



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA AND
Whitebridge Hotel, Whitebridge, Stratherrick, IV26UN
JULY 18, 2017, 5:30 PM PDT**

Call to Order

Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APN: 259-040-037. Agency Negotiator: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and Smee Builders. Under Negotiation: Terms and Price.
- 2** - Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: Along Poplar Avenue, south and adjacent to APN 260-300-028 and APN 260-300-029. Agency Negotiator: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and CZEM Partners LLC. Under Negotiation: Terms and Price.
- 3** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, Che Johnson, and Matt Pierce. Employee Organizations: Management and Confidential Series, Porterville City Employees Association, Public Safety Support Unit, Porterville City Firefighters Association, and Fire Officer Series.
- 4** - Government Code Section 54956.95 – Liability Claim: Claimant: The Estate of Maureen Hamilton. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.95 – Liability Claim: Claimant: Abel Saldana. Agency claimed against: City of Porterville.
- 6** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two Cases in which facts are not yet known to potential plaintiff.
- 7** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: Two Cases.

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

Pledge of Allegiance Led by Council Member Martha Flores
Invocation

PRESENTATIONS

Employee of the Month - John Pruitt
Employee Service Award – Randy Kline

AB 1234 REPORTS

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

1. Tulare County Economic Development Corp. (TCEDC) - June 28, 2017
2. Tulare County Homelessness Task Force - June 29, 2017
3. Local Agency Formation Commission (LAFCO) - July 12, 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 - Summer Hiatus
 2. Library & Literacy Commission - Summer Hiatus
 3. Arts Commission
 4. Animal Control Commission - July 10, 2017
 5. Youth Commission - Summer Hiatus
 6. Transactions and Use Tax Oversight Committee (TUTOC)
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update
 2. Change of Color of Fire Department Apparatus

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. **City Council Minutes of May 16, 2017, June 6, 2017, and Amended Minutes of December 20, 2016**
Re: Considering approval of the draft minutes of May 16, 2017, June 6, 2017, and amended minutes of December 20, 2016.
2. **Authorization to Purchase Equipment by Negotiation**
Re: Considering authorization to purchase by negotiation various equipment and authorize payment for said equipment upon satisfactory delivery.
3. **Replacement of Police Department Motorola Radio Base Stations**
Re: Considering approval of a purchase in the amount of \$12,151.80 from J's Communications for the replacement and installation of Motorola radio base stations.
4. **Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2016-2017**
Re: Considering authorization to submit the Fiscal Year 2016-2017 RSTP Exchange Program fund claim to the Tulare County Association of Governments on behalf of the City of Porterville in the amount of \$603,158.
5. **Areas 458, 455A and 459A & C Sewer Utility District Annual Assessments**
Re: Consideration of resolutions ordering the continued assessments for Districts 458, 455A and 459A and C for the 2017/2018 tax years.
6. **Laboratory Instrument Service Contract**
Re: Considering approval of a one-year service contract with Agilent Technologies in the amount of \$9,346.20 for instrument technical support at the City laboratory.
7. **Out-of-State Travel - GreenPower Electric Transit Buses In-Plant Inspections**
Re: Considering approval of an out-of-state travel request to allow Field Services Shop Superintendent Russell Isom and Transit Manager Richard Tree to perform in-plant inspections on GreenPower electric buses in Xiamen, China, at an estimated cost of \$13,000 to be reimbursed by grant funds.
8. **Renewal of Airport Lease Agreement - Lot 46C**
Re: Considering approval of the extension of the Lease Agreement between the City of Porterville and Mr. Mike Quatacker of Porterville, CA, for Lot 46C at the Porterville Municipal Airport.
9. **Renewal of Airport Lease Agreement - Lot 49B**
Re: Considering approval of the extension of the Lease Agreement between the City of Porterville and Mr. Mike Quatacker of Porterville, CA, for Lot 49B at the Porterville Municipal Airport.

10. **Jaye Street Bridge Budget Augmentation**
Re: Considering authorization to augment Emmett's Excavation construction contract by \$539,044.45, VSCE's and TRC's service agreement contracts by \$227,344.74 and \$47,593, respectively, and City's administration costs by \$41,240.66.
11. **Authorization to Roll Weed Abatement Balances, Unpaid Utility Accounts and Delinquent Loan Agreements to the Property Tax Rolls**
Re: Consideration of a resolution authorizing the County Auditor to place the weed abatement balances, unpaid utility accounts and delinquent loan agreements on the 2017-2018 property tax rolls for collection.
12. **Approval of Reorganization within the Engineering and Building Divisions of the Public Works Department**
Re: Considering authorization to reorganize the Engineering and Building Divisions of the Public Works Department.
13. **Amendment to Employee Pay and Benefit Plan -- Management & Confidential Series**
Re: Considering approval of a resolution amending the Employee Pay & Benefit Plan for Management and Confidential Series employees pursuant to the signed Memorandum of Understanding.

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

PUBLIC HEARINGS

14. **Landscape and Lighting District Annual Assessments**
Re: Consideration of a resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2017-2018 fiscal year.
15. **Conditional Use Permit for The River Church located at 2440 W. Henderson Ave.**
Re: Consideration of a resolution approving the establishment of The River Church at 2440 W. Henderson Avenue in the RM-3 Zone District.
16. **General Plan Amendment for Porterville Town Center and Adjacent Properties from Commercial Mixed Use to Retail Centers (Continued from June 6, 2017)**
Re: Consideration of a resolution approving General Plan Amendment 2017-022, an amendment to the Land Use element of the General Plan amending the classification of ten parcels from Commercial Mixed Use to Retail Centers.

SCHEDULED MATTERS

17. **Consideration of Appointments to the Arts Commission and Measure R Citizens' Oversight Committee**
Re: Consideration of appointment of individuals to the City's Arts Commission and the Measure R Citizens' Oversight Committee.

18. **Measure R Expenditure Plan Amendment Number 4**
Re: Consideration of a resolution affirming the Council's support of the proposed amendment to the 2006 Measure R Expenditure Plan; and authorizing its transmittal to the Tulare County Transportation Authority.
19. **Conditional Use Permit Review for Galaxy 9 Theatre (PRC 2016-041-M)**
Re: Consideration of staff's report in the review of whether the applicant has met adequate measures to control alcohol consumption and customer activities inside the building.
20. **Adoption of Annual Appropriation Limit**
Re: Considering approval of a resolution adopting the appropriation limit of \$67,836,078 for the 2017-2018 fiscal year.
21. **Consider Pocket Parks in New Residential Development**
Re: Consideration of pocket parks as an amenity in new residential development.
22. **Consider Community Swimming Pools in New Residential Development**
Re: Consideration of community swimming pools as an amenity in new residential development.
23. **Status and Review of Declaration of Local Emergency**
Re: Consideration of the continuance of the Declaration of Local Emergency, and use of the splash pad at Fallen Heroes Park as a designated public cooling area.

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 August 1, 2017.

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

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



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: 1. Water Conservation Phase III Status Update

SOURCE: Public Works

COMMENT: The City of Porterville has continued to implement an active water conservation approach, both conserving and providing flexibility to the community. The City has transitioned from Phase IV to Phase III of the City's Water Conservation Plan as of May 23, 2017. The Water Conservation Plan applies to all municipal water users within or outside city limits. As part of the Phase III plan, the City has provided additional watering days, a two day per week watering schedule based on address. If an address ends with an "odd" number, the watering days are Tuesday and Saturday; if an address ends with an "even" number, the watering days are Wednesday and 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, Thursday, or Friday. Watering of outdoor landscape is prohibited during, and within 48 hours after, measurable rainfall which is now defined as greater than 0.01 of an inch.

Violations of prohibited activities are considered infractions and are punishable by fines of up to \$500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator. The City of Porterville will be responding to enforcement by issuing a Notice of Violation for all witnessed occurrences and staff will be processing all reported issues. Enforcement statistics for the month of June 2017 show that a total of 119 Notice of Violations were issued for water wasting; 7 Administrative Citations were issued.

Water production for June 2017 shows a 8% decrease from the 5-year average. The production for the month of June 2017 was 350 million gallons, which when compared to the production for the month of June 2013 of 478 million gallons, equates to a 26.7% reduction. Residential consumption for June 2017 was 146.90 gallons per capita per day (GPCD).

Under the February 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 imposed standard of 26%. The continuation of the conservation 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).

The City will continue to track cumulative conservation totals as well as monthly reporting data, comparing water production totals from 2013 to 2015 through current. 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 June 2017. Porterville's cumulative total conservation through June 2017 is 27.9%.

Following unprecedented water conservation and plentiful winter rain and snow, on April 7, 2017, Governor Edmund G. Brown Jr. ended the Drought State of Emergency in most of California, while maintaining water reporting requirements and prohibitions on wasteful practices such as watering during or right after rainfall. Executive Order B-40-17 lifts the drought emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects will continue to help address diminished groundwater supplies.

The Governor's executive order directs the State Water Board to lift the specific conservation provisions of its drought emergency regulations but to keep in place the temporary requirements for monthly water use reporting and prohibitions against wasteful water use practices while the Board works to develop permanent reporting and wasteful use regulations. The temporary requirements will remain in effect until Nov. 25, when the emergency regulation expires. The current prohibitions against wasteful water use practices include outdoor watering during or within 48 hours after a rain event; hosing down a sidewalk instead of using a broom or a brush; and over-watering a landscape to where water is running off onto the sidewalk or into the gutter. The long-term conservation framework, also released on April 7, 2017 includes recommendations to establish permanent water conservation standards and improved agricultural and urban water management planning to better prepare for more frequent and severe droughts due to climate change. These actions will help achieve a top priority of the California Water Action Plan - to improve long-term drought preparedness and "Make Conservation a California Way of Life."

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Monthly Production Status June 2017
 2. Drought Response Phase III Flyer

Appropriated/Funded:

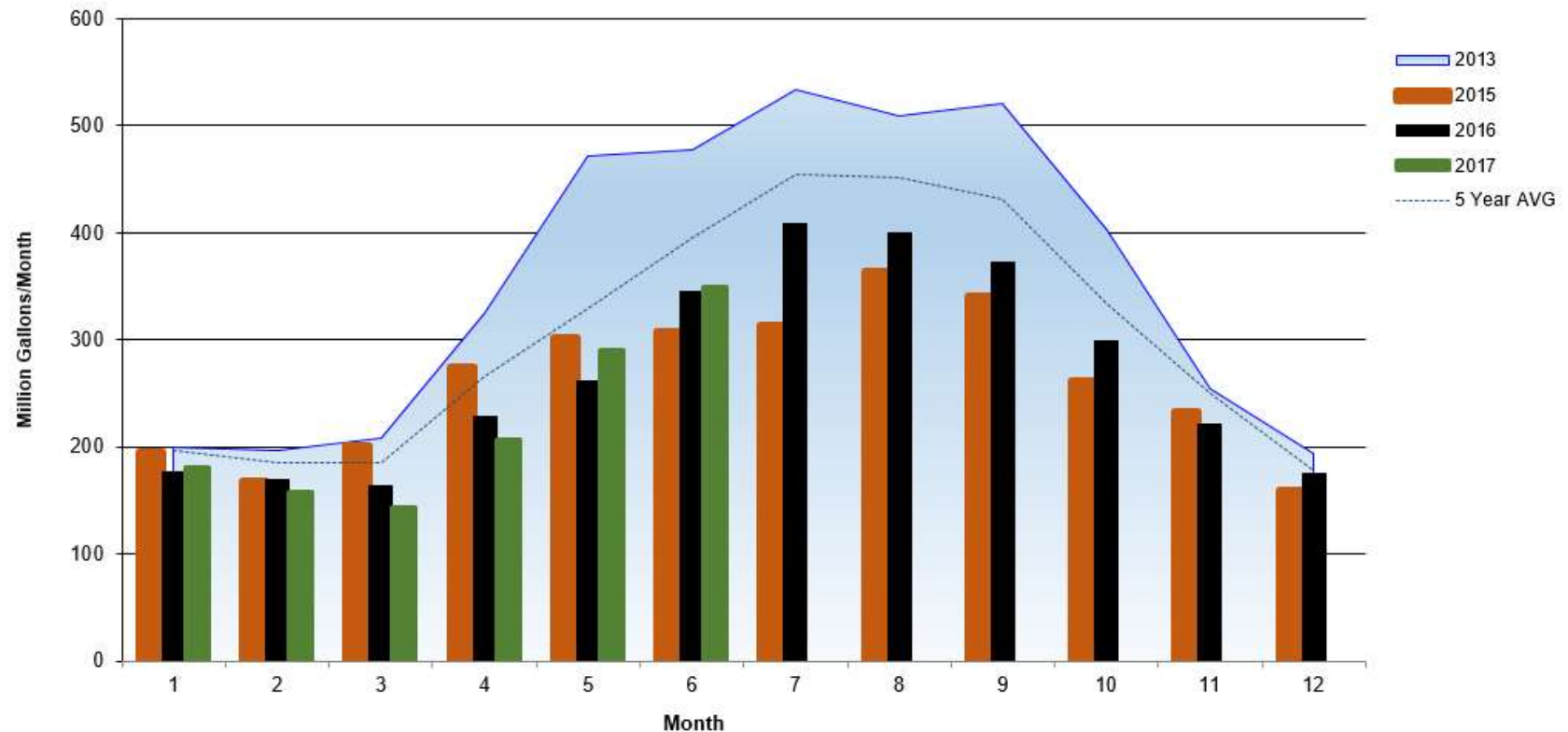
Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

Monthly Production Status & Cumulative Total June 15/16 Through
June 2017 Production Comparison to 2013 & 5 Year Average



Cumulative Total 28%

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%	-36%	-38%	-27%						

Percent Comparison to 2013 Production



DROUGHT RESPONSE Phase III

Mandatory Odd/Even Watering Schedule, based on address.
Residents will be allowed **TWO** days a week to water lawns and landscapes. No watering allowed on Mondays, Thursdays, and 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.

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 III water conservation regulations could result in citations with fines up to **\$500**.

DROUGHT RESPONSE PHASE III

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

Mandatory Odd/Even Watering Schedule

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

Odd Address
 Even Address

ODD NUMBER ADDRESSES

If your address ends with an “odd” number, 1, 3, 5, 7, or 9, your watering days are Tuesday and Saturday *only*.

OR

EVEN NUMBER ADDRESSES

If your address ends with an “even” number, 0, 2, 4, 6, or 8, your watering days are Wednesday and 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 ON
MONDAYS, THURSDAYS,
AND FRIDAYS.**



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: 2. Change of Color of Fire Department Apparatus

SOURCE: Fire

COMMENT: The Fire Department is considering a change in color of fire engines from the current yellow back to the original color of red. In 1969, the Department began the transition from red to yellow engines with the intent to provide a higher degree of visibility due to the fact that reflective striping had yet to be developed. In 2009, the National Fire Protection Association (NFPA) released the new standards for required reflective striping on fire apparatus: NFPA 1901. Due to this new requirement, the color of fire engines is more of a preference than a safety consideration.

The Department conducted a survey among all fire personnel and the overwhelming response confirmed an interest to change to the color red. This would reflect the color scheme of the Fire Department patch, and the striping and logos will set us apart from other Departments' fire engines. The change in color would be achieved through attrition; based on the Department's equipment replacement schedule, the fleet would have complete changeover by 2025. There is no charge for the color to change back to red on the most recently ordered engine. However, the City has in the past been charged to select a specific yellow color, and for this reason, the Department's fleet includes a variety of shades of yellow at this time.

A result of the NFPA 1901 standard is the new striping that appears on the front, rear, and sides of all new apparatus. Some other jurisdiction's fire departments have even taken a more proactive approach, and have retrofitted existing vehicles to bring them up to the current standard, but that is not required. The NFPA 1901 requirements are included as Attachment 1 for additional information.

In recent years the Fire Department has changed its patch and uniform to project a more traditional and professional appearance. In keeping with this, changing the color of Porterville's fire engines to the original color of red would further the process to honor the traditions of the past, while pursuing a reputation as a progressive and modern fire department. The Fire Chief welcomes any input from the Council regarding this matter.

RECOMMENDATION: Information only.

ATTACHMENTS: 1. NFPA 1901 Standards

Appropriated/Funded:

Review By:

Department Director:

Dave LaPere, Fire Chief

Final Approver: John Lollis, City Manager

NFPA 1901 Requirements

REFLECTIVE REQUIREMENTS

15.9.3.1 A retro-reflective stripe(s) shall be affixed to at least 50 percent of the cab and body length on each side, excluding the pump panel areas, and at least 25 percent of the width of the front of the apparatus.

15.9.3.1.1 The stripe or combination of stripes shall be a minimum of 4 in. (100 mm) in total width.

15.9.3.1.2 The 4 in. (100 mm) wide stripe or combination of stripes shall be permitted to be interrupted by objects (i.e., receptacles, cracks between slats in roll up doors) provided the full stripe is seen as conspicuous when approaching the apparatus.

15.9.3.1.3 A graphic design shall be permitted to replace all or part of the required striping material if the design or combination thereof covers at least the same perimeter length(s) required by 15.9.3.1.

REFLECTIVE REQUIREMENTS FOR THE REAR OF THE VEHICLE

15.9.3.2 At least 50 percent of the rear-facing vertical surfaces, visible from the rear of the apparatus, excluding any pump panel areas not covered by a door, shall be equipped with retro reflective striping in a chevron pattern sloping downward and away from the centerline of the vehicle at an angle of 45 degrees.

15.9.3.2.1 Each stripe in the chevron shall be a single color alternating between red and yellow.

15.9.3.2.2 Each stripe shall be 6 in. (150 mm) in width.

15.9.3.3 All retro reflective materials required by 15.9.3.1 and 15.9.3.2 shall conform to the requirements of ASTM D 4956, Standard Specification for Retro reflective Sheeting for Traffic Control, Section 6.1.1 for Type I Sheeting.

15.9.3.3.1 All retro reflective materials used to satisfy the requirements of 15.9.3.1 that are colors not listed in ASTM D 4956, Section 6.1.1, shall have a minimum coefficient of retro reflection of 10 with observation angle of 0.2 degrees and entrance angle of -4 degrees.

15.9.3.3.3 Any printed or processed retro reflective film construction used to meet the requirements of 15.9.3.1 and 15.9.3.2 shall conform to the standards required of an integral colored film as specified in ASTM D 4956, Section 6.1.1.

REFLECTIVE REQUIREMENTS FOR OTHER PARTS OF THE VEHICLE

19.18.11 Where the design of the aerial device incorporates a knuckle, the knuckle shall be as follows: (1) Equipped with position lights or continuously illuminated by boom lights (2) Painted with reflective paint or provided with retro reflective Striping

19.21.4.3 All stabilizers that protrude beyond the body of the apparatus shall be striped or painted with retro reflective material so as to indicate a hazard or obstruction.



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: City Council Minutes of May 16, 2017, June 6, 2017, and Amended Minutes of December 20, 2016

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of May 16, 2017, June 6, 2017, and amended minutes of December 20, 2016, for the Council's review and consideration.

RECOMMENDATION: That the Council approve the draft Minutes of May 16, 2017, June 6, 2017, and amended minutes of December 20, 2016.

ATTACHMENTS:

1. Draft Minutes 05-16-2017
2. Draft Minutes 06-06-2017
3. Draft Minutes 12-20-2016

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: Luisa Zavala, Deputy City Clerk

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MAY 16, 2017, 5:30 PM**

Call to Order at 5:31 p.m.

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

ORAL COMMUNICATIONS

None

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1 - Government Code Section 54957.6 – Conference with Labor Negotiator.
Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organizations:
Porterville City Employees Association; Public Safety Support Unit; and
Management and Confidential Series.7
- 2 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel –
Existing Litigation: Maria Ventura v. Jennifer Rutledge, et al., United States
District Court, Eastern District, Case No. 1:17-CV-00237-DAD-SKO.
- 3 - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel –
Anticipated Litigation – Significant Exposure to Litigation: Two cases in which
facts are not yet known to potential plaintiff.
- 4 - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel –
Anticipated Litigation – Initiation of Litigation: One case.

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

City Attorney Lew reported that no reportable action had taken place.

Pledge of Allegiance Led by Council Member Reyes
Invocation -- Mayor Stowe participated.

PRESENTATIONS

Employee of the Month - Robin Rapp

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) - May 15, 2017
Council Member Flores reported on informational update items and the SR 65
Henderson to Avenue 137 Overlay Project; and spoke of the proposed Amendment
No. 4 to the Measure R Expenditure Plan to delete the N. Grand/SR-65 project in the
amount of \$20 million and add \$20 million to the existing the City of Porterville's

Bike/Ped Project fund.

2. Joint City/School Committee - May 9, 2017

Council Member Flores reported on discussion pertaining to construction project updates, Safe Routes to School, School Resource Officer and After-School Programs, watering schedules and the Farmer's Market.

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 - May 4, 2017 – no report.

2. Library & Literacy Commission - May 9, 2017

Commissioner LaVonne reported on discussion pertaining to a Library Foundation and an update on legislation; presented April highlights pertaining to program participation, Sunday patronage, and volunteer recognition; and extended an invitation to the Summer Reading Kick Off event.

3. Arts Commission – no report.

4. Animal Control Commission - May 8, 2017

Commissioner Penaloza presented statistics from the month of April pertaining to Animal Control activity.

5. Youth Commission - May 8, 2017 – no report.

6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.

II. Staff Informational Reports

1. Water Conservation Phase IV Status Update

2. Report of Commission and Committee Vacancies

ORAL COMMUNICATIONS

- Patty Townsend, Porterville, stated that she lived in a recently annexed area and inquired about the ability of being connected to the City's sewer system.

CONSENT CALENDAR

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

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council approve Items Nos. 1-8.

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

1. AUTHORIZATION TO PURCHASE APPLICANT TRACKING SOFTWARE AND SERVICES

Recommendation: That the City Council:

1. Approve the contract with Frontline Technologies for the applicant tracking software and services at a cost of \$5,500 for start-up and \$6,250 annually thereafter; and
2. Authorize the Administrative Services Director to sign the Master Services Agreement on behalf of the City.

Documentation: M.O. 01-051617

Disposition: Approved.

2. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 49A

Recommendation: That the City Council approve a five-year extension of the Lease Agreement between the City of Porterville and Mr. & Mrs. Michael Wall of Porterville, CA, for Lot 49A at the Porterville Municipal Airport.

Documentation: M.O. 02-051617

Disposition: Approved.

3. DEPARTMENT OF FINANCE POPULATION UPDATE

Recommendation: That the City Council authorize the Mayor to sign a request for State certification for the City of Porterville, January 1, 2017, at a population of 59,908.

Documentation: M.O. 03-051617

Disposition: Approved.

4. PARKS AND LEISURE SERVICES COMMISSION MEETINGS

Recommendation: That the City Council approve the Parks and Leisure Services Commission's request to go dark for the months of June and July 2017, with the Commission being available to meet if necessary.

Documentation: M.O. 04-051617

Disposition: Approved.

5. REQUEST FOR PROCLAMATION - ALZHEIMER'S & BRAIN AWARENESS MONTH - JUNE 2017

Recommendation: That the City Council consider approval of the request to proclaim the month of June 2017, as "Alzheimer's & Brain Awareness

Month."

Documentation: M.O. 05-051617

Disposition: Approved.

6. REQUEST FOR PROCLAMATION - PEACE OFFICER WEEK- MAY 14 THROUGH MAY 20, 2017

Recommendation: That the City Council consider approval of the request to proclaim the period between May 14 and May 20, 2017, as "Peace Officer Week."

Documentation: M.O. 06-051617

Disposition: Approved.

7. REQUEST FOR PROCLAMATION - FREEDOM DAYS IN PORTERVILLE - JUNE 14 THROUGH JULY 4, 2017

Recommendation: That the City Council consider approval of the request to proclaim the period between June 14 and July 4, 2017, as "Freedom Days in Porterville."

Documentation: M.O 07-051617

Disposition: Approved.

8. CANCELLATION OF JULY 4, 2017 CITY COUNCIL MEETING

Recommendation: That the City Council cancel the City Council Meeting scheduled for July 4, 2017, due to the Independence Day holiday.

Documentation: M.O. 08-051617

Disposition: Approved.

PUBLIC HEARINGS

9. CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW A TRADE SCHOOL AT 774 NORTH PROSPECT STREET

Recommendation: That the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2017-019-C) to allow a trade school at 774 N. Prospect Street, subject to conditions of approval.

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

The Public Hearing opened at 7:14 p.m. Seeing none, the Mayor closed the Public Hearing at 7:14 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council adopt the draft resolution approving Conditional Use Permit (PRC 2017-019-C) to allow a trade school at 774 N. Prospect Street, subject to conditions of approval.

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

Documentation: Resolution No. 21-2017
Disposition: Approved.

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

Recommendation: That City Council:

1. Resume the Public Hearing;
2. Consider transitioning from Phase IV to Phase III of the City's Water Conservation Plan effective June 1, 2017; and
3. Consider directing staff to transition back to Phase IV commencing December 1, 2017.

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

The Public Hearing opened at 7:16 p.m.

- Linda Manton, Porterville Resident, requested a 3 day per week watering schedule.

The Public Hearing closed at 7:20 p.m.

Vice Mayor Ward expressed his desire to transition back to Phase III immediately; City Manager Lollis recommended it be approved to commence on May 23rd so that it would take effect on a Tuesday.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council resume the Public Hearing, approve the transition from Phase IV to Phase III effective May 23, 2017, and approve the transition back to Phase IV commencing December 1, 2017.

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

Documentation: M.O. 09-051617
Disposition: Approved.

SCHEDULED MATTERS

11. 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 Vice Mayor Brian Ward, SECONDED by Council Member A. Monte Reyes that the City Council approve the continued Declaration of Local Emergency.

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

Documentation: M.O. 10-051617
Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores spoke of her attendance at the Cinco de Mayo Parade, and Zalud House, Business After Hour, and Day of the Teacher events; and spoke of the upcoming Porterville Fair.
- Council Member Reyes requested that everyone keep an eye out for young people as the school year winds down.
- Mayor Stowe spoke of his attendance at the Bike Rodeo/Step Up event, and the Rolling Relics Car Show.
- City Manager Lollis welcomed Fire Chief Dave LaPere; spoke of the kick off of the Farmers Market at Sierra View and the Porterville Fair, and of the upcoming Military Banner ceremony, annexation meeting, and Greenpower Groundbreaking.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 7:30 p.m. to the meeting of June 6, 2017.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
JUNE 6, 2017, 5:30 PM**

Called to Order at 5:31 p.m.

Roll Call: Council Member Reyes, Council Member Flores, Council Member Hamilton,
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: APN: 240-070-018. AGENCY NEGOTIATOR: JOHN LOLLIS. NEGOTIATING PARTIES: CITY OF PORTERVILLE AND ALAN AND ELIZABETH CHANGALA. UNDER NEGOTIATION: TERMS AND PRICE.

2 - 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 AND CONFIDENTIAL SERIES.

3 - GOVERNMENT CODE SECTION 54956.95 – LIABILITY CLAIM: CLAIMANT: ROBERT P. BOEHM AND ROBERT C. BOEHM. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

4 - GOVERNMENT CODE SECTION 54956.95 -- LIABILITY CLAIM: CLAIMANT: USAA AS SUBROGEE FOR ANETTE MATAMOROS. AGENCY CLAIMED AGAINST: CITY OF PORTERVILLE.

5 - GOVERNMENT CODE SECTION 54956.9(D) (3) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION: TWO CASES 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: TWO CASES.

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

City Attorney Lew reported action pertaining to A-3 and A-4 as follows:

A-3 On a MOTION made by Council Member Flores, and SECONDED by Council Member Hamilton the City Council rejected the claim filed by Robert P. Boehm and Robert C. Boehm.

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

Documentation: M.O. 01060617
Disposition: Claim rejected.

A-4 On a MOTION made by Council Member Hamilton, and SECONDED by Vice Mayor Ward the City Council unanimously accepted the claim filed by USAA as subrogee for Annette Matamoros.

Documentation: M.O. 02060617
Disposition: Claim accepted.

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

PRESENTATIONS

Employee of the Month - Larry Benton
2016/2017 Youth Commission

AB 1234 REPORTS

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

1. COUNCIL OF CITIES - MAY 17, 2017

Council Member Reyes reported that the term for the representative of transportation (Council Member Hamilton) on TCAG would be expiring at the end of this month. Council of Cities will take action at a special meeting scheduled for July 16th. A support letter will probably be requested from the Porterville City Council.

2. TULARE COUNTY ECONOMIC DEVELOPMENT CORP. (TCEDC) - MAY 24, 2017

Council Member Reyes reported that the board had primarily went over the proposed budget and that the investment fund has been performing very well in the past year. He also spoke of the EDC's desire to establish an account at EDC Investor Bank, to establish a 60 day cash reserve fund, and a \$5,000 equipment replacement fund.

3. EASTERN TULE GROUNDWATER SUSTAINABILITY AGENCY (GSA) - MAY 25, 2017

Council Member Reyes reported that the GSA discussed how to identify criteria for those on the stakeholders committee, and received updates on the formal documentation that needed to be turned in. Acting Public Works Director Mike Reed spoke of budget and the establishment of an ad hoc committee created from the executive committee.

4. SJVAPCD BOARD MEETING - MAY 25, 2017

Council Member Reyes reported that the board had a public hearing for the first look at the budget and brought fourth an item recommending the purchase of the Bakersfield office building to ensure cost savings.

REPORTS

None

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, expressed his disappointed that nothing special was going on at Veterans Park on Memorial Day; and recommended something be done in the future, such as placement of a wreath at the memorial.
- Ryan, Jensen, Community Water Center, encouraged the Council to support SB 623.
- Gabriel Castaneda communicated an interest in serving on the Animal Control Commission; stated that he believed animals have rights; and spoke of his leadership skills.
- Virginia Gurrola congratulated the City of Porterville on the GreenPower Groundbreaking; and spoke in support of SB 623.

CONSENT CALENDAR

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

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

1. CITY COUNCIL MINUTES OF APRIL 18, 2017

Recommendation: That the Council approve the draft Minutes of April 18, 2017.

Documentation: M.O. 03-060617

Disposition: Approved.

2. AUTHORIZATION TO CONSTRUCT MURRY PARK POOL ADA ACCESSIBLE VIEWING AREA

Recommendation: That the City Council authorize the Parks and Leisure Services Director to negotiate a contract for the construction of the Murry Park Pool ADA accessible viewing area, a prevailing wage project, not to exceed \$29,000.

Documentation: M.O. 04-060617

Disposition: Approved.

3. AUTHORIZATION TO APPLY FOR SECTION 5311 PROGRAM FUNDING

Recommendation: That City Council:

1. Approve the draft Resolution authorizing staff to act on behalf of the City to apply for FTA Section 5311 financial assistance; and
2. Authorize the Mayor to sign the Resolution.

Documentation: Resolution No. 25-2017

Disposition: Approved.

4. AUTHORIZATION OF ENCROACHMENT AGREEMENT FOR THE
INSTALLATION OF A FIBER OPTIC NETWORK

Recommendation: That City Council:

1. Authorize entering into an encroachment agreement with Zayo Group, LLC, for the installation of a Fiber Optic Network; and
2. Authorize the Mayor to sign the encroachment agreement.

Documentation: M.O. 05-060617

Disposition: Approved.

5. APPROVAL OF SERVICE AGREEMENT WITH DEE JASPAR & ASSOCIATES, INC.
FOR THE EAST PORTERVILLE WATER SUPPLY PROJECT, PHASE 2
ENGINEERING SERVICES

Recommendation: That City Council:

1. Approve the Service agreement for Dee Jaspar and Associates services related to Phase 2 of the East Porterville Water Supply Project; and
2. Direct the Public Works Director to sign the service agreement.

Documentation: M.O. 06-060617

Disposition: Approved.

6. INTENT TO ESTABLISH ELECTRIC VEHICLE CHARGING STATION FEE
SCHEDULE

Recommendation: That City Council:

1. Pass a resolution of intent to establish an electric vehicle charging station fee schedule; and
2. Set the Council meeting of June 20, 2017, as the time and place for a public hearing.

Documentation: Resolution No. 26-2017

Disposition: Approved.

7. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 46B

Recommendation: That City Council approve the extension of the Lease Agreement between the City of Porterville and Mr. Travis Bierman of Rapid City, SD, for Lot 46B at the Porterville Municipal Airport.

Documentation: M.O. 07-060617

Disposition: Approved.

8. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 45

Recommendation: That City Council approve the extension of the Lease Agreement between the City of Porterville and Gillespie Ag Service, of Porterville, CA, for Lot 45 at the Porterville Municipal Airport.

Documentation: M.O. 08-060617

Disposition: Approved.

9. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 31A

Recommendation: That City Council approve the extension of the Lease Agreement between the City of Porterville and Mr. James Costa of Tulare, CA, for Lot 31A at the Porterville Municipal Airport.

Documentation: M.O. 09-060617

Disposition: Approved.

10. CONSIDERATION OF APPOINTMENTS TO ANIMAL CONTROL COMMISSION

Recommendation: That the City Council approve the reappointment of Florenza Pizanis and Daniel Penaloza to the Animal Control Commission with terms to expire in September of 2020.

Documentation: M.O. 10-060617

Disposition: Approved.

11. APPROVAL FOR COMMUNITY CIVIC EVENT – CITY OF PORTERVILLE, SIERRA VIEW MEDICAL CENTER AND VISALIA FARMERS MARKET – FARMERS MARKET – TUESDAYS IN THE MONTH OF JULY AND AUGUST BEGINNING JULY 11, 2017

Recommendation: That the City Council approve the Community Civic Event Application and Agreement submitted by the City of Porterville and Sierra View Medical Center, subject to the stated requirements contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 11-060617

Disposition: Approved.

PUBLIC HEARINGS

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

Recommendation: That the City Council:

1. Conduct the Public Hearing and consider all public testimony; and
2. Activate the ENR Cost Index automatic increase for FY 2017/2018 (0.4% increase).

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

The public hearing was opened at 7:21 p.m.

- Mike Lane, Building Industry Association, stated that if an increase was needed they would take a 0.4% increase; and spoke of building permit activity in Tulare County.

The public hearing was closed at 7:23 p.m.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council activate the ENR Cost Index automatic increase of 0.4% for FY 2017/2018.

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

Documentation: M.O. 12-060617

Disposition: Approved.

13. GENERAL PLAN AMENDMENT FOR PORTERVILLE TOWN CENTER AND ADJACENT PROPERTIES FROM COMMERCIAL MIXED USE TO RETAIL CENTERS

Recommendation: That the City Council adopt the draft resolution approving General Plan Amendment 2017-022, an amendment to the Land Use element of the General Plan amending the classification of ten parcels from Commercial Mixed Use to Retail Centers.

City Manager Lollis introduced the item. Community Development Director Jenni Byers presented the staff report and communicated the applicant's request to have the item continued to the second meeting in July.

The public hearing was opened at 7:27 p.m. Seeing no one, the hearing was continued to the July 18th meeting.

Documentation: No action.
Disposition: Item continued.

14. TENTATIVE SUBDIVISION MAP - "TROOPER TERRACE"

Recommendation: That the City Council adopt the draft resolution approving the Trooper Terrace Subdivision map (PRC 2013-016S).

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

The public hearing was opened at 7:30 p.m.

- Jim Winton, 150 W. Morton, spoke of efforts made to resolve issues associated with the project, and thanked City staff for their patience.

The public hearing was closed at 7:32 p.m.

Acting Public Works Director Mike Reed addressed questions pertaining to vehicular and pedestrian traffic in the project area and the widening of the bridge.

COUNCIL ACTION: MOVED by Council Member Cameron Hamilton, SECONDED by Vice Mayor Brian Ward that the City Council adopt the resolution approving the Trooper Terrace Subdivision map (PRC 2013-016S). The motion carried unanimously.

Documentation: Resolution No. 27-2017
Disposition: Approved.

SCHEDULED MATTERS

15. CONSIDERATION OF FISCAL YEAR 2017-2018 PROPOSED BUDGET AND SETTING OF DATE FOR PUBLIC HEARING

Recommendation: That the City Council:

1. Consider the proposed 2017-2018 Fiscal Year Budget, include any modifications so directed by the Council; and
2. Schedule a Public Hearing on the proposed Budget for Tuesday, June 20, 2017.

City Manager Lollis introduced the item and presented the staff report. Mr. Lollis spoke of General Fund revenues and expenditures, risk management, Measure H, street, water and sewer projects, and other major capital projects for the upcoming 2017-2018 fiscal year.

At the request of the City Manager, Police Chief Eric Kroutil spoke of the city's increase in population and its effect on the Police Department's ability to respond proactively to the needs

of the community. He indicated that there was a need for additional personnel to respond to the increased calls for service and continue with efforts to proactively address issues.

In response to questions posed by the Council, staff elaborated on pension costs and road maintenance programs, which included the purchase of equipment; and indicated that an item would be brought before the Council to discuss utilization of the splash pad at Fallen Heroes Park.

City Manager Lollis acknowledged the efforts of Finance Director Maria Bemis and Community Development Manager Julie Phillips.

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Martha Flores that the City Council schedule a Public Hearing on the proposed Budget for Tuesday, June 20, 2017. The motion carried unanimously.

Documentation: M.O. 13-060617

Disposition: Approved.

16. CONSIDER LETTERS OF OPPOSITION TO AB 1250 (JONES-SAWYER) AND SB 649 (HUESO), AND SUPPORT FOR SB 623 (MONNING)

Recommendation: That the City Council consider Letters of Opposition to AB 1250 (Jones-Sawyer) and SB 649 (Hueso), and Support for SB 623 (Monning)

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

COUNCIL ACTION: MOVED by Vice Mayor Brian Ward, SECONDED by Council Member Cameron Hamilton that the City Council approve a letter of opposition to SB 649 and a letter of support for SB 623. The motion carried unanimously.

Documentation: M.O. 14-060617

Disposition: Approved.

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

Documentation: M.O. 15-060617
Disposition: Approved.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Flores spoke of her attendance at the Wellness Center Opening, Kings/Tulare Homeless Alliance Recognition Luncheon, Military Banner Ceremony, and GreenPower Groundbreaking. She also stated that she was excited about the graduation of a grandson from Bartlett Middle School and a second from Monache High School.
- Council Member Hamilton indicated that he had been out of town, but had read about Monache High School Softball Team winning the 2017 CIF Central Section Division II Championship.
- Council Member Reyes spoke of his attendance at the Child Welfare Services Open House; and announced that his daughter Hannah Grayson had won the outstanding Orange Blossom Award.
- Vice Mayor Ward communicated an interest in requiring community pools for housing developments, as well as micro parks for large developments.
- Mayor Stowe congratulated staff on the Military Banner Ceremony and the GreenPower event, and congratulated the Porterville High School Baseball Team for making it to the Valley Finals.
- City Manager Lollis thanked employees who organized and volunteered for the City of Porterville Fair Booth; announced upcoming events that included Coffee with a Cop, Flag Day, Library Summer Reading Kickoff, Car Show, and Father's Day; and gave an update on Firefighter Munoz's condition.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:47 p.m. to the meeting of June 20, 2017.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
DECEMBER 20, 2016, 5:30 PM**

Called to Order at 5:32 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: APN: 240-050-026. Agency Negotiator: Patrice Hildreth and Jenni Byers. Negotiating Parties: City of Porterville and Porterville Masonic Properties, Inc. Under Negotiation: Terms and Price.
 - 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Evangelina Gomez. Agency claimed against: City of Porterville.
 - 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Rachel Munoz. Agency claimed against: City of Porterville.
 - 4** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Judith Howard v. City of Porterville, et al., U.S. District Court Case No. 1:16-cv-01071-AWI-SAB.
 - 5** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Three cases in which facts are not yet known to potential plaintiff.
 - 6** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case. **7** - Government Code Section 54957 - Public Employee Evaluation - Title: City Manager.
 - 8** - Government Code Section 54957 - Public Employee Evaluation - Title: City Attorney.

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

City Attorney Lew reported action pertaining to A6, as follows:

- A-6. On a MOTION made by Council Member Hamilton, and SECONDED by Council Member Reyes the City Council unanimously approved an amendment to the Perrigo lease resulting in a deferral of the December payment and an increase in equal amounts to the July and December of 2017 payments.

Documentation: M.O. 01-122016

Disposition: Approved.

Pledge of Allegiance Led by Council Member Hamilton
Invocation – a moment of silence was observed.

AB 1234 REPORTS

1. Tulare County Association of Governments (TCAG) - December 12, 2016
Council Member Hamilton reported on presentations from cities regarding upcoming projects and presentation of bicycles to youth for poster contest.

REPORTS

- I. City Commission and Committee Meetings
 1. Parks & Leisure Services Commission - December 8, 2016
Chair Vafeades presented the Commission's report which included information pertaining to the Senior Christmas Dinner, Youth Center Christmas Dinner, Zalud House Candlelight Tours, Winter Day Camp, Arena Soccer registration, and the Annual New Year's Eve Gala.
 2. Library & Literacy Commission - December 13, 2016
Commissioner Figueroa presented November highlights and participation statistics; and encouraged participation in winter programs and activities.
 3. Arts Commission – no report.
 4. Animal Control Commission - December 12, 2016
Chair Pizanis reported on the Commission's consideration of its Facebook wish list; and Commissioner Stadtherr reported monthly statistics pertaining to animal control activities.
 5. Youth Commission - December 12, 2016 – no report.
 6. Transactions and Use Tax Oversight Committee (TUTOC) – no report.
- II. Staff Informational Reports
 1. Water Conservation Phase III Status Update
 2. Porterville Animal Control Commission Memorandum - Funding the New Animal Shelter

ORAL COMMUNICATIONS

- Joyce Lopez, East Porterville, spoke in opposition to Item No. 13 due to a desire to place a second home on her mother's property to care for her.
- Brock Neeley, Porterville, wished the Council and City staff a merry Christmas and happy New Year.
- Marco Lopez, East Porterville, stated granting their request for a second water connection would be in the spirit of helping people.

- John Alvarez, American Caregivers Facility, spoke in favor of a medical cannabis facility in Porterville.

CONSENT CALENDAR

Item No. 2 was 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, and 3 through 9. The motion carried unanimously.

1. CITY COUNCIL MINUTES OF DECEMBER 15, 2015, AND DECEMBER 13, 2016

Recommendation: That the Council approve the draft Minutes of December 15, 2015, and December 13, 2016.

Documentation: M.O. 02-122016

Disposition: Approved.

3. AUTHORIZATION TO REPAIR CITY WELL 11

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 \$25,475 for the repair of City Well No. 11; 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. 03-122016

Disposition: Approved.

4. ACCEPTANCE OF PROJECT - LIME STREET AND LAUREL AVENUE SEWER AND WATER PROJECT

Recommendation: That City Council:

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

Documentation: M.O. 04-122016

Disposition: Approved.

5. INTENT TO VACATE - MEDIAN AVENUE AND MILO STREET

Recommendation: That the City Council:

1. Pass a resolution of intent to vacate Median Avenue and Milo Street;
2. Direct the City Clerk to publish the Public Notice in the Porterville Recorder; and
3. Set the Council meeting of February 7, 2017, as the time and place for a public hearing.

Documentation: Resolution No. 82-2016

Disposition: Approved.

6. AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR PROVISIONS OF SERVICES WITH EPLAN SOLUTIONS, INC TO ALLOW ELECTRONIC PLAN SUBMITTALS

Recommendation: That City Council:

1. Approve the Agreement for Provisions of Services with ePlan Solutions, Inc.; and
2. Authorize the Mayor to sign the agreement.

Documentation: M.O. 05-122016

Disposition: Approved.

7. APPROVAL OF THE EASTERN TULE SUSTAINABLE GROUNDWATER AGENCY (GSA) JOINT POWER AGREEMENT (JPA)

Recommendation: That City Council:

1. Approve the amended Eastern Tule GSA Joint Powers Agreement; and
2. Authorize the Mayor to sign the document.

Documentation: M.O. 06-122016

Disposition: Approved.

8. ASSIGNMENT OF AIRPORT LEASE - LOT 34B

Recommendation: That the City Council approve the Assignment of Lease for Lot 34B between the City of Porterville and Mr. Bruce Kaiser to Dr. Donald Cornthforth; and authorize the Mayor to sign the Lessor's Consent to Assignment of Lease Agreement on behalf of the City.

Documentation: M.O. 07-122016

Disposition: Approved.

9. RENEWAL OF AIRPORT LEASE AGREEMENT - LOT 40

Recommendation: That City Council approve the Lease Agreement between the City of Porterville and Mr. Dana Gillespie and Mrs. Susan Peck for Lot 40 at the Porterville Municipal Airport.

Documentation: M.O. 08-122016
Disposition: Approved.

PUBLIC HEARINGS

10. CONSIDERING APPROVAL OF A CONDITIONAL USE PERMIT (PRC 2016-030-C) TO ALLOW SAN JOAQUIN VALLEY COLLEGE, A PRIVATE COLLEGE, TO BE LOCATED AT 314 N. MAIN STREET

Recommendation: That the City Council confirm the Zoning Administrator's determination which would limit instructional space to less than 5,000 square feet and adopt the draft resolution approving Conditional Use Permit (PRC 2016-030C) to allow San Joaquin Valley College, a private college, to be located at 314 N. Main Street subject to conditions of approval.

Administrative Services Director/Acting City Manager Patrice Hildreth introduced the item, and Community Development Manager Julie Phillips presented the staff report. Following the report, Council Members Reyes and Hamilton inquired about flow of traffic through the parking lot, displacement of parking, and the existing parking district. Staff advised that the

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

- Steve Perry, Director Real Estate Development for SJVC, spoke of difficulties finding locations conducive to their needs and with adequate parking, of the scheduling of classes and student profile. He also inquired about the possibility of expansion at a neighboring building; and addressed questions regarding courses offered.
- Brock Neeley inquired about the parking lot stall formula, and suggested that it might need to be amended to accommodate use.
- Richard Stadtherr stated that he had worked at the location from 2001 to 2006 when there were 45 employees, and spoke of use of parking at that time.

The Public Hearing was closed at 7:26 p.m.

Council Member Hamilton requested that staff figure out how to address the issue of parking, as it would likely be an issue at Main Street and Olive Avenue; and Council Member Reyes suggested the parking lot entrance to the north be modified to allow traffic in both directions to improve access and utilization.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Flores that the City Council confirm the Zoning Administrator's determination which would limit instructional space to less than 5,000 square feet and adopt the draft resolution approving Conditional Use Permit (PRC 2016030C) to allow San Joaquin Valley College, a private college, to be located at 314 N. Main Street subject to conditions of approval. The motion carried unanimously.

Documentation: Resolution No. 83-2016
Disposition: Approved.

SCHEDULED MATTERS

11. ACCEPTANCE OF THE SUPPLEMENTAL PROJECT REPORT FOR THE DRAFT PROJECT APPROVAL & ENVIRONMENTAL DOCUMENT (PA & ED) STAGE - STATE ROUTE 190 NEAR TERM PROJECTS

Recommendation: That the City Council:

1. Accept Caltrans' State Route 190 Draft Supplemental Project Report to the State Route 190 PA & ED;
2. Authorize the Acting Public Works Director to sign the Draft Supplemental Project Report to the State Route 190 PA & ED; and
3. Authorize circulation of the environmental document for the identified Near Term Projects, inclusive of the roundabout at the College Avenue/Plano Street intersection.

Administrative Services Director/Acting City Manager Patrice Hildreth introduced the item, and Acting Public Works Director Mike Reed presented the staff report and introduced Curt Hatton from Caltrans.

Curt Hatton, Project Manager with Caltrans gave a presentation regarding the current phase and proposed project improvements.

Acting Public Works Director Reed addressed questions and concerns from the Council regarding funding of the proposed roundabout at Plano Street and College Avenue, traffic conditions created by poor planning of school locations, and the complex design of the roundabout.

In response to questions from the Council, Mr. Hatton played a micro simulation to demonstrate traffic pattern movement, and spoke of comparable roundabouts in existence in California.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Reyes that the City Council accept Caltrans' State Route 190 Draft Supplemental Project Report to the State Route 190 PA & ED; authorize the Acting Public Works Director to sign the Draft Supplemental Project Report to the State Route 190 PA & ED; and authorize circulation of the environmental document for the identified Near Term Projects, inclusive of the roundabout at the College Avenue/Plano Street intersection. The motion carried unanimously.

Documentation: M.O. 09-122016
Disposition: Approved.

The Council took a ten minute recess at 8:05 p.m.

12. BID RESULTS FOR THE GARDEN AVENUE PEDESTRIAN WALKWAY PROJECT

- Recommendation: That City Council:
1. Award the Garden Avenue Pedestrian Walkway Project to DOD Construction in the amount of \$607,635.00;
 2. Authorize a 10% contingency to cover unforeseen construction costs;
 3. Authorize 5% for construction management, quality control and inspection;
 4. Authorize the Finance Director to appropriate additional Local Transportation Funds in the amount of \$111,465.57 needed to fund the project; and
 5. Authorize the City Engineer to sign the SCE applications and issue payments of \$54,347.40 and \$11,019.67 for each street light system.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and Acting Public Works Director Reed presented the staff report. During his staff report Mr. Reed attributed the increased costs to concrete.

In response to questions posed by the Council, Mr. Reed spoke regarding delays associated with the project and prevailing wage.

COUNCIL ACTION: MOVED by Council Member Flores, SECONDED by Council Member Hamilton that the City Council award the Garden Avenue Pedestrian Walkway Project to DOD Construction in the amount of \$607,635.00; authorize a 10% contingency to cover unforeseen construction costs; authorize 5% for construction management, quality control and inspection; authorize the Finance Director to appropriate additional Local Transportation Funds in the amount of \$111,465.57 needed to fund the project; and authorize the City Engineer to sign the SCE applications and issue payments of \$54,347.40 and \$11,019.67 for each street light system. The motion carried unanimously.

Documentation: M.O. 10-122016

Disposition: Approved.

13. CONSIDERATION OF MODIFICATIONS OF EXTRATERRITORIAL SERVICE AGREEMENTS

- Recommendation: That the City Council:
1. Postpone action on additional connections for new homes until after ownership of the system has transferred to the City; and
 2. Direct staff to begin drafting policies and procedures to be considered concurrent with the transfer of ownership to the City.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and Community Development Manager Julie Phillips presented the staff report. Following the staff report, City Attorney Lew stated that the Mayor would be disqualifying himself due to a potential conflict of interest concerning a contractual business relationship. Mayor Stowe then exited the room.

Acting Public Works Director Reed addressed questions regarding the transfer of ownership of the system; and he and Ms. Phillips expressed concerns regarding capacity and development standards. City Attorney Lew also advised of State law pertaining to second units, and recommended that the City receive buy-in from the State to avoid violation of the agreement.

Discussion followed regarding staff's attempts to educate East Porterville residents regarding water when it came to permits issued by the County; and Mr. Reed stated that he would reach out to the County and State.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Reyes that the City Council postpone action on additional connections for new homes until after ownership of the system has transferred to the City; and direct staff to begin drafting policies and procedures to be considered concurrent with the transfer of ownership to the City.

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

Documentation: M.O. 11-122016

Disposition: Approved.

Mayor Stowe returned to the dais.

14. LEGISLATIVE UPDATE REGARDING PROPOSITION 64

Recommendation: That the City Council:

1. Review the portions of the new law that are subject to local regulation and provide direction to staff concerning those areas of local control; and
2. Direct staff to review the City's current regulations concerning medical marijuana in light of the new laws regulating nonmedical use.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and City Attorney Julia Lew presented the staff report.

Following discussion regarding education of safety hazards associated with indoor cultivation, a registration process, medical marijuana permits, staff concerns, and commercial and agricultural operations, the Council directed staff to schedule a study session in March.

Documentation: None.

Disposition: Direction given.

15. OHV PARK MANAGEMENT SERVICES

Recommendation: That the City Council provide direction to staff on OHV Park management services.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and Park and Leisure Services Director Donnie Moore presented the staff report.

- Dave Walker, Friends of Kern Open Space, spoke of efforts to keep the park open, and of competition from other parks and in the grant application process.

Discussion followed regarding operational expenses, ridership, and the grant application process.

COUNCIL ACTION: MOVED by Council Member Ward, SECONDED by Council Member Flores that the City Council approve a budget of \$30,000 for funding of OHV Park through June 30, 2017. The motion carried unanimously.

Documentation: M.O. 12-122016

Disposition: Approved.

16. CONSIDER ADMINISTRATION OF A CODE ENFORCEMENT RESIDENT SURVEY

Recommendation: That the City Council consider the Draft Resident Survey, and provide direction considering its potential administration.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and Community Development Manager Julie Phillips presented the staff report.

The Council made suggestions regarding the order of the questions, the language used, and questions asked; and directed that Council Member Reyes and Vice Mayor Ward meet with staff to amend the survey.

Documentation: None.

Disposition: Approved.

17. 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.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and Acting Public Works Director Reed presented the staff report.

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

Documentation: M.O. 13-122016

Disposition: Approved.

CONSENT CALENDAR (Items Pulled)

2. AUTHORIZATION TO PURCHASE TWO PICNIC SHELTERS

Recommendation: That the City Council authorize the purchase and installation of two picnic shelters with CDBG Park Improvement Program funds from MRC GameTime not to exceed \$55,439.73.

Administrative Services Director/Acting City Manager Hildreth introduced the item, and the staff report was waived at the Council's request.

Parks and Leisure Services Director Moore addressed questions regarding the cost, which was attributed to the cost of steel and prevailing wage, and utilization of the disc golf course.

COUNCIL ACTION: MOVED by Council Member Hamilton, SECONDED by Council Member Reyes that the City Council authorize the purchase and installation of two picnic shelters with CDBG Park Improvement Program funds from MRC GameTime not to exceed \$55,439.73. The motion carried unanimously.

Documentation: M.O. 14-122016

Disposition: Approved.

ORAL COMMUNICATIONS

- Frank Williams lauded the Council for being proactive in its consideration of Proposition 64; welcomed an opportunity to participate in the upcoming study session and process; and spoke of his desire to provide safe and reliable access to medical cannabis for those who need it.
- Brock Neeley inquired about the percentage of return at the municipal golf course; and stated that marijuana was now legal and compared its regulation to that of alcohol.

- Mike Dunaway stated that he was an expert in the medical cannabis industry; made himself available as a resource to the Council; and recommend that the Council visit a facility in the Bay Area or Los Angeles.
- Shawn Lipinski, owner of HOH Garden Supplies, stated that he had six successful stores in California; and spoke of a loss of revenue to the area from people traveling to the Bay area for baby plants.

OTHER MATTERS

- Council Member Hamilton stated that the heat was turned up too high.
- Council Member Reyes thanked the Police Department, Chamber of Commerce, and City for their work at the Santa event last week.
- Vice Mayor Ward thanked Acting City Manager Patrice Hildreth for filling in for Mr. Lollis; wished everyone a merry Christmas; welcomed Council Member Flores; and thanked Mayor Stowe for serving as Mayor.
- Acting City Manager Hildreth noted upcoming retirement of Glenn Irish and Bryan Styles; and reported hiring of Kirk Swartzlander as Interim Fire Chief.
- Mayor Stowe wished everyone a merry Christmas and a happy New Year; and thanked those who spoke about marijuana for sticking around.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 10:28 p.m. to the meeting of January 17, 2017.

SEAL

Luisa M. Zavala, Deputy City Clerk

Milt Stowe, Mayor



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Authorization to Purchase Equipment by Negotiation

SOURCE: Finance

COMMENT: In accordance with the City's Purchasing Policy and Procedure Manual, as amended by Resolution No. 122-87 adopted by City Council on October 20, 1987, staff hereby requests approval to begin negotiations for the purchase of the following equipment for the various departments:

<u>DEPARTMENT</u>	<u>EQUIPMENT DESCRIPTION</u>	<u>Estimated Cost</u>
Fire	1/2 ton pickup 4x4 (Command Unit)	\$ 45,000
	1/2 ton pickup 4x4 (Code Enforcement)	\$ 40,000
	Firefighting & Rescue Equipment	\$ 82,000
	Upgrade Engine headsets	\$ 20,000
Fire Measure H	Upgrade vehicle with Code 3 package	\$ 10,000
Police	3 Police Units	\$ 161,000
	Animal Control Van	\$ 40,000
	CSO Pickup	\$ 40,000
Engineering/Comm Dev	Hybrid Vehicle	\$ 35,000
	Permit and Parcels Software Upgrade	\$ 80,000
Leisure Services	Light Towers (2)	\$ 22,000
Parks Maintenance	1/2 ton pickup	\$ 35,000
Golf Course	Golf Carts (2)	\$ 7,000
Public Works - Sewer	Trailer Mounted Generator	\$ 85,000
Public Works - Solid Waste	Automated Containers	\$ 250,000
	Commercial Bins and Rolloff Containers	\$ 100,000
Public Works - Water	1/2 ton pickup	\$ 28,000
	1/2 ton pickup 4x4	\$ 40,000
	SCADA System upgrade	\$ 440,000
	Chlorine Station upgrades	\$ 150,000
	13-15 yard Dump Truck	\$ 150,000
	GPS Equipment	\$ 40,000

	Miscellaneous Electronics	\$ 5,000
Public Works - Equip Maint	Hoist Upgrade	\$ 150,000
	1 ton truck w/service bed	\$ 70,000
	Pressure Washer	\$ 15,000
	Engine Analyzer Software Upgrade	\$ 5,000
Public Works - WWTF	1/2 ton pickup	\$ 35,000

Funds for the purchase of these equipment items are available in the Equipment Replacement Funds as approved in the FY 2017-2018 budget.

RECOMMENDATION: That the City Council authorize the purchase by negotiation of the equipment listed and authorize payment for said equipment upon satisfactory delivery.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Replacement of Police Department Motorola Radio Base Stations

SOURCE: Police

COMMENT: The Police Department's current Communications Center radio base stations for PD Channel 1, PD Channel 2, and PD Tactical Channel are Motorola MTR 2000 model's. Staff recently discovered the current radio base stations have become obsolete as of January 1, 2017. Staff confirmed with the police department's Motorola vendor, J's Communications, that our current radio base stations were installed approximately 17 years ago.

The Motorola vendor advised the Police Department's current base stations are operational and performing as expected; however, due to the age and technology of the radio's, there are no longer radio parts available for the Motorola MTR 2000 base station. Based on the information obtained from the Motorola vendor, if one or more of our current base stations become inoperable we would lose radio communications with personnel in the field. This could delay the police department's ability to respond efficiently to emergency calls for service. Therefore, it is imperative the Police Department replace the radio base station systems as soon as possible.

In addition, J's Communications is our contracted Motorola vendor and has installed all of our Motorola equipment in the Communications Center and patrol vehicles, and has furnished all our handheld radios. J's Communications is able to provide us with Los Angeles County pricing, which is the lowest anyone can provide within the State of California. In addition, Motorola is a sole propriety business and the Police Department is only able to purchase Motorola equipment within our assigned zone. J's Communications is the only Motorola vendor within this zone and the Police Department's assigned vendor.

Below is a cost breakdown for the replacement and programming of two radio base stations and installation of all three stations. At this time, the Police Department only needs to purchase two base stations. The Police Department currently has one newer radio base station in stock at the police department. This base station was previously used when the Police Department provided dispatch services to the City of Lindsay. We have confirmed that this base station meets the requirements needed by our department and the costs for this station are installation costs only.

(2) 40-APX Console UHF R2 MP \$7286.40

(2)-Key Pad Clock- \$1262.40

(2)-Conventional Operation \$1200.00
(2)-Astro Digital CAI Operation \$772.50
(2)-Control Station Desk Mic- \$253.50
Tax \$892.00
Labor \$410.00
Freight \$75.00

TOTAL \$12,151.80

The funds for this project are available in the department's Asset Forfeiture Account.

RECOMMENDATION: That the City Council approve a purchase in the amount of \$12,151.80 from J's Communications for the replacement and installation of Motorola radio base stations.

ATTACHMENTS: 1. Base Station Quote
2. Labor cost estimate

Appropriated/Funded: MB

Review By:

Department Director:

Eric Kroutil, Police Chief

Final Approver: John Lollis, City Manager



Quote Number: QU0000402670

Effective: 11 MAY 2017

Effective To: 10 JUL 2017

Bill-To:

PORTERVILLE, CITY OF
350 NORTH D ST
PORTERVILLE, CA 93257
United States

Ultimate Destination:

PORTERVILLE, CITY OF
350 NORTH D ST
PORTERVILLE, CA 93257
United States

Attention:

Name: Richard Standridge
Email: rstandridge@ci.porterville.ca.us
Phone: 559 782-7400

Sales Contact:

Name: Eugene Orta
Email: geneo@j-scommunications.com
Phone: 5594356619

Contract Number: LA COUNTY (CA)

Freight terms: FOB Destination

Payment terms: Net 30 Due

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	2	L30SSS9PW1AN	APX CONSOLETTTE UHF R2 MP	\$4,554.00	\$3,643.20	\$7,286.40
1a	2	GA05100AA	ENH: STD WARRANTY APPLIES-NO SFS	-	-	-
1b	2	G806BE	ADD: ASTRO DIGITAL CAI OPERATION	\$515.00	\$386.25	\$772.50
1c	2	W382AM	ADD: CONTROL STATION DESK GCAI MIC	\$169.00	\$126.75	\$253.50
1d	2	G319AC	ENH: ENABLE RF MODEM	-	-	-
1e	2	L999AB	ADD: FULL FP W/05/KEYPAD/CLOCK/VU	\$789.00	\$631.20	\$1,262.40
1f	2	CA01598AB	ADD: AC LINE CORD US	-	-	-
1g	2	G444AE	ADD: APX CONTROL HEAD SOFTWARE	-	-	-
1h	2	G48BB	ENH: CONVENTIONAL OPERATION	\$800.00	\$600.00	\$1,200.00

Estimated Tax Amount	\$892.00
Estimated Freight Amount	\$75.00
Total Quote in USD	\$11,741.80

PO Issued to Motorola Solutions Inc. must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola Solutions Inc." as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number
- >Include an Ultimate Address (only if different than the Ship-To)
- >Be Greater than or Equal to the Value of the Order
- >Be in a Non-Editable Format
- >Identify Tax Exemption Status (where applicable)
- >Include a Signature (as Required)

J's Communications, Inc.

3733 S. Bagley

Suite C

Fresno, CA 93725-2436

PH: (559) 442-4400 FAX: (559) 442-4470

Proposal

Proposal Date: 6/14/2017**Proposal #:** 68020**Project:****Bill To:**

CITY OF, PORTERVILLE PD

ATTN: Accounts Payable

350 N. D Street

Porterville, CA 93257

Description	Est. Hours/Qty.	Rate	Total
TECHNICAL SERVICES FIELD	3.5	100.00	350.00
Travel Charge	1	60.00	60.00
Install 3 APX 7500 consolette basestations in dispatch to 4 wire circuit to MCC5500 shelves for primary, secondary and TAC channels.			
Sales Tax		8.25%	0.00
Total			\$410.00



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Approval of Resolution Authorizing the Filing of RSTP Exchange Program Fund Claim for the Fiscal Year 2016-2017

SOURCE: Finance

COMMENT: Every year, the City receives an apportionment of Regional Surface Transportation Program (RSTP) funds in exchange for State Highway Account funds from the Tulare County Association of Governments (TCAG). For fiscal year 2016-2017, the amount of RSTP funds available to claim is \$603,158.

In order for the City to receive distribution of the RSTP funds, TCAG requires a resolution of the City Council authorizing a specific person to file the claim form. Attached is a draft resolution authorizing the Finance Director to sign and submit the claim to TCAG for RSTP funds in the amount of \$603,158 for the fiscal year 2016-2017.

RECOMMENDATION: That the City Council authorize and direct the Finance Director to sign and submit the FY2016-2017 RSTP Exchange Program fund claim to the Tulare County Association of Governments on behalf of the City of Porterville in the amount of \$603,158.

