: Wednesday, February 15, 2017

AUTHORIZED BY: Byers

ORDERING DEPT.: Community Development FAX #: (559) 781-6437

PUBLICATION (NAME): PORTERVILLE RECORDER

DATE(S) TO BE PUBLICIZED: Saturday, February 4, 2017

SUBJECT: ANNUAL ACTION PLAN

Budget Acct. No: 19-3025-21

☐ TO BE ADVERTISED IN THE DISPLAY ADVERTISING SECTION

☐ TO BE ADVERTISED IN CLASSIFIED SECTION - SPECIAL NOTICES

☒ TO BE ADVERTISED IN LEGAL SECTION

Please FAX confirmation of dates to
Claudia Calderon at (559) 781-6437

City of Porterville
Finance Dept./Accounts Payable
291 N. Main St.
Porterville, CA 93257

☒ Send Tear Sheets

☐ Send Declaration of Publication

NOTICE OF PUBLIC HEARING
Annual CDBG Action Plan

NOTICE IS HEREBY GIVEN that the City of Porterville Citizens' Advisory and Housing Opportunity Committee will hold a public hearing on March 1, 2017 at 5:30 p.m., in the Coleman Conference Room of City Hall, 291 North Main Street, to obtain the views of citizens, public agencies, and other interested parties on the City's housing and community development needs and proposed use of funds to achieve objectives, priorities and actions for addressing those needs during Fiscal Year 2017/18 and review of program performance conducted during Fiscal Year 2016/17.

The Department of Housing and Urban Development (HUD) requires each jurisdiction that receives formula grants through its Community Development Block Grant Program (CDBG) to prepare an Action Plan for the next fiscal year. The Action Plan identifies activities the jurisdiction will undertake separately, or in conjunction with other public and private agencies, during the next year.

The City anticipates receiving an Entitlement Grant of approximately $600,000.

This is the opportunity for the Committee and the Public to have preliminary input on the development of the draft Action Plan that will then be brought to the Committee at a second Public Hearing in April. At that time, the Committee will make recommendations to the City Council for approval and submittal to HUD.

Views obtained during this hearing will be considered for inclusion in the Action Plan to be presented to the City Council. The schedule for developing the Action Plan is:

February 15, 2017	Conduct a Community and Stakeholder Meeting, seeking public input for 2017/2018 Action Plan.
March 1, 2017	Community Development Block Grant Citizens' Advisory and Housing Opportunity Committee meeting and public hearing.
March 17, 2017	Publication of a summary of the proposed Action Plan and notice of a second public hearing before the City Council. This initiates a 30-day time frame for submission of comments regarding the activities and funding allocations identified in the proposed Action Plan.
April 18, 2017	Last day to receive comments to be incorporated in draft Action Plan to be submitted to the City Council.
April 18, 2017	Conduct the second public hearing identified above before the City Council. During this meeting, the City Council will consider incorporating any comments received.
May 5, 2017	The final Action Plan will be submitted to HUD after the April 18, 2017 public hearing.

Any and all persons interested in this matter may appear and be heard at the Hearing. Persons of

low- and moderate-income, disabled and elderly persons, members of minority groups, and persons residing in areas where Community Development Block Grant Program activities are proposed are particularly encouraged to attend.

For more information about the Action Plan, please contact Jenni Byers at (559) 782-7460.

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 the agenda or the documents, please contact the Deputy City Clerk, (559) 782-7442. 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, including oral interpretation services. For persons with hearing impairments, please call TTY: 1-800-735-2929 or 1-800-735-2922. (28 CFR 35.102 - 35.104 ADA Title II and Title VI of the Civil Rights Acts of 1964, Executive Order 13166, Section 504 of the Rehabilitation Act of 1973 and implementing regulations at CFR 8.4 and 8.6)

DATED: January 31, 2017
Jennifer M. Byers
Community Development Director

CITY OF PORTERVILLE
ADVERTISING REQUEST

DATE: January 31, 2017

PUBLIC MEETING DATE: Wednesday, February 15, 2017

AUTHORIZED BY:

ORDERING DEPT.: Community Development FAX #: (559) 781-6437

PUBLICATION (NAME): Noticiero Semanal

DATE(S) TO BE PUBLICIZED: Saturday, February 4, 2017

SUBJECT: ANNUAL ACTION PLAN

Budget Acct. No: 19-3025-21

☐ TO BE ADVERTISED IN THE DISPLAY ADVERTISING SECTION

☐ TO BE ADVERTISED IN CLASSIFIED SECTION - SPECIAL NOTICES

☒ TO BE ADVERTISED IN LEGAL SECTION

Please FAX confirmation of dates to
Christina Tank at (559) 781-6437

City of Porterville
Finance Dept./Accounts Payable
291 N. Main St.
Porterville, CA 93257

☒ Send Tear Sheets

☐ Send Declaration of Publication

AVISO DE REUNIÓN PÚBLICA
Plan de CDBG Anual de Acción

Por este medio se notifica que el Comité Consejero de la Ciudad de Porterville y el Comité de Oportunidad de Viviendas tendrá una reunión pública el 1 de Marzo de 2017 a las 5:30 p.m. en el Salón de Conferencias Coleman del Ayuntamiento, situado en la calle 291 North Main, para obtener los puntos de vista de los ciudadanos, agencias pública y otras grupos interesadas en las necesidades de las viviendas de la ciudad y el desarrollo de la comunidad, así como el uso propuesto de los fondos para alcanzar los objetivos, las prioridades y acciones y para enfrentar las necesidades de casas durante el año fiscal de 2017/18 y revisar la actuación del programa durante el año fiscal de 2016/2017.

El Departamento de Casas y Desarrollo Urbano (HUD) requiere que cada jurisdicción que recibe subvenciones formuladas a través de su Programa de concesión para el Desarrollo de la Comunidad (CDBG), prepara un Plan de Acción para el próximo año fiscal. El Plan de Acción identifica las actividades que la jurisdicción ejercerá separadamente, o en conjunción con otras agencias públicas y privadas, durante el próximo año.

La Ciudad anticipa recibir aproximadamente una beca CDBG por la cantidad de $600,000.

Esta es la oportunidad para que el Comité y el Público den su opinión preliminar para el desarrollo del borrador del Plan de Acción que será presentado al Comité una segunda vez en una reunión pública que se llevara a cabo en Mayo. En ese tiempo el Comité dará sus recomendaciones al Concilio de la Ciudad para la aprobación del Plan de Acción y someterlo a HUD.

Los puntos de vista obtenidos durante este aviso serán incluidos en el Plan de Acción. El programa para desarrollar el Plan de Acción es:

15 de Febrero de 2017	Se Llevar a cabo una reunión comunitaria y de partes interesadas, buscando la contribución del público para el Plan de Acción 2017/2018.
1 de Marzo de 2017	Reunión pública del Comité Consejero para CDBG y el Comité de Oportunidad de Viviendas
17 de Marzo de 2017	Publicación de un resumen del Plan de Acción propuesto y aviso de la reunión pública delante del Concilio de la Ciudad. Esto inicia un plazo de 30 días para someter comentarios respecto a las actividades y asignaciones de fondos presentados en el propuesto Plan de Acción.
18 de Abril de 2017	Último día para recibir comentarios que deban ser incorporados en el Plan de Acción que se presentará al Concilio de la Ciudad.
18 de Abril de 2017	Conducir un segunda reunión pública, como se indica anteriormente, ante el Concilio de la Ciudad. Durante esta reunión, el Concilio de la Ciudad considerará la incorporación de cualquier comentario recibido.
5 de Mayo de 2017	El Plan de Acción será entregado a HUD después de la reunión del 18 de Abril de 2017.

Las personas interesadas en este asunto pueden presentarse y ser escuchadas en las audiencias. Las personas de bajos y moderados recursos, personas con discapacidades y personas mayores, miembros de grupos minoritarios y personas residentes en las áreas donde las actividades del programa CDBG, están alentados particularmente a asistir.

Para más información sobre el Plan de Acción, por favor póngase en contacto con Jenni Byers al (559) 782-7460.