ATTACHMENTS:

1. Draft Resolution
2. RSTP claim form

Appropriated/Funded:

Review By:
Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE AUTHORIZING THE FINANCE DIRECTOR
TO FILE A REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)
EXCHANGE FUND CLAIM FORM FOR FISCAL YEAR 2016-2017

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

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

WHEREAS: TCAG is the designated MPO for Tulare; and

WHEREAS: The Annual RSTP Exchange Program fund apportionment is an ESTIMATE and subject to change during the Fiscal Year 2016-2017 due to many Federal Surface Transportation Bill variables including the annual appropriations act as well as other Congressional actions (i.e., rescissions); and

WHEREAS: The FINAL RSTP Exchange apportionment amount is published at the end of Fiscal Year 2016-2017 and can be different than the ESTIMATE of RSTP Exchange apportionment figure; and

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

WHEREAS: TCAG applies a population-based distribution formula using current Department of Finance (DOF) population estimates (January 2017) to the RSTP apportionment to determine the amount of RSTP Exchange funds to be distributed to TCAG member jurisdictions; and

WHEREAS: The ESTIMATE of RSTP Exchange Program fund apportionment amount available to claim in Fiscal Year 2016-2017 for the City of Porterville is \$603,158; and

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

WHEREAS: If the FINAL RSTP Exchange apportionment figure is higher for Fiscal Year 2016-2017 than the ESTIMATE of RSTP Exchange apportionment figure, Caltrans would have to revise the RSTP Exchange Standard Agreement contract with the higher RSTP figure before TCAG could instruct the Tulare County Auditor-Controller's Office to distribute a greater amount of RSTP Exchange Program funds to member agencies, than identified in this resolution; and

WHEREAS: If the FINAL RSTP Exchange apportionment figure is lower for Fiscal Year 2016-2017 than the ESTIMATE of RSTP Exchange apportionment amount, Caltrans does not have to revise the RSTP Exchange contract with the lower amount before TCAG could recalculate the available RSTP Exchange Program funds using the same population-based formula and then instruct the Tulare County Auditor-Controller's Office to distribute the lower Fiscal Year 2016-2017 FINAL RSTP Exchange Program fund amount to member agencies; and

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

WHEREAS: It is deemed in the best interest of the City of Porterville to authorize the Finance Director to sign the Fiscal Year 2016-2017 RSTP Exchange Program fund claim form and to submit said claim form to TCAG for processing.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby authorize and direct the Finance Director to sign and submit the above described Fiscal Year 2016-2017 RSTP Exchange Program fund claim on behalf of the City of Porterville in the amount of \$603,158.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

**Claim to the Tulare County Association of Governments
for Regional Surface Transportation Program (RSTP) Funds in Exchange for
State Highway Account Funds FY2016-2017**

Claimant: **City of Porterville**

FY16/17 Claim Amount: **\$603,158**

Claim Guidelines:

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

Claim Instructions:

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

Project	Cost of Project	Air Quality	Exempt
1. Asphalt overlay program	\$ 400,000	☐	X
2. Putnam and D Street traffic signal	\$ 170,000	☐	X
3. Miscellaneous curb and gutter improvements	\$ 33,158	☐	X
4.	\$	☐	☐

**Claim to the Tulare County Association of Governments
for Regional Surface Transportation Program (RSTP) Funds in Exchange for
State Highway Account Funds FY 2016-2017**

Claimant: **City of Porterville**

FY 2016-2017 Claim Amount: **\$603,158**

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

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

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

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

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

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

Authorized Representative:

Signature

Maria Bemis

Print Name

Finance Director

Title

July 18, 2017

Date

Executive Director, TCAG

Print Name



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Areas 458, 455A and 459A & C Sewer Utility District Annual Assessments

SOURCE: Public Works

COMMENT: At the April 16, 2013, October 15, 2013, and February 3, 2016, Council meetings, City Council held Public Hearings for the formal formations of the Sewer Utility Districts for Areas 458, 455A, and 459A & C, respectively. These three districts were completed by the City and resolutions were approved to send the annual assessments to the Tulare County Auditor-Controller / Treasurer - Tax Collector office for repayment to the City.

The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by Tulare County. The assessment process must be fully filed with Tulare County by August 10, 2017 for the 2017/2018 tax year. Tulare County requires annual resolutions from the City Council in order to accept the annual assessments.

Assessments were based on the final construction costs, sewer laterals and construction management. This year, Area 458 Sewer Utility District Assessment roll to property taxes contains 388 parcels at a total assessed cost of \$84,133.24. The upcoming fiscal year will be the fourth of the 30-year Assessment period.

Area 455A Sewer Utility District Assessment roll to property taxes contains 219 parcels at a total assessed cost of \$42,969.94. This upcoming fiscal year is also the fourth year of the 30-year Assessment period.

Areas 459A & C contains 327 properties to be assessed to the tax rolls. The total Assessment for this year is \$57,900.52, and this is the second year of the 30-year Assessment period.

The Districts were formed to allow property owners to reimburse the City over 30 years, at 3% interest. The total assessment received from prior years are:

Fiscal Year	Assessment Revenue	Delinquencies
2014/2015	\$122,652.39	\$4,052.48
2015/2016	\$123,338.31	\$3,265.67
2016/2017	\$179,250.97	\$6,283.35

Staff is recommending that the City Council adopt the attached resolutions approving the annual assessment to the County Tax Roll.

RECOMMENDATION: That the City Council adopt the resolutions ordering the continued assessments for Districts 458, 455A and 459A and C for the 2017/2018 tax years.

ATTACHMENTS:

1. Direct Charge Control
2. Authority to Approve Direct Charge Changes
3. Compliance Certification and Hold Harmless Statement
4. Area 458 Special Assessments Resolution
5. Area 455 Special Assessments Resolution
6. Area 459A & C Special Assessments Resolution
7. Locator Map - Area 458
8. Locator Map - Area 455
9. Locator Maps - Area 459

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

DIRECT CHARGE (SPECIAL ASSESSMENT) CONTROL

DATE: July 20, 2017

TO: **Tulare County Auditor-Controller**
Property Tax Section
Courthouse, Room 101-E
Visalia, CA 93291

FROM: **Agency** City of Porterville

Address 291 N Main Street

City, State, Zip Porterville, CA 93257

Contact Person, Phone Michael K Reed

Hours Contact Person is available M-F 8:00 am - 5:00 pm

E-mail (if available) mreed@ci.porterville.ca.us

Check items included:

- X 1. Resolution (s) stating compliance with code and that the charge is without regard to property valuation.
- X 2. Change authorization sheet.
3. Parcel listing. (not required if submitting electronically)

Fund/Charge Control

<u>Tax Code</u>	<u>Fund Name</u>	<u>Parcel Count</u>	<u>Amount</u>
<u>531</u>	<u>PTV455SEWER</u>	<u>291</u>	<u>\$42,969.44</u>
<u>531</u>	<u>PTV458SEWER</u>	<u>388</u>	<u>\$84,133.24</u>
<u>531</u>	<u>PTV459SEWER</u>	<u>327</u>	<u>\$57,900.53</u>
<u> </u>	<u>TOTALS</u>	<u> </u>	<u>\$185,003.20</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

Attach additional control sheets if necessary.

Attachment B

TULARE COUNTY AUDITOR-CONTROLLER

AUTHORITY TO APPROVE DIRECT CHARGE (SPECIAL ASSESSMENT)
CHANGES

DISTRICT/AGENCY City of Porterville

The following persons are authorized to approve changes to our Agency's Special Assessment:

TYPED NAME SAMPLE SIGNATURE

John D. Lollis

Michael K. Reed

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[illegible]

Agency Official _____ Date _____

City Manager _____

Title

Attachment C

Compliance Certification and Hold Harmless Statement

The City/District of ~~XXXX~~ Porterville certifies the following:

I have read and am familiar with the requirements of Article XIII C and XIII D of the State Constitution as revised by Proposition 218, including the articles cited below, and believe that all of the taxes, assessments, levies and fees accompanying this submission to the County Auditor-Controller for inclusion on the secured property tax roll are in compliance with the law.

Article XIII C. Sec. 2 c. "Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision b."

Article XIII C. Sec. 2 d. "No local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. A special tax shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved."

Article XIII D. Sec. 5. "...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article."

Article XIII D. Sec. 6 d. "Beginning July 1, 1997, all fees or charges shall comply with this section."

In addition, the City/District agrees that it shall be solely liable and responsible, and will defend and hold the County harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the City/District by the County; and

The City/District shall be solely liable and responsible, and will defend and hold the County and the County Auditor harmless from any and all legal fees or other costs incurred related to such a claim.

Approved by the governing Board on _____
Date

City/District Manager

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CERTIFYING TO THE COUNTY OF TULARE THE VALIDITY OF THE LEGAL PROCESS
USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED
TAX ROLL

WHEREAS, the notices and election for special assessment fees for the purpose of sewer construction to be included on the regular County property tax bill for property owners of the Area 458 Sewer Utility District was completed on May 7, 2013; and

WHEREAS, the City is placing the special assessments on the Tulare County secured property tax roll for collection; and

WHEREAS, the City has complied with all laws pertaining to the levy of the special assessments to be collected; and

WHEREAS, the monies collected are not in any way to be based on the assessed valuation of the properties involved; and

WHEREAS, the City agrees that it shall be solely liable and responsible, and will defend and hold the County of Tulare harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the District by the County; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Porterville that the list submitted with parcel numbers and amount are certified as being correct, the City Manager, John D. Lollis, or Public Works Director, Michael K. Reed, is hereby authorized to sign any documents required and directed to give the list to the Tulare County Auditor on behalf of the District for placement on the secured tax roll for collection:

1. Parcel and Assessment listing
2. Direct Charge (Special Assessment) Control Sheet
3. Direct Charge (Special Assessment) Change Authorization Sheet
4. Compliance Certification and Hold Harmless Statement

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

ATTEST:

John D. Lollis, City Clerk

Milt Stowe, Mayor

By: _____
Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CERTIFYING TO THE COUNTY OF TULARE THE VALIDITY OF THE LEGAL PROCESS
USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED
TAX ROLL

WHEREAS, the notices and election for special assessment fees for the purpose of sewer construction to be included on the regular County property tax bill for property owners of the Area 455 Sewer Utility District was completed on November 19, 2013; and

WHEREAS, the City is placing the special assessments on the Tulare County secured property tax roll for collection; and

WHEREAS, the City has complied with all laws pertaining to the levy of the special assessments to be collected; and

WHEREAS, the monies collected are not in any way to be based on the assessed valuation of the properties involved; and

WHEREAS, the City agrees that it shall be solely liable and responsible, and will defend and hold the County of Tulare harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the District by the County; and

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4. Compliance Certification and Hold Harmless Statement

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

ATTEST:

John D. Lollis, City Clerk

Milt Stowe, Mayor

By: _____
Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CERTIFYING TO THE COUNTY OF TULARE THE VALIDITY OF THE LEGAL PROCESS
USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED
TAX ROLL

WHEREAS, the notices and election for special assessment fees for the purpose of sewer construction to be included on the regular County property tax bill for property owners of the Area 459A & C Sewer Utility District was completed on May 3, 2016; and

WHEREAS, the City is placing the special assessments on the Tulare County secured property tax roll for collection; and

WHEREAS, the City has complied with all laws pertaining to the levy of the special assessments to be collected; and

WHEREAS, the monies collected are not in any way to be based on the assessed valuation of the properties involved; and

WHEREAS, the City agrees that it shall be solely liable and responsible, and will defend and hold the County of Tulare harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the District by the County; and

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3. Direct Charge (Special Assessment) Change Authorization Sheet
4. Compliance Certification and Hold Harmless Statement

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

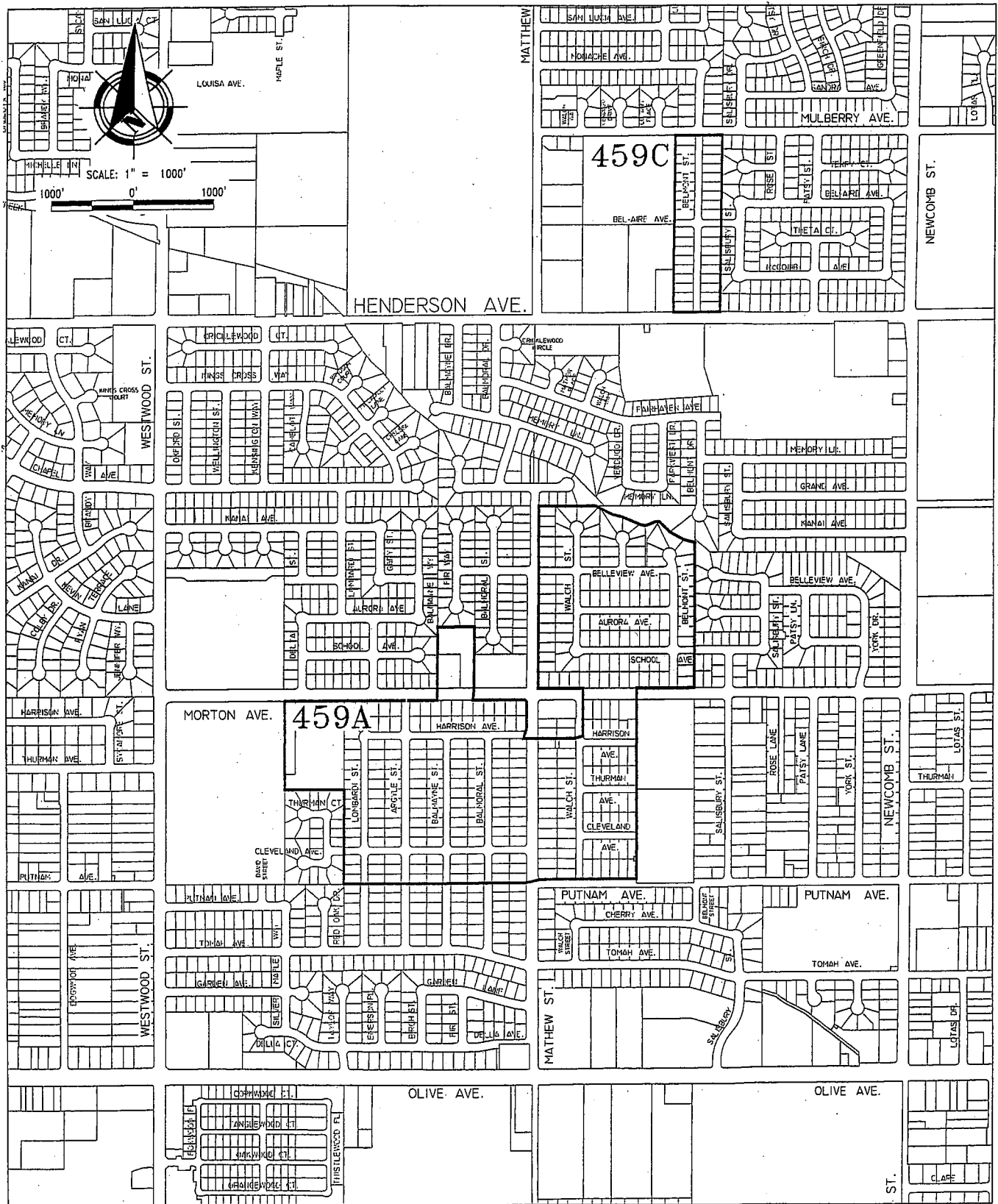
ATTEST:

John D. Lollis, City Clerk

Milt Stowe, Mayor

By: _____
Patrice Hildreth, Chief Deputy City Clerk





PROJECT BOUNDARIES

ISLAND ANNEX. 459A & 459C



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Laboratory Instrument Service Contract

SOURCE: Public Works

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

Gas Chromatography/ Mass Spectrometry and High Pressure Liquid Chromatography
Agilent Technologies - \$9,346.20 for one year
Contract period 8/17 to 7/18.

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

RECOMMENDATION: That the City Council:

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

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Out-of-State Travel - GreenPower Electric Transit Buses In-Plant Inspections

SOURCE: Public Works

COMMENT: On December 5, 2016, the City and California Air Resources Board (CARB) executed the grant agreement for the City's Electrification Project which includes the purchase of ten battery-electric GreenPower Motor Company buses. As part of the Agreement, the City is required to perform in-plant inspections to monitor progress of the bus build. In-plant inspections are scheduled to be performed in Xiamen, China, as well as various other facilities within Mainland China, from approximately September 9-15, 2017 and October 9-15, 2017. A complete itinerary is expected to be finalized in the coming weeks.

Fields Services Shop Superintendent Russell Isom and Transit Manager Richard Tree are designated as the subject matter experts for the in-plant inspections and to monitor and report on the progress.

In-Plant inspections scheduled to be performed during the two trips include: bus chassis are complete with traction motors and axles installed; batteries are delivered and installed, and; system integration including low and high voltage systems are complete. Final bus assembly will be performed in Porterville later this year.

City policy is to allow out-of-state travel by staff only with City Council approval. It should be noted that Mr. Tree is employed by Sierra Management and is contracted by the City to manage this project and the City's Transit Division. As the designated Project Manager and In-Plant Inspector, Mr. Tree's travel expenses will be covered by the City and reimbursed by the grant.

Travel and foreign per diem* expenses for the Shop Superintendent and Transit Manager to perform in-plant inspections are estimated at \$13,000 and there are sufficient funds in the Transit budget for this expense. \$20,000 in Administrative funds have been programmed in the grant to reimburse the City for in-plant inspection expenses. Staff will not be able to rent a car for traveling to the various facilities within mainland China. To be eligible to rent a car in China, the driver must hold a valid driving license issued by the People's Republic of China. No other driving licenses will be accepted, even when accompanied by an International Driving Permit.

*Maximum Per Diem Rates are based on U.S. Department of State, Foreign Per

Diem Rates for Xiamen, China published July 1, 2017.

RECOMMENDATION: That the City Council approve an out-of-state travel request to allow Field Services Shop Superintendent Russell Isom and Transit Manager Richard Tree to perform in-plant inspections on GreenPower electric buses in Xiamen, China at an estimated cost of \$13,000 to be reimbursed by grant funds.

ATTACHMENTS: 1. Foreign Per Diem Rates

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager



Foreign Per Diem Rates In U.S. Dollars

Country: CHINA
Publication Date: 07/01/2017

Country Name	Post Name	Season Begin	Season End	Maximum Lodging Rate	M & IE Rate	Maximum Per Diem Rate	Footnote	Effective Date
CHINA	Beijing	01/01	12/31	258	119	377	View	03/01/2012
CHINA	Changchun	01/01	12/31	167	100	267	N/A	04/01/2013
CHINA	Chengdu	01/01	12/31	137	79	216	N/A	12/01/2016
CHINA	Chongqing	01/01	12/31	99	83	182	N/A	05/01/2006
CHINA	Dalian	01/01	12/31	166	108	274	N/A	04/01/2013
CHINA	Fuzhou	01/01	12/31	176	122	298	N/A	01/01/2014
CHINA	Guangzhou	01/01	12/31	243	164	407	N/A	03/01/2014
CHINA	Guilin	01/01	12/31	168	100	268	N/A	08/01/2012
CHINA	Haikou	01/01	12/31	167	109	276	N/A	12/01/2016
CHINA	Hangzhou	01/01	12/31	169	124	293	N/A	08/01/2015
CHINA	Harbin	01/01	12/31	187	101	288	N/A	04/01/2013
CHINA	Jinan	01/01	12/31	121	85	206	N/A	12/01/2016
CHINA	Lhasa	01/01	12/31	131	52	183	N/A	11/01/2007
CHINA	Lijiang	01/01	12/31	153	133	286	N/A	07/01/2015
CHINA	Nanjing	01/01	12/31	129	72	201	N/A	12/01/2016
CHINA	Nanning	01/01	12/31	131	119	250	N/A	11/01/2011
CHINA	Ningbo	01/01	12/31	128	92	220	N/A	12/01/2016
CHINA	Other	01/01	12/31	135	106	241	N/A	12/01/2016
CHINA	Qingdao	01/01	12/31	157	88	245	N/A	05/01/2011
CHINA	Sanya	01/01	12/31	164	85	249	N/A	12/01/2016
CHINA	Shanghai	01/01	12/31	259	143	402	N/A	08/01/2015
CHINA	Shantou	01/01	12/31	141	86	227	N/A	04/01/2011
CHINA	Shenyang	01/01	12/31	193	107	300	N/A	05/01/2013
CHINA	Shenzhen	01/01	12/31	264	135	399	N/A	11/01/2011
CHINA	Suzhou	01/01	12/31	141	101	242	N/A	12/01/2016
CHINA	Tianjin	01/01	12/31	141	102	243	N/A	05/01/2012

CHINA	Urumqi	01/01	12/31	146	79	225	N/A	12/01/2016
CHINA	Wuhan	01/01	12/31	135	106	241	N/A	12/01/2016
CHINA	Xiamen	01/01	12/31	159	112	271	N/A	01/01/2011
CHINA	Xian	01/01	12/31	132	100	232	N/A	12/01/2016
CHINA	Zhuhai	01/01	12/31	142	97	239	N/A	12/01/2016



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Renewal of Airport Lease Agreement - Lot 46C

SOURCE: Finance

COMMENT: Mr. Mike Quatacker is the current leaseholder of Lot 46C at the Porterville Municipal Airport. The lease expires on November 30, 2017; however, the lease terms allow for options to extend the lease in five-year periods. We have received a request from Mr. Quatacker to extend his lease for an additional five years, expiring on November 30, 2022.

RECOMMENDATION: That City Council approve the extension of the Lease Agreement between the City of Porterville and Mr. Mike Quatacker of Porterville, CA, for Lot 46C at the Porterville Municipal Airport.

ATTACHMENTS:

1. Locator Map
2. Letter from Mr. Quatacker requesting renewal
3. Paragraph 2 of original Lease Agreement

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

AIRPORT LEASE SITES



TAXIWAY

TAXIWAY

HANGAR ROAD

HOPE ROAD

THUNDERBOLT DR.

ADMIN.
BLD.

44A 44B 44C

40	41	42	43
36	37	38	39

45

46A 46B 46C 46D

35

47

50

A	B	C	34	D	E	F
33						

32A

B C

31C

31A

31B

30B

30A1

30A2

30A3

Attn: Janie Rodriguez

City of Porterville

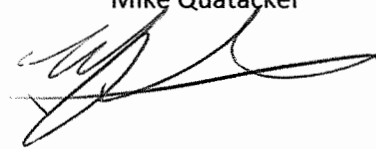
291 N Main St

Porterville, CA 93257

Dear City of Porterville, in reference to your letter regarding my lease agreements on lots 46C and 49B located at the Porterville Airport. I would like renew my lease agreement for both these properties. Thank you.

Best Regards,

Mike Quatacker

A handwritten signature in black ink, appearing to read 'Mike Quatacker', with a long horizontal flourish extending to the right.

LEASE AGREEMENT
PORTERVILLE MUNICIPAL AIRPORT

THIS LEASE AGREEMENT ("Lease"), executed at Porterville, California this 1st day of December, 1992, by and between the CITY OF PORTERVILLE, a political subdivision of the State of California, hereinafter referred to as "City" and L. TRACY SAYLOR (L. Tracy Saylor), hereinafter referred to as "Lessee".

WHEREAS, City owns and operates an airport in the City of Porterville, State of California, commonly known and described as "Porterville Municipal Airport"; and

WHEREAS, It is the desire of City to utilize said airport for the general public by its development and use in providing aeronautical- related facilities and service:

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Premises:

(a) **Demised Premises:** City, for and in consideration of the covenants, conditions, agreements, and stipulations herein set forth, does hereby demise and lease to Lessee, and Lessee hereby hires from City, those certain premises situated in the City of Porterville, State of California, more particularly described by metes and bounds in Exhibits being attached hereto and by this reference made a part hereof.

2. Term: The term of this lease shall commence when both parties have executed the same and shall terminate on November 30, 2002. Provided Lessee is not in default with respect to any of the conditions or covenants of this lease. Lessee shall have an option to request an extension of the terms hereof

for additional periods of five (5) years, by giving written notice thereof to Lessor not less than 120 days prior to expiration of this agreement or any five year extension. Lessor is not obligated to grant any extension but such shall not be unreasonably withheld.

3. **Rental and Business Privilege Consideration:** Lessee agrees to pay to City in lawful money of the United States without deduction or offset, to the Finance Director, City of Porterville, P O Box 432, Porterville, California, 93258, or to such person or persons and at such place or places as may be designated from time to time by City, a rental rate of \$.1662 per square foot per year. Inasmuch as the lease site contains approximately 3,780 square feet of land area, said rental rate will be \$628.24 per year payable in advance on December 1st of each year of this lease. See Exhibit "A" attached.

At the end of each year of this lease, the rate shall be adjusted by a percentage equal to the percentage increase or decrease in the Consumer Price Index (CPI) for San Francisco in the interval between the date of execution of this Lease or the last date of rate adjustment.

4.a **Purpose:** This Lease is made for the purpose of constructing and operating an aircraft hangar to be used for the parking and storage of aircraft and other activities incidental thereto. Lessee shall not use the premises or any part thereof or permit them to be used for any purpose or purposes other than stated above. Lessee shall not do or permit any act or thing to be done upon the premises which constitutes nuisance or which may disturb the quiet enjoyment of City or any tenant of City on



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Renewal of Airport Lease Agreement - Lot 49B

SOURCE: Finance

COMMENT: Mr. Mike Quatacker is the current leaseholder of Lot 49B at the Porterville Municipal Airport. The lease expires on October 31, 2017; however, the lease terms allow for options to extend the lease in five-year periods. We have received a request from Mr. Quatacker to exercise his option to extend his lease for an additional five years, expiring on October 31, 2022.

RECOMMENDATION: That City Council approve the extension of the Lease Agreement between the City of Porterville and Mr. Mike Quatacker of Porterville, CA, for Lot 49B at the Porterville Municipal Airport.

ATTACHMENTS:

1. Locator Map
2. Letter from Mr. Quatacker requesting renewal
3. Paragraph 2 of original Lease Agreement

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

AIRPORT LEASE SITES



TAXIWAY

TAXIWAY

HANGAR ROAD

HOPE ROAD

THUNDERBOLT DR.

ADMIN.
BLD.

44A 44B 44C

40 41 42 43
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32A B

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C

49
49A

31C

31A

31B

30B

30A1

30A2

30A3

Attn: Janie Rodriguez

City of Porterville

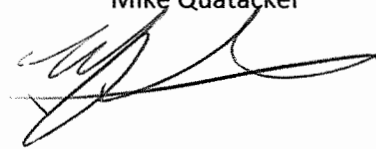
291 N Main St

Porterville, CA 93257

Dear City of Porterville, in reference to your letter regarding my lease agreements on lots 46C and 49B located at the Porterville Airport. I would like renew my lease agreement for both these properties. Thank you.

Best Regards,

Mike Quatacker

A handwritten signature in black ink, appearing to read 'Mike Quatacker', with a long horizontal flourish extending to the right.

LEASE AGREEMENT
PORTERVILLE MUNICIPAL AIRPORT

THIS LEASE AGREEMENT ("Lease"), executed at Porterville, California this 1st day of November, 1992, by and between the CITY OF PORTERVILLE, a political subdivision of the State of California, hereinafter referred to as "City" and PETER A. AND LISA A. RAVENTOS, hereinafter referred to as "Lessee".

WHEREAS, City owns and operates an airport in the City of Porterville, State of California, commonly known and described as "Porterville Municipal Airport"; and

WHEREAS, It is the desire of City to utilize said airport for the general public by its development and use in providing aeronautical-related facilities and service:

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1. Premises:

(a) **Demised Premises:** City, for and in consideration of the covenants, conditions, agreements, and stipulations herein set forth, does hereby demise and lease to Lessee, and Lessee hereby hires from City, those certain premises situated in the City of Porterville, State of California, more particularly described by metes and bounds in Exhibits being attached hereto and by this reference made a part hereof.

2. Term: The term of this lease shall commence when both parties have executed the same and shall terminate on October 31, 2002. Provided Lessee is not in default with respect to any of the

conditions or covenants of this lease. Lessee shall have an option to request an extension of the terms hereof for additional periods of five (5) years, by giving written notice thereof to Lessor not less than 120 days prior to expiration of this agreement or any five year extension. Lessor is not obligated to grant any extension but such shall not be unreasonably withheld.

3. Rental and Business Privilege Consideration: Lessee agrees to pay to City in lawful money of the United States without deduction or offset, to the Finance Director, City of Porterville, P O Box 432, Porterville, California, 93258, or to such person or persons and at such place or places as may be designated from time to time by City, a rental rate of \$.1662 per square foot per year. Inasmuch as the lease site contains approximately 2,700 square feet of land area, said rental rate will be \$448.74 per year payable in advance on November 1st of each year of this lease. See Exhibit "A" attached.

At the end of each year of this lease, the rate shall be adjusted by a percentage equal to the percentage increase or decrease in the Consumer Price Index (CPI) for San Francisco in the interval between the date of execution of this Lease or the last date of rate adjustment.

4.a Purpose: This Lease is made for the purpose of constructing and operating an aircraft hangar to be used for the parking and storage of aircraft and other activities incidental thereto. Lessee shall not use the premises or any part thereof or permit them to be used for any purpose or purposes other than stated above.

Lessee shall not do or permit any act or thing to be done upon the premises which constitutes nuisance or which may disturb the



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Jaye Street Bridge Budget Augmentation

SOURCE: Public Works

COMMENT: Physical work on the Jaye Street/Tule River Bridge Rehabilitation Project is now back on schedule after a five month delay due to difficult pile driving conditions, rain, and flood releases from Lake Success. All of the channel work and new east bridge section are complete. Work has begun on the east half of the roadway to lay storm drain pipe, pour concrete improvements, and pave this portion of the street. The current construction schedule shows project completion by the end of December 2017, which is five months behind the original schedule.

During pile driving operations, an unexpected discovery of an underground boulder layer deformed eight piles that required additional work to provide stable support for the bridge. The cost of the pile remediation work was nearly \$310,000. Once the pile issue was addressed, weather and flood release conditions forced the channel to be "winterized" and this work placed on hold until conditions improved. The flow of the river covered up the channel clearing that had taken place and this area required re-excavation once the reduction in channel flow allowed the contractor to reenter the work area at an additional cost of approximately \$230,000. These two items alone used up the entire construction contingency, and as such, staff recommends that an additional 10%, or \$539,044.45, is augmented to cover the rest of the project in the event of new unforeseen conditions or quantity changes.

With the extended delay in the construction schedule, it has also forced VSCE and TRC to spend additional time on the project. Both consultants submitted their proposals prior to the construction contract with an estimated eight months of staffing, but due to the pile driving issues encountered along with weather delays, they have not paused their involvement since construction began and are nearly out of budget. A \$227,344.74 and \$47,593 augmentation to VSCE's and TRC's agreement, respectively, are necessary to keep the construction management and support teams in place for the duration of the project. An increase in City administration costs are also necessary to provide oversight of the consultants during this time extension. Caltrans allows for 15% of the total consultant costs for administration, which results in a City staff cost increase of \$41,240.66.

Funding for the budget augmentation will be covered by the Highway Bridge Program (HBP) at a ratio of 85%. This is slightly lower than the typical 88.53%

participating amount due to non-participating work beyond 200' from each end of the bridge. The 15% local share will require additional Local Transportation Funds (LTF). At this time, all of the costs will have to be paid by local monies until the closeout of the project. Caltrans requires that the City carry the project due to exceeding allowable contingencies, but the City will be reimbursed once the final invoice is sent.

RECOMMENDATION: That City Council:

1. Authorize the augmentation of Emmett's Excavation construction contract by \$539,044.45;
2. Authorize the augmentation of VSCE's service agreement by \$227,344.74;
3. Authorize the augmentation of TRC's service agreement by \$47,593; and
4. Authorize the augmentation of City's administration costs by \$41,240.66.

ATTACHMENTS:

1. VSCE Additional Budget
2. TRC Additional Budget
3. Locator Map

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

REQUEST FOR ADDITIONAL BUDGET DUE TO WET WEATHER



VSCE
Jaye Street Bridge Widening Project
CM Services Cost Proposal
City of Porterville

DIRECT LABOR

Name	Classification	Average Billable Rate	Hours	Total
Frank Sana, P.E.	RE / Structure Rep	\$ 205.78	317.98	\$ 65,433.92
Santana Jimenez	ARE	\$ 156.97	0	\$ -
Humza Mansoor	OE/Insp.	\$ 107.17	1116.85	\$ 119,692.81
Bert Dasmarinas	Scheduler	\$ 143.22	0	\$ -
Moises Rodriguez	OE/Insp.	\$ 91.85	280	\$ 25,718.00
Matt Taliaferro, PE	ARE	\$ 148.44	0	\$ -

Labor Rates for Expert Resources:

Average Billing Rate	As Needed Personnel	TBD	-	Est.hrs	\$	-
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Total Direct Labor Costs **\$ 210,844.74**

SUBCONSULTANTS

BSK Associates	Materials Testing (See Attached)	\$	-
Quad Knopf	Environmental Mitigation (See Attached)	\$	-
Quad Knopf	Const. Staking (See Attached)	\$	-
RMA	Skid Testing	\$	7,500.00
Total Subconsultants		\$	7,500.00

OTHER DIRECT COSTS

	Rate	Unit	
Repographics, photo copying		actual	\$ -
Deliveries, Mail		actual	\$ -
CM / Inspector Vehicles (Included in VSCE's OH Rate)	\$ -	0 Incl	\$ -
CM / Inspector Per Diem	\$ 1,000.00	9 Months	\$ 9,000.00
Vehicle (Included in THG's OH Rate)		0 Months	\$ -
Total ODC			\$ 9,000.00

Total \$ 227,344.74

Note: (1) Blueprinting, reproduction, messenger service and other direct expenses will be charged as an additional cost plus 0%.
A Subconsultant Management & Ins. fee of 0% will be added to all subconsultant services to provide for the cost of administration, subconsultant consultation and insurance. (2) Yearly escalation will be applied to the billable rates effective first of the year. Staffing hours are based upon and subject to the Exhibit "C" (VSCE Staffing Schedule)

City of Porterville, Jaye Street Bridge Widening Project



A Joint Association

Key Member Staffing Plan - VSCE Team

[illegible]



6051 North Fresno Street
2nd Floor
Fresno, CA 93710

559.439.2576 PHONE
916.366.1501 FAX

www.TRCSolutions.com

June 22, 2017

#156385

Mr. Javier Sanchez, P.E.
City of Porterville
Public Works Department
291 N. Main St.
Porterville, CA 93257

**Subject: Request for Amendment No. 4 to Service Agreement for
Additional Construction Phase Services for Jaye Street Bridge
Rehabilitation @ Tule River**

Dear Mr. Sanchez:

We are excited that the project is well under construction. As we discussed recently, an extensive effort to support pile installation was required of us and our subconsultant Kleinfelder due to the unexpected discovery of boulders at depth that did not show up in the exploratory borings. We have also reviewed and responded to 19 RFIs, 58 submittals, and 25 resubmittals. As such we are close to exhausting the originally established budget for our construction support services. As we are needed to continue to serve the City during this construction phase, per your request we submit this proposal for additional construction phase services.

We have assumed a proportional amount of work remaining and provide herein what we hope is a conservative estimate of the likely work effort remaining. The tasks to be performed are the same as those in Amendment 3, but to a changed level of effort from that assumed therein. Thus we repeat that scope of work below with slight modifications for tasks already completed.

PHASE 6: CONSTRUCTION PHASE SERVICES

Task 1 Preconstruction Meeting and Site Visits

This task includes three additional hours for site visits to observe critical construction activities or as may be requested by the City.

Task 2 Phone Consultation and Response to RFIs

TRC will be available for phone consultation to discuss project construction activities and for providing clarifications of the contract documents. This task also includes responding to Requests for Information (RFI) from the Contractor during the course of construction. It is expected that TRC will receive the RFI directly from the CM on behalf of the City.

Formal written responses will be prepared for each RFI. No additional labor hours of such work is assumed for this task.

Task 3 Shop Plan Reviews

TRC will review and provide comments on the following list of shop plans when requested by the RE, however it is expected that the RE will perform certain reviews with minimal input from TRC as denoted with an asterisk in the list below. 88 additional labor hours of such work is assumed for this task.

1. Shoring plans*
2. Bridge removal work plan*
3. Concrete mix designs
4. Polyester concrete overlay work plan
5. Review rebar shop drawings (not for approval, but for confirmation)
6. Precast handrailing shop drawings
7. Utility bracket shop drawings

Task 4 Change Order Assistance

This task includes assistance in evaluating or modifying existing plans and specifications for incorporation into change orders prepared by the RE. 100 additional labor hours of such work is assumed for this task.

Task 5 Prepare As-Built Record Drawings

This task includes taking the RE marked-up plan set and transferring field changes to the original contract drawings to produce the vellum (not mylar) record drawing As-built plans. 30 additional labor hours of such work is assumed for this task.

Task 6 Project Management

This task includes managing TRC's effort, including quality control of deliverables, documentation, maintaining files, and preparing monthly progress reports and invoices for the City. Two additional labor hours of such work is assumed for this task.

Task 7 Civil and Roadway Coordination

This task includes Peters Engineering Group's work in answering questions related to civil, roadway, or traffic control and preparation of as-built record drawings for the civil sheets. TRC will review and provide comments on the Traffic Control Plans when requested by the RE. We have assumed an additional budget of \$8,000 for this work.

Additionally this task includes Design lab 252's work in answering questions related to landscaping and irrigation construction. We have assumed a budget of \$5,500 for this work as none was included in our original proposal.



Task 8 Geotechnical Observation & Consultation

This task includes Kleinfelder's work in observing pile installation and pile acceptance, and answering questions related to geotechnical considerations. We have assumed an additional budget of \$4,000 for this work.

SCHEDULE

We expect the project to last through January 2018.

FEE

We propose to perform the above additional construction phase services on a time and materials basis for a total not to exceed fee of **\$47,593** without prior authorization. However this budget should be sufficient to provide the service you need. As you will be directing us as to when to perform work and as you will receive our usual detailed progress and budget reports monthly, you will be able to closely monitor the budget status.

NEW ADDRESS

Note we have moved our Fresno office. That address is:

TRC Engineers, Inc.

575 E. Locust Avenue, Suite 105

Fresno, CA 93720

Please make a note of it and advise any City staff so your records are revised and we do not miss any mailings from the City. Thank you.

We look forward to providing these additional services on the project and to the successful completion of construction! Should you have any questions or comments on this proposal, please don't hesitate to call.

Sincerely,



Mark A. Imbriani, P.E.

Vice President

MAI/mai

Attach.



CITY OF PORTERVILLE
JAYE STREET BRIDGE REHABILITATION AT TULE RIVER
AMENDMENT #4 FEE

TRC ENGINEERS
DESIGN FEE ESTIMATE WORKSHEET

Date: 06/21/17

Project: 156385 21-Jun-17
Increase: 0.0% 08:29:03 PM
Sub administration: 0%

Expenses	
Description	Amount
Travel	
Airfare (round trips)	\$0
Mileage	\$475
Lodging	\$0
Per Diem	\$0
Car Rental	\$0
Misc.	\$0
Travel Subtotal	\$475
Other Direct Costs	\$328
ODC Subtotal	\$328
Total	\$803

Subconsultants	
Name	Amount
Peters Engineering Group	\$8,000.00
Kleinfelder	\$4,000.00
DesignLab252	\$5,500.00
Total	\$17,500

Design Fee Estimate	
Phase 6 Labor	\$29,290
Subconsultants	\$17,500
Expenses	\$803
Total	\$47,593

TRC ENGINEERS
FEE ESTIMATE WORKSHEET

Travel

From	Sacramento	
To	Porterville	
# of people	1	
# of days	1	# of nights 0
# of trips	2	

	Rate		#		#		=	
Airfare (round trips)		x		trips		people	=	\$0.00
Mileage (includes field visits)	\$0.540	x	440	miles	2	trips	=	\$475.20
Lodging		x		nights		people	=	\$0.00
Per Diem		x		days		people	=	\$0.00
Car rental		x		days		people	=	\$0.00
Miscellaneous		x		units		units	=	\$0.00
Total Travel								\$475.20

ODC's

	Rate		#		=	
Mail	\$0.49	x	8	pieces	=	\$3.92
Overnight mail	\$11.50	x	8	pieces	=	\$92.00
Copies	\$0.08	x	400	copies	=	\$32.00
Prints (24x36)	\$2.50	x		prints	=	\$0.00
Vellums (24x36)	\$7.50	x	0	prints	=	\$0.00
Mylars (24x36)	\$15.00	x		prints	=	\$0.00
Miscellaneous	\$100.00	x	2	units	=	\$200.00
Total ODC's						\$327.92

Total Travel and ODC's	\$803.12
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NTS



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Authorization to Roll Weed Abatement Balances, Unpaid Utility Accounts and Delinquent Loan Agreements to the Property Tax Rolls

SOURCE: Finance

COMMENT: Staff has prepared a draft resolution for Council consideration which will authorize the County Auditor to place uncollected weed abatement charges, unpaid utility accounts and delinquent loan agreements on the property tax rolls.

City Code Section 12-3.12 provides for weed abatement balances to be rolled to property taxes for collection. Section 25-8 provides that unpaid water bills may be added to the tax statement for said real property and collected in the same manner as real property taxes. And Section 13-14(D) and Section 25-37 of the City Code provide that any unpaid charges for sewer rental or solid waste services, together with interest and penalties, constitutes a lien on the real property involved. The loan agreements for water connection fees and services provide that the unpaid principal and interest will be added to the property tax bill and will be collected in the manner real property taxes are collected.

RECOMMENDATION: That the City Council adopt the attached resolution authorizing the County Auditor to place the weed abatement balances, unpaid utility accounts and delinquent loan agreements on the 2017-2018 property tax rolls for collection.

ATTACHMENTS:

1. Draft Resolution
2. Exhibits

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE ORDERING THE PLACEMENT OF SPECIAL ASSESSMENT LIENS
ON THE TULARE COUNTY TAX ROLLS FOR FISCAL YEAR 2017-2018

WHEREAS: The City of Porterville Municipal Code Section 12-3.4, Nuisance and Authority to Abate, sets forth the procedure for all weed, nuisance and hazard abatements in the City of Porterville, thereafter setting forth the procedure for placement of delinquent assessments on the Tulare County Tax Rolls; and

WHEREAS: The City of Porterville Municipal Code Section 13-14, Garbage and Refuse – Charges for Collection; Time and Manner of Payment, provides that the amount required to be paid, together with interest and penalty, constitutes a lien on all real property; and

WHEREAS: The City of Porterville Municipal Code Section 25-37, Collection of Sewer Rental; Charges to be Lien, provides that any unpaid charge for sewer rental or sewer rental penalties or interest may be placed as a lien on the real property involved; and

WHEREAS: The City of Porterville Municipal Code Section 25-8, Guarantee of Payment of Water Bills by Property Owners, provides that unpaid water bills may be a lien on said property and the amount of said unpaid water bill may be added to the tax statement for said real property and collected in the same manner as real property taxes; and

WHEREAS: The Agreements for Water Meter Fees and Services provide that a lien shall be placed on said real property at the time of said agreement; and the unpaid balance of said principal and interest will be added to the tax bill for said real property and will be collected in the manner real property taxes are collected by the City of Porterville; and

WHEREAS: The Porterville City Council, having duly received and considered evidence and documentation concerning the delinquent accounts proposed to be placed on the Fiscal Year 2017-2018 County Tax Rolls concerning the necessity for the placement of the contemplated tax liens;

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve and order the submittal of the following liens, attached hereto as Exhibit “A”, Exhibit “B” and Exhibit “C”, to the Tulare County Auditor for placement on the property tax rolls for collection.

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

Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

CITY OF PORTERVILLE
WEED/HAZARD ABATEMENT
FY2017-2018 Tax Roll

<u>Assessee</u>		<u>Parcel Number Address</u>	<u>Assessment Amount</u>
Lloyd Wayne Phillips account #01-001169	1	240-082-004 267 N Westwood	\$ 1,194.87
Mission Communities - Olive LP account #01-000380	2	245-150-055 NE corner of Olive & Matthew	935.32
Della Mae O'Dell account #01-000613	3	254-073-044 810 E Putnam Ave	3,909.93
Charles Thomas Yoshida account #01-000103	4	254-110-019 Jasmine Ranch, Ph 1	564.79
Jose & Mary Rosalez account #01-000547	5	260-102-020 246 S Ohio St	494.41
Ruth Chavez account #01-001175	6	260-250-002 221 W Date Ave	514.62
Ruth Chavez account #01-001175	7	260-310-008 Vacant lot East of 221 W Date Ave	845.13
Dora Gibbs Life Estate account #01-001153	8	261-030-007 620 S Roche St	3,541.06
Paschal A Christman account #01-001148	9	270-010-017 78 E Yates Ave	2,342.90
Lois J Jeff account #01-001146	10	270-130-011 1269 S Plano Ave	21,819.68
Total amount of assessments			\$ <u><u>36,162.71</u></u>
Total number of assessments			<u><u>10</u></u>

Note: FY2016-2017 A/R balances

CITY OF PORTERVILLE

UNPAID UTILITIES
FY2017-2018 Tax Roll

<u>Assessee</u>	<u>Property Address</u>	<u>Parcel Number</u>	<u>Assessment Amount</u>
Jose & Sylvia Mosqueda	1113 W Baker Ave	243-204-001-000	\$ 355.01
Ramiro Gidino/Josefina Merlos	1134 W North Grand Ave	243-204-010-000	336.48
Donna Mae Rauschl	1688 N Beverly St	243-220-005-000	1,105.36
Lazaro Gracia	161 N Silver Maple Way	245-360-059-000	455.39
Silvio & Lorraine Addamo	1583 N Newcomb St	245-450-001-000	185.87
Faith Anderson	1723 W Brian Ave	245-450-065-000	149.45
Ross Trimmer	1831 W Pioneer Ave	245-492-004-000	425.86
Tracee Garcia	1385 N Westside St	246-012-004-000	587.52
Alicia Garcia	870 W Westfield Ave	246-070-071-000	1,069.87
Margarito Cercas	895 W Westfield Ave	246-200-028-000	586.21
Liliana De Leon	680 W Westfield Ave	247-010-003-000	263.56
Carol Ortiz	709 W Bel Aire	247-240-063-000	80.71
Andy Foucht	872 W Putnam Ave	251-180-011-000	1,146.58
James Podergois	502 W Grand Ave	252-062-026-000	282.88
Shirley Schwin	253 W Bellevue Ave	252-094-002-000	1,158.00
Raymond Bravo	87 W Laurel Ave	252-130-023-000	343.57
Irma Corona	357 N Kessing St	252-240-004-000	858.51
Cheryl Allen	303 N Conley St	252-260-013-000	4,468.93
Juan Castillo	681 W Putnam Ave	252-302-004-000	399.58
Maria Martinez	562 N Third St	253-024-003-000	515.38
Emelina Martinez	439 N Park St	253-070-027-000	233.41
Salvador/Anita Gutierrez	338 N Murry St	253-135-001-000	744.94
Ruben Verduzco	308 N Third St	253-194-002-000	2,541.26
Glen Stailey	1400 E Morton Ave	254-140-002-000	464.87
Jesus Gradillas	187 S Cloverleaf St	259-121-009-000	233.65
Frank/Margarita Gonzales	259 S Cloverleaf St	259-131-005-000	153.54
Walter/Nadia Kostrikin	188 S Cloverleaf St	259-132-011-000	233.49
Aurora Sierra	80 S A St	261-115-001-000	725.30
Lisa Rathfelder	2 W Olive Ave	261-121-003-000	6,149.12
Julie Pham	280 S A St	261-161-009-000	1,598.30
Jesus Zepeda	955 S Wisconsin St	268-080-030-000	576.62
Total amount of assessments			<u><u>\$ 28,429.22</u></u>
Total number of assessments			<u><u>31</u></u>

Note: FY2016-2017 UM balances

CITY OF PORTERVILLE
MISCELLANEOUS AGREEMENTS
FY2017-2018 Tax Roll

<u>Assessee</u>	<u>Parcel Number</u> <u>Address</u>	<u>Assessment</u> <u>Amount</u>
Harlace Wallace WATER022	1 243-230-012 1707 N Prospect St	\$ 2,351.93
Consuelo Rojas WATER021	2 246-011-004 1309 W Pioneer Ave	1,799.16
Gabriel Gamez WATER010	3 251-223-007 1061 W Putnam Ave	752.32
Total amount of assessments		\$ <u><u>4,903.41</u></u>
Total number of assessments		<u><u>3</u></u>

Note: 6/30/17 balances



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Approval of Reorganization within the Engineering and Building Divisions of the Public Works Department

SOURCE: Public Works

COMMENT: With the recent development and amendment of various State laws and regulations, the City's Engineering and Building Divisions are faced with a new series of upcoming infrastructure projects and future operational needs. While much of the anticipated infrastructure needs have already been identified in the 10-year Capital Improvement Plan, the assignment of staff to these programs to begin work is proving difficult with the current staffing configuration. In response, the Public Works Department has evaluated a modification to the organizational structure of the Engineering and Building Divisions. Attached are the current and proposed organization structures of these two divisions.

The programs and projects that this new organizational structure would support include:

- Compliance with the Sustainable Groundwater Management Act (SGMA)
- Development of and involvement in the Eastern Tule Groundwater Sustainability Agency (ETGSA)
- Preparation of updated master plans for water, storm water, and sewer systems
- Preparation of a storm water resource master plan and a recycled water feasibility study
- Design of a wastewater treatment facility upgrade to allow wastewater re-use
- Completion of the water main replacement program and
- More proactive pursuit of grant funds

The new structure creates one entirely new position, a Permit Technician, adds an existing classification to the Engineering and Building Divisions, an Administrative Analyst I/II, reclassifies the existing Construction/Project Manager to a new Construction/Project Manager and Assistant, and reclassifies the existing Public Works Inspector to a new Public Works Inspector I/II. The addition and changes of various positions remain budget neutral because of the capital funding associated with the new assignments. Only the City Council has the authority to create new positions, and staff requests approval of the proposed positions, with job descriptions as identified and attached.

The Permit Technician will work under the Chief Building Inspector and will be tasked as the front line specialist to streamline the permit process. The Permit Technician would review all permits as they cross the counter to confirm that the submittal is complete and should be accepted, alleviating the task from more

specialized staff, so they in turn can focus on review of complete submittals. The City's goal is to process building permits within two weeks of submittal. The Permit Technician will also assist fellow Building Division staff with review of other permits to allow the inspectors more field time for building inspections.

The addition of an Administrative Analyst I/II position allows the Engineering and Building Divisions to step up their efforts on increased documentation and tracking required by new regulations for projects and permits. This position would also assist in preparing grant funding applications to help bring in new project opportunities for the City.

The reclassification of the existing Construction/Project Manager to a new Construction/Project Manager and Assistant creates an Assistant Construction/Project Manager position to assist in more effectively managing construction projects and public works permits. The reclassification of the existing Public Works Inspector to a new Public Works Inspector I/II allows for a separation of roles to distinguish between an entry level inspector and an experienced one, similar to the existing Building Inspector I/II.

Upon approval of the reorganization, management would begin recruitments and processes necessary to proceed with the proposed reorganization. Some positions are already filled with acting personnel, due to staff attrition.

RECOMMENDATION: That the City Council:

1. Approve the creation of a new Permit Technician classification at Salary Range 177 (\$3,832-4,676);
2. Approve the creation of a new Public Works Inspector II classification at Salary Range 196 (\$4,630-5,651);
3. Approve the creation of a new Assistant Construction/Project Manager at Salary Range 203 (\$4,964-6,059);
4. Approve the allocation of one Administrative Analyst I/II classification; and
5. Authorize Administrative Services staff to amend such personnel documents and commence meet and consult activities as may be necessary to effectuate such proposed changes.

ATTACHMENTS:

1. Existing Eng/Bldg Org Chart
2. Proposed Eng/Bldg Re-Org Chart
3. Permit Tech Job Description
4. Construction/Project Manager & Assistant Job Description
5. Public Works Inspector I/II Job Description

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

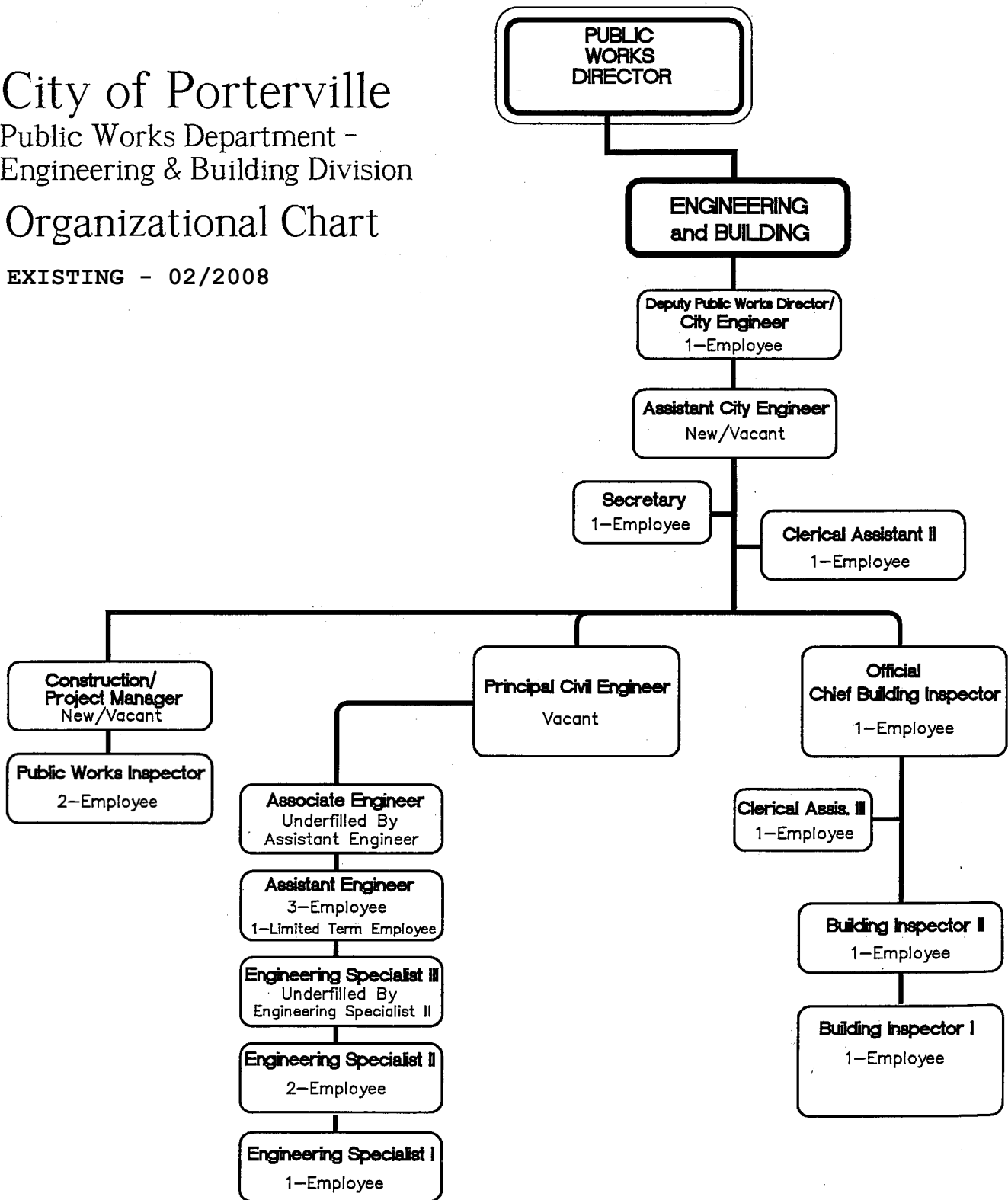
Final Approver: John Lollis, City Manager

City of Porterville

Public Works Department - Engineering & Building Division

Organizational Chart

EXISTING - 02/2008



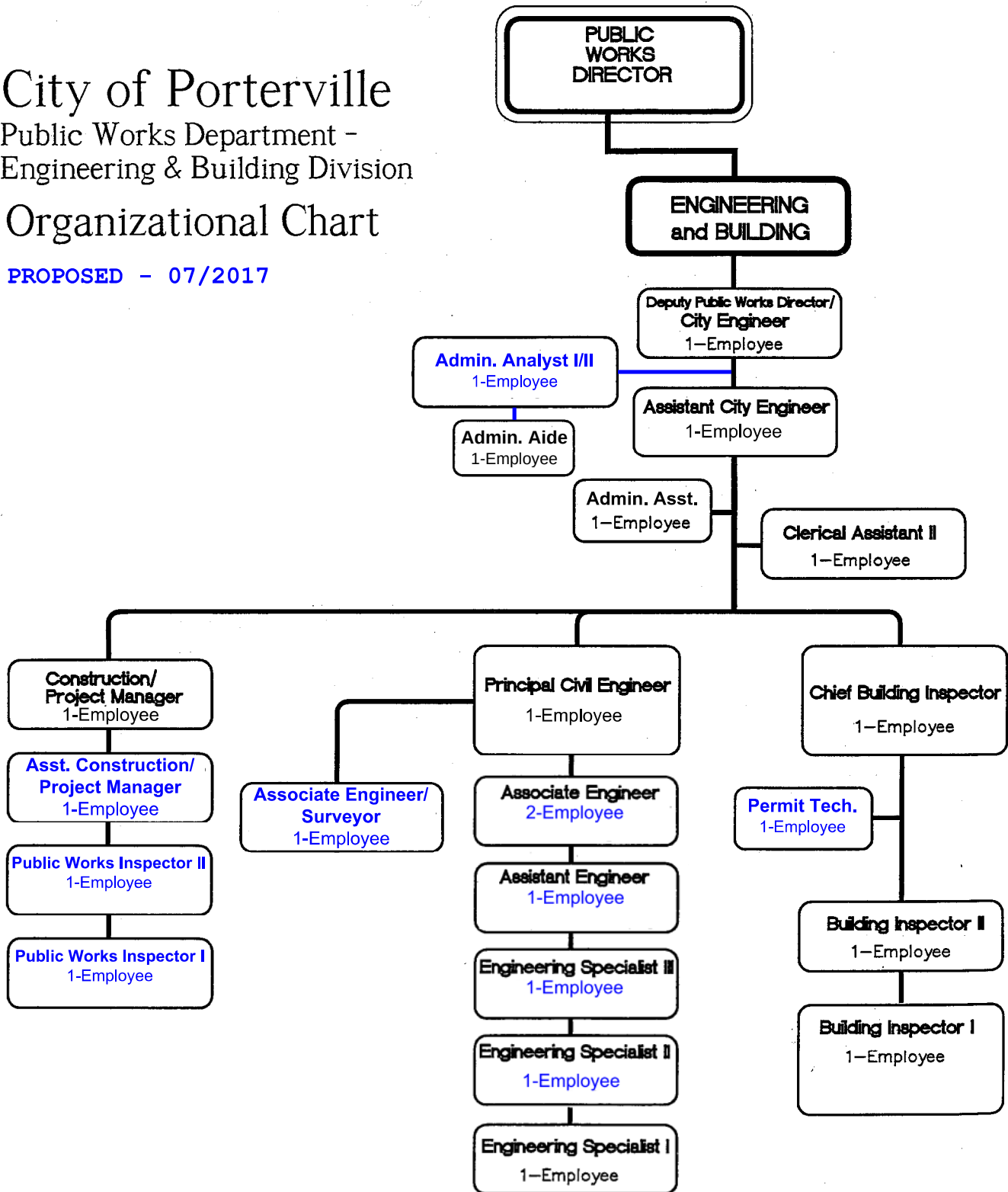
Total Positions = 19

City of Porterville

Public Works Department - Engineering & Building Division

Organizational Chart

PROPOSED - 07/2017



Total Positions = 22

BUILDING PERMIT TECHNICIAN

DEFINITION

This class series, under general supervision, provides a variety of clerical support activities and services to the Building Division requiring specific knowledge of the technical aspects of the department's programs including; assisting the public in the application process for building permits and other developmental processes; assists in processing construction plans for commercial and residential projects; reviewing plans for the purposes of establishing valuation and computing plan check and various other fees; issues building permits "over the counter" for less complex structures such as patios, fences, pools, and small residential rooftop solar systems; interpreting codes for building contractors, architects, engineers, builders and the general public; and provides general planning information. Performs related duties.

DISTINGUISHING CHARACTERISTICS

This position is a single position class and is responsible for performing a variety of technical and administrative duties under minimal supervision including calculating fees, reviewing permit applications, issuing building permits, and coordinating permit files. This person will be trained in the City's permit software and must have the capability of issuing building permits. Various general planning and plans examining skills are also required. Independent decision-making, good communication skills and an aptitude for customer service and essential requirements of this position. This classification differs from the next higher classification of Permit Inspector in that the latter performs more complex and detailed building division functions.

REPRESENTATIVE DUTIES

The duties listed below are examples of the work typically performed by employees in this class. Not all assigned duties may be listed. Marginal duties are those which are non-essential functions for this class.

1. Reviews permit applications for buildings and related construction involving installation, repair, replacement, and alteration for compliance with applicable codes and regulations; prepares building, mechanical, plumbing, and electrical permits.
2. Reviews applications for completeness and researches application and permit status; explains required inspections and construction requirements to owners, architects, engineers, contractors and the general public; prepares and maintains records and files for monitoring deficiencies and status of compliance.
3. Provides information to the public about the methods of construction and permit application procedures in person, over the telephone, or by way of email.
4. Performs "over the counter" plan reviews for simple projects such as patios, fences, pools, and small residential rooftop solar systems.

5. Issues building permits at the front counter once approved by the necessary staff members.
6. Provides explanations of the corrections needed on plans when requested by the public.
7. Provides general planning information to the public regarding zoning classifications and setback requirements for the building permit process.
8. Maintains familiarity with ordinance and procedural changes and implements those changes into existing procedures and processes.
9. Performs typing and clerical duties of a routine nature to complete the duties of the position.
10. Maintains office files and records as necessary.
11. Performs related duties as required and/or assigned.
12. Maintains field inspection records and reports as required for compliance with contract provisions and/or payment procedures; prepares plans; fields change orders and accounting records as authorized.
13. Performs, provides, and approves all necessary field testing of materials and constructing including compaction testing, concrete tests, percolation tests, testing of water and sewer lines.
14. Coordinates work with contractors, developers, other City departments, private and public accordance with standards, traffic section directives, and police or fire department requests.

EMPLOYMENT STANDARDS

Education and/or Experience

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a Building Permit Technician. A typical way of obtaining the required qualifications is to possess a high school diploma and three years of increasingly responsible administrative experience in an engineering, building, or similar office OR an Associate's Degree in architecture, planning, construction technology, or a closely related field and one year of experience involving public contact.

Knowledge of:

Principles, practices, and methods used in various land use and building construction areas, including: plumbing, electrical and mechanical; California construction codes such as the California Building Code, Energy Code, etc.; other applicable federal, state, and local laws, codes, and regulations including laws, ordinances, and codes related to building

construction and zoning; computer applications including word processing; public relations techniques and procedures; operational characteristics and use of standard equipment used in building inspection and the building trades; basic mathematics and statistical analysis; and occupational hazards and standard safety procedures.

Ability to:

Apply technical knowledge and follow proper technique to examine building plans and read and interpret building plans, specifications, codes, and ordinances; communicate effectively and tactfully with individuals and small groups verbally and in writing; handle multiple customers in a fast-paced environment; enforce necessary regulations with firmness and tact; establish and maintain effective working relationships with associates, officials, and the general public.

Special Requirements

Possession of or ability to obtain a valid California Driver's License.

Incumbents must possess a current certificate as a Building Permit Technician by a recognized code publishing organization such as the International Code Council (ICC), within one year of appointment.

WORKING CONDITIONS

This position is typically situated in a standard office environment but requires standing, bending, walking, reaching, squatting, lifting, and repetitive hand movement in the performance of the daily duties. The incumbent will often work with constant interruptions.

Adopted:

CONSTRUCTION/PROJECT MANAGER & ASSISTANT

DEFINITION

This class series performs comprehensive construction management duties including contract administration of improvement projects and field personnel supervision; performs related duties as required.