En conformidad con la Ley de Americanos con Discapacidades, y la ley de California Ralph M. Brown, si usted necesita asistencia para participar en esta reunión, o si quiere acceso a la agenda y/o los documentos, por favor llame a Patrice Hildreth, Chief Deuty City Clerk al teléfono (559) 782-7442. Si le notifica con 48 horas, (dos días), de anticipación a la fecha de la reunión, la Ciudad hará los arreglos más razonables para asegurarle la accesibilidad a dicha reunión incluyendo servicios auditivos, por favor llame a TTY: 1-800-735-2929 o 1-800-735-2922. (28 CFR 35.102 - 35.104 ADA Title II and Title VI of the Civil Rights Acts of 1964, Orden Ejecutiva 13166, Sección 504 del la Ley de Rehabilitación de 1973 e implementación de regulaciones de CFR 8.4 y 8.6)

FECHA: 31 de enero de 2017
Jennifer M. Byers
Directora de Dpto. de Desarrollos Comunitarios

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CITY OF PORTERVILLE
ADVERTISING REQUEST

DATE: January 31, 2017

PUBLIC MEETING DATE: Wednesday, February 15, 2017

AUTHORIZED BY:

ORDERING DEPT.: Community Development FAX #: (559) 781-6437

PUBLICATION (NAME): PORTERVILLE RECORDER

DATE(S) TO BE PUBLICIZED: Saturday, February 4, 2017

No.	Date and Time	Destination	Times	Type	Result	Resolution/ECM
001	01/31/17 09:47	Porterville Recorder	0°00'56"	FAX	OK	200x100 Normal/On

[L7J3700410]

Christina Tank

From: Recorder Legals <recorderlegals@portervillerecorder.com>
Sent: Tuesday, January 31, 2017 11:16 AM
To: Christina Tank
Subject: Re: Annual Action Plan (English & Spanish)
Attachments: 00069722.pdf; 00069723.pdf

Hi Christina,
Attached confirmation on Public Notices and net for English is $289.32 and the Spanish is $315.57.
Thank-you

On 1/31/17, Christina Tank <ctank@ci.porterville.ca.us> wrote:
> Good morning,
>
> Please post and reply with a cost. Fax will be coming shortly. Thank you!
>
> Sarai Vargas
> Acting Community Development Secretary (Christina will return to the
> office mid-February)
>
> City of Porterville
> 291 N. Main Street
> Porterville, CA 93257
> (559) 782-7460
> ctank@ci.porterville.ca.us
>
> This e-mail (and attachments, if any) may be subject to the California
> Public Records Act, and as such may therefore be subject to public
> disclosure unless otherwise exempt under the Act.
>

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A/P DATE		

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Teresa Jasso
Legal Advertising Dept.
The Porterville Recorder
(559) 784-5000 ext. 1031

In the Superior Court of the State of California
In and for the County of Tulare

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

Annual CDBG Action Plan

NOTICE IS HEREBY GIVEN that the City of Porterville Citizens' Advisory and Housing Opportunity Committee will hold a public hearing on March 1, 2017 at 5:30 p.m., in the Coleman Conference Room of City Hall, 291 North Main Street, to obtain the views of citizens, public agencies, and other interested parties on the City's housing and community development needs and proposed use of funds to achieve objectives, priorities and actions for addressing those needs during Fiscal Year 2017/18 and review of program performance conducted during Fiscal Year 2016/17.

The Department of Housing and Urban Development (HUD) requires each jurisdiction that receives formula grants through its Community Development Block Grant Program (CDBG) to prepare an Action Plan for the next fiscal year. The Action Plan identifies activities the jurisdiction will undertake separately, or in conjunction with other public and private agencies, during the next year.

The City anticipates receiving an Entitlement Grant of approximately $600,000.

This is the opportunity for the Committee and the Public to have preliminary input on the development of the draft Action Plan that will then be brought to the Committee at a second Public Hearing in April. At that time, the Committee will make recommendations to the City Council for approval and submittal to HUD.

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May 5, 2017 The final Action Plan will be submitted to HUD after the April 18, 2017 public hearing.

See

reverse

State of California } SS.

County of Tulare

Declarant says:

That at all times herein mentioned Declarant is and was a resident of said County of Tulare, over the age of twenty-one years; not a party to nor interested in the within matter; that Declarant is now and was at all times herein mentioned the Principal Clerk of the Porterville Recorder, a daily newspaper, which said newspaper was adjudged a newspaper of general circulation on October 15, 1951, by Superior Court Order No. 42369 as entered in Book 57 Page 384 of said Court; and that said newspaper is printed and published every day except Sunday published LEGAL NOTICE OF PUBLIC NOTICES in said newspaper FEB. 04, 2017 and that such publication was made in the regular issues of said paper (and not in any supplemental edition or extra there of). I declare under penalty of perjury that the forgoing is true and correct. Executed FEB. 4, 2017 at Porterville, California.

Teresa Jagod

Declarant

Any and all persons interested in this matter may appear and be heard at the Hearing. Persons of low- and moderate-income, disabled and elderly persons, members of minority groups, and persons residing in areas where Community Development Block Grant Program activities are proposed are particularly encouraged to attend.

For more information about the Action Plan, please contact Jenni Byers at (559) 782-7460.

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DATED: January 31, 2017
Jennifer M. Byers
Community Development Director

00069723
Feb. 4, 2017

In the Superior Court of the State of California
In and for the County of Tulare

NOTICIA PUBLICA

AVISO DE REUNIÓN PÚBLICA

Plan de CDBG Anual de Acción

Por este medio se notifica que el Comité Consejero de la Ciudad de Porterville y el Comité de Oportunidad de Viviendas tendrá una reunión pública el 1 de Marzo de 2017 a las 5:30 p.m. en el Salón de Conferencias Coleman del Ayuntamiento, situado en la calle 291 North Main, para obtener los puntos de vista de los ciudadanos, agencias pública y otras grupos interesadas en las necesidades de las viviendas de la ciudad y el desarrollo de la comunidad, así como el uso propuesto de los fondos para alcanzar los objetivos, las prioridades y acciones y para enfrentar las necesidades de casas durante el año fiscal de 2017/18 y revisar la actuación del programa durante el año fiscal de 2016/2017.

El Departamento de Casas y Desarrollo Urbano (HUD) requiere que cada jurisdicción que recibe subvenciones formuladas a través de su Programa de concesión para el Desarrollo de la Comunidad (CDBG), prepara un Plan de Acción para el próximo año fiscal. El Plan de Acción identifica las actividades que la jurisdicción ejercerá separadamente, o en conjunción con otras agencias públicas y privadas, durante el próximo año.

La Ciudad anticipa recibir aproximadamente una beca CDBG por la cantidad de $600,000.

Esta es la oportunidad para que el Comité y el Público den su opinión preliminar para el desarrollo del borrador del Plan de Acción que será presentado al Comité una segunda vez en una reunión pública que se llevara a cabo en Mayo. En ese tiempo el Comité dará sus recomendaciones al Concilio de la Ciudad para la aprobación del Plan de Acción y someterlo a HUD.

Los puntos de vista obtenidos durante este aviso serán incluidos en el Plan de Acción. El programa para desarrollar el Plan de Acción es:

15 de Febrero de 2017 Se Llevar a cabo una reunión comunitaria y de partes interesadas, buscando la contribución del público para el Plan de Acción 2017/2018.

1 de Marzo de 2017 Reunión pública del Comité Consejero para CDBG y el Comité de Oportunidad de Viviendas

See Reverse

State of California } SS.

County of Tulare

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Teresa Jaggo

Declarant

17 de Marzo de 2017 Publicación de un resumen del Plan de Acción propuesto y aviso de la reunión pública delante del Concilio de la Ciudad. Esto inicia un plazo de 30 días para someter comentarios respecto a las actividades y asignaciones de fondos presentados en el propuesto Plan de Acción.

18 de Abril de 2017 Último día para recibir comentarios que deban ser incorporados en el Plan de Acción que se presentará al Concilio de la Ciudad.

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5 de Mayo de 2017 El Plan de Acción será entregado a HUD después de la reunión del 18 de Abril de 2017.

Las personas interesadas en este asunto pueden presentarse y ser escuchadas en las audiencias. Las personas de bajos y moderados recursos, personas con discapacidades y personas mayores, miembros de grupos minoritarios y personas residentes en las áreas donde las actividades del programa CDBG, están alentados particularmente a asistir.

Para más información sobre el Plan de Acción, por favor póngase en contacto con Jenni Byers al (559) 782-7460.

En conformidad con la Ley de Americanos con Discapacidades, y la ley de California Ralph M. Brown, si usted necesita asistencia para participar en esta reunión, o si quiere acceso a la agenda y/o los documentos, por favor llame a Patrice Hildreth, Chief Deuty City Clerk al teléfono (559) 782-7442. Si le notifica con 48 horas, (dos días), de anticipación a la fecha de la reunión, la Ciudad hará los arreglos más razonables para asegurarle la accesibilidad a dicha reunión incluyendo servicios auditivos, por favor llame a TTY: 1-800-735-2929 o 1-800-735-2922. (28 CFR 35.102 - 35.104 ADA Title II and Title VI of the Civil Rights Acts of 1964, Orden Ejecutiva 13166, Sección 504 del la Ley de Rehabilitación de 1973 e implementación de regulaciones de CFR 8.4 y 8.6)

FECHA: 31 de enero de 2017
Jennifer M. Byers
Directora de Dpto. de Desarrollos Comunitarios

00069722
Feb. 4, 2017

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Consideration of Amendments to the Arts Commission Composition

SOURCE: Community Development

COMMENT: The City's Arts Commission was established via Ordinance 1767 on October 19, 2010. On August 6, 2013, City Council approved modifications (Ordinance 1797) to simplify the commissioner appointment process as it included a subcommittee for seven of the eleven member commission, and also approved changes that staggered the commissioners' three-year terms.

As City Council is aware, the Arts Commission has had vacancies available for the past several years. The Commission did not meet during November and December due to holiday-related calendar conflicts, and for the months of January and February meetings were scheduled due to a lack of a quorum. During that time, it was noted that four of the five active Commissioners' term limits had expired. Due to this, there is currently only one valid Arts Commissioner. Staff is at this time requesting that the Commission consist of five members, which would not include the student/youth member. Additionally, staff is requesting that the term limits be removed. Listed below are proposed changes to Ordinance 1797. Please note the items underlined and bold are to be added, items that are italicized will be deleted:

Section 5A-2 Composition.
The Arts Commission shall consist of *up to* **five (5) members, not including the student/youth member.** *11 members.* Commissioners shall be appointed by the City Council at its complete discretion. Members of the commission shall represent four areas of arts: 1) theatrical/performing arts; 2) visual/graphic; 3) music; (4) youth.

Section 5A-4 Term of Office/Removal.
The term of office shall be three (3) years with terms staggered to prevent concurrent expiration of terms with the exception of the youth representative. *No member may serve more than two (2) consecutive terms.*

Section 5A-5 Vacancies
Vacancies, occurring otherwise than by expiration of the terms, shall be filled by appointment *as in the first instance (by either direct appointment by the City Council or appointment by the Council via Subcommittee/Commission recommendation)* as soon as possible; such appointee to serve for the unexpired term of the vacant office.

Section 5A-7 Quorum.
A presence of a majority of the members of the established number of commissioners **(not including the student/youth member)**, as set via Resolution of the City Council, shall constitute a quorum for the transaction of business. *(i.e. at least 4, as many as 6)*.

RECOMMENDATION: That the City Council:
1. Approve the draft ordinance amending Ordinance 1797; and
2. Give first reading of the proposed ordinance by title only, and order it to print.

ATTACHMENTS: 1. Draft Ordinance

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AMENDING CHAPTER 5A OF THE PORTERFVILLE MUNICIPAL CODE REGARDING THE FORMATION OF AN ARTS COMMISSION

THE CITY COUNCIL OF THE CITY OF PORTERVILLE DOES ORDAIN AS FOLLOWS:

Section 1. *Code Amendment.* Chapter 5A, Article I, Section 5A-1 through 5A-8 is hereby added to the Porterville Municipal Code, to read as follows:

CHAPTER 5A
ARTICLE I

Section 5A-1 Established.

An Arts Commission is established in and for the City of Porterville. The Arts Commission shall serve in an advisory capacity to the City Council.

Section 5A-2 Composition.

The Arts Commission shall consist of five (5) members, not including the student/youth member. Commissioners shall be appointed by the City Council at its complete discretion. Members of the commission shall represent four areas of arts: 1) theatrical/performing arts; 2) visual/graphic; 3) music; (4) youth.

Section 5A-3 Compensation.

Members of the Arts Commission shall serve without compensation.

Section 5A-4 Term of Office/Removal.

The term of office shall be three (3) years with terms staggered to prevent concurrent expiration of terms with the exception of the youth representative.

The term of the student/youth commissioner shall be one (1) year.

All Commission members shall serve at the pleasure of the City Council and may be removed by a majority vote of the City Council at any time and for any reason.

Section 5A-5 Vacancies.

Vacancies, occurring otherwise than by expiration of the terms, shall be filled by appointment as soon as possible; such appointee to serve for the unexpired term of the vacant office.

Section 5A-6 Meetings and Records.

The Arts Commission shall hold meetings regularly as determined by the Commission and shall designate the time and place thereof. The meetings shall be held in compliance with the Brown Act and all applicable laws, and the meetings and records of attendance shall be public. The Commission shall keep a record of its proceedings. A record of attendance shall be kept regularly and reported to the "City Council at least one time per year. Members are expected to have 75% attendance based on the Commission's regular meeting schedule (e.g. 9 out of 12 meetings if held monthly, and 3 out of 4 if held quarterly). Members who fail to meet the attendance requirement automatically vacate their seat and the vacancies shall be filled per Section 5A-5.

Section 5A-7 Quorum.

A presence of a majority of the members (not including the student/youth member) of the established number of commissioners, as set via Resolution of the City Council, shall constitute a quorum for the transaction of business.

Section 5A-8 General Powers and Duties of Commission.

The Arts Commission shall:

A. Make recommendations to the City Council regarding development and promotion of practices and policies pertaining to the Arts, keeping in mind the adoption of policy is the prerogative of the City Council.
B. Foster the development and enjoyment of visual, cultural, performing, and other arts in the City of Porterville.
C. To work cooperatively with city entities and other advisory commissions to include an Arts element in as many areas of city planning and development as possible.
D. Develop and submit a Work Plan to the Council on an annual basis detailing the goals and objectives of the Arts Commission over the next year, five years and/or twenty years.

Section 2. *Severity.* Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, or that end, the provisions hereof are severable.

Section 3. *Effective Date.* This Ordinance shall take effect thirty days after adoption as provided by Porterville Charter Section 12.

Section 4. *Certification.* The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this 18th day of April, 2017.

By: _____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Second Reading - Ordinance No. 1840 - Cost Recovery Ordinance

SOURCE: Administrative Services

COMMENT: Ordinance No. 1840, An Ordinance of the City Council of the City of Porterville Amending Chapter 2 (Admin) of the Porterville City Code by Adding Article XV (Cost Recovery Program) to Provide for Comprehensive Cost Recovery in Nuisance Abatement Actions, was given first reading on April 4, 2017, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1840, waive further reading, and adopt said Ordinance.

ATTACHMENTS: 1. Ordinance No. 1840

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

ORDINANCE NO. 1840

AN ORDINANCE OF THE CITY OF PORTERVILLE, CALIFORNIA, AMENDING CHAPTER 2 (ADMIN) OF THE PORTERVILLE CITY CODE BY ADDING ARTICLE XV (COST RECOVERY PROGRAM) TO PROVIDE FOR COMPREHENSIVE COST RECOVERY IN NUISANCE ABATEMENT ACTIONS

WHEREAS, the City of Porterville ("City") is authorized by California Constitution, article XI, section 7, to make and enforce within its limits all local police, sanitary, and other ordinances and regulations not in conflict with general laws.

WHEREAS, amongst other statutes, Government Code sections 36901, 38771, 38773.1, and 38773.5 authorize the City to enact ordinances declaring what constitutes public nuisances, procedures for abating nuisance conditions, procedures for recovery of all related costs and attorney fees to abate nuisances, and procedures for collection of civil penalties.

WHEREAS, violations of the Porterville Municipal Code ("PMC") threaten the health, safety, and welfare of the public, burden scarce City resources, and diminish the quality of life in the City, thus, constituting a public nuisance.

WHEREAS, the City recognizes that responding to and abating nuisances and other violations of law, including the PMC, is complicated, time-consuming, and burdensome.

WHEREAS, the City finds that effective code enforcement requires comprehensive cost recovery tools and procedures.

WHEREAS, recovery of attorneys' fees and staff costs from parties responsible for violating applicable laws, where appropriate, will enable the City to replenish resources needed to meet the increasing demands on code enforcement.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and are incorporated herein.

SECTION 2. PMC, chapter 1, section 1-10 is amended to read as follows:

1-10: VIOLATIONS OF CODE DEEMED NUISANCES; SUMMARY ABATEMENT:

In addition to the penalties provided in Section 1-9 of this Chapter, any condition caused or permitted to exist in violation of any of the provisions of this Code, or any code adopted by this Code, or any State or federal law, shall be deemed a public nuisance and may be, by this City, summarily abated as such; and each day that such condition continues shall be regarded as a new and separate offense. Nothing in this section shall prevent the City from seeking any remedy available at law or in equity to abate a public nuisance.

SECTION 3. PMC section 2-146 is hereby amended to read as follows:

2-146: CONTENTS OF NOTICE:

Each administrative citation shall contain the following information:

A. Date, approximate time, and address or definite description of the location where the violations were observed.

B. The code sections or conditions violated and a description of the violations.

C. An order to the responsible person to correct the violations within the time specified, and an explanation of the consequences for failure to correct the violations.

D. The amount of the fine for the violations.

E. An explanation of how the fine shall be paid and the deadline by which it shall be paid.

F. A warning that any unpaid fine amounts may be recovered by recordation of a lien or special assessment against the property upon which the violations were caused or maintained.

G. Identification of the rights of appeal, including the time within which the citation may be contested and the place to obtain a request for hearing form to contest the administrative citation.

H. The name and signature of the enforcement officer.

I. If possible, the signature of the responsible person.

SECTION 4. PMC section 2-152 is hereby amended to read as follows:

2-152: FAILURE TO PAY FINES:

The failure of any person to pay the civil fines assessed by an administrative citation within the time specified on the citation may result in the matter being referred to the City of Porterville Finance Department to file a claim with the small claims court. Alternatively, the City may pursue any other administrative or civil remedy to collect the civil fines including, but not limited to, the procedures outlined in Article XV of this Code. The city may also recover all its collection costs, including its attorney fees', incurred in the enforcement or collection of any civil fines or debts owed.

SECTION 5. PMC, chapter 2, article XV is hereby added to read as follows:

Article XV
COST RECOVERY PROGRAM

2-170: Definitions.

2-171: Nuisance Abatement Cost Recovery.
2-172: Attorneys' Fees And Costs.
2-173: Collection Remedies.
2-174: Administrative Procedures for Recovering Nuisance Abatement Costs.
2-175: Nuisance Abatement Costs Hearing.
2-176: Service.
2-177: Nuisance Abatement Lien.
2-178: Special Assessment.

2-170: Definitions.

"Nuisance" shall be defined in accordance with Section 1-10 of this Code.

"Nuisance Abatement Action" shall refer to any code enforcement activity or nuisance abatement activity taken by the City including, but not limited to, any legal action, administrative action, criminal action, or civil action intended to cause or compel compliance with any provisions of this Code, any adopted codes, or any applicable State or federal laws.