DISTINGUISHING CHARACTERISTICS

Assistant Construction/Project Manager - This is the entry level class for the Construction/Project Manager technical series. Positions in this class will work under immediate supervision providing direct support and assistance to the Construction/Project Manager with the administration and implementation of various capital projects and major maintenance projects and other related duties as required.

Construction/Project Manager – This is the journey level class in the Construction/Project Manager technical series and is distinguished from the entry level class by the assignment of the full range of duties. Receiving general direction from management staff, the incumbent performs a variety of technical and management work of considerable difficulty, supervises lower level professional and/or technical staff involved in the investigation, quality control, quality assurance, and/or inspection of construction projects.

REPRESENTATIVE DUTIES

The duties listed below are examples of the work typically performed by the employee of this class. Not all assigned duties may be listed. Marginal duties are those which are non-essential job functions for this class.

1. Plans, assigns, directs, trains and evaluates the work of a group of professional and sub professional employees in connection with the engineering review, coordination and inspection of construction activities affecting City facilities and Capital improvement projects.
2. Directs/performs quality assurance/controls audits of construction phase, including planning, engineering, inspection, scheduling and budgeting.
3. Prepares contracts and negotiates revisions, changes and additions to contractual agreements with architects, consultants, clients, suppliers and subcontractors.
4. Inspects and reviews projects to monitor compliance with contracts, building and safety codes, and other regulations.
5. Reviews construction projects and reviews plans for such projects.
6. Determines methods and procedures and provides appropriate recommendations for completion of more difficult phases of the work.
7. Directs the execution of all necessary permits and licenses.

8. Meets with citizen groups, the legislative body, and with the general public to explain projects and programs.
9. May be assigned other professional and/or management responsibilities.

EMPLOYMENT STANDARDS

Education and/or Experience

Assistant Construction/Project Manager – Graduation from an accredited college with an Associate's degree in construction management engineering, architecture, business or public administration or a related field and two years with capital project construction projects, both civil and building trades, or any combination of training and experience that provides the desired knowledge and abilities.

Construction/Project Manager - Graduation from an accredited college with a Bachelor's degree in construction management engineering, architecture, business or public administration or a related field and four years increasingly responsible professional experience with capital project construction management with project over \$1,000,000 in value and including both civil and building trades, or any combination of training and experience that provides the desired knowledge and abilities.

Knowledge of:

Both Classes - Effective principles and methods utilized in inspecting major construction projects; modern methods, materials and equipment employed in heavy construction projects; civil, hydraulic, mechanical, electrical, structural, geological and sanitary engineering as they relate to construction/project management; comprehensive knowledge of mathematics including algebra, geometry and statistics; laws, ordinances and standards relative to the construction and inspection or repair of buildings, other structures, and civil works; principles and practices of contract administration as related to engineering, design, and construction.

Construction/Project Manager - Principles and practices of effective management, supervision and training.

Ability to:

Both Classes – Establish and maintain effective public relations; work cooperatively with contractors, members of the public, and other members of staff; understand and follow verbal and written directions; and communicate effectively, both verbally and in writing.

Construction/Project Manager - Exercise sound administrative judgment and initiative in the development of new methods and procedures and in the solution of difficult problems; direct inspections and archive compliance with contracts, construction plans, materials, and specifications; contact owners, contractors, and the general public, and effectively establish and maintain good working relationships; prepare clear, concise and competent reports, correspondence and other written materials and make clear oral presentations; work effectively in a fast paced environment, be decisive and work under pressure particularly when faced with unexpected occurrences and delays.

Special Requirements:

Both classes - Possession of or ability to obtain a valid California Driver's License.

Construction/Project Manager - Possession of registration as a Civil Engineer or Land Surveyor in the State of California or any combination of training and experience that provides the desired knowledge and abilities.

Physical Demands

Sitting, standing, walking, some stooping and bending. Dexterity and coordination to handle files and single pieces of paper; occasional lifting of objects up to 25 lbs. such as files, stacks of paper and other reference materials. Moving from place to place within the office and occasional field inspections; some reaching for items below and above desk level.

WORKING CONDITIONS

Environment is generally clean with limited exposure to conditions such as dust, fumes, odors, and noise. Computer is used on a daily basis. Temperature fluctuations due to working in and out of doors on an occasional basis. Periodic contact with upset or angry individuals. Independent travel throughout the area is required.

Date Adopted:

PUBLIC WORKS INSPECTOR I, II

DEFINITION

This class series inspects public works and related construction improvements and projects to ensure quality control; performs related duties as required.

DISTINGUISHING CHARACTERISTICS

Public Works Inspector I - This is the entry level class in the Public Works Inspector technical series. Positions in this class typically have little or no directly related work experience and work under immediate supervision while learning job tasks. The Public Works Inspector I class is distinguished from the II level by the performance of less than the full range of duties assigned to the II level. Incumbents work under immediate supervision while learning job tasks, progressing to general supervision as procedures and processes of assigned area of responsibility are learned.

Public Works Inspector II - This is the journey level class in the Public Works Inspector technical series and is distinguished from the I level by the assignment of the full range of duties. Employees at this level receive only occasional instruction or assistance as new, unusual or unique situations arise and are fully aware of the operating procedures and policies within the work unit. Positions in this class are flexibly staffed and are normally filled by advancement from the I level.

REPRESENTATIVE DUTIES

The duties listed below are examples of the work typically performed by employees in this class. Not all assigned duties may be listed. Marginal duties are those which are non-essential functions for this class.

1. Performs periodic and detailed inspection of assigned construction projects to ensure quantity and quality control and integrity of the work as prescribed in approved plans, specifications, standards, codes, ordinances or other applicable guidelines.
2. Maintains field inspection records and reports as required for compliance with contract provisions and/or payment procedures; prepares plans; and ensures scope of work is performed according to change orders and accounting records as authorized.
3. Performs, provides, and approves all necessary field testing of materials and constructing including compaction testing, concrete tests, percolation tests, testing of water and sewer lines.
4. Coordinates work with contractors, developers, other City departments, private and public accordance with standards, traffic section directives, and police or fire department requests.

EMPLOYMENT STANDARDS

Education and/or Experience

Public Works Inspector I – Basic knowledge of public works construction practices and an ability to learn through on-the-job training.

Public Works Inspector II - Five years of public works experience that includes two years of public works inspection practice or any combination of training and experience that provides the desired knowledge and abilities.

Post-secondary coursework related to construction and/or engineering is desirable.

Knowledge of:

Principles, methods, standards, materials, equipment, and safety hazards of construction; applicable laws, regulations, and codes governing the construction of public works projects; mathematics including algebra, geometry and trigonometry; technical report writing and preparation of correspondence; survey and test equipment operation.

Ability to:

Use survey and testing equipment; maintain cooperative working relationships with engineers, developers, contractors, and the public; exercise independent judgment; inspect construction and enforce compliance with plans, specifications, ordinances, codes and City requirements; meet the public in situations requiring diplomacy and tact; prepare correspondence and technical reports involving mathematical computations; schedule own work load and maintain appointments.

Special Requirements

Possession of or ability to obtain a valid California Driver's License.

Physical Demands

Sitting, standing, walking, some stooping and bending; dexterity and coordination to handle files; occasional lifting of objects up to 40 lbs.; moving from place to place within the office and during field inspections.

WORKING CONDITIONS

Environment is generally clean with limited exposure to conditions such as dust, fumes, odors, and noise; occasional use of a computer; temperature fluctuations due to seasonal extremes and working indoors and outdoors; independent travel throughout the area is required.

Adopted:



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Amendment to Employee Pay and Benefit Plan -- Management & Confidential Series

SOURCE: Administrative Services

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

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

RECOMMENDATION: That the City Council approve the draft Resolution amending the Employee Pay and Benefit Plan pertaining to Management and Confidential Employees.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded: MB

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
PERTAINING TO MANAGEMENT AND CONFIDENTIAL SERIES EMPLOYEES

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

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

WHEREAS, there has been concurrence on a Memorandum of Understanding with the Management and Confidential Series ("MCS") for the period from July 1, 2017, until June 30, 2018, covering provisions to amend the Employee Pay and Benefit Plan, as they relate to employees holding positions represented by such recognized employee organization.

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

I. TERM OF MEMORANDUM OF UNDERSTANDING

One (1) year, from July 1, 2017 through June 30, 2018.

II. ONE-TIME OFF-SCHEDULE PAYMENT

Effective December 1, 2017, MCS employees shall receive a one-time payment equivalent to one percent (1%) of the employee's annual base salary. Should any recognized bargaining unit, with the exception of PCFA, reach a signed agreement that results in a higher percentage one-time payment, then the City agrees to adjust the one-time payment for MCS to an equivalent amount.

III. VACATION ACCRUAL

The vacation accrual rate for regular full-time MCS employees shall be amended as follows. The rates below include three floating holidays.

<u>Years of Service</u>	<u>Hrs of Accrual Per Month of Service</u>	<u>Annual Accrual</u>	<u>Max Accumulation</u>
1-5	8.66	104	160
6-10	12.00	144	200
11-15	13.50	162	220
16 plus	15.33	184	240

IV. EMPLOYEE SERVICE AWARDS

Acknowledgement of years of service of all regular full-time MCS employees shall occur during the quarter during which the employees' anniversary date falls, as follows:

<u>Years of Service</u>	<u>Award Amount</u>
5	\$50
10	\$100
15	\$150
20	\$200
25	\$250
30	\$300

Service years worked beyond thirty years will continue to be awarded during the quarter of the 5th year anniversary in the amount equivalent to ten dollars (\$10) per year of service. This item shall become effective the quarter immediately following agreement being reached with all bargaining units.

V. EDUCATION REIMBURSEMENT

Section (c) – Mutual Benefit Training of Administrative Policy IV-B-2 – Employee Training shall be amended strike reference to Fresno State University and replace it with a flat rate of \$4,000 annually, with the same maximums and terms in place (six credit units per semester, two semesters per year). This item shall become effective the quarter immediately following agreement being reached on this item with all non-safety bargaining units.

VI. ORTHODONTICS BENEFIT

Effective upon reaching agreements with all bargaining units, the City's health plan shall be amended to remove the age limitation on orthodontics coverage. All other aspects of said orthodontics coverage shall remain the same.

VII. BOOT ALLOWANCE

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, the Employee Pay and Benefit Plan and Personal Protective Equipment Administrative Policy shall be amended to increase the maximum reimbursement amount to \$200 per fiscal year.

VIII. UNIFORM ALLOWANCE POLICY

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted immediately, City of Porterville Administrative Policy IV-B-4 – Use of Employee Uniforms and the City of Porterville Pay and Benefit Plan, Uniform and Safety Equipment Allowance Section shall be amended to add a uniform for the classifications of Animal Shelter Supervisor and Live Release Coordinator.

Employees designated to the position of Animal Shelter Supervisor and Live Release Coordinator shall receive a uniform allowance in the amount of \$500.00 annually (paid on pay-period ending on 6/30).

Employees assigned to these classifications shall wear a uniform consisting of the following:

Polo shirt with City of Porterville logo and job title embroidered below logo; first initial and last name embroidered on the right side, black or navy blue pants and black shoes/boots.

Uniforms will be issued to new employees and they will not be entitled to the uniform allowance until after one year of service. One year of service will include length of provisional, probationary, permanent service or any combination thereof.

IX. COMPENSATORY TIME

The City shall record any and all compensatory time for MCS employees in accordance with all applicable State and Federal laws and regulations.

X. 2018/2019 NEGOTIATIONS

Labor Negotiations for the 2018/2019 fiscal year shall begin no later than March 1, 2018.

XI. STATEMENT OF CONTINUING BENEFITS AND WORKING CONDITIONS

All other terms and conditions previously negotiated and subsequently approved and implemented by appropriate authority shall, unless herein expressly modified or eliminated, remain in full force and effect until such time as they are subsequently modified or eliminated through the meet and confer process and mutually agreed upon by the City and MCS.

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

PASSED, APPROVED AND ADOPTED this ____ day of June, 2017.

Milt Stowe, Mayor

ATTEST:
John Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Landscape and Lighting District Annual Assessments

SOURCE: Parks and Leisure Services

COMMENT: The City has created 64 (sixty-four) Landscape and Lighting Maintenance Districts (LLMDs) since 1989. The original District had 17 (annexed) areas for new developments in addition to the original area. Since 1996 new Districts have been formed for each new development, representing District 2 through 46.

Annually, a process of evaluating maintenance needs and establishing an assessment for each LLMD must be followed. At the June 20, 2017 meeting, the City Council preliminarily approved the annual Engineer's Report, which indicates the proposed assessments for the 2017-2018 Fiscal Year. The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by the County of Tulare. The assessment process must be completely filed with the County by August 10, 2017 in order to be placed upon the tax rolls.

The Engineer's Report provides the financial detail on each district. In an effort to better facilitate the needs of the district, staff has been analyzing fund balances and deficits of each district as well as projected expenditures and reserves. Based on the analysis, staff was able to determine that not all district will be assessed this fiscal year. These fund balances will be reviewed on a yearly basis to determine funding needs for maintenance, as well as determining assessment requirements.

RECOMMENDATION: That the City Council:

1. Conduct a public hearing on the 2017-2018 assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments; and
2. Adopt the Resolution ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessments for the 2017-2018 fiscal year.

ATTACHMENTS:

1. Engineer's Report
2. Resolution

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

**CITY OF PORTERVILLE, CALIFORNIA
ENGINEER'S REPORT FOR
LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS
2017-2018 FISCAL YEAR**

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville, Resolution Number. The report is in compliance with the requirements of Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

SECTION 2. General Description

The City Council has heretofore elected to place the permanent landscape area along Westwood Street of Westwood Estates, Unit 1, 2, and 3 subdivisions, into Landscape and Lighting Maintenance District No. 1 and to annex the permanent landscape areas along the perimeter streets of the following developments:

1. Annexation No. 2 = Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street.
2. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street.
3. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip.
4. Annexation No. 8 = Westwood Park Unit Three Subdivision located on Westwood Street adjacent to the Tule River.
5. Annexation No. 10 = Westview Subdivision located on the corner of Westfield Avenue and Cobb Street.
6. Annexation No. 12 = Sunrise Estates Phase Six Subdivision located on the corner of Prospect Street and Orange Avenue.
7. Annexation No. 14 = Wisconsin Manor I Subdivision located on the corner of Wisconsin Way and Mulberry Avenue.
8. District No. 4 = River Springs Phase 1 Subdivision located along Newcomb Street.
9. District No. 5 = Castle Woods Phase II Subdivision located at Median Avenue and Salisbury.
10. District No. 7 = Ford Estates located on the corner of Roby and Westwood Avenue.
11. District No. 10 = Orchard Ridge Phase 4 located on La Vida Court and Carmelo Street.
12. District No. 12 = Westwood Estates, Unit 5, Phase 2, located on Henderson Avenue and Brandy Way.
13. District No. 17 = Orchard Ridge Phase 6 Subdivision located north of Westfield Avenue between Michael Street and Lombardi Street on Juliann Avenue and Michael Street.
14. District No. 18 = Ohio North Subdivision located on Ohio Way Street.

15. District No. 19 = Williams Ranch, Phase One located south of Westfield Avenue on Silver Maple Street, Wall Court and San Lucia Court.
16. District No. 20 = West View Place Subdivision located on Median Avenue.
17. District No. 21 = Orchard Ridge Phase Seven Subdivision located on Pioneer Avenue, Michael Street and Mathew Street.
18. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue.
19. District No. 28 = Meadowood, Phase Three Subdivision located on Westfield Avenue, Cheryll Avenue, Salisbury Street, Julieann Avenue and Pioneer Avenue.
20. District No. 30 = Sierra Meadows, Phase 1, Subdivision located at Indiana Street and Gibbons Avenue.
21. District No. 31 = Williams Ranch, Phase 2 and 3 Subdivision on Westwood Street between Henderson and Westfield Avenues.
22. District No. 32 = Sunrise Villa, Phase 1,2, and 3 Subdivision located along Mulberry Avenue east of Cottage Street. Phase 2 and 3 were annexed on June 16, 2009.
23. District No. 34 = Meadow Breeze, Phase 3 Subdivision located on Matthew Street, Michael Place, Verdugo Place, Lu Ann Place, Belmont Place, Brian Avenue and Castle Avenue.
24. District No. 35 = Meadow Breeze, Phase 1 Subdivision located on Pioneer Avenue and Salisbury Street.
25. District No. 38 = Ranch Victoria, Phase One Subdivision located on the north side of Putnam Avenue and east of Mathew Street
26. District No. 39 = Williams Ranch Phase 4 Subdivision, including Theta Avenue, Bel-Aire Court, Terry Court, Silver Maple Street and Red Oak Street.
27. District No. 40 = Amalene Estates Subdivision located on Westwood between the Tule River and Olive Avenue, including Vine Avenue, Clare Avenue, Clare Court, and Dogwood Street
28. District No. 44 = Summit Estates, Phase One Subdivision located along Mathew Street and includes Orange Avenue and Lombardi and Argyle Streets.

SECTION 3. Plans and Specifications

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments. The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.

Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

SECTION 4. Improvements

Landscaping improvements will include landscaping the entry ways, medians and areas behind subdivision block wall.

SECTION 5. Estimated Maintenance Costs

Maintenance is currently being performed by City staff and contract services. Accordingly, the City's record-keeping will be required to be sufficiently accurate to detail the expenses incurred on behalf of each individual annexation so that these costs may be recaptured through assessments.

The City Finance Department presently maintains records of expenditures for each annexation. Because of the restrictions placed upon municipal budgets through the passage of Proposition No. 218 and the lag between the time assessments are made and revenues are collected by the City, it is appropriate that assessments be made in advance of the anticipated expenditures to provide working capital for the maintenance effort. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying during this fiscal year. Refunds have been included in the form of one-time adjustments to the assessment reducing the amount actually assessed per lot.

The assessments include costs accumulated to date and estimated costs for the 2017-2018 fiscal year for Landscape and Lighting District No. 1, including Annexations 2, 4, 5, 8, 10, 12, 14 and Districts 4, 5, 7, 10, 12, 17, 18, 19, 20, 21, 24, 28, 30, 31, 32, 34, 35, 38, 39, 40 and 44.

SECTION 6. Assessment Diagram

Copies of the assessment diagrams were attached to each individual Engineer's Reports and were labeled "Exhibit A". An Index Map is attached to this report identifying the location of the original district and each annexation.

SECTION 7. Assessment

The City Council, in forming Landscape and Lighting Maintenance District No. 1 and in annexing territories to the district, has maintained the philosophy that the subdivider or developer is responsible for the plantings, irrigation system and the maintenance of the improvements until they become well established. The assessments for maintenance thus only include anticipated costs incurred subsequent to the acceptance of the system by the City Council on behalf of the Maintenance District.

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.

The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit by unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that effect the assessment.

The determination of benefit for the lots within the districts takes into consideration the facts for the original districts and all annexations thereto.

Following are estimated maintenance costs and assessments for each District and Annexation.

Annexation No. 2 - Jasmine Ranch
Fiscal Year 2017-2018
Maximum Assessment \$8,000.00

Estimated Accumulated Costs 2016-2017 \$ 8,844.83

Maintenance:	22,100			sq.ft. of landscaping area		
Project Management:	22			lots		
Fund Balance:	\$ 936.79					
1 Landscape	22,100	sq.ft.	@	\$ 0.190 =	\$ 4,199.00	
2 Graffiti Maintenance	22,100	sq.ft.	@	\$ 0.030 =	\$ 663.00	
3 Tree Maintenance	22,100	sq.ft.	@	\$ 0.160 =	\$ 3,536.00	
4 Postage	22,100	sq.ft.	@	\$ 0.005 =	\$ 110.50	
5 Utilities	22,100	sq.ft.	@	\$ 0.040 =	\$ 884.00	
6 Printing	22,100	sq.ft.	@	\$ 0.005 =	\$ 110.50	
7 Repair/Maintenance	22,100	sq.ft.	@	\$ 0.020 =	\$ 442.00	
				<u>\$ 0.450 =</u>	<u>\$ 9,945.00</u>	
Maintenance	22,100	sq.ft.	x	\$ 0.45 =	\$ 9,945.00	
Administrative Fee	\$ 9,945.00		x	\$0.10	\$ 994.50	
County Fee	22		x	\$1.00/per lot	\$ 22.00	
Reserves 15% of total cost of maintenance					\$ 1,491.75	
Eliminate deficit fund balance over 10 years - 10% of fund deficit					<u>\$ 12,453.25</u>	

FORMULA FOR ASSESSMENT

$$A = \text{Assessment per lot} = \frac{\text{Total Assessment} - F}{L}$$

L = Number of lots

F = Assessment for remainder parcel

The 2017-2018 assessment will be spread based upon the above formula. There are 22 lots in Unit One. The 47.89 acre remainder parcel is included on the final subdivision map and will be assessed 20% of the total estimated cost for landscaping maintenance until it is developed at which time it will be combined with the other completed units and assessed fully.

Estimated Assessment F = \$12,453.25 x .20 = \$2,490.85 for remainder
A = \$12,453.25 - \$2,490.85 = \$452.84 per lot in Unit One

2017/2018 Assessment F = \$8,000 x .20 = \$1,600.00 for remainder
A = 8,000 - 1600 = \$290.90 per lot in Unit One

Annexation No. 4 - La Vida Park
Fiscal Year 2017-2018
Maximum Assessment \$2,469.42

Estimated Accumulated Costs 2016-2017 \$ 1,924.01

Maintenance:	3,790					sq.ft. of landscaping area, 437 feet of wall
Project Management:	17					lots
Fund Balance:	\$ 768.36					

1. Landscape	3,790	sq.ft.	@	\$ 0.190	=	\$ 720.10
2. Graffiti Maintenance	3,790	sq.ft.	@	\$ 0.090	=	\$ 341.10
3. Tree Maintenance	3,790	sq.ft.	@	\$ 0.150	=	\$ 568.50
4. Postage	3,790	sq.ft.	@	\$ 0.020	=	\$ 75.80
5. Utilities	3,790	sq.ft.	@	\$ 0.250	=	\$ 947.50
6. Printing	3,790	sq.ft.	@	\$ 0.020	=	\$ 75.80
7. Repair/Maintenance	3,790	sq.ft.	@	\$ 0.030	=	\$ 113.70
				<u>\$ 0.750</u>	=	<u>\$ 2,842.50</u>

Maintenance	3,790	sq.ft.	x	\$ 0.750	=	\$ 2,842.50
Administrative Fee	\$ 2,842.50		x	\$0.10		\$ 284.25
County Fee	17 lots		x	\$1.00/per lot		\$ 17.00
Reserves 15% of total cost of maintenance						\$ 426.38
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						<u>\$ -</u>
						<u>\$ 3,570.13</u>

Estimated Cost Per Year	\$	<u>3,570.13</u>	=	\$ 197.18
		17		

2016/2017 Assessment	\$	<u>2,321.90</u>	=	\$ 136.58
		17		

2017/2018 Assessment	\$	<u>2,321.90</u>	=	\$ 136.58
		17		

Annexation No. 8 Westwood Park Unit 3 Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$2,481.27

Estimated Accumulated Costs 2016-2017 \$ 232.87

Maintenance:	28,460	sq.ft. of landscaping area
Lighting:	6	5 @ 5,800 lumens, 1 @ 16,000 lumens
Project Management:	36	lots
Fund Balance:	\$ (7,844.28)	

1. Weed Abatement	28,460	sq.ft.	@ \$ 0.0713	=	\$ 2,029.20
2. Graffiti Maintenance	28,460	sq.ft.	@ \$ 0.0059	=	\$ 167.91
3. Tree Maintenance	28,460	sq.ft.	@ \$ 0.0040	=	\$ 113.84
4. Postage	28,460	sq.ft.	@ \$ 0.0060	=	\$ 170.76
			<u>\$ 0.0872</u>		<u>\$ 2,481.71</u>

Maintenance	28,460	sq.ft.	x \$ 0.08720	=	\$ 2,481.71
Administrative Fee	\$ 2,481.71		x \$ 0.10	=	\$ 248.17
County Fee	36 lots		x \$1.00/per lot	=	\$ 36.00
Reserves 15% of total cost of maintenance				=	\$ 372.26
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit			=		\$ 784.43
					<u>\$ 3,922.57</u>

Estimated Cost Per Year	<u>\$ 3,922.57</u> =	\$ 108.96
	36	
 2016/2017 Assessment	 <u>\$ 2,303.85</u> =	 \$ 64.00
	36	
 2017/2018 Assessment	 <u>\$ 2,481.27</u> =	 \$ 68.92
	36	

Annexation No. 10 - Westview Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$1,824.30

Estimated Accumulated Costs 2016-2017 \$ 868.49

Maintenance:	1,307	sq.ft. of landscaping area
Lighting	4	ea. @ 5,800 lumens
Project Management:	16	lots
Fund Balance:	\$ 738.86	

1. Landscape	1,307	sq.ft. @ \$	0.190	=	\$ 248.33
2. Graffiti Maintenance	1,307	sq.ft. @ \$	0.090	=	\$ 117.63
3. Tree Maintenance	1,307	sq.ft. @ \$	0.150	=	\$ 196.05
4. Postage	1,307	sq.ft. @ \$	0.020	=	\$ 26.14
5. Utilities	1,307	sq.ft. @ \$	0.250	=	\$ 326.75
6. Printing	1,307	sq.ft. @ \$	0.020	=	\$ 26.14
7. Repair/Maintenance	1,307	sq.ft. @ \$	0.030	=	\$ 39.21
		\$	0.750	=	<u>\$ 980.25</u>

Maintenance	1,307	sq.ft. x \$	0.750	=	\$ 980.25
Administrative Fee	\$ 980.25	x \$0.10			\$ 98.03
County Fee	16	x \$1.00/per lot			\$ 16.00
Reserves 15% of total cost of maintenance					\$ 147.04
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					<u>\$ -</u>
					<u>\$ 1,241.31</u>

Estimated Cost Per Year	\$ <u>1,241.31</u>	=	\$ 77.58
	16		

2017/2018 Assessment	\$ <u>1,241.31</u>	=	\$ 77.58
	16		

Annexation No. 12 - Sunrise Estates Phase 6 Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$1,429.00

Estimated Accumulated Costs 2016-2017 \$ 252.39

Maintenance:	2,840	sq. ft. of landscaping area, lighting: 7 ea. @ 5,800
Project Management:	32	lots
Fund Balance:	\$ 679.38	

1. Landscape	2,840	sq.ft	@	\$ 0.019	= \$	53.96
2. Graffiti Maintenance	2,840	sq.ft	@	\$ 0.090	= \$	255.60
3. Tree Maintenance	2,840	sq.ft	@	\$ 0.150	= \$	426.00
4. Postage	2,840	sq.ft	@	\$ 0.020	= \$	56.80
5. Utilities	2,840	sq.ft	@	\$ 0.250	= \$	710.00
6. Printing	2,840	sq.ft	@	\$ 0.020	= \$	56.80
7. Repair/Maintenance	2,840	sq.ft	@	\$ 0.030	= \$	85.20
				<u>\$ 0.579</u>	= \$	<u>1,644.36</u>

Maintenance	2,840	sq.ft. x	\$ 0.579	= \$	1,644.36
Administrative Fee	\$ 1,644.36	x	\$ 0.10	= \$	164.44
County Fee	32	x \$1.00/per lot		= \$	32.00
Reserves	15% of total cost of maintenance			= \$	246.65
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				\$	-
				<u>\$</u>	<u>2,087.45</u>

Estimated Cost Per Year	<u>\$ 2,087.45</u>	= \$	65.23
	32		

2016/2017 Assessment	<u>\$ 1,409.00</u>	= \$	44.02
	32		

2017/2018 Assessment	<u>\$ 1,409.00</u>	= \$	44.02
	32		

Annexation No. 14 - Wisconsin Manor 1 Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$1,824.69

Estimated Accumulated Costs 2016-2017 \$ 1,196.95

Maintenance: 3,030 sq.ft. of landscaping area
Project Management: 8 lots
Fund Balance: \$ (4,668.23)

1. Landscape	3,030	sq.ft.	@	\$ 0.190	=	\$ 575.70
2. Graffiti Maintenance	3,030	sq.ft.	@	\$ 0.090	=	\$ 272.70
3. Tree Maintenance	3,030	sq.ft.	@	\$ 0.150	=	\$ 454.50
4. Postage	3,030	sq.ft.	@	\$ 0.020	=	\$ 60.60
5. Utilities	3,030	sq.ft.	@	\$ 0.250	=	\$ 757.50
6. Printing	3,030	sq.ft.	@	\$ 0.020	=	\$ 60.60
7. Repair/Maintenance	3,030	sq.ft.	@	\$ 0.030	=	\$ 90.90
				<u>\$ 0.750</u>	=	<u>\$ 2,272.50</u>

Maintenance	3030	sq.ft.	x	\$ 0.750	=	\$ 2,272.50
Administrative Fee	\$ 2,272.50		x	\$0.10	=	\$ 227.25
County Fee	8 lots		x	\$1.00/per lot	=	\$ 8.00
Reserves	15% of total cost of maintenance					\$ 340.88
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						\$ 466.82
						<u>\$ 3,315.45</u>

Estimated Cost Per Year	<u>\$ 3,315.45</u>	=	\$	414.43
	8			
2016/2017 Assessment	<u>\$ 1,769.62</u>	=	\$	221.20
	8			
2017/2018 Assessment	<u>\$ 1,824.69</u>	=	\$	228.08
	8			

District No. 4 - River Springs Phase 1 Subdivision

Fiscal Year 2017-2018

Approved CPI 2003 (Adjusted 2003)

Maximum Assessment \$3,134.58

Estimated Accumulated Costs 2016-2017 \$ 1,693.09

Maintenance: 2,100 sq.ft. of landscaping area
 Project Management: 51 lots
 Fund Balance: \$ 848.26

1. Landscape	2,100	sq.ft. @ \$	0.380	=	\$	798.00
2. Graffiti Maintenance	2,100	sq.ft. @ \$	0.090	=	\$	189.00
3. Tree Maintenance	2,100	sq.ft. @ \$	0.150	=	\$	315.00
4. Postage	2,100	sq.ft. @ \$	0.030	=	\$	63.00
5. Utilities	2,100	sq.ft. @ \$	0.250	=	\$	525.00
6. Printing	2,100	sq.ft. @ \$	0.090	=	\$	189.00
7. Repair/Maintenance	2,100	sq.ft. @ \$	0.030	=	\$	63.00
			<u>\$ 1.020</u>	=	<u>\$</u>	<u>2,142.00</u>

Maintenance	2,100	sq.ft. x \$	1.02	=	\$	2,142.00
Administrative Fee	\$ 2,142.00	x \$	0.10	=	\$	214.20
County Fee	51 lots	x \$1.00/per lot		=	\$	51.00
Reserves	15% of total cost of maintenance			=	\$	321.30
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$	-
					<u>\$</u>	<u>2,728.50</u>

Estimated Cost Per Year \$ 2,728.50 = \$ **53.50**
 51

2016/2017 Assessment \$ 2,397.56 = \$ **47.00**
 51

2017/2018 Assessment \$ 2,397.56 = \$ **47.00**
 51

District No. 5 Castle Woods Phase 2 Subdivision

Fiscal Year 2017-2018

Maximum Assessment \$1,021.48

Approved CPI 2002 (Adjusted 2008)

Estimated Accumulated Costs 2016-2017 \$ 1,597.06

Maintenance: 1,715 sq.ft. of landscaping area
 Project Management: 25 lots
 Fund Balance: \$ (6,111.12)

1. Landscape	1,715	sq.ft.	@ \$	0.190	=	\$	325.85
2. Graffiti Maintenance	1,715	sq.ft.	@ \$	0.090	=	\$	154.35
3. Tree Maintenance	1,715	sq.ft.	@ \$	0.150	=	\$	257.25
4. Postage	1,715	sq.ft.	@ \$	0.020	=	\$	34.30
5. Utilities	1,715	sq.ft.	@ \$	0.250	=	\$	428.75
6. Printing	1,715	sq.ft.	@ \$	0.020	=	\$	34.30
7. Repair/Maintenance	1,715	sq.ft.	@ \$	0.030	=	\$	51.45
			\$	0.750	=	\$	<u>1,286.25</u>