"Nuisance Abatement Costs" shall refer to all fines, costs, expenses, and fees, including, but not limited to, all administrative expenses, administrative and civil fines, staff time, variable and fixed costs, inspection costs, investigation costs, enforcement costs, abatement costs, litigation fees and costs, attorneys' fees and costs, and all other costs and expenses related to, arising out of, or incurred by the City because of any Nuisance Abatement Action. For purposes of cost recovery under this article, Nuisance Abatement Costs shall include any unpaid civil fines owed under Article XIV or any other provision of this Code.

"Responsible Party" or "Responsible Parties" shall refer to all parties responsible for causing, allowing, or maintaining a public nuisance including, but not limited to, the owners and tenants of the property upon which a nuisance was caused, allowed, or maintained.

2-171: Nuisance Abatement Cost Recovery.

The City is entitled and hereby authorized to recover all Nuisance Abatement Costs related to, arising out of, or incurred by the City as the result of any Nuisance Abatement Action. Each Responsible Party shall be jointly and severally liable to the City for all the City's Nuisance Abatement Costs.

2-172: Attorneys' Fees And Costs.

The prevailing party in any Nuisance Abatement Action may recover its reasonable litigation costs and attorneys' fees from any non-prevailing party. In no case, however, shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in its Nuisance Abatement Action. Non-prevailing parties shall be jointly and severally liable for all attorneys' fees and costs owed to the prevailing party. If a nuisance condition existed when the City began its Code Enforcement Action, then voluntary abatement of the nuisance shall not prevent the City from being the prevailing party.

2-173: Collection Remedies.

In addition to any other remedy set forth in this Code or provided by law, the City is authorized to initiate any administrative or civil action to recover all Nuisance Abatement Costs. Each of the Responsible Parties shall be jointly and severally liable for all Nuisance Abatement Costs. Unpaid Nuisance Abatement Costs may be recovered as a lien or special assessment against the nuisance property.

2-173: Administrative Procedures for Recovering Nuisance Abatement Costs.

A. The administrative cost recovery procedures provided in this Section are in addition to all other remedies and cost recovery options available to the City at law and or in equity.

B. In accordance with Section 2-175, the City shall serve upon each Responsible Party, and each person and entity with a recorded interest in the nuisance property, an invoice ("Invoice") identifying all Nuisance Abatement Costs.

C. Any Responsible Party to whom an Invoice has been issued shall have 15 working days from the date of the Invoice to remit full payment of the Invoice to the City. Payment shall be submitted to the City Clerk and made payable to the "City of Porterville". The Invoice shall further specify that any unpaid amounts may become a lien or special assessment against the nuisance property.

D. Any person or entity to whom an Invoice has been issued may, within 15 working days from the date of the Invoice, request a hearing on the Invoice amount. A request for hearing must be made in writing to the City Clerk and contain the following information:

1. The requestor's full legal name.
2. The requestor's address for service of process.
3. The requestor's phone number.
4. The amount of Nuisance Abatement Costs disputed.
5. The grounds for all disputes of the Nuisance Abatement Costs.

E. Failure to properly and timely request a hearing shall constitute a waiver of the right to contest the Invoice, a waiver of the right to a hearing, a failure to exhaust administrative remedies, and bar to any further challenge to the City's Invoice.

2-174: Nuisance Abatement Costs Hearing.

A. If a hearing is timely and properly requested, the City Manager's designee shall designate a neutral and impartial hearing officer ("Hearing Officer") who shall set a hearing in accordance with this Section. The employment, performance evaluation, compensation, and benefits of the Hearing Officer, if any, shall not be directly or indirectly conditioned upon the decisions of the Hearing Officer.

B. The Hearing Officer shall set a hearing within approximately 60 days from the date that the request for hearing is filed. The City shall provide notice of the date, time, and location of the hearing to all Responsible Parties and all persons or entities with a recorded interest in the Nuisance Property at least 10 days prior to the hearing. The hearing notice shall specify that failure to appear at the hearing will constitute a waiver of the right to dispute the Invoice and the Nuisance Abatement Costs, a failure to exhaust administrative remedies, and a bar to any further challenge to the Invoice or the Nuisance Abatement Costs.

C. The Hearing Officer shall hold an informal hearing. Formal rules of evidence shall not apply to this hearing, however, there shall be an opportunity to present testimony, documentary evidence, and other evidence to the Hearing Officer.

D. The Hearing Officer may continue the hearing and request additional information as is reasonable and necessary.

E. At the hearing, or within 10 days thereafter, the Hearing Officer shall issue a Decision approving, denying, or modifying the amount of the Nuisance Abatement Costs. The hearing officer's Decision shall be final. The City shall serve notice of the Hearing Officer's Decision in accordance with Section 2-175.

F. All costs of the hearing shall be borne by the non-prevailing parties. If any cost recovery is upheld, even in part, the City shall be the prevailing party. If cost recovery is entirely denied, the requesting party shall be the prevailing party. If the City is the prevailing party, the Decision shall order the Responsible Parties to pay the confirmed Nuisance Abatement Costs to the City within 15 working days, and shall specify that any confirmed Nuisance Abatement Costs not paid within 15 working days shall become a lien and a special assessment against the nuisance property.

2-175: Service.

A. All notices and documents required to be served under this Article may be served in any of the following ways:

1. Personal service.

2. First-class or certified mail to last known address.

3. First-class or certified mail to nuisance property.

4. Posting on the nuisance property.

B. Service shall be deemed effective on the date personally served, mailed, or posted.

C. Failure of a party to receive any notice or document properly served pursuant to this Section shall not affect the validity of the notice or document, the validity of its service, or the City's cost recovery rights.

D. All notices and documents required to be served on the City pursuant to this Article must be personally served or mailed to the City Clerk's office. If mailed, the notice or document must be received by the City within the time specified for service.

2-176: Nuisance Abatement Lien.

A. If Nuisance Abatement Costs are upheld, in full or in part, by the Hearing Officer, or if the time for requesting a hearing has elapsed and the invoice has not been paid in full, the City may record a lien against the nuisance property for any unpaid amount. Prior to recording, the City shall serve a copy of the lien on all persons or entities with a recorded interest in the nuisance property.

B. In the event the lien is discharged, released, or satisfied, notice of the discharge, release, or satisfaction shall be recorded.

C. If the lien is not satisfied within 90 calendar days, the city may foreclose on the lien.

D. The lien shall be in the form substantially as follows:

NOTICE OF LIEN

(Claim of City of Porterville)

Pursuant to Porterville Municipal Code ("PMC") article XV, on or about [MONTH] [DAY], [YEAR], the City of Porterville ("City") instituted a nuisance abatement action against the herein described parcel of real property intended to cause or compel compliance with the PMC. The City has incurred costs, expenses, and fees that have not been reimbursed by the responsible parties. Accordingly, the City is entitled to, and hereby claims, a lien against the nuisance property in the amount of $[AMOUNT], plus interest, until this amount has been paid in full and discharged of record. The record owner of the nuisance property is [RECORD OWNER NAME]. The nuisance property is the parcel of real property located in the City of Porterville, County of Tulare, State of California at [STREET ADDRESS], Porterville, California [ZIP], Assessor's Parcel Number [APN]. The legal description for the nuisance property is:

[LEGAL DESCRIPTION]

Dated: [MONTH] [DAY], [YEAR]

_____
City Manager
City of Porterville, California

2-177: Special Assessment.

A. If the Nuisance Abatement Costs are not paid when due, the City may levy a special assessment against the nuisance property for any unpaid Nuisance Abatement Costs. The special assessment may also be recorded against the nuisance property. Prior to recording, the City shall serve a copy of the special assessment on all parties with a recorded interest in the nuisance

property. The recording shall specify that the property may be sold after three years by the tax collector for the unpaid delinquent assessments.

B. Notice of the special assessment shall be provided to the tax collector for the County, whereupon it shall be the duty of the tax collector to add the amounts of the special assessment to the next regular tax bills levied against the nuisance property, and shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes.

C. After recordation, the special assessment may be foreclosed on as a lien in the manner and means provided by law.

D. The recorded special assessment shall be in the form substantially as follows:

NOTICE OF LIEN AND SPECIAL ASSESSMENT

(Claim of City of Porterville)

Pursuant to Porterville Municipal Code ("PMC") article XV, on or about [MONTH] [DAY], [YEAR], the City of Porterville ("City") instituted a nuisance abatement action against the herein describe parcel of real property intended to cause or compel compliance with the PMC. The City has incurred costs, expenses, and fees that have not been reimbursed by the responsible parties. Accordingly, the City is entitled to, and hereby claims, a lien and special assessment against the nuisance property in the amount of $[AMOUNT], plus interest, until this amount has been paid in full and discharged of record. The record owner of the nuisance property is [RECORD OWNER NAME]. The nuisance property is the parcel of real property located in the City of Porterville, County of Tulare, State of California at [STREET ADDRESS], Porterville, California [ZIP], Assessor's Parcel Number [APN]. The legal description for the nuisance property is:

[LEGAL DESCRIPTION]

Dated: [MONTH] [DAY], [YEAR]

_____
City Manager
City of Porterville, California

SECTION 6. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unenforceable, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases would be declared unenforceable.

SECTION 7. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines, California Code of

Regulations, title 14, chapter 3, sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 8. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and the City Clerk shall cause the same to be published and posted as required by law.

SECTION 9. This ordinance shall take effect thirty days after its adoption.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Porterville this 18th day of April, 2017.