Maintenance	1,715	sq.ft.	x \$	0.75	=	\$	1,286.25
Administrative Fee	\$ 1,286.25		x \$	0.10	=	\$	128.63
County Fee	25 lots		x \$1.00/per lot		=	\$	25.00
Reserves	15% of total cost of maintenance				=	\$	192.94
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	<u>611.11</u>
						\$	<u>2,243.92</u>

Estimated Cost Per Year \$ 2,243.92
25 = \$ 89.76

2016/2017 Assessment \$ 908.55
25 = \$ 36.34

2017/2018 Assessment \$ 1,021.48 =
25 \$ 40.86

District No. 7 - Ford Estates Ph.1 Subdivision
Fiscal Year 2017-2018
Approved CPI 1999 (Adjusted 1999)
Maximum Assessment \$2,857.88

Estimated Accumulated Costs 2016-2017 \$ 4,654.92

Maintenance: 1,365 sq. ft. of landscaping area
lighting: 4 ea. @ 5,800 lumens, 1 ea @ 16,000 lumens
Project Management, 20 lots
Fund Balance: \$ 684.84

1. Landscape	1,365	sq.ft.	@	\$ 0.25	\$ 341.25
2. Graffiti Maintenance	1,365	sq.ft.	@	\$ 0.09	\$ 122.85
3. Tree Maintenance	1,365	sq.ft.	@	\$ 0.10	\$ 136.50
4. Postage	1,365	sq.ft.	@	\$ 0.10	\$ 136.50
5. Utilities	1,365	sq.ft.	@	\$ 0.25	\$ 341.25
6. Printing	1,365	sq.ft.	@	\$ 0.02	\$ 27.30
7. Repair/Maintenance	1,365	sq.ft.	@	\$ 0.30	\$ 409.50
				<u>\$ 1.11</u>	<u>\$ 1,515.15</u>

Maintenance	1,365	sq.ft.	x	\$ 1.11	=	\$ 1,515.15
Administrative Fee	\$ 1,515.15	@		10%	=	\$ 151.52
County Fee	20	@		\$ 1.00/per lot	=	\$ 20.00
Reserves	15% of total cost of maintenance					\$ 227.27
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						\$ -
						<u>\$ 1,913.94</u>

Estimated New Assessment	<u>\$ 1,913.34</u>	=	\$ 95.70
	20		
2017/2018 Assessment	<u>\$ 1,913.34</u>	=	\$ 95.70
	20		

District No. 10 Orchard Ridge Phase 4 Fiscal Year 2017-2018 Approved CPI 2003 Maximum Assessment \$359.99
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<i>Estimated Accumulated Costs 2016-2017</i>	\$	144.21
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Maintenance:	lighting	4 @ 5,800 lumens
Project Management:	19	lots
Fund Balance:	\$	153.37

1. Utilities	4 @ 5,800 lumens	@ \$	30.2100	=	\$	120.84
2. Printing	1	@ \$	50.0000	=	\$	50.00
					\$	170.84

Maintenance	\$	170.84	x	1	=	\$	170.84
Administrative Fee	\$	170.84	x	\$ 0.10	=	\$	17.08
County Fee		19	x	\$1.00/per lot	=	\$	19.00
Reserves 15% of total cost of maintenance					=	\$	25.63
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	232.55

$$\text{Estimated Cost Per Year} \quad \frac{\$ \quad 232.55}{19} = \quad \$ \quad 12.24$$
$$\frac{\text{2016/2017 Assessment } \$ 312.28}{19} = \$ 16.44$$
$$\text{2017/2018 Assessment} \quad \frac{\$ \quad 232.55}{19} = \quad \$ \quad 12.24$$

District No. 17 Orchard Ridge Phase 6
Fiscal Year 2017-2018
Approved CPI 2007
Maximum Assessment \$633.36

Estimated Accumulated Costs 2016-2017 \$ 252.39

Maintenance: lighting 7 ea. @ 5,800 lumens
Project Management: 32 lots
Fund Balance: \$ 494.33

1. Utilities	7 @ 5,800 lumens @ \$	30.2100	=	\$	211.47
2. Printing	1 @ \$	50.0000	=	\$	50.00
				\$	<u>261.47</u>

Maintenance	\$	261.47	x	1	=	\$	261.47
Administrative Fee	\$	261.47	x	\$ 0.10	=	\$	26.15
County Fee		32	x	\$1.00/per lot	=	\$	32.00
Reserves 15% of total cost of maintenance					=	\$	39.22
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	<u>358.84</u>

Estimated Cost Per Year $\frac{\$ 358.84}{32} = \$ 11.20$

2016/2017 Assessment $\frac{\$ 617.82}{32} = \$ 19.30$

2017/2018 Assessment $\frac{\$ 358.84}{32} = \$ 11.20$

District No. 18 - Ohio North Subdivision

Fiscal Year 2017-2018

Maximum Assessment \$190.26

<i>Estimated Accumulated Costs 2016-2017</i>	\$	72.13
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Maintenance:	lighting	@ 5,800 lumens each
Project Management:	10	lots
Fund Balance:	\$	39.87

1. Utilities	2 @ 5,800 lumens @	\$30.21	=	\$	60.42
2. Printing	1 @	\$50.00	=	\$	50.00
				\$	110.42

Maintenance	\$	110.42	x	1	=	\$	110.42
Administrative Fee	\$	110.42	x	\$ 0.10	=	\$	11.04
County Fee		10 lots	x	\$1.00/per lot	=	\$	10.00
Reserves		15% of total maintenance			=	\$	16.56
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	148.02

Estimated Cost Per Year	\$	<u>148.02</u>	=	\$	14.80
		10			

$$\frac{\text{2016/2017 Assessment } \$ 190.26}{10} = \$ 19.02$$

2017/2018 Assessment \$ 190.26 = \$ 19.02

10

District No. 19 Williams Ranch Phase 1 Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$7,027.83
Approved CPI 2002 (Adjusted 2008)

Estimated Accumulated Costs 2016-2017 \$ 2,902.76

Maintenance: 13,910 sq.ft. of landscaping area
Project Management: 41 lots
Fund Balance: \$ 41.84

1. Landscape	13,910	sq.ft.	@ \$ 0.050	=	\$ 695.50
2. Graffiti Maintenance	13,910	sq.ft.	@ \$ 0.025	=	\$ 347.75
3. Tree Maintenance	13,910	sq.ft.	@ \$ 0.100	=	\$ 1,391.00
4. Postage	13,910	sq.ft.	@ \$ 0.010	=	\$ 139.10
5. Utilities	13,910	sq.ft.	@ \$ 0.080	=	\$ 1,112.80
6. Printing	13,910	sq.ft.	@ \$ 0.010	=	\$ 139.10
7. Repair/Maintenance	13,910	sq.ft.	@ \$ 0.040	=	\$ 556.40
			<u>\$ 0.315</u>	=	<u>\$ 4,381.65</u>

Maintenance	13,910	sq.ft.	x \$ 0.315	=	\$ 4,381.65
Administrative Fee	\$ 4,381.65	@	x \$ 0.10	=	\$ 438.17
County Fee	41 lots		x \$1.00/per lot	=	\$ 41.00
Reserves	15% of total cost of maintenance			=	\$ 657.25
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ -
					<u>\$ 5,518.06</u>

Estimated Cost Per Year \$ 5,518.06
41 = \$ 134.58

2016/2017 Assessment \$ 5,707.38
41 = \$ 139.20

2017/2018 Assessment \$ 5,518.06
41 = \$ 134.58

District No. 20 - West View Place Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$280.32

Estimated Accumulated Costs 2016-2017 \$ 149.02

Lighting: 3 ea @ 5,800 lumens
1 ea @ 9,500 lumens
Project Management: 10 lots
Fund Balance: \$ 205.60

1. Utilities	3 @ 5,800 lumens	@ \$	30.210	=	\$	90.63
	1 @ 9,500 lumens	@ \$	36.270	=	\$	36.27
2. Printing	1	@ \$	50.000	=	\$	50.00
					\$	176.90

Maintenance	\$	176.90	x	1	=	\$	176.90
Administrative Fee	\$	176.90	x	\$ 0.10	=	\$	17.69
County Fee		10 lots	x	\$1.00/per lot	=	\$	10.00
Reserves		15% of total cost of maintenance			=	\$	26.54
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					=	\$	-
						\$	231.13

Estimated Cost Per Year	\$	<u>231.13</u>		=	\$	23.11
		10				

2016/2017 Assessment	\$	<u>265.74</u>		=	\$	26.57
		10				

2017/2018 Assessment	\$	<u>231.13</u>		=	\$	23.11
		10				

District No. 21 - Orchard Ridge Phase 7 Subdivision

Fiscal Year 2017-2018

Approved CPI 2007

(Adjusted 2008)

Maximum Assessment \$1,728.51

Estimated Accumulated Costs 2016-2017

\$ 606.39

Maintenance:	2,142	sq. ft. of landscaping area (30/74 of 5,950 sq. ft.)
Project Management:	30	and lighting: 6 @ 5,800 lumens,
Fund Balance:	\$ 417.15	lots

1. Landscape	2,142	sq. ft. @ \$ 0.200	=	\$ 428.40
2. Graffiti	2,142	sq. ft. @ \$ 0.010	=	\$ 21.42
3. Tree Maintenance	2,142	sq. ft. @ \$ 0.010	=	\$ 21.42
4. Postage	2,142	sq. ft. @ \$ 0.020	=	\$ 42.84
5. Utilities	2,142	sq. ft. @ \$ 0.150	=	\$ 321.30
6. Printing	2,142	sq. ft. @ \$ 0.020	=	\$ 42.84
7. Repair/Maintenance	2,142	sq. ft. @ \$ 0.010	=	\$ 21.42
		<u>\$ 0.420</u>		<u>\$ 899.64</u>

Maintenance	\$ 2,142.00	sq.ft. x \$ 0.420	=	\$ 899.64
Administrative Fee	\$ 899.64	x \$ 0.10	=	\$ 89.96
County Fee	30 lots	x \$1.00/per lot	=	\$ 30.00
Reserves 15% of total cost of maintenance				\$ 134.95
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				\$ -
				<u>\$ 1,154.55</u>

Estimated Cost Per Year	<u>\$ 1,154.55</u>	=	\$ 38.48
	30		

2017/2018 Assessment	<u>\$ 1,154.55</u>	=	\$ 38.48
	30		

District No. 24 - Orchard Ridge Phase 8
Fiscal Year 2017-2018
Maximum Assessment \$2,607.14

Estimated Accumulated Costs 2016-2017 \$ 2,223.56

Maintenance: 3,538 sq.ft. of landscaping area
Project Management: 44 lots
Fund Balance: \$ (11,143.49)

1. Landscape	3,538	sq.ft. @	\$ 0.190	=	\$ 672.22
2. Graffiti Maintenance	3,538	sq.ft. @	\$ 0.090	=	\$ 318.42
3. Tree Maintenance	3,538	sq.ft. @	\$ 0.150	=	\$ 530.70
4. Postage	3,538	sq.ft. @	\$ 0.020	=	\$ 70.76
5. Utilities	3,538	sq.ft. @	\$ 0.250	=	\$ 884.50
6. Printing	3,538	sq.ft. @	\$ 0.020	=	\$ 70.76
7. Repair/Maintenance	3,538	sq.ft. @	\$ 0.030	=	\$ 106.14
			<u>\$ 0.750</u>	=	<u>\$ 2,653.50</u>

Maintenance	3,538	sq.ft. x	\$ 0.75	=	\$ 2,653.50
Administrative Fee	\$ 2,653.50	x	\$ 0.10	=	\$ 265.35
County Fee	44	x	\$1.00/per lot	=	\$ 44.00
Reserves	15% of total cost of maintenance			=	\$ 398.03
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ 1,114.35
					<u>\$ 4,475.22</u>

Estimated Cost Per Year	<u>\$ 4,475.22</u>	=	\$ 101.71
	44		
2016/2017 Assessment	<u>\$ 2,348.90</u>	=	\$ 53.38
	44		
2017/2018 Assessment	<u>\$ 2,607.14</u>	=	\$ 59.26
	44		

District No. 28 Meadowood Ph.3
Fiscal Year 2017-2018
Approved CPI 2004
(Adjustment 2004)
Maximum Assessment \$1,808.45

Estimated Accumulated Costs 2016-2017 \$ 980.38

Maintenance: lighting: 17 ea. @ 5,800 lumens
9 ea. @ 9,500 lumens
Project Management: 78 lots
Fund Balance: \$ 214.45

1. Utilities	17 @ 5,800 lumens	@	\$ 30.21	=	\$ 513.57
	9 @ 9,500 lumens:	@	\$ 36.27		\$ 326.43
2. Printing	1	@	\$ 50.00	=	\$ 50.00
					<u>\$ 890.00</u>

Maintenance	\$ 890.00	x	1	=	\$ 890.00
Administrative Fee	\$ 890.00	x	\$ 0.10	=	\$ 89.00
County Fee	78	x	1.00/per lot	=	\$ 78.00
Reserves 15% of total cost of maintenance				=	\$ 133.50
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ -
					<u>\$ 1,190.50</u>

Estimated Cost Per Year \$ 1,190.50 = \$ 15.26
78

2017/2018 Assessment \$ 1,190.50 = \$ 15.26
78

District No. 30 - Sierra Meadows Phase 1 Subdivision
Fiscal Year 2017-2018
Approved CPI 2006
(Adjusted 2006)
Maximum Assessment \$16,773.66

Estimated Accumulated Costs 2016-2017

\$ 7,169.01

Maintenance:	26,639	sq.ft. of landscaping area, 2739 feet of wall
Lighting:	32	23 @ 5,800 lumens, 4 @ 9,500 lumens
		5 @ 16,000 lumens
Project Management:	56	lots
Fund Balance:	\$ 8,974.76	

1. Landscape	26,639	sq.ft.	@ \$ 0.1900	=	\$ 5,061.41
2. Graffiti Maintenance	26,639	sq.ft.	@ \$ 0.0250	=	\$ 665.98
3. Tree Maintenance	26,639	sq.ft.	@ \$ 0.0500	=	\$ 1,331.95
4. Weed Abatement	26,639	sq.ft.	@ \$ 0.0100	=	\$ 266.39
5. Graffiti Maintenance	26,639	sq.ft.	@ \$ 0.0059	=	\$ 157.17
6. Tree Maintenance	26,639	sq.ft.	@ \$ 0.0040	=	\$ 106.56
7. Postage	26,639	sq.ft.	@ \$ 0.0060	=	\$ 159.83
			<u>\$ 0.2909</u>		<u>\$ 7,749.29</u>

Maintenance	26,639	sq.ft.	@ x \$ 0.29090	=	\$ 7,749.29
Administrative Fee	\$ 7,749.29		x \$ 0.10	=	\$ 774.93
County Fee	56 lots		x \$1.00/per lot	=	\$ 56.00
Reserves 15% of total cost of maintenance				=	\$ 1,162.39
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ -
					<u>\$ 9,742.61</u>

Estimated Cost Per Year	<u>\$ 9,742.61</u>	=	\$ 173.98
	56		

2017/2018 Assessment	<u>\$ 9,742.61</u>	=	\$ 173.98
	56		

District No. 31 Williams Ranch Phase 2 & 3 Subdivision

Fiscal Year 2017-2018

Approved CPI 2006 (Adjusted 2006)

Maximum Assessment \$2,303.51

Estimated Accumulated Costs 2016-2017 \$ 3,588.62

Maintenance:	6,512	sq.ft. of landscaping area, 437 feet of wall
Lighting:	26	24 @ 5,800 lumens, 2 ea. @ 16,000 lumens
Project Management:	85	
Fund Balance:	\$ (13,026.52)	

1. Landscape	6,512	sq.ft.	@ \$ 0.190	=	\$ 1,237.28
2. Graffiti Maintenance	6,512	sq.ft.	@ \$ 0.025	=	\$ 162.80
3. Tree Maintenance	6,512	sq.ft.	@ \$ 0.130	=	\$ 846.56
4. Postage	6,512	sq.ft.	@ \$ 0.010	=	\$ 65.12
5. Utilities	6,512	sq.ft.	@ \$ 0.080	=	\$ 520.96
6. Printing	6,512	sq.ft.	@ \$ 0.010	=	\$ 65.12
7. Repair/Maintenance	6,512	sq.ft.	@ \$ 0.040	=	\$ 260.48
			<u>\$ 0.485</u>		<u>\$ 3,158.32</u>

Maintenance	6,512	sq.ft.	x \$ 0.485	=	\$ 3,158.32
Administrative Fee	\$ 3,158.32		x \$ 0.10	=	\$ 315.83
County Fee	85 lots		x \$1.00/per lot	=	\$ 85.00
Reserves 15% of total cost of maintenance				=	\$ 473.75
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ 1,302.65
					<u>\$ 5,335.55</u>

Estimated Cost Per Year	<u>\$ 5,335.55</u>	=	\$ 62.77
	85		

2016/2017 Assessment	<u>\$ 2,303.51</u>	=	\$ 27.10
	85		

2017/2018 Assessment	<u>\$ 2,303.51</u>	=	\$ 27.10
	85		

District No. 32 - Sunrise Villa Phase 1-3 Fiscal Year 2017-2018 Approved CPI 2006 Maximum Assessment \$1,513.54

<i>Estimated Accumulated Costs 2016-2017</i>	\$	468.73
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Maintenance:	lighting	13ea. @ 5,800 lumens
Project Management:	54	lots
Fund Balance:	\$	699.69

1. Utilities	13 @ 5,800 lumens @ \$	30.2100	=	\$	392.73
2. Printing	1 @ \$	50.0000	=	\$	50.00
				\$	442.73

Maintenance	\$	442.73	x	1	=	\$	442.73
Administrative Fee	\$	442.73	x	\$ 0.10	=	\$	44.27
County Fee		54	x	\$1.00/per lot	=	\$	54.00
Reserves 15% of total cost of maintenance					=	\$	66.41
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					= =	\$	69.97
						\$	<u>677.38</u>

$$\text{Estimated Cost Per Year} \quad \frac{\$ \quad 677.38}{54} = \quad \$ \quad 12.54$$
$$\frac{\text{2016/2017 Assessment } \$ 1,513.00}{54} = \$ 28.02$$

District 34 - Meadow Breeze Phase 1
Fiscal Year 2017-2018
Maximum Assessment \$1,928.30

Estimated Accumulated Costs 2016-2017 \$ 965.05

Maintenance: Lighting: 14 each @ 5,800 lumens, 5 each @ 9,500 lumens
Project Management: 78 lots
Fund Balance: \$ 1,091.10

Formula

1. Utilities	14 lumens @ \$30.21	=	\$	422.94
	5 lumens @ \$36.27	=	\$	181.35
2. Printing/Copying	1 @ \$50.00	=	\$	50.00
			\$	654.29

Maintenance	\$	654.29	x	1	=	\$	654.29
Administrative Fee	\$	654.29	x	\$0.10	=	\$	65.43
County Fee		78	x	\$1.00/per lot	=	\$	78.00
Reserves 15% of total cost of maintenance					=	\$	98.14
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						\$	-
						\$	895.86

Estimated Cost Per Year	\$	895.86	=	\$	11.48
		78			

2017/2018 Assessment	\$	895.86	=	\$	11.48
		78			

District 35 - Meadow Breeze Phase 2

Fiscal Year 2017-2018

Maximum Assessment \$1,001.39

Estimated Accumulated Costs 2016-2017 \$ 343.42

Maintenance: lighting: 9 lumens @ 5,800 each
 Project Management: 44 lots
 Fund Balance: \$ 312.96

1 Utilities	9 lumens	@ \$	30.21	=	Formula	\$	271.89
2 Printing/Copying	1	@ \$	36.27	=		\$	36.27
						\$	<u>308.16</u>

Maintenance	\$	308.16	x	1	=	\$	308.16
Administrative Fee	\$	308.16	x	\$ 0.10	=	\$	30.82
County Fee		44 lots	x	\$1.00/per lot	=	\$	44.00
Reserves 15% of total cost of maintenance						\$	148.12
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit						\$	-
						\$	<u>531.10</u>

Estimated Cost Per Year	\$	<u>531.10</u>	=	\$	12.07
		44			

2016/2017 Assessment	\$	<u>844.08</u>	=	\$	19.18
		44			

2017/2018 Assessment	\$	<u>531.10</u>	=	\$	12.07
		44			

District 38 - Ranch Victoria, Phase One Subdivision

Fiscal Year 2017-2018

Maximum Assessment \$529.89

Estimated Accumulated Costs 2016-2017 \$ 504.64

Maintenance: lighting: 2 lumens @ 5,800 each
 Project Management: 6 lots
 Fund Balance: \$ 281.52

						Formula
1 Utilities	2 lumens	@	\$ 30.21	=	\$	60.42
2 Printing/Copying	1	@	\$ 50.00	=	\$	50.00
					\$	110.42

Maintenance	\$ 110.42	x	1	=	\$	110.42
Administrative Fee	\$ 110.42	x	\$ 0.10	=	\$	11.04
County Fee	6	x	\$1.00/per lot	=	\$	6.00
Reserves 15% of total cost of maintenance					\$	148.12
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					\$	-
					\$	275.58

Estimated Cost Per Year		<u>\$ 529.89</u>				88.32
		6				

2017/2018 Assessment		<u>\$ 529.89</u>				88.32
		6				

District 39 - Williams Ranch Phase 4 Subdivision

Fiscal Year 2017-2018

Maximum Assessment \$1,207.85

Estimated Accumulated Costs 2016-2017 \$ 612.94

Maintenance: lighting: 17 lumens @ 5,800 each
 Project Management: 59 lots
 Fund Balance: \$ 281.08

					Formula
1 Utilities	17 lumens	@ \$	30.21	=	\$ 513.57
2 Printing/Copying	1	@ \$	50.00	=	\$ 50.00
					<u>\$ 563.57</u>

Maintenance	\$ 563.57	x	1	=	\$ 563.57
Administrative Fee	\$ 563.57	x \$	0.10	=	\$ 56.36
County Fee	59	x \$1.00/per lot		=	\$ 6.00
Reserves 15% of total cost of maintenance				=	\$ 148.12
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$ -
					<u>\$ 774.05</u>

Estimated Cost Per Year	<u>\$ 774.05</u>	=	\$ 13.12
	59		

New Assessment	<u>\$ 774.05</u>	=	\$ 13.12
	59		

District No. 40 - Amalene Estates
Fiscal Year 2017-2018
Approved CPI 2007 (Adjusted 2007)
Maximum Assessment \$7648.22

Estimated Accumulated Costs 2016-2017 \$ 2,795.47

Maintenance:	5,445	sq. ft. of landscaping area, 736 ft. of wall
Lighting:	16	ea. @ 5,800 lumens, 1 ea. @ 16,000 lumens
Project Management:	26	lots
Fund Balance:	\$ (3,852.59)	

1. Landscape	5,445	sq.ft.	@	\$ 0.190	= \$	1,034.55
2. Graffiti Maintenance	5,445	sq.ft.	@	\$ 0.025	= \$	136.13
3. Tree Maintenance	5,445	sq.ft.	@	\$ 0.130	= \$	707.85
4. Postage	5,445	sq.ft.	@	\$ 0.010	= \$	54.45
5. Utilities	5,445	sq.ft.	@	\$ 0.080	= \$	435.60
6. Printing	5,445	sq.ft.	@	\$ 0.010	= \$	54.45
7. Repair/Maintenance	5,445	sq.ft.	@	\$ 0.040	= \$	217.80
				<u>\$ 0.485</u>	<u>= \$</u>	<u>2,640.83</u>

Maintenance	5,445	sq.ft.	x	0.485	= \$	2,640.83
Administrative Fee	\$ 2,640.83		x	\$0.10	= \$	264.08
County Fee	26		x	\$1.00/per lot	= \$	26.00
Reserves	15% of total cost of maintenance				= \$	396.12
Eliminate deficit fund balance over 10 years - 10% of fund deficit					= \$	265.59
					<u>\$</u>	<u>3,592.62</u>

Estimated Cost Per Year	<u>\$ 3,592.62</u>	=	\$ 138.18
	26		

2016/2017 Assessment	<u>\$ 2,305.52</u>	=	\$ 88.67
	26		

New Assessment	<u>\$ 3,592.62</u>	=	\$ 138.18
	26		

District 44 - Summit Estates Phase 1 Subdivision
Fiscal Year 2017-2018
Maximum Assessment \$5,629.48
(Adjusted 2008)

Estimated Accumulated Costs 2016-2017 \$ 3,401.63

Maintenance: 4,300 sq.ft. of landscaping area, 242 ft. of wall, and
20 ea. @ 5,800 lumens, 3 ea. @ 9,500 lumens
Project Management: 69
Fund Balance: \$ 3,130.32

1. Landscape	4,300	sq.ft. @ \$	0.400	=	\$	1,720.00
2. Graffiti Maintenance	4,300	sq.ft. @ \$	0.025	=	\$	107.50
3. Tree Maintenance	4,300	sq.ft. @ \$	0.100	=	\$	430.00
4. Postage	4,300	sq.ft. @ \$	0.010	=	\$	43.00
5. Utilities	4,300	sq.ft. @ \$	0.080	=	\$	344.00
6. Printing	4,300	sq.ft. @ \$	0.010	=	\$	43.00
7. Repair/Maintenance	4,300	sq.ft. @ \$	0.040	=	\$	172.00
			<u>\$ 0.665</u>	=	<u>\$</u>	<u>2,859.50</u>

Maintenance	4,300	sq.ft. x \$	0.665	=	\$	2,859.50
Administrative Fee	\$ 2,859.50	x \$	0.10	=	\$	285.95
County Fee	69	x \$1.00/per lot		=	\$	69.00
Reserves	15% of total cost of maintenance			=	\$	428.93
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				=	\$	-
					<u>\$</u>	<u>3,643.38</u>

Estimated Cost Per Year \$ 3,643.38
69 = \$ **52.80**

2017/2018 Assessment \$ 3,643.38
69 = \$ **52.80**

Westwood Estates Consolidated
District 1 Westwood Estates Subdivision,
Annexation 5 - Westwood Estates Unit 4 & Unit 5 Subdivision
District No. 12 - Westwood Estates Unit 5, Phase 2 Subdivision
Fiscal Year 2017-2018

Estimated Accumulated Costs 2016-2017 \$ 18,213.42

Maintenance: 47,462 sq. ft. of landscaping are (30/74 of 5450 sq.ft.)
Project Management: 207 lots
Fund Balance: \$ 14,624.78

1. Landscape	47,462	sq.ft.	@	\$ 0.170	=	\$ 8,068.54
2. Graffiti Maintenance	47,462	sq.ft.	@	\$ 0.020	=	\$ 949.24
3. Postage	47,462	sq.ft.	@	\$ 0.005	=	\$ 237.31
4. Utilities	47,462	sq.ft.	@	\$ 0.120	=	\$ 5,695.44
5. Printing	47,462	sq.ft.	@	\$ 0.005	=	\$ 237.31
6. Repair/Maintenance	47,462	sq.ft.	@	\$ 0.020	=	\$ 949.24
				<u>\$ 0.340</u>		<u>\$ 16,137.08</u>

Maintenance	47,462	sq.ft.	x	0.340	=	\$ 16,137.08
Administrative Fee	\$ 16,137.08		x	\$0.10	=	\$ 1,613.71
County Fee	207		x	\$1.00/per lot	=	\$ 207.00
Reserves	15% of total cost of maintenance				=	\$ 2,420.56
Eliminate deficit fund balance over 10 years - 10% of fund deficit					=	\$ -
						<u>\$ 20,378.35</u>

Estimated Cost Per Year \$ 20,378.35 = \$ 98.45
207

Current Assessment \$ 18,364.44 = \$ 88.72
207

New Assessment \$ 18,364.44 = \$ 88.72
207

This concludes the 2017/2018 Landscape and Lighting District Engineer's Report.
Javier Sanchez, Jr., 70356



RESOLUTION NO. ____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE ORDERING THE CONTINUED MAINTENANCE OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICTS AND CONFIRMING THE ENGINEER'S REPORT AND ASSESSMENT FOR 2017-2018 FISCAL YEAR

WHEREAS, the City Council of the City of Porterville did on the 20th day of June, 2017 adopt its Resolution of Intention No. 31-2017 to order the therein described work in connection with the continuation of assessment procedures in Landscape and Lighting Maintenance Districts, which Resolution of Intention No. 31-2017 was duly and legally published in the time, form and manner as required by Law, shown by the Affidavit of Publication of said Resolution of Intention on file in the Office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in the proceeding and concerning the necessity for the contemplated work and the benefits to be derived there from, and said City Council having now acquired jurisdiction to order the proposed work;

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

SECTION 1. IT IS HEREBY RESOLVED by the City Council of the City of Porterville that the public interest and convenience require the continuation of assessment procedures for the districts, and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 31-2017 be done and made; and

SECTION 2. BE IT FURTHER RESOLVED that the report filed by the Engineer is hereby finally approved; and

SECTION 3. BE IT FURTHER RESOLVED that the assessments for fiscal year 2017-2018 and method of assessment in the Engineer's Report are hereby approved; and

SECTION 4. BE IT FINALLY RESOLVED that the assessments are in compliance with California Code, that they are without regard to property valuation, and in compliance with Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highway Code allowing the placement of the charge on the tax roll for collection.

APPROVED, PASSED AND ADOPTED this 18th day of July, 2017

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Conditional Use Permit for The River Church located at 2440 W. Henderson Ave.

SOURCE: Community Development

BACKGROUND:

In 1994, the former Porterville Masonic Lodge was established under the previous zoning of C-1(D) (Neighborhood Commercial zone, Design Review Overlay) which was reviewed under the Design Overlay Site Review 2-93 (Resolution 34-93). On June 4, 2012, the existing River Church located at 2440 W. Henderson Avenue received a City of Porterville business license and operated as an accessory use to the Masonic Lodge. Due to the use being accessory to the primary use, staff did not require a separate entitlement for the church. In May 2016, the Masonic Lodge vacated the building leaving The River Church as a nonconforming use, without entitlement. Staff had been receiving zoning inquiries for 2440 W. Henderson Avenue, specifically requesting information on whether or not banquet halls would be permitted at this location. Staff informed those inquiring, including Mr. Dakhil, that the use of a banquet hall in the RM-3 (High Density Residential) Zone District is not a permitted use.

COMMENT: On March 8, 2017, the Project Review Committee (PRC) met with the applicant's agent, Mark Hillman, to establish a new church at the aforementioned site. Staff requested for the applicant to provide operational standards including hours of operation and nonprofit status for the new religious facility before scheduling for Council consideration. After the PRC meeting, Mr. Hillman stated that his client did not have immediate intention to obtain nonprofit status for the religious facility he was working with, and inquired about what he could do at this time. Staff sought out information from the City Attorney on what the City would require in order to validate a new religious facility. During this time, the applicant Mr. Dakhil, came to City Hall and spoke with staff stating that he was not establishing a new church, at this time, but rather is seeking the conditional use permit to legitimize The River Church.

ANALYSIS: The City Attorney determined that an organization can be a religious facility so long as it can show that it holds, and operates, for the promotion of sincere religious beliefs. After speaking with Mr. Dakhil, staff requested written confirmation from The River Church. Pastor Marcus De La Cruz of The River Church submitted a signed letter stating that they intend to rent the space from the applicant, Mr. Dakhil, for the sole purpose of holding religious services and operating a nonprofit organization at this site. After receiving this confirmation, staff was able to schedule this item for Council consideration. The River Church

has office hours Tuesday, Wednesday and Thursday from 8:00 a.m. to 3:00 p.m. and church services on Sundays at 10:00 a.m. and Wednesdays at 7:00 p.m. The use of a religious facility at an existing site supports the General Plan Land Use Guiding Policy (LU-G-8) in that it will promote infill development in existing neighborhoods. The project is conditioned to operate in such a manner as to preserve the public safety health and welfare and to prevent the use from becoming a nuisance. Further, pursuant to Section 601.10(d) of the Porterville Development Ordinance, the City Council may revoke the permit if it finds that the approval was obtained by means of fraud or misrepresentation of a material fact, the use in question has ceased to exist or has been suspended for one year or more, that there has been a violation of or failure to observe the terms of the resolution or that the use to which the permit applies has been conducted in a manner detrimental to the public safety, health and welfare or so as to be a nuisance.

ENVIRONMENTAL REVIEW:

On June 28, 2017, the Environmental Coordinator made a preliminary determination that the project is categorically exempt from the California Environmental Quality Act pursuant to Section 15301, Existing Facilities, Class 1.

RECOMMENDATION:

That the City Council adopt the draft resolution approving the establishment of The River Church at 2440 W. Henderson Avenue in the RM-3 Zone District.

ATTACHMENTS:

1. Locator Map
2. Resolution 34-93
3. The River Church Correspondence
4. Draft Resolution

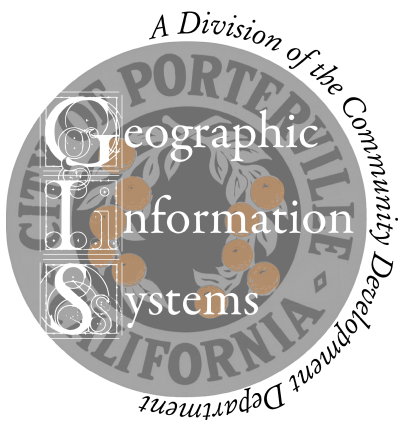
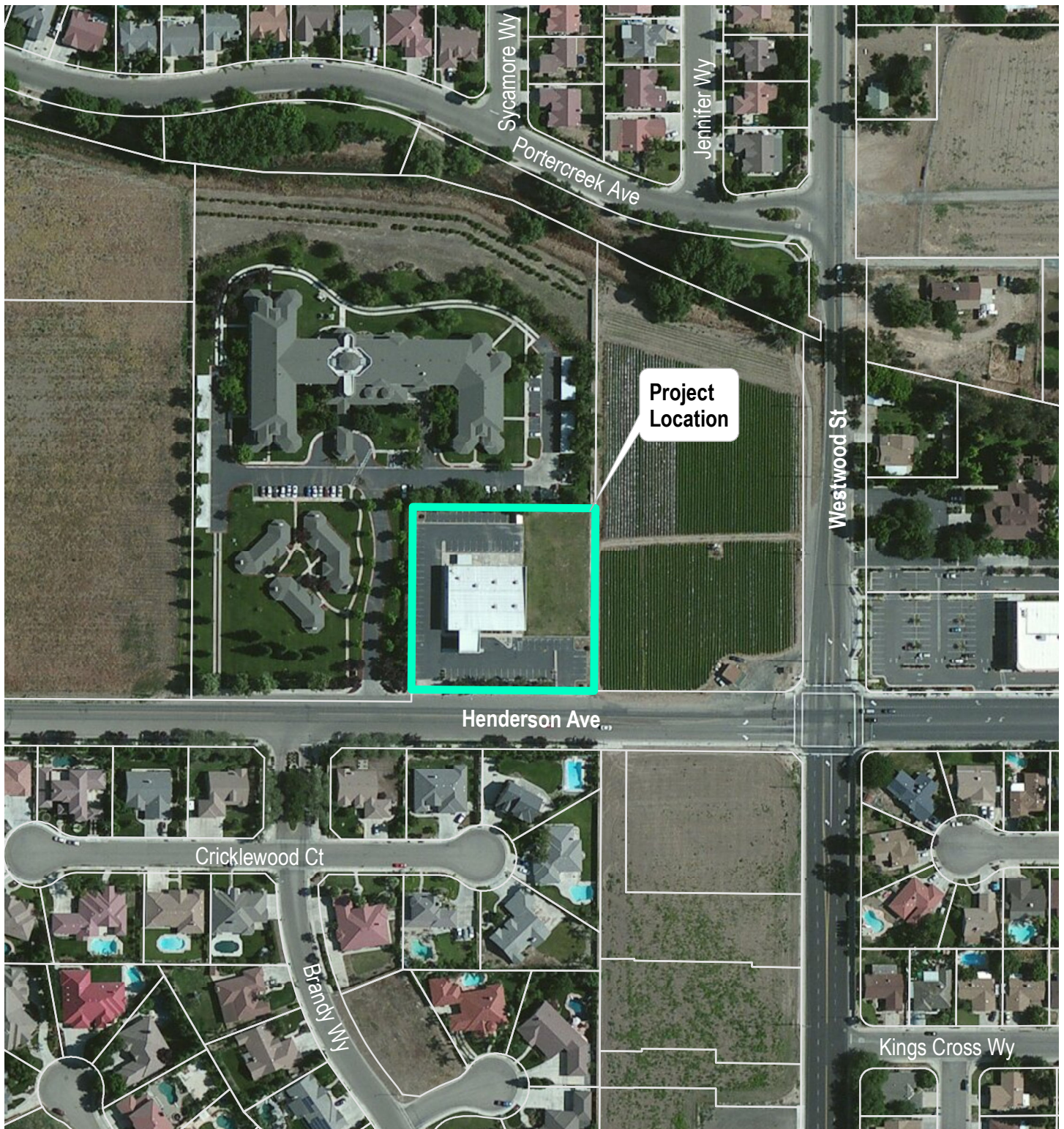
Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



PRC 2017-015
Masonic Lodge
Locator Map
1" = 400ft

RESOLUTION NO. 34-93

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE CONTAINING FINDINGS IN
SUPPORT OF THE APPROVAL OF "D" OVERLAY DESIGN REVIEW 2-93,
LOCATED ON THE NORTH SIDE OF HENDERSON AVENUE 300±
FEET WEST OF WESTWOOD STREET

WHEREAS: The City Council at its regularly scheduled meeting of April 6, 1993, considered "D" Overlay Design Review 2-93 to allow the development of an 8,832± square foot structure in the C-1(D) (Neighborhood Commercial with a Design Review Overlay) zone, located on the north side of Henderson Avenue 300± feet west of Westwood Street; and

WHEREAS: The City Council made the following findings with respect to the subject project:

1. That the proposed project is consistent with the site's General Plan land use designation and zoning.
2. That the site is physically suitable for the type of development proposed.
3. That the design of the project or the proposed improvements are not likely to cause substantial environmental damage.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve "D" Overlay Site Review 2-93, subject to the following conditions:

1. Development shall be in accordance with plans submitted, incorporated herein as Exhibit "A".
2. The developer/applicant shall provide a total of four (4) street trees (London Plain is preferred) within the landscaped area along Henderson Avenue.
3. The site must be served by a water line sized to provide acceptable fire flow from a City standard fire hydrant to be installed along the site's Henderson Avenue frontage.

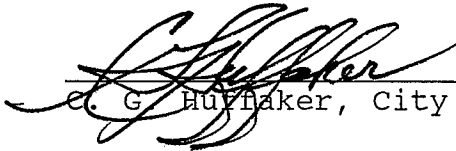
4. The developer/applicant shall construct a six foot masonry wall along the northerly and westerly property lines, built to City standards.
5. Any signage on the building or along the site's street frontage will be limited in size (square footage) to 15% of the total square footage of the building's front side (facing Henderson Avenue) and must comply with all City Zoning Ordinance provisions.
6. The developer/applicant shall comply with the City Master Plans for Sewer, Water, and Storm Drain, Standard Specifications for Public Works Construction (1991 Edition), Standard Plans and specifications, the Tulare County Hazardous Waste Management Plan, and the Traffic Control Manual, unless otherwise noted herein. Construction of off-site improvements necessary to accomplish the above will be required.
7. The developer/applicant shall pay all applicable fees in accordance with the Municipal Code and State law.
8. The developer/applicant shall comply with Chapter 70 of the Uniform Building Code including provision of a grading and drainage plan signed by a licensed civil engineer. The developer/applicant shall comply with City Retaining Wall standards at lot lines adopted by the City Council January 3, 1989.
9. The developer/applicant shall construct street, curb, gutter, sidewalk, etc. along the full frontage of the parcel pursuant to Ordinance No. 1306.
10. The developer/applicant shall construct drainage facilities as required to serve the property pursuant to Ordinance No. 1306.
11. The developer/applicant shall dedicate right-of-way for a street width that matches the ultimate width in the adopted Land Use and Circulation Element and/or the width established by the City Council.
12. The developer/applicant shall relocate existing utility structures (e.g., poles, splice boxes, vaults, etc.) to a position that provides a minimum of four feet (4') of clear space in the sidewalk area and a minimum of two feet (2') of clear space from the curb face to the structure (Title 24 OSA).
13. The developer/applicant shall provide street lights on marbelite poles complying with Southern California Edison Company specifications, as approved by the City Engineer. Use of wood poles is prohibited without prior written approval of the City Engineer.

with Assembly Bill No. 3205 by submitting proof of notification of the Hazardous Materials unit of the Tulare County Division of Environmental Health prior to issuance of the building permit. The developer/applicant shall submit written proof of compliance with County requirements to the City before the certificate of occupancy is issued.

21. The developer/applicant shall install a refuse container enclosure in accordance with City standards.
22. The developer/applicant shall comply with Flood Damage Prevention Ordinance and the requirements of the State Reclamation Board, where applicable.
23. Two (2) copies of a Landscape and Irrigation Plan meeting requirements of the City's Water Efficient Landscape Ordinance must be submitted at the time of building permit application.


Daryl C. Nicholson, Mayor

ATTEST:


C. G. Huynhaker, City Clerk

STATE OF CALIFORNIA) (SS
COUNTY OF TULARE)

I, C. G. HUFFAKER, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of a resolution duly and regularly passed and adopted by the Council of the City of Porterville at a regular meeting of the Porterville City Council regularly called and held on the 6th day of April, 1993.

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

COUNCILMEN:	CLARK	GIBBONS	LEAVITT	GIFFORD	NICHOLSON
AYES:	X	X	X	X	
NOES:					
ABSENT:					
ABSTAIN:					X

C. G. HUFFAKER, City Clerk

By Georgia Hawley
Georgia Hawley, Deputy City Clerk



RECEIVED

JUN 9 2017

Community Development Department

June 8, 2017

To Whom It May Concern,

Per the city's request, in reference to the letter dated June 7, 2017, to Mr. Mike Dakhil from Jennifer M. Byers, Community Development Director, we do certify that we are a 501 (c) 3 organization (EIN# 26-1678778) and will continue to rent from Mr. Mike Dakhil, for the sole purpose of holding religious services and operating a nonprofit organization from the said address:

2440 W. Henderson Ave.
Porterville CA.

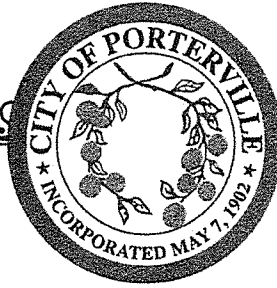
If you have any questions regarding this matter, please feel free to contact me at (559) 789-6842 or our office at (559) 798-9027.

Respectfully,

A handwritten signature in black ink, appearing to read "Marcus De La Cruz", is written over a white background.

Pastor Marcus De La Cruz

www.theriverh2o.com



Community Development
Department

June 7, 2017

Mike Dakhil
2534 Memory Lane
Porterville, CA 93257

Mark Hillman
34583 Hwy 190
Springville, CA 93265

RE: PRC 2017-015 Conditional Use Permit to allow the use of a religious facility at 2440 W. Henderson Avenue in the RM-3 (High Density Residential) Zone District

On March 8, 2017, Staff met with the applicant's agent, Mark Hillman, and discussed the process for obtaining a Conditional Use Permit to establish the use of a religious facility at 2440 W. Henderson Avenue in the RM-3 (High Density Residential) Zone District. Staff was informed at that time that the applicant, was working on getting operational standards. Mr. Hillman, later advised staff that the applicant did not have intentions of obtaining nonprofit status for the new facility. Staff recently met with Mr. Dakhil at the City and he informed staff that he is not establishing a new religious facility at this time and that the existing River Church is intending to continue operating. Prior to submitting the application for a Conditional Use Permit to City Council, staff requires a final determination on what use the applicant is proposing with written confirmation from the River Church addressing operational standards. Attached is a table of permitted, conditionally permitted and prohibited uses.

Please submit a letter identifying the proposed use of the facility so that the applications or permit may move forward as needed.

Sincerely,



Jennifer M. Byers
Community Development Director

RESOLUTION NO. ____ -2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF THE APPROVAL OF CONDITIONAL USE
PERMIT TO ALLOW THE ESTABLISHMENT OF A RELIGIOUS FACILITY,
THE RIVER CHURCH, AT 2440 W. HENDERSON AVENUE

WHEREAS: Since 2012, The River Church has operated as an accessory to a primary use, The Masonic Lodge, which had operated at the subject site for over twenty years under Design Site Overlay Review 2-93, (Resolution 34-93). As an accessory use, The River Church received a business license as a religious facility, but did not require its own Conditional Use Permit (CUP); and

WHEREAS: In mid-2016, the Masonic Lodge vacated the building, and subsequently sold the property to the applicant, who in February 2017, began leasing the facility back to The River Church; and

WHEREAS: The subject site is currently zoned RM-3 (High Density Residential), with a corresponding General Plan land use designation of High Density Residential. Religious facilities are allowed in the RM-3 (High Density Residential) Zone District, subject to review and approval of a conditional use permit; and

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 18, 2017, conducted a public hearing to consider Conditional Use Permit (PRC 2017-015-C), to allow the establishment of The River Church as a religious facility at 2440 W. Henderson Avenue in the RM-3 (High Density Residential) Zone District; and

WHEREAS: The City Council received testimony from all interested parties at its regularly scheduled meeting of July 18, 2017, related to the requested conditional use permit; and

WHEREAS: The City Council made the following findings:

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

This project supports and complies with Land Use Guiding Policy (LU-G-8) in that it will promote infill development in existing neighborhoods.

2. That the proposed location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conforms in all significant respects with the General Plan adopted by the City Council.

The proposed location, size and operating characteristics of the religious facility are compatible with the surrounding land uses and conditions of approval are in place to protect the public's safety and interest. The religious facility does not propose to have

outdoor amplifiers and any activity associated with the church shall be related to the organization's activities.

3. On June 28, 2017, the Environmental Coordinator made a preliminary determination that the project is exempt from the California Environmental Quality Act pursuant to Section 15301 of the California Code of Regulation (CEQA Guidelines).

This project is Categorical Exempt pursuant to CEQA Guidelines §15301 Existing Facilities, because it does not involve an expansion of an existing use.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit (PRC 2017-015-C), subject to the following conditions:

1. The developer/applicant shall comply with Chapter 26, Article 1, Division 6, as it relates to water conservation and landscaping irrigation. Please note: rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review. If the extent of landscaping will be 2,500 square feet or less then the applicant has the option to comply with Section 25-55 Prescriptive Compliance. Also, be aware that warm season grasses are the only approved natural turf for new installations. If the intent of the lawn area is to remain, be rehabilitated or replaced, the applicant can request that City Council recognize that the need exists for natural turf and the conditional use permit may be approved with conditions specifying the reason natural grass is deemed necessary by the applicant, with the knowledge that the allowed area of turf, and all other water conservation requirements of this code are applied, regardless of the total landscape area.
2. Upon approval of the conditional use permit, any future change in operation which substantially alters the conditions or nature of the subject business will require approval by the City Council pursuant to section 601.09 of the Porterville Development Ordinance.
3. The applicant shall operate the establishment in such a manner as to preserve the public safety health and welfare, to prevent the use from becoming a nuisance. In the event that this or any other condition of approval is violated, the City Council may modify or revoke the conditional use permit as provided in Section 601.10 of the Porterville Development Ordinance.
4. Pursuant to Section 601.10(d) The City Council may revoke the permit if it makes any of the following findings:
 - a. That approval was obtained by means of fraud or misrepresentation of a material fact;
 - b. That the use in question has ceased to exist or has been suspended for one year or more;
 - c. That there is or has been a violation of or failure to observe the terms or conditions of the permit or variance, or the use has been conducted in violation of the provisions of this ordinance, law or regulation; or

- d. That the use to which the permit or variance applies has been conducted in a manner detrimental to the public safety, health and welfare or so as to be a nuisance.
5. Permits are required if any construction work or modifications to the building are needed.
6. Plan submittals shall comply with current access laws (both State and Federal). The most stringent Code shall prevail.
 - A total of four ADA parking spaces are required for compliance.
 - Applicant is advised that it is in their best interest to obtain a permit for any and all ADA upgrades or modifications to ensure compliance with access laws.
7. A grease trap or grease interceptor is required if a suitable one does not exist in the kitchen.
8. At all times, the facility shall be operated and maintained to comply with State Laws, the City of Porterville Development Ordinance, adopted Building Codes and all other applicable laws and ordinances.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

BY _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: General Plan Amendment for Porterville Town Center and Adjacent Properties from Commercial Mixed Use to Retail Centers (Continued from June 6, 2017)

SOURCE: Community Development

BACKGROUND: On June 6, 2017, City Council continued, at the applicant's request, the public hearing to the meeting of July 18, 2017 a General Plan Amendment for the Porterville Town Center and adjacent properties from Commercial Mixed Use to Retail Center.

The June 6, 2017, staff report is attached for reference.

COMMENT: The area subject to the proposed General Plan Amendment includes ten parcels north of Henderson Avenue, between Indiana Street and State Route 65, approximately 15 acres in total. All subject parcels are currently zoned PD (Planned Development) with a General Plan Designation of Commercial Mixed Use. Properties with the PD zone designation may be developed and used in compliance with the underlying General Plan land use criteria. In this case, the zoning of PD defers to the zoning of CMX (Commercial Mixed Use). This designation accommodates a variety of commercial and residential land uses, but has fewer commercial use options than other, strictly commercial, land use designations. Recently, one of the property owners in the Porterville Town Center Shopping Center requested that the City amend the General Plan to designate this area as Retail Centers, rather than Commercial Mixed Use to accommodate potential tenants.

ANALYSIS: In order to consider this request, all adjacent parcels with the same General Plan Land Use designation must be included in the amendment. The proposed designation of Retail Centers is compatible with the affected parcels as they are currently developed, so that all existing uses would be allowed under the new classification.

ENVIRONMENTAL REVIEW: The proposed action is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Code of Regulations.

RECOMMENDATION: That the City Council adopt the draft resolution approving General Plan Amendment 2017-022, an amendment to the Land Use element of the General Plan amending the classification of ten parcels from Commercial Mixed Use to Retail Centers.

ATTACHMENTS: 1. June 6, 2017 Staff Report

2. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JUNE 6, 2017

SUBJECT: General Plan Amendment for Porterville Town Center and adjacent properties from Commercial Mixed Use to Retail Centers

SOURCE: Community Development

BACKGROUND: The applicant has a potential tenant to occupy a lease space at 900 West Henderson Avenue, in the Porterville Town Center. The proposed tenant would like to operate a real estate office, which is defined in the Development Code as Walk-in Clientele. The current zoning of the subject area is PD (Planned Development) with a General Plan land use designation of CMX (Commercial Mixed Use). PD zone districts rely on the development standards of the underlying general plan land use zone district equivalent. Walk-in Clientele offices are allowed in the CMX zone district, but may not exceed 1,500 square feet of gross floor area. The subject lease space is 1,960± square feet. Such a use is allowed in the CR zone district, with a requirement that uses larger than 5,000 square feet requires a minor Conditional Use Permit. The re-classification of the subject parcels from Commercial Mixed Use to Retail Centers would accommodate the proposed office use of up to 5000 square feet of the 115,000± square foot shopping center, while maintaining consistency between the Development Ordinance and existing development.

COMMENT: The area subject to the proposed General Plan Amendment includes ten parcels north of Henderson Avenue, between Indiana Street and State Route 65, approximately 15 acres in total (Attachment 1). All subject parcels are currently zoned PD (Planned Development) with a General Plan Designation of Commercial Mixed Use (Attachments 2 and 3). Properties with the PD zone designation may be developed and used in compliance with the underlying General Plan land use criteria. In this case, the zoning of PD defers to the zoning of CMX (Commercial Mixed Use). This designation accommodates a variety of commercial and residential land uses, but has fewer commercial use options than other, strictly commercial, land use designations. Recently, one of the property owners in the Porterville Town Center Shopping Center requested that the City amend the General Plan to designate this area as Retail Centers, rather than Commercial Mixed Use.

ANALYSIS: In order to consider this request, all adjacent parcels with the same General Plan Land Use designation must be included in the amendment. The proposed designation of Retail Centers is compatible with the affected parcels as they are currently developed, so that all existing uses would be allowed under the new classification. On May 1, 2017, an outreach letter was sent to all property owners whose land would be re-designated. One property owner reached out to staff to ask questions about what the proposed modification would mean to his existing

business. Staff explained that the Retail Centers designation was even more consistent with his existing business; he shared no further concerns. A public hearing notice was published in the Porterville Recorder and mailed to all properties within 300 feet of the subject area notifying the public of the proposed General Plan Amendment. No other comments were received.

In accordance with California law, a city may amend its General Plan not more than four times per calendar year. This application constitutes the first proposed amendment to the Porterville General Plan in 2017. Staff anticipates that few, if any, additional amendments would be processed in the remainder of the year, and that taking action to approve the proposed amendment would not limit the City's ability to make additional amendments as may be needed over the next six months.

ENVIRONMENTAL REVIEW: The proposed action is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Code of Regulations.

RECOMMENDATION: That the City Council adopt the draft resolution approving General Plan Amendment 2017-022, an amendment to the Land Use element of the General Plan amending the classification of ten parcels from Commercial Mixed Use to Retail Centers.

ATTACHMENTS:

1. Locator Map
2. General Plan Land Use
3. Zoning Map
4. Draft Resolution

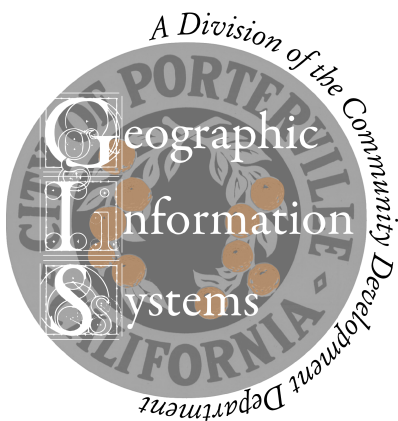
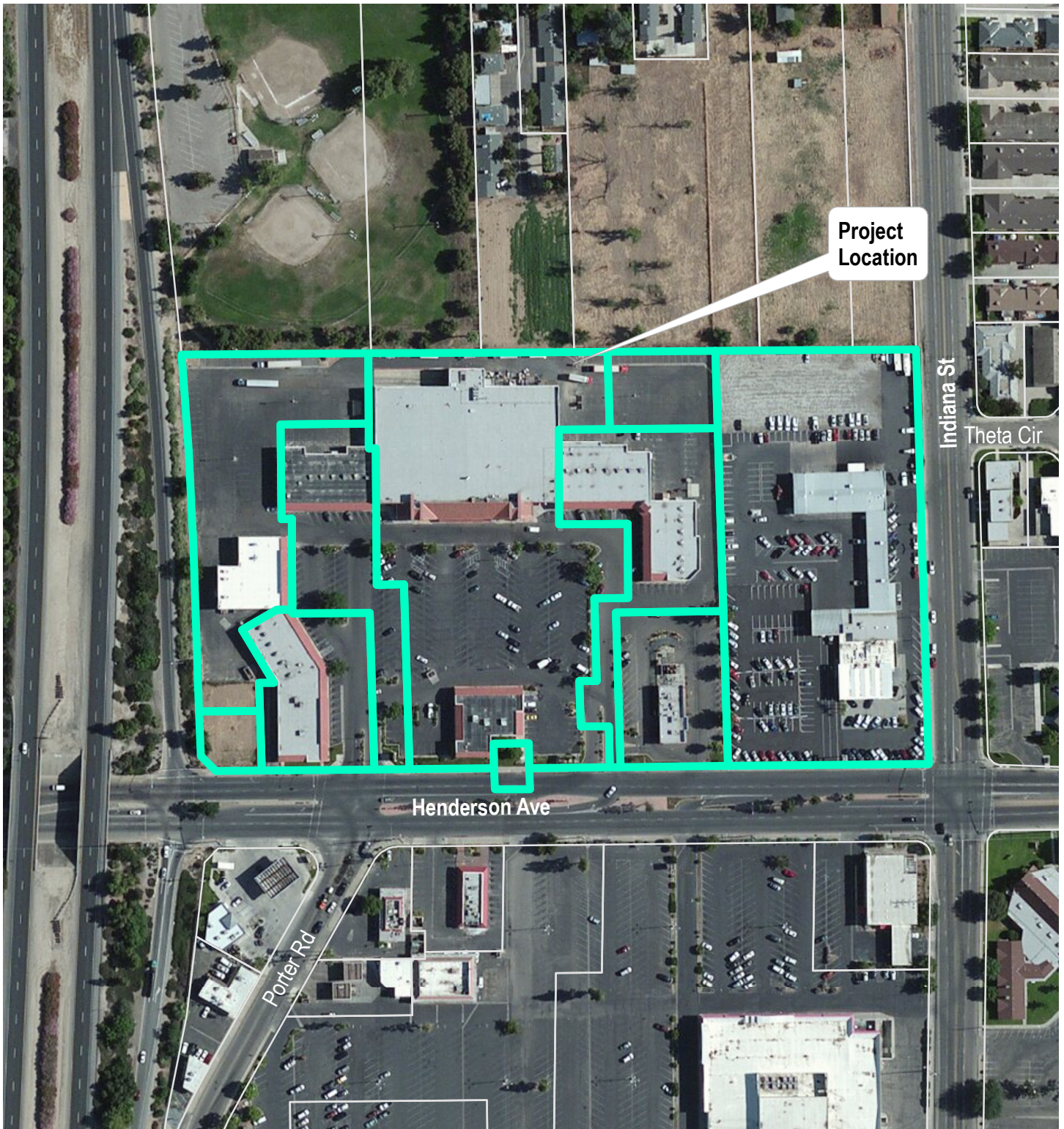
Appropriated/Funded:

Review By:

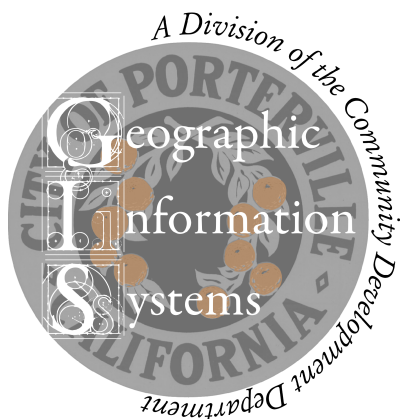
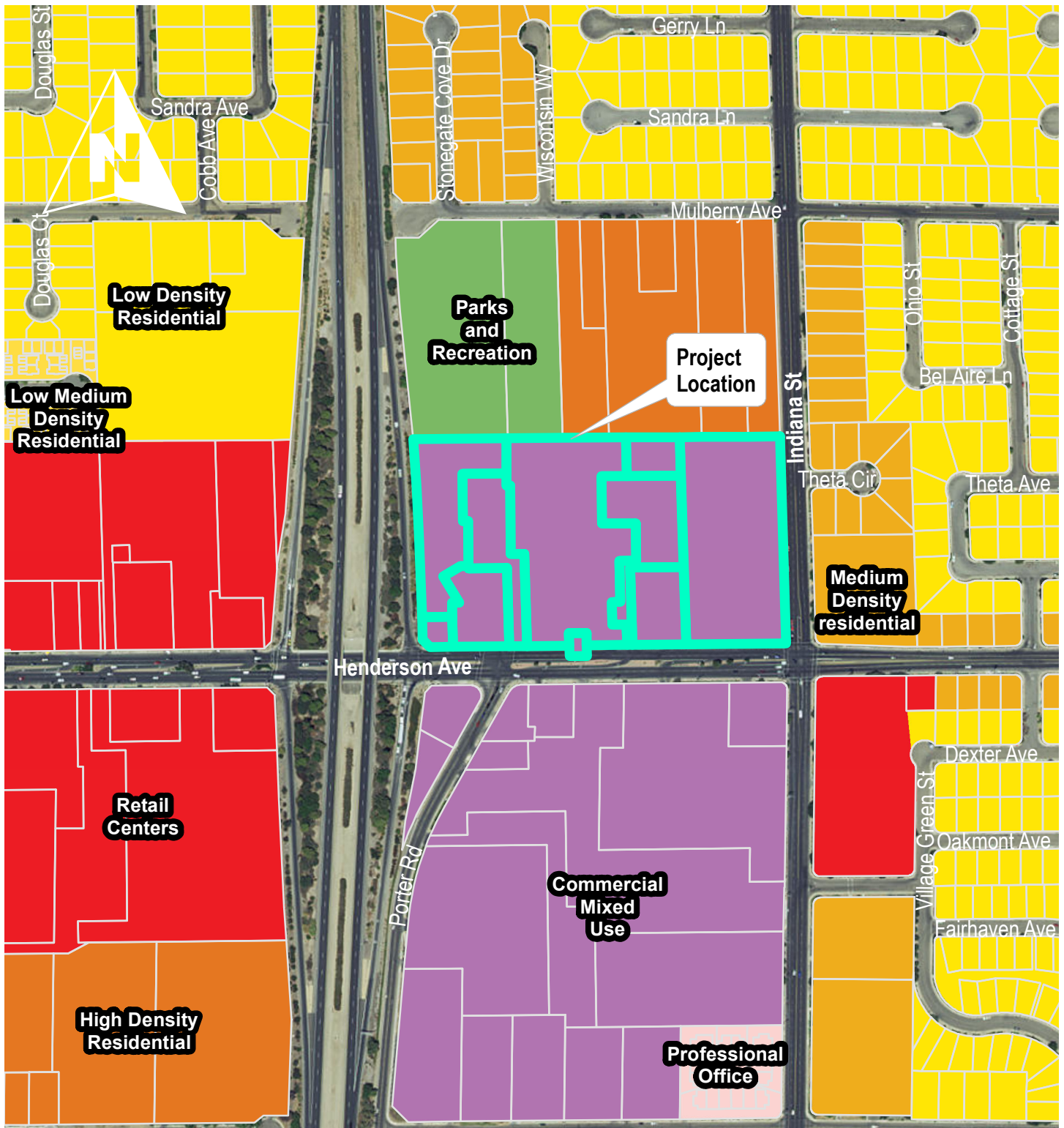
Department Director:

Jenni Byers, Community Development Director

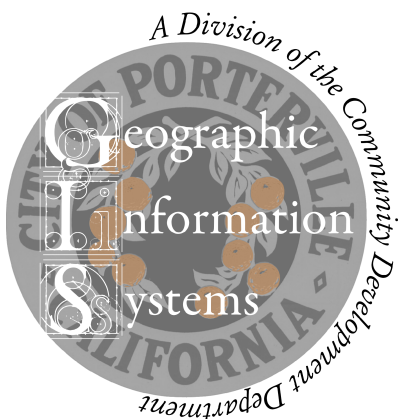
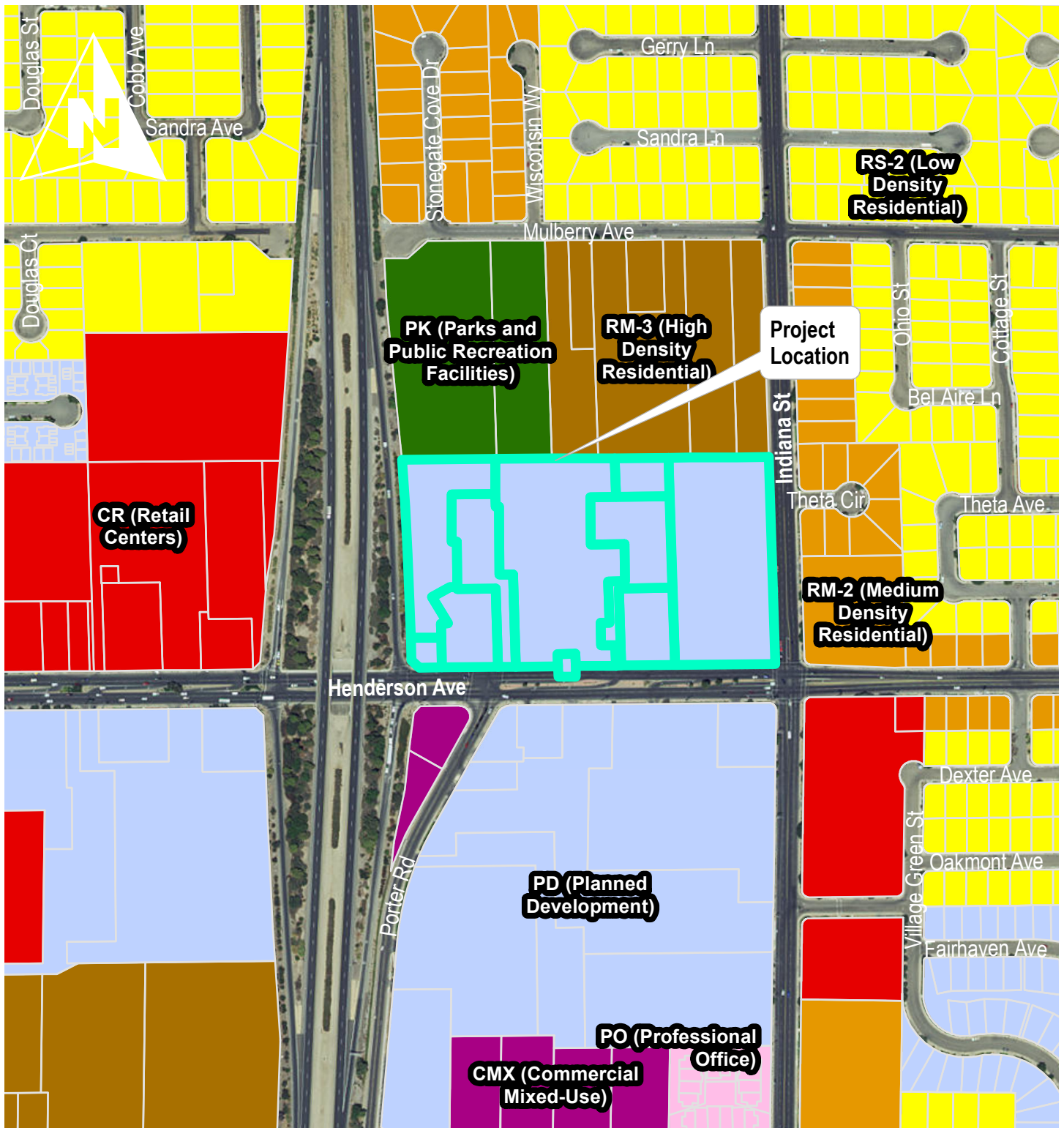
Final Approver: John Lollis, City Manager



PRC 2017-022
General Plan Amendment
@ Porterville Town Center
Project Locator Map
1" = 200ft



PRC 2017-022
 General Plan Amendment
 @ Porterville Town Center
 General Plan Land Use Map
 1" = 400 ft.