_____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

APPROVED AS TO FORM:

_____
Julia Lew, City Attorney

SUBJECT: Downtown Parking District No. 2 requirements for new construction located at 308 N. Second Street

SOURCE: Community Development

COMMENT: The City of Porterville has established two downtown parking districts recognizing that due to the concentration and mix of uses in the downtown area, parking spaces will be shared among uses and the actual demand for spaces in these areas is less than what would otherwise be necessary. Per the Porterville Development Ordinance Section 304.07(b), the number of off-street parking spaces in Downtown Parking District No. 2 is determined by City Council. Attachment 1 identifies the Parking District No. 2, as well as the zoning, which include: DR-N (Downtown Retail North of Olive Avenue), D-PK (Parks and Public Recreational Facilities), and D-PO (Downtown Public Office). The project is located at 308 N. Second Street in the D-PO (downtown professional office) Zone District with a General Plan Land Use Designation of Professional Office.

The Project Review Committee met with Mr. Brent Hornsby, on March 6, 2017 to discuss a proposed 1,656 square foot office building for an accounting firm. During review of the project, Planning determined this location to be within Downtown Parking District No. 2. The project proposes to have four off-street parking spaces including one ADA accessible spot. As an accounting firm, the proposed land use classification is General Office. The parking requirement for General Offices, not located in a downtown parking district, is calculated per Table 304.04(a) as one per 250 square feet of floor area. Based on this calculation the proposed development would require seven parking spaces.

For properties located in Downtown, on-street parking spaces may be counted toward required off-street parking for non-residential uses in an amount equal to the proportionate share of the block face. The Development Ordinance defines block face as all property between two intersections that fronts upon a street or abuts a public right-of-way. The site is allowed 25% of the parking spaces along the east block face of 2nd Street between Thurman Avenue and Cleveland Avenue, and 50% of the south block face of Thurman Avenue between Second Street and Third Street. Three parking spaces would be required to fit the need of parking for this use, and can be achieved by providing on-street parking. By allowing three on-street parking spaces it will promote General Plan LU-I-36 which supports a “park once” concept where residents are able to drive downtown and park at a location, without having to get back into their cars until they’re ready to leave. Based on the parcel configuration and proposed plans

approximately 40 feet would be available for parking along Thurman Avenue and 79 feet would be available along Second Street as identified on Attachment 2.

RECOMMENDATION: That the City Council determine that seven spaces are the appropriate number of parking spaces for the proposed office use at 308 N. Second Street.

ATTACHMENTS:

1. Downtown Parking District #2
2. On Street Parking

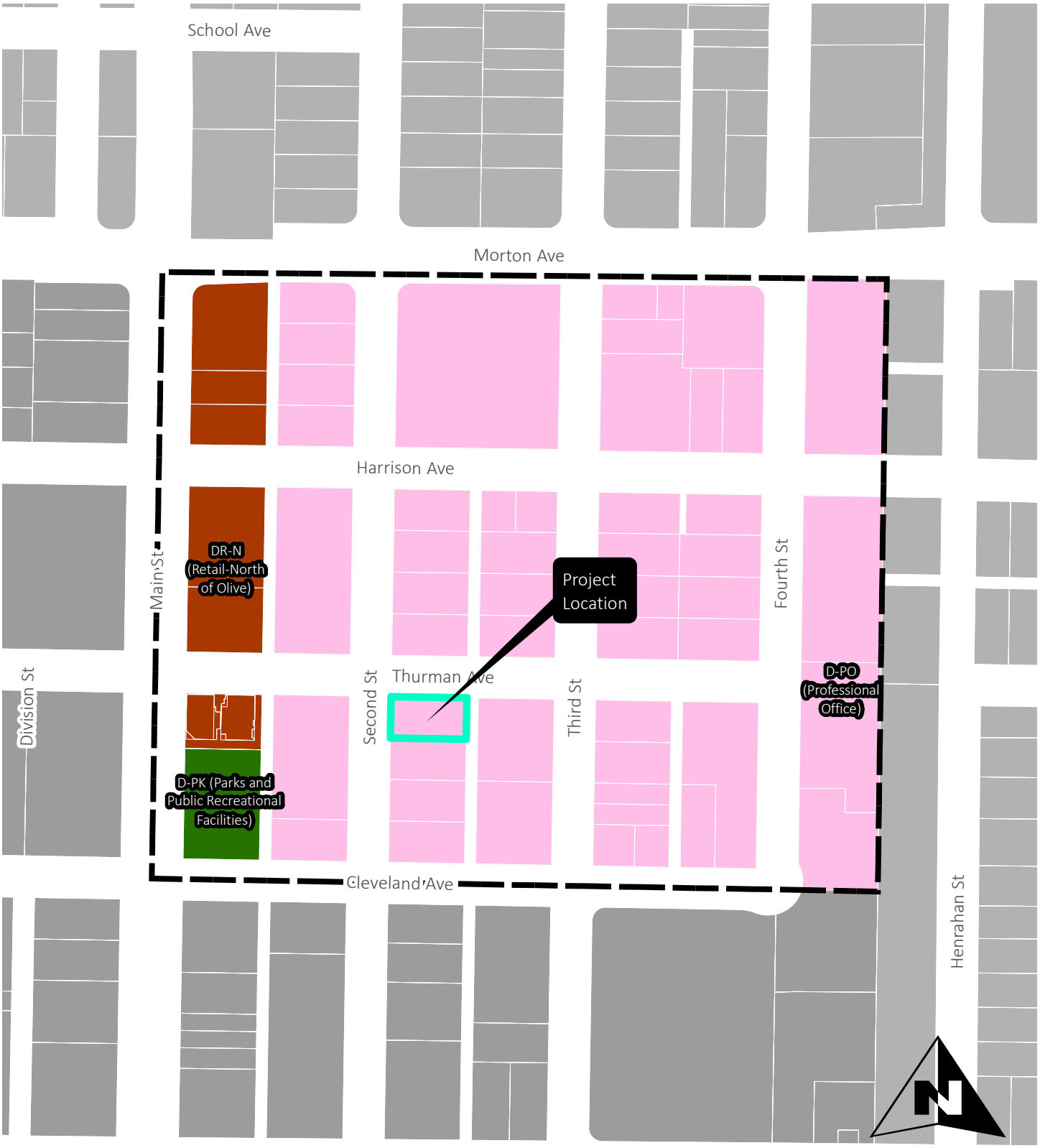
Appropriated/Funded:

Review By:

Department Director:

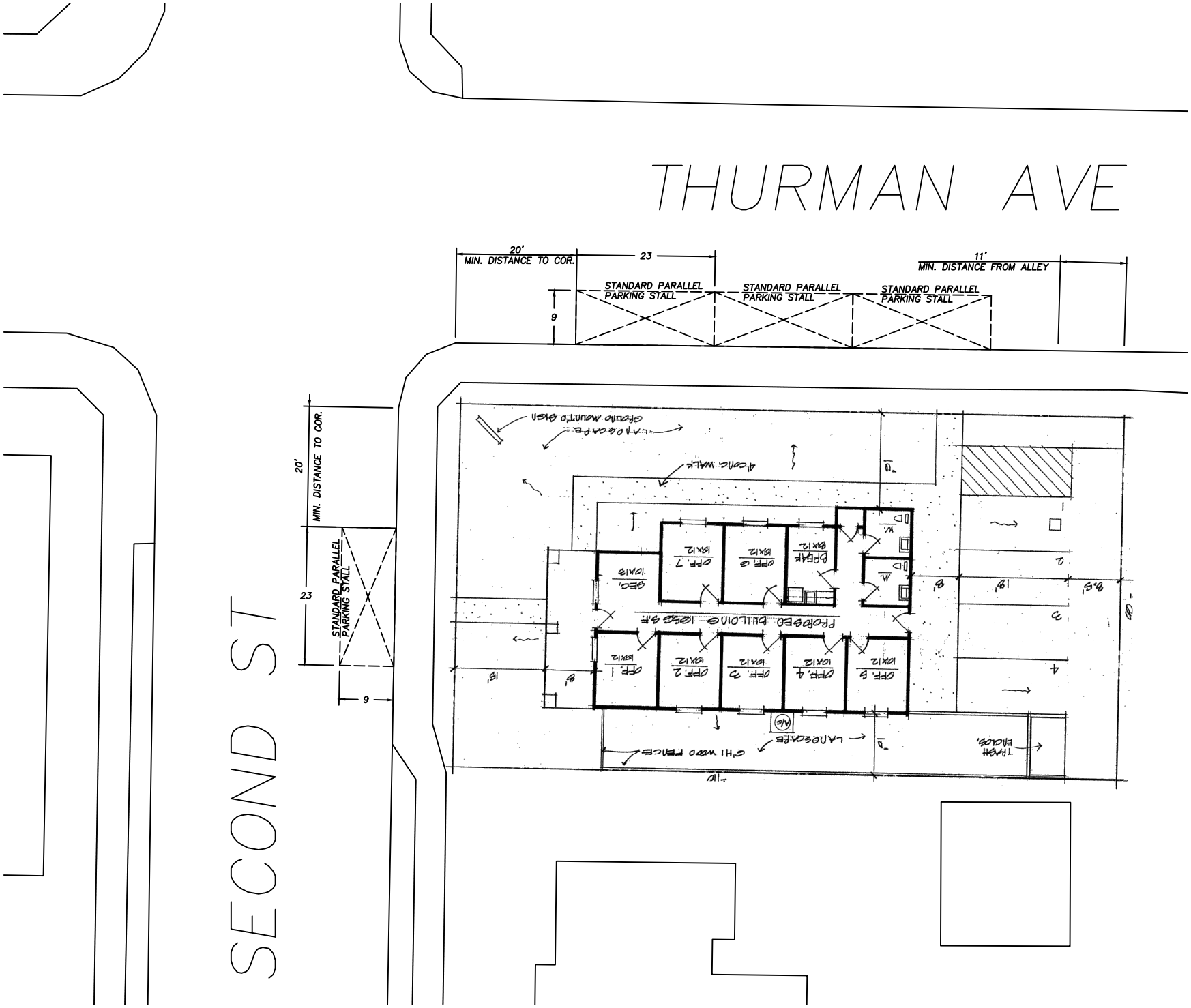
Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



A Division of the Community Development Department
Geographic Information Systems
PORTERVILLE CALIFORNIA

PRC 2017-017
Office Bldg @ 308 N Second St
(Parking District No. 2)
Zoning Land Use Map
1" = 200 ft


THURMAN AVE
SECOND ST
20'
MIN. DISTANCE TO COR.
23
STANDARD PARALLEL PARKING STALL
STANDARD PARALLEL PARKING STALL
STANDARD PARALLEL PARKING STALL
11'
MIN. DISTANCE FROM ALLEY
9
20'
MIN. DISTANCE TO COR.
23
STANDARD PARALLEL PARKING STALL
9
PROPOSED BUILDING 1000 S.F.
OFF. 1 10X12
OFF. 2 10X12
OFF. 3 10X12
OFF. 4 10X12
OFF. 5 10X12
OFF. 6 10X12
OFF. 7 10X12
OFF. 8 10X12
BREAK 8X12
M.
W.
GEO. 10X10
LANDSCAPE
6' HIGH WOOD FENCE
LANDSCAPE
TRASH ENCLOSE.
4' CONC. WALK
GROUND MOUNTED SIGN
110'
90'
8.5'
19'
8'
19'
8'
1
2
3
4

CITY COUNCIL AGENDA – APRIL 18, 2017

SUBJECT: Consideration of Appointment as the City of Porterville's Representative to the Tulare County Task Force on Homelessness

SOURCE: City Manager's Office

COMMENT: The County of Tulare is requesting that the City Council appoint a representative to serve on the County's Task Force on Homelessness that the County is currently forming. According to information provided by the County, the representative may be either a Member of Council or a staff member. It is anticipated that at least one staff member would regularly attend Task Force meetings and participate as appropriate, who could serve as the appointee if the Council desires. The frequency and meeting times of the Task Force have not yet been determined, but would likely be monthly on a weekday during regular business hours.

According to the County, local collaboration is needed to consider available local and State resources and to develop strategies for successfully addressing homelessness. The Task Force will serve as a forum across governments and other partners to explore how to overcome challenges, foster best practices, share ideas and resources, and align service delivery systems.

RECOMMENDATION: That the City Council appoint a City representative to the Tulare County Task Force on Homelessness.

ATTACHMENTS:
1. Task Force Announcement
2. Appointment Form

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

FOR IMMEDIATE RELEASE
DATE: February 13, 2017

CONTACT: Tammie M. Weyker, 559-624-8007
EMAIL: TMWeyker@tularehhsa.org

Tulare County Task Force on Homelessness Looks to Fill Vacancies

Local collaboration is needed to develop strategies for successfully addressing homelessness

VISALIA, CA – Applications are now being accepted for community members interested in serving on the Tulare County Task Force on Homelessness. Homelessness is a complex issue requiring collaboration between jurisdictions and member agencies and critical to identifying and delivering solutions. Members must attend the regularly scheduled meetings and are appointed by the Tulare County Board of Supervisors

In 2016, according to the Kings/Tulare Homeless Alliance's annual Point in Time survey, there were approximately 631 homeless persons in Tulare County with Visalia having 41 percent, Porterville having 23 percent and Tulare with 14 percent. According to the U.S. Conference of Mayors survey, the top five causes of homelessness are:

1. Lack of affordable housing
2. Unemployment
3. Poverty
4. Mental illness and the lack of needed services
5. Substance abuse and the lack of needed services

"Local collaboration is needed to consider available local and State resources and to develop strategies for successfully addressing homelessness," said Jason T. Britt, Agency Director. "This Task Force will serve as a forum across governments and other partners to explore how we can overcome challenges, foster best practices, share ideas and resources, and align service delivery systems."

Task Force Members are comprised of:

- Board of Supervisors
- Health & Human Services Agency
- Kings/Tulare Homeless Alliance
- Law Enforcement
- Community Action Agency
- Housing Authority
- Faith Community
- Transit Authority
- Tulare County Farm Bureau
- City of Visalia
- City of Tulare
- City of Porterville
- City of Dinuba
- City of Lindsay
- City of Farmersville
- City of Exeter
- City of Woodlake
- Community partner representative

Applications are available at the Tulare County Board of Supervisors, 2800 W. Burrel Ave., Visalia, Health & Human Services Offices at 5957 S. Mooney Blvd. (second floor east), Visalia, or by logging on to http://tularecounty.ca.gov/clerkoftheboard/index.cfm/board-commissions-and-committee/.

###

TULARE COUNTY BOARD OF SUPERVISORS

APPLICATION / INFORMATION FORM

List the Board/Commission you are interested in serving on

_____

Name _____ Address _____

_____

Home Phone _____ Business Phone _____

Indicate the Supervisorial District you live in _____

Indicate if you sit on any other Tulare County Boards, Committees, or Commissions

_____

_____

List any other community involvement _____

_____

_____

Employment Information _____

_____

_____

Qualification _____

_____

_____

_____

Reason for Applying _____

_____

_____

_____

_____ _____

Signature Date

Please return application to:
Clerk of the Board of Supervisors, Administration Building,
2800 W. Burrel, Visalia, CA 93291-4582.
(559) 636-5000 * FAX (559) 733-6898

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 was 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 benefited 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 was 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.

On April 7, 2017, Governor Brown issued Executive Order B-40-17, which ended the drought state of emergency in most of California, with the exception of Fresno, Kings, Tulare and Tuolumne counties where emergency water supply

and reliability projects are continuing toward addressing diminishing groundwater supplies. The Order maintains monthly reporting requirements and prohibitions on wasteful practices.

At its last meeting on April 4, 2017, 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 30 residences within the city have been determined to currently have dry wells, for which City staff has submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry and are challenged for permanent connection.

Representatives for the City, County, and State (CalOES, DDW, DWR, and SWB) have continued to meet in support of the long-term permanent water connection project for the entire East Porterville area and the estimated 1,800 expected future connections. DWR identified 423 residential units in the East Porterville area (381 of which are in the City's Urban Development Boundary), that were 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 has nearly completed a significant City waterline extension project to permanently connect those 423 residential units to the City's water system. To provide source water for the DWR extension project, CalOES desired 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 its 80 residential units be included in the water connection project, to which the State was agreeable.

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 meeting on April 5, 2016, which the County Board of Supervisors subsequently approved at their meeting on May 10, 2016.

A Memorandum of Understanding between the State, County, and City on the East Porterville permanent water connection project was approved by the Council during a Special Meeting on Tuesday, June 21, 2016, and approved by the Board of Supervisors on Tuesday, June 28, 2016. With the approval of the MOU, the State began the permanent connection of approximately 40 homes that are located along existing City water mains. Subsequently, the State

officially requested that the City approve the connection of an additional 30 residences as part of the first immediate connections, for up to a total of 70, which the Council approved at its meeting on August 2, 2016.

In regards to the new well's development and connection to the City's water distribution system, the Board of Supervisors awarded the contract for equipping and connecting the new well at their meeting of Tuesday, August 16, 2016, and construction activities commenced the week of October 10, 2016. County staff had previously indicated that the well would be in service and connected to the City's system no later than December 2016, however, the well was operational and connected to the City's water distribution as of Friday, February 17, 2017. Given the delay in the well's completion and connection, DWR requested that the City Council consider allowing the connection of residences as they become prepared for connection, to which the Council was receptive, and a Draft MOU Amendment was approved by the Council at its meeting on December 6, 2016, and subsequently approved by the Board of Supervisors at is meeting on December 20, 2016.

As of Friday, March 31, 2017, the date the State established as the final day for property owners to complete the registration process to participate in the State-funded connection program opportunity, of the 1,017 eligible developed residential properties identified by the State for connection, 722 completed the required Extra-Territorial Services Agreement, leaving 295 developed residential properties non-responsive to this unique connection program, 23 of which were reported as having either dry or diminishing capacity wells.

County OES and the State Division of Drinking Water (DDW) have reported to the City that the Central Mutual Water Company, located south of the city and south of Gibbons Avenue, has had its well run dry and desires an immediate emergency connection to the City's water system to serve the 41 connections currently without water. DDW is wishing to support a financial application to upgrade the small water system to City standards (new water lines, meters ,etc.), and to sponsor an Urban Development Boundary (UDB) Amendment application to Tulare County Local Agency Formation Commission (LAFCO), given this area is currently outside the City's UDB but within the City's Urban Area Boundary (UAB). Given several private wells have run dry in this area, DDW is also attempting to sponsor their connection to the City's water system. For source water capacity for the connections, DWR will include these new connections within the East Porterville water connection capacity development projects. At its Special meeting on August 30th, the City Council directed staff to proceed with the immediate emergency connection of the Central water system, with the permanent connection of the system contingent upon an Agreement with DDW to the sponsorship conditions they have offered.

State Division of Drinking Water (DDW) has also recently reported to the City that the Del Oro East Plano water system, located on Paul Street (southeast of the intersection of Plano Street and Worth Avenue), is experiencing problems with its existing well and have implemented severe water restrictions. The East Plano water system serves 14 residences and approximately 45 people. DDW is

wishing to provide financial support to upgrade the small water system to City standards (new water lines, meters ,etc.), and for source water capacity for the connections, DDW would need to either pay appropriate fees and/or develop a capacity development project. The Council is aware that the Del Oro Grandview Gardens water system (north of W. North Grand Avenue) is also experiencing significant issues, and DDW may seek their future consolidation with the City's water system as well.

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. City-County Well Agreement
3. Memorandum of Understanding
4. Memorandum of Understanding Draft Amendment
5. Governor Brown Executive Order

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

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

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

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

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

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

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

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

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

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

TULARE COUNTY – CITY OF PORTERVILLE WELL AGREEMENT

THIS AGREEMENT is entered into this day of, May 10, 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'.

TULARE COUNTY AGREEMENT NO. 27596

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. Burrel Avenue
Visalia, CA 93291

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

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

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

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

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

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

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

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

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

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.
12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.
13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.
14. Insurance
15. Permit
16. Dispute Resolution: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.
17. Indemnification: CITY shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CITY or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CITY under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CITY's failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

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

COUNTY OF TULARE

BY _____
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 _____ for LMT
Deputy
20151902

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'

East Porterville Project Boundary

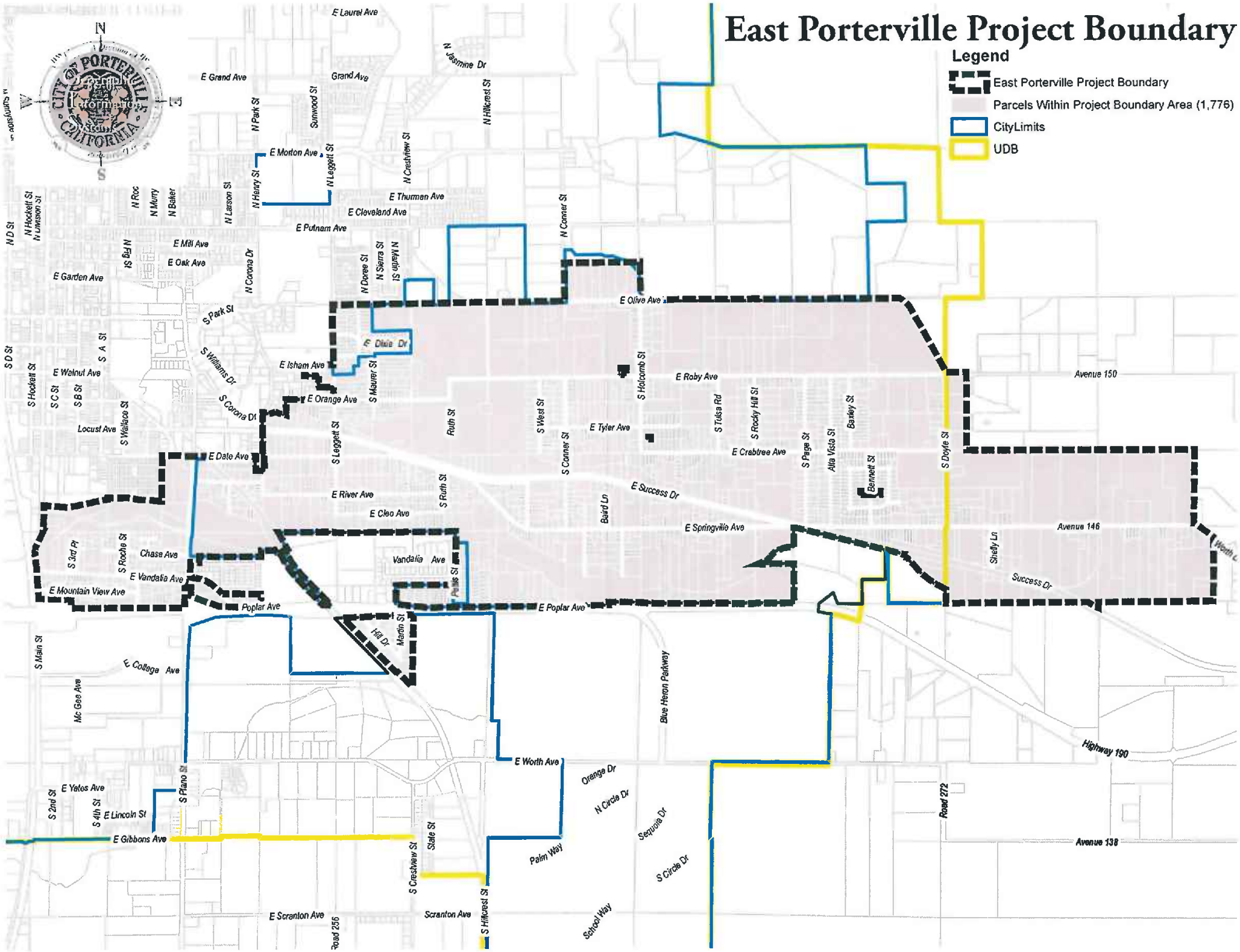

EXHIBIT 'B'

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

Luisa M. Zavala

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

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

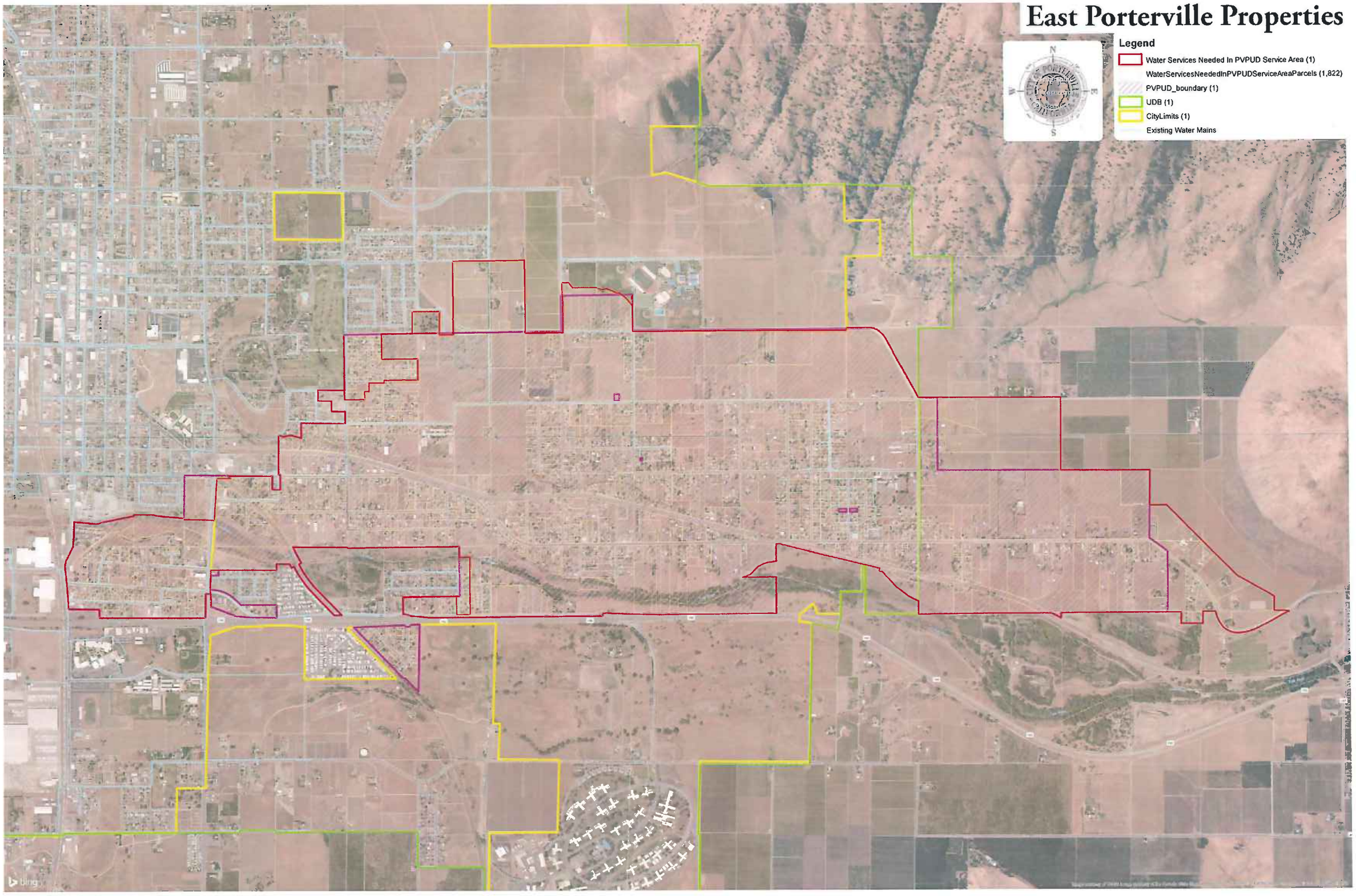

Exhibit B

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

Luisa Zavala

By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'

OLIVE AVENUE
176±
245±
302±
TULE RIVER
N
SCALE: 1" =50'

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

Amendment No. 1

To the East Porterville Water Supply Project

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"

This Amendment No.1to the MOU is made this 7th day of November, 2016. As described below, this Amendment No.1 recognizes the MOU is still in effect, modifies certain sections of this MOU, and adds new sections to the MOU.

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, 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, to advance these projects, DWR and the SWRCB have provided funding, as reflected in Exhibits 1 and 2, 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 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:

Whereas, the purpose of this amendment is to clarify some sections of the MOU and to add several new sections.

NOW THEREFORE, IT IS MUTUALLY AGREED that the following changes are hereby made to the MOU:

1. Section A (2) is amended to read as follows:

The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville and Vandalia that have dry wells and/or water tanks. It is estimated that this phase will serve approximately 300 properties.

2. Section A (3) is amended to read as follows:

The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 800 properties in East Porterville by connecting them to the City of Porterville's water system. The total number of homes eligible for this Project is approximately 1,100.

3. Section A (5) is amended to read as follows:

The Parties intend that Well C1 will be used to provide the initial water supply. The Parties acknowledge the delay in Well C1 completion. To mitigate the effects of this on the residents of East Porterville, the City of Porterville will allow connections of homes as they become prepared for connection. These early connections will be beyond the initial 70 connections (previously 40 connections) agreed to, given the availability of capacity during the winter months. However, these additional connections to the City's water system will cease on March 1, 2017, if Well C1's connection to the City's water system is not completed by then.

4. Sections A (7) b-f shall be added and made part of this MOU:

7 (a). 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.

(b). The East Porterville Water Supply Project Hydraulic Analysis Report ("Hydraulic Analysis Report," which is attached as Exhibit 10) determined that the water supply capacity required to serve all eligible residents of East Porterville is 1,435 gallons per minute (gpm). This capacity shall be based on the sustainable yield of the wells which is defined as 75 percent of the initial design capacity. Since Well C1 has a sustainable yield of 600 gpm, the Parties agree that the State will fund the construction and equipping of additional wells to provide the 835 gpm shortfall.

(c). Based on the Hydraulic Analysis, a 700,000 gallon water storage tank is required to serve the residents of East Porterville. However, based on Porterville's master plan recommendations, a 1.2 million-gallon storage tank is required for the City's buildout. The Parties therefore intend to construct a 1.2 million-gallon storage tank with cost sharing between the State and the City. The State will fund the cost of a 700,000 gallon tank required for the Project and the City of Porterville will fund the cost of the additional 500,000 gallons of storage required for the City's future use as contained in its master plan. The cost-sharing shall be proportional to the tank capacity being funded.

(d). The Parties intend to upgrade the existing Henderson-Plano Booster Pump Station and the Granite Hills Intertie which would facilitate water supply to the East Pressure Zone which serves East Porterville. The State will fund the construction of one booster pump rated at 2,100

gpm along with a variable frequency drive and the Granite Hills Intertie. The City will fund the replacement of its two existing pumps along with associated variable frequency drives as part of Phase 2 of the Project. These two pumps are more than 30-years old and their replacement will enable the City's water system to operate more efficiently and in a cost-saving manner.

(e). The Parties further agree that a booster pump station of capacity 1,670 gpm is required to convey water from the West Pressure Zone, where the new wells will be located, to the Central Pressure Zone for onward conveyance to East Porterville. The State will fund the construction of this booster pump station.

(f). Given that Well C1 has an estimated sustainable yield of 600 gpm, as well as a unit demand of 0.833 gpm per home connection based on the Hydraulic Analysis , Well C1 could effectively serve up to 720 households . The Parties agree that home connections for Phase 2 of the Project can begin as soon as Well C1 is connected to the City's water system, and the Henderson-Plano Booster Pump Station upgrade and the Granite Hills Intertie are completed. These home connections shall cease when the capacity of Well C1 is exceeded. Thereafter, additional home connections will be made after the construction of additional wells or if City staff determines that the water system can support additional home connections.

5. Section (C) 16 is amended to read as follows:

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on June 30, 2018, unless extended by all Parties in writing.

6. The list of the Exhibits at the end of MOU is amended to read as follows:

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 Feasibility Study for the Long-Term Plan
10. East Porterville Water Supply Project Hydraulic Analysis Report

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

Executive Department

State of California

EXECUTIVE ORDER B-40-17

WHEREAS California has endured 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 more than 22% between June 2015 and January 2017; and

WHEREAS the State Water Resources Control Board, the Department of Water Resources, the Department of Fish and Wildlife, the Office of Emergency Services, and many other state agencies worked cooperatively to manage and mitigate the effects of the drought on our communities, businesses, and the environment; and

WHEREAS the State provided 66,344,584 gallons of water to fill water tanks for communities suffering through drought-related water shortages, outages, or contamination, and provided emergency assistance to drill wells and connect communities to more robust water systems; and

WHEREAS the State took a number of important actions to preserve and protect fish and wildlife resources, including stream and species population monitoring, fish rescues and relocations, infrastructure improvements at trout and salmon hatcheries, and infrastructure to provide critical habitat for waterfowl and terrestrial animals; and

WHEREAS the State established a Statewide Water Efficiency and Enhancement Program for agricultural operations that provides financial assistance for the implementation of irrigation systems that save water; and

WHEREAS water content in California's mountain snowpack is 164 percent of the season average; and

WHEREAS Lake Oroville, the State Water Project's principal reservoir, is 101 percent of average, Lake Shasta, the federal Central Valley Project's largest reservoir, is at 110 percent of average, and the great majority of California's other major reservoirs are above normal storage levels; and

WHEREAS despite winter precipitation, the effects of the drought persist in areas of the Central Valley, including groundwater depletion and subsidence; and

WHEREAS our changing climate requires California to continue to adopt and adhere to 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.

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, do hereby **TERMINATE THE JANUARY 17, 2014 DROUGHT STATE OF EMERGENCY** for all counties in California except the Counties of Fresno, Kings, Tulare, and Tuolumne.

I FURTHER ORDER THAT:

1. The orders and provisions contained in my April 25, 2014 Emergency Proclamation, as well as Executive Orders B-26-14, B-28-14, B-29-15, and B-36-15 are rescinded.

2. The orders and provisions contained in Executive Order B-37-16, **Making Water Conservation a California Way of Life**, remain in full force and effect except as modified by this Executive Order.

3. As required by the State Emergency Plan and Government Code section 8607(f), the Office of Emergency Services, in coordination with other state agencies, shall produce an after-action report detailing the State's response to the drought and any lessons learned in carrying out that response.

MAINTAINING CONSERVATION AS A WAY OF LIFE

4. The State Water Resources Control Board (Water Board) shall continue development of permanent prohibitions on wasteful water use and requirements for reporting water use by urban water agencies, and to provide a bridge to those permanent requirements, shall maintain the existing emergency regulations until they expire as provided by the Water Code. Permanent restrictions shall prohibit wasteful practices 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 shall rescind those portions of its existing emergency regulations that require a water supply stress test or mandatory conservation standard for urban water agencies.

6. The Department of Water Resources (Department) shall continue work with the Water Board to develop standards that urban water suppliers will use to set new urban water use efficiency targets as directed by Executive Order B-37-16. Upon enactment of legislation, the Water Board shall adopt urban water use efficiency standards that include indoor use, outdoor use, and leaks as well as performance measures for commercial, industrial, and institutional water use. The Department shall provide technical assistance and urban landscape area data to urban water suppliers for determining efficient outdoor use.

7. The Water Board and the Department shall continue to 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.

8. The Water Board and the Department shall continue to take actions to 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 is requested to work with investor-owned water utilities to accelerate work to minimize leaks.

9. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation.

10. All state agencies shall continue response activities that may be needed to manage the lingering drought impacts to people and wildlife. State agencies shall increase efforts at building drought resiliency for the future, including evaluating lessons learned from this current drought, completing efforts to modernize our infrastructure for drought and water supply reliability, and shall take actions to improve monitoring of native fish and wildlife populations using innovative science and technology.

CONTINUED DROUGHT RESPONSE IN FRESNO, KINGS, TULARE, AND TUOLUMNE COUNTIES

11. The Water Board will continue to prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages.

12. The Department and the Water Board will accelerate funding for local water supply enhancement projects and will continue to explore if any existing unspent funds can be repurposed to enable near-term water conservation projects.

13. The Water Board will continue to work with local agencies to identify communities that may run out of drinking water, and will provide technical and financial assistance to help these communities address drinking water

shortages. It will also identify emergency interconnections that exist among the State's public water systems that can help these threatened communities. The Department, the Water Board, the Office of Emergency Services, and the Office of Planning and Research will work with local agencies in implementing solutions to those water shortages.

14. For actions taken in the Counties of Fresno, Kings, Tulare, and Tuolumne pursuant to directives 11–13, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, as well as Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, are hereby suspended. These suspensions apply to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions.

15. California Disaster Assistance Act Funding is authorized until June 30, 2017 to provide emergency water to individuals and households who are currently enrolled in the emergency water tank program.

16. State departments shall commence all drought remediation projects in Fresno, Kings, Tulare, and Tuolumne Counties within one year of the date of this Executive Order.

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 7th day of April 2017.

Edmund G. Brown Jr.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State