PRC 2017-022
General Plan Amendment
@ Porterville Town Center
Zoning Land Use Map
1" = 400 ft.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF GENERAL PLAN
AMENDMENT 2017-022-G FOR THOSE PARCELS GENERALLY LOCATED NORTH OF
HENDERSON AVENUE BETWEEN STATE ROUTE 65 AND INDIANA STREET

WHEREAS: On June 6, 2017, at its regularly scheduled meeting, the City Council of the City of Porterville, conducted a public hearing to consider approval of a General Plan amendment from Commercial Mixed Use to Retail Centers for a 10± acre area located on the south side of Henderson Avenue, west of Newcomb Street (APNs 246-112-049, 048, 047, 045, 050, 034, 038, 042, 051, ad 019); and

WHEREAS: The applicant requested the public hearing be continued until the July 18, 2017, City Council meeting in order to finalize property negotiations; and

WHEREAS: On July 18, 2017, at its regularly scheduled meeting the City Council conducted the continued public hearing and received comments regarding the General Plan Amendment (PRC 2017-022-G); and

WHEREAS: The project site is currently almost entirely developed and functioning with uses compatible with the Retail Centers land use designation; and

WHEREAS: On June 1, 2017, the Environmental Coordinator made a preliminary determination that the proposed action is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Code of Regulations; and

WHEREAS: Approval of the General Plan Amendment would allow the subject properties to continue to operate with multiple commercial uses in an integrated manner, and would accommodate the proposed office use of up to 5000 square feet of the 115,000± square foot shopping center, while maintaining consistency between the Development Ordinance and existing development.; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby make the following findings:

1. The proposed General Plan Amendment has been requested by the applicant to accommodate opportunities for a lease space to be occupied by a walk-in office tenant. The proposed mix of uses facilitated through the approval of the requested amendment are complementary and mutually supportive.
2. Based on review of application materials, the proposed project serves to fulfill the goals of the General Plan as adopted, and the amendment of the land use designation on the subject parcels do not infringe on the goals of the General Plan to maintain transitions between types and intensities of land use.

3. That the proposed action is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the California Code of Regulations.
4. The City Council is the decision-making body for the project.

BE IT FURTHER RESOLVED: That the City Council does hereby approve the General Plan Amendment from Commercial Mixed Use to Retail Centers for a 10± acre area located on the south side of Henderson Avenue, west of Newcomb Street, identified as Tulare County Assessor's Numbers 246-112-049, 048, 047, 045, 050, 034, 038, 042, 051, ad 019.

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

By: _____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Consideration of Appointments to the Arts Commission and Measure R Citizens' Oversight Committee

SOURCE: Administrative Services

COMMENT: As the Council is aware, vacancies currently exist on various City commissions and committees including the Arts Commission and the Measure R Citizens' Oversight Committee. Staff is in receipt of requests for appointment for each of these bodies and hereby presents them for your consideration.

Arts Commission

The Arts Commission was formed in 2010 to foster the development and enjoyment of the arts; to work cooperatively with city entities for the inclusion of art in areas of planning and development; and to make recommendations to the Council regarding policies and practices pertaining to the arts in Porterville. To be eligible for appointment, individuals must be associated with at least one category of the arts (theatrical/performing; visual/graphic; or music). The Commission is comprised of five members with staggered terms, and one student member serving a one-year term. The Commission serves in an advisory capacity to the City Council and currently meets on the third Wednesday of each month at City Hall.

All five of the current commissioners' terms have expired. Of those five, one commissioner has submitted a request for reappointment, that being Ms. Donna Serna. As of the time of agenda preparation and distribution, no other requests from incumbents for reappointment were received and it is staff's understanding that no other commissioner seeks reappointment.

In addition to Ms. Serna's request for reappointment, staff has received two new requests for appointment to the Arts Commission. In total, requests to date include:

Donna Serna (incumbent)
Mariza Serrano
Dalia Gonzelez - youth member

Measure R Citizens' Oversight Committee

This committee is charged with monitoring the revenues and expenditures derived from the county-wide 30-year 1/2 cent transportation sales tax approved by county voters in 2006. The committee meets quarterly and reviews the prior transactions of Measure R to ensure compliance with the ballot language and

discusses upcoming projects.

One vacancy currently exists on this county-wide committee with a term of four years expiring June 30, 2021. The incumbent to this seat, Mr. Vonn Christensen does not wish to seek reappointment. Staff is in receipt of one request for appointment, from Mr. Gary Ingraham.

Copies of all of the requests for appointment discussed herein are attached for Council's consideration.

RECOMMENDATION: That the City Council consider the appointment of three individuals to the City's Arts Commission (two to serve 3-year terms, and one to the student seat with a 1-year term); and one individual to serve a 4-year term on the Measure R Citizens' Oversight Committee.

ATTACHMENTS:

1. RFA Arts Comm_Serna
2. RFA Arts Comm_Serrano
3. RFA Arts Comm_Gonzalez
4. RFA Measure R_Ingraham

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RECEIVED
JUL - 7 2017
CITY OF PORTERVILLE
CITY CLERK OFFICE

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Donna Serna
(Please Print)

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

☒ Reappointment; or IF NEW, please provide :

Street Address: [REDACTED]

Porterville CA, 93257

Mailing Address: _____

Name of Business: _____

☐ Own ☐ Operate

Business Address: _____

Telephone: Home [REDACTED]

Work _____

FAX _____

E-mail [REDACTED]

City of Porterville resident:

☒ Yes
☐ No

Registered Voter:

☒ Yes
☐ No

Qualifications: _____

☐ Resume attached

☐ Letter of request attached

Submitted By: Donna Serna 07/06/2017
Date

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

RECEIVED

JUN 22 2017

CITY OF PORTERVILLE
CITY CLERK OFFICE

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Mariza Serrano
(Please Print)

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

☐ Reappointment; or IF NEW, please provide :

Street Address: [REDACTED]
Porterville, CA 93257

Mailing Address: (same)

Name of Business: _____
☐ Own ☐ Operate

Business Address: _____

Telephone: Home [REDACTED]
Work [REDACTED]
FAX _____
E-mail [REDACTED]

City of Porterville resident:

☒ Yes
☐ No

Registered Voter:

☒ Yes
☐ No

Qualifications: I am a middle school art teacher with seven years experience. I have a Public Arts Club with a goal to expand visual arts seen in our school. I am a member of the Burton School District Arts Committee that seeks to expand visual and performing experiences for students daily in school and the community. I also participate with positive community groups and coalitions in and near Porterville.

☒ Resume attached

☐ Letter of request attached

Submitted By: _____

Umaria Soriano

06-22-2017

Date

Received by: _____

Uliana Andrade

Forwarded to: City Clerk



Date:

6-22-2017

City Council



Date:

City Manager



Date:

Applicable Dept.



Date:

Tentative Council Mtg Date: _____

MARIZA SERRANO

E-mail:

Objective: Position in Porterville Arts Commission

Profile: Art Teacher with some experience in community participation and member of Burton School District Arts Committee

Highlights: 7 years teaching experience with parent and some community involvement each year in Los Angeles area and in Porterville. Burton Arts Committee member that helped shape a strategic Arts plan for school district to expand student opportunities in visual and performing arts. Participant with yearly school barn theater productions and creator/coordinator of 2 outdoor school murals in Burton Middle school. Participant in some community coalitions around Porterville.

Education/Training:

Certifications: CA Clear Teaching Credential Exp.9/1/2018
Sing Subject: ART with Foreign Language SPANISH
Authorization
San Diego State University, December 2009

**Education/
Trainning:** Bachelor Applied Arts and Sciences: Art
Education. Magna Cum Laude.
San Diego Sate University, December 2006.

Foreign Languages: **Spanish:** Native Language Fluent (bilingual education)
French: Beginning

Work Experience

8/2015- present **Art & Digital Design Teacher**
Burton Middle School, Porterville CA

- Organize, and order material for class supply
- Teach Art to about 30 students full time using wide variety of modern teaching methods incorporating other subjects
- Use Capturing Kids Hearts model for behavior
- Use 7 Habits of Highly Effective Teens model in life and teaching
- Professional and technology ongoing training
- Coordinator of Public Arts Club in the school that does fundraising and community donations
- Meet and plan with the Burton District Arts Committee
- Apply for school grants and student art contest

9/2012-7/2015 **Art & Spanish Teacher (middle/high)**
Magnolia Science Academy 3 : Carson, CA

- Teach Visual Arts & Spanish classes (grades 6-8 and 9-12th)
- Attend professional training and work with Special Resources Specialist and her students
- Organize fundraising events, field trips, and school events
- Organize, track, and order class supply
- Apply for school grants and student art contests

7/2011-8/2012 **Lennox Enrichment Summer School Program Leader**
Lennox Middle School: Lennox, CA

- Plan enrichment activities for students (Visual Arts/Sciences)
- Teach enrichment lessons to whole classes (15-25 students)
- Organize a safe, fair, and educational environment
- In charge of discipline and classroom materials
- Attend staff meetings and training

- 11/210-6/2011 **Teacher Aide and After School Instructor**
Lennox School District: Buford School (K-5) Lennox, CA
- Assist teachers by leading student focus groups
 - Assist teachers in other class duties
 - Teach **Visual Arts** using CA standards
 - Teach **Computer Media** using basic software
 - Create lessons and attend staff trainings
- 6/2009-8/2010 **Summer Camp Arts and Crafts Specialist**
Girl Scouts San Diego-Imperial Council, CA
- Taught arts and crafts to various age groups
 - Organized, requested, and kept records of materials
 - Helped coordinate special projects and schedules with other staff
- 10/2009-6/2010 **Art Teacher K-5**
Lexington Elementary. El Cajón, CA
- Teach CA Visual Art Standards K-5
 - Implement a discipline plan
 - Inventory/Order materials
 - Participate in other school activities
 - Attend teacher training/workshops
- 1/2008- 10/2009 **Substitute Teacher 9-12 grade**
Substitute Teacher K-8
Grossmont Union High School District. El Cajón, CA
El Cajon Valley Union School District. El Cajón, CA
- High School: Substituted in all subjects but specialized in
 - ART including, Photo, Digital Media, 2D and 3D design, Ceramics, and Art History
 - K-8: Substituted in all subjects, mostly middle school Visual Arts
- 6/2008 - 8/2008 **Science Camp and Chess Instructor**
Mad Science. San Diego, CA.
- Taught chess basics and strategy to elementary grades
 - Taught science and was in charge of classes of varying grade levels
 - In charge of discipline and classroom materials

- 1/2007 – 12/2009 **Single Subject Credential Program Student**
San Diego State University. San Diego, CA
- Took courses to get Preliminary Credential
 - Student taught in two public schools one full year : one semester in middle school, the second in high school level
- 12/2006-6/2007 **English Language Learner Specialist**
Shadow Hills Elementary School. Alpine, CA
- Worked with varied grade levels of students needing extra English Language Development along with Spanish help
 - Worked with Special Education Teachers for ELL students with IEP's
 - Administer the CELDT exam, update files, track student progress and translate in parent conferences
- 8/2004 – 12/2006 **Bachelor of Art Education Student**
San Diego Sate Univeristy. San Diego, CA
- College student: Art Education units for Bachelor's Degree
 - Satisfied the NCLB program for Art Educators
- 7/2003 - 4/2004 **Volunteer Art Instructor**
EJE Community Center. El Cajón, CA.
- Taught art techniques, culture, and history
 - Coordinate and teach children of ages 4-8 and 9-14 in small and large groups
 - Made flyers for community
 - Responsible for raising money and gathering materials for the classes.
- 8/2002 – 7/2004 **College Student**
Grossmont Community College. El Cajon CA
- Attended to complete main units to transfer to a university

RECEIVED

JUN 22 2017

CITY OF PORTERVILLE
REQUEST FOR APPOINTMENT

CITY OF PORTERVILLE
CITY CLERK OFFICE

Please complete all blanks.

Name: Dalia Gonzalez

(Please Print)

Appointment to: Arts Commission Youth Member

(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address:

Porterville, CA 93257

Mailing Address:

Name of Business:

☐ Own

☐ Operate

Business Address:

Telephone: Home

Work

FAX

E-mail

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☐ Yes

☒ No

QUALIFICATIONS:

I am a student at Monache High School interested in becoming part of the Porterville Arts Commission. I have done many things in my life to prepare me for this position. I have been working on art projects from a very early age and have often been recognized for it. For example, in 5th grade I submitted a design for our school promotion t-shirt and it was selected. Also, last school year at Monache I completed a Visual Arts foundation class with Mrs. Linda Neuhaus and helped create a mural for the Porterville Annual Mural Project for the Porterville Developmental Center. I was also a finalist for the 2016 Step-Up banner contest. In the beginning of this summer, I helped complete a mural at Burton Middle School with Mrs. Mariza Serrano. I am currently working on many projects using different media to grow as an artist, such as paper mache and watercolor.

Besides working on art projects, I am also involved in local organizations that address community issues. While working with these organizations, I have developed organizational and leadership skills. I would like to bring some of the skills and experience that I have acquired in art and in community involvement to promote the arts in Porterville.

- ☐ Resume attached
- ☐ Letter of request attached

Submitted By: Dalia Gonzalez 6/22/2017
Date

Received by: Yuliana Andrade

Forwarded to: City Clerk ☒ Date: 6/22/2017
City Council ☐ Date: _____
City Manager ☐ Date: _____
Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

RECEIVED
JUN 29 2017
CITY OF PORTERVILLE
CITY CLERK OFFICE

Please complete all blanks.

Name: Gary D. Ingraham
(Please Print)

Appointment to: Measure R Citizens Oversight Committee
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: [REDACTED]

Mailing Address: [REDACTED]
Porterville, Calif 93257

Name of Business: Retired School District Asst. Supt.

☐ Own ☐ Operate

Business Address: Retired: Use home address
(Formerly) Porterville Unified Schools

Telephone: Home [REDACTED]

Work Same

FAX Same

E-mail [REDACTED]

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☒ Yes

☐ No

Qualifications: I have lived in Porterville for most of my life (2nd grade to present). We raised our family here. I have served in many elements of Porterville Unified, Lion's club & most actively in Optimist Club. I have been active in Church of Christ for 30 years. I chaired & actively served in the founding of Leadership Porterville & 4-H, Porterville Fair I also taught adjunct at Porterville College. I participate in many elements of Porterville

☐ Resume attached

☐ Letter of request attached

Submitted By: Gary Ingraham 6/29/2017
Date

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

Resume

Gary D. Ingraham

Porterville, California 93257

e-mail: [REDACTED]

EDUCATION:

M.A. - California Polytechnic College, San Luis Obispo - 1975
Major: Education - Instruction and Supervision
B.A. - Pepperdine University - Los Angeles - 1970
Major: History; Minor: Humanities, English
A.A. - Porterville College - 1968

CREDENTIALS:

Standard Administrative Services (Life)
Standard Secondary (Life)
Standard Elementary (Life)

ADMINISTRATIVE EXPERIENCE:

DIRECTOR OF CURRICULUM
Porterville Unified Schools - September 1997 – Retired 2009

ASSISTANT SUPERINTENDENT INSTRUCTION -INTERIM
Porterville Public Schools - March 1997 – June 1997

PRINCIPAL / DIRECTOR - ADULT EDUCATION
Porterville Adult School - 1994 - 1997

ASSISTANT DIRECTOR
Porterville Adult School - 1990 to 1994

VICE PRINCIPAL (9 - 12 Grades) 1976 - 78
Oakdale Joint Union High School

SUMMER SCHOOL PRINCIPAL - 1976 & 1978
Oakdale Joint Union High School District
Lompoc Unified School District - 1976

TEACHING EXPERIENCE:

GRADUATE CREDENTIAL PREPARATION COURSES –
Designated Subjects Credential
Fresno Pacific University CTE Credential Counselor- 2002 - present
Fresno State Extension- 1995 - 2002
Secondary Credential Courses
California State University, Bakersfield - 1999 – 2000

LANGUAGE ARTS INSTRUCTOR 1986 - 1994
Porterville College - Adjunct faculty

ADULT EDUCATION TEACHER
Porterville Adult School 1978 - 90
Lompoc Adult School 1974 - 76

SENIOR HIGH SCHOOL (GRADES 9 - 12) - 1972 -76
Lompoc Senior High School

ELEMENTARY TEACHER
Lompoc Unified Schools - 1973 (Grades 3 – 6)

McKinley-Roosevelt Elementary - 1970 - 72 (Grades 7 – 8)
Kerman-Floyd Elementary – 1970 (Grades 4 - 6 Migrant Education)

**OTHER WORK
EXPERIENCE:**

Trainer
WASC/Accrediting Commission for Schools – 2004 – present
Visiting Committee Chair and Member
WASC/Accrediting Commission for Schools – 1998 - present
Designated Subjects Credentials Advisory Committee (Fresno Co. LEA)
Business Management
General Manager, Porterville Trailer Center, Inc. 1978-88
Co-Owner, The Wood House, 1980 – 84
Licensed Fire, Casualty, and Life Insurance Agency (California)

**PROFESSIONAL
ORGANIZATIONS:**

Association of California School Administrators –Life Member (ACSA)
California Association for Curriculum Development

**COMMUNITY
ORGANIZATIONS:**

PORTERVILLE CHAMBER OF COMMERCE
Leadership Porterville – Chair 1994 – Member – to present
Business Education Committee - 1990 - present
OPTIMIST CLUB OF PORTERVILLE-1986 – present
CHURCH OF CHRIST - 1976 - present
MONACHE BAND PARENTS, INC

**RECOGNITION,
AWARDS AND
PRESENTATIONS:**

CALIFORNIA SCHOOL BOARDS CONFERENCE – 2003
Presenter-Table Talk – State Conference
STATE DEPARTMENT OF EDUCATION "CBE/LEARN"
CONFERENCE
Presenter - State Conference

ACSA – REGIONAL VOCATIONAL EDUCATION ADMINISTRATOR OF
THE YEAR 1997 and 2005

ACSA - ADULT ADMINISTRATOR OF THE YEAR
1997

CALIFORNIA STATE GAIN CONFERENCE
Presenter - 1990, 1991

CALIFORNIA COUNCIL FOR ADULT EDUCATION
Eshelman Administrative Award - 1995
State Conference
Presenter - 1989, 1990, 1992
Central Section Conference
Presenter - 1988, 1989, 1992

PORTERVILLE COLLEGE
Instructor of the Month - 1987

CALIFORNIA TEACHERS' OF ENGLISH
Administrative Support Award - 1974

CALIFORNIA TEACHERS' ASSOCIATION
Section Innovative Teaching Award - (Reading) 1972

Major Civic Awards:

Chamber of Commerce- Man of Year – **Commissioner: Parks and Leisure 2011**
ACSA CTE Administrator of the year - 2005

Curriculum Director (Reduced Load)

TUPE 4-6
AB430 Principal's Training
After School programs
Annual Calendar for District
AP Testing CDE Monitoring
B TSA Program (clear Credential - required)
Chamber Business Education Committee
COOL Night Coordinator
Coordination of Reading Specialists
Course Adoption process (High Schools)
Course Catalogues
Curriculum Council/Focus Group Articulation
Fitness Testing Grades 5, 7, 9
Healthy Kids Survey (required annually)
Invention Classes (special funding)
KCSOS Intern Program Advisory Committee
Literacy Connection Curriculum Coordination
Nutrition Network
Out of District Course - reviews
PAR Committee
Parent Notification and Information(mandates)
Porterville Celebrated Reading articulation
Professional Development Day Tracking
Safe and Drug Free Schools
SB1209 Staff Mentoring
SB1802 Teacher Support Grant
Standard/Benchmarks Coordination/Editing
Text adoption process (k - 12)
Williams Act Compliance (Inst. Materials)
Grade level events: El Dia de Nino, Farm Day, 3/5 Orchestra, Butterfield, Scicon

Previous Curriculum item

Fine Arts/Music 4-8)
GATE Program K-12)
PE Team (4 - 6)
Perkins
Public Schools Banquet
Report Card Format
Summer School k -12
TCOVE/ROP
Tech Prep Grant and Articulation



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Measure R Expenditure Plan Amendment Number 4

SOURCE: Public Works

COMMENT: The 2006 ½-Cent Transportation Sales Tax Measure Expenditure Plan (Measure R) serves as a guide for the use of transportation funds for thirty years. The expenditure Plan was developed by the Tulare County Association of Governments (TCAG) and its nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare), and approved by the voters in November 2006. The Expenditure Plan addresses the diverse interests and regional transportation needs through the year 2037 for Tulare County and the incorporated cities.

The Plan provides a detailed blueprint that allows for the leveraging of state and federal funds through the revenues being received through the Measure R ½-Cent Transportation Sales Tax. The Plan includes funding for regional road improvements, public transit, rehabilitation of existing roads, and other transportation programs that will improve mobility and air quality within the County and each of the Cities.

Amendments to the Plan were approved by the City Council on October 7, 2008 (Resolution No. 87-2008), on December 15, 2009 (Resolution No. 106-2009), and on August 7, 2012 (Resolution No. 86-2012).

On May 15, 2017, action was taken by the Tulare County Transportation Authority (TCTA) to allow the following be requested as the fourth Measure R Expenditure Plan Amendment (see Attachment for additional detail):

- 1) The City of Porterville requests that \$20 million be moved from a North Grand Avenue/SR 65 interchange project in the City of Porterville to a City of Porterville Bike and Pedestrian Project fund, as the interchange is not warranted at this time;
- 2) The City of Woodlake requests the creation of a \$2 million Bike and Pedestrian fund for the City of Woodlake. This will create parity amongst all Measure R recipients;
- 3) Add flexibility to the Air Quality Program. As new or revised funding sources occur, there is a need to have Measure R be flexible to take advantage of leveraging opportunities.

TCAG and the City/County Managers reviewed there requests. Both entities are supportive of the proposed Amendment.

Additionally, the following language is proposed as an amendment to the Measure R Expenditure Plan as Note 24:

“Member agencies with transit service expansion funding in the Expenditure Plan (pages 10 & 11) may replace the service expansion funding with additional state or federal funding. The amount replaced can be used for new or existing Air Quality projects. The agency must submit an annual report that demonstrates the service expansion implemented prior to this Amendment has been maintained. Replacement funding will not be released without a Council/Board approved plan for expenditure of the replaced transit funds, and must be submitted to TCAG prior to approval for expenditure of said funds on Air Quality projects(s). A Council/Board may approve up to a five year plan for replacement projects and combine years of estimated funding as necessary.”

RECOMMENDATION: That the City Council:

1. Approve the attached resolution affirming the City Council’s support of the proposed amendment to the 2006 Measure R Expenditure Plan;
2. Authorize the Mayor and City Manager to execute the attached resolution; and
3. Direct the City Clerk to transmit the executed resolution to Tulare County Transportation Authority for consideration.

ATTACHMENTS:

1. Resolution
2. TCTA Board Staff Report
3. City of Porterville Amendment Request Letter

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

RESOLUTION NO. __-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE AFFIRMING AND APPROVING THE SUPPORT TO AMEND THE FINAL 2006 ONE-HALF CENT TRANSPORTATION SALES TAX MEASURE EXPENDITURE PLAN

WHEREAS, the Tulare County Association of Governments (TCAG) and the nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare) have adopted the Final 2006 One-Half Cent Transportation Measure Expenditures Plan, known as the “Measure R Expenditure Plan”; and

WHEREAS, the Measure R Expenditures Plan list several significant regional projects that address the transportation needs within Tulare County; and

WHEREAS, from time to time the Measure R Expenditure Plan is to be reviewed and appropriately amended to meet the changing dynamics associated with regionally funded transportation projects, inclusive of bike, pedestrian and transit projects, and in order to meet the changing demands due several factors involving private developments and community interests within the nine member agencies; and

WHEREAS, City Council concurs with the need to amend the Measure R Expenditure Plan from time to time, and recommends fundamental changes to the regional project lists as follows:

- 1) The City of Porterville requests that \$20 million be moved from a North Grand Avenue/SR 65 interchange project in the City of Porterville to a City of Porterville Bike and Pedestrian Project fund, as the interchange is not warranted at this time.
- 2) The City of Woodlake request the creation of a \$2 million Bike and Pedestrian fund for the City of Woodlake. This will create parity amongst all Measure R recipients.
- 3) Add flexibility to the Air Quality Program. As new or revised funding sources occur, there is a need to have Measure R flexible to take advantage of leveraging opportunities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve support of the amendments to the Measure R Expenditure Plan and authorizes the Mayor and City Clerk to execute this Resolution and any other related documents as may be required.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



210 North Church St. Suite B.
Visalia, California 93291
Phone (559)623-0450
Fax (559)733-6720
www.tularecog.org

TO: TCTA Board

FROM: Ted Smalley, TCAG Executive Director
Leslie Davis, TCAG Fiscal Manager

DATE: May 25, 2017

SUBJECT: Summary of Measure R Expenditure Plan Amendment Four (4) Requests Approved by TCTA Board on May 15, 2017 for Agency Consideration

1. Request: Delete the N. Grand/SR-65 project in the amount of \$20 million and add \$20 million to the existing the City of Porterville's Bike/Ped Project fund.

Requesting Agency: City of Porterville

Discussion: Caltrans indicated that the SR-65/Grand Avenue interchange will not be necessary during the 30 year life of the Measure R. This combined with the financial cost of improving the abandoned rail corridor and the bike/pedestrian corridors, provides an opportunity to shift funding and better serve the residents of the City of Porterville. Opportunities to leverage bike/pedestrian funding over the next ten years will be improved and state funding for regional projects has declined. Reducing the overall need for Measure R regional funding helps with achieving construction of the regional projects currently identified in the Measure R Expenditure Plan.

TCAG Staff Recommendation: Support the amendment with the condition the additional bike/pedestrian funding cannot be accessed prior to Fiscal year 19/20.

City Manager Recommendation: Support

2. Request: Create a \$2 million Bike/Ped Fund for the City of Woodlake

Requesting Agencies: City of Woodlake

- **Discussion:** A review of the overall Measure R regional projects for the small cities of Exeter, Farmersville, and Lindsay, indicate a minimum of \$5 million worth of projects planned or under construction. Further review of the Measure R Regional Projects Program shows projects located throughout the County and in every city except the City of Woodlake. Adding a Regional Project to the City of Woodlake would be a financial challenge for Measure R, therefore, the City of Woodlake requests \$2 million for Bike/Ped improvements. With the passage of Proposition 1B there will be more funding to leverage for Bike/Ped projects vs. capacity increasing projects.

TCAG Staff Recommendation: Support the amendment with the condition the additional bike/pedestrian funding could not be accessed prior to Fiscal year 19/20.

City Manager Recommendation: Support

3. Request: Add flexibility to the Air Quality Program

Requesting Agencies: All Member agencies

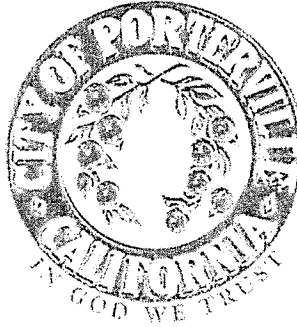
Discussion: All agencies have a need for funding flexibility. As new or revised funding sources occur, there is a need to have Measure R be flexible to take advantage of leveraging opportunities.”

The following language is proposed as an amendment to the Measure R Expenditure Plan as Note 24:

“Member agencies with transit service expansion funding in the Expenditure Plan (pages 10 & 11) may replace the service expansion funding with additional state or federal funding. The amount replaced can be used for new or existing Air Quality projects. The agency must submit an annual report that demonstrates the service expansion implemented prior to this Amendment has been maintained. Replacement funding will not be released without a Council/Board approved plan for expenditure of the replaced transit funds, and must be submitted to TCAG prior to approval for expenditure of said funds on Air Quality project(s). A Council/Board may approve up to a five year plan for replacement projects and combine years of estimated funding as necessary.”

TCAG Staff Recommendation: Support the amendment with a start date of fiscal year 2018/19 and the Measure R Policies and Procedures will be amended by December 31, 2017.

City Manager Recommendation: Support



September 30, 2016

Tulare County Transportation Authority (TCTA)
Mr. Ted Smalley, Executive Director
210 N. Church Street, Suite B
Visalia, California 93291

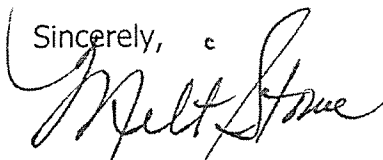
Re: Request for Measure R Expenditure Plan Amendment

Dear Mr. Smalley:

On behalf of the City Council for the City of Porterville, please accept this letter as a request for the TCTA Board of Directors to consider an Amendment to the Measure R Expenditure Plan. Pursuant to the current Expenditure Plan, improvements are identified on both the State Route 65 and State Route 190 corridors, totaling over \$140 million. With the Authority's support, the City of Porterville is currently engaged with Caltrans on the development of the State Route 190 Corridor Plan, which will identify near-, medium-, and long-term improvements. Also, with significant support of Measure R funds, Caltrans will soon begin construction in the widening of State Route 65, with future phases to be determined by Caltrans. As the City continues to coordinate with Caltrans on the State Route 65 and 190 corridors in defining necessary improvements and the timing of such, the City Council requests that the Expenditure Plan be amended to provide flexibility to implement improvements along the corridors as determined by Caltrans.

In addition, with support of Measure R funds, the City is in ownership of approximately eight miles of the former Union Pacific Railroad right-of-way between Porterville and Strathmore. In support of preserving this important corridor for potential future rail development, as well as implementing alternative modes of transportation, the City Council requests the Authority's consideration of amending the Expenditure Plan to allow the programming of Measure R funds to serve as a match for Federal and State grants for the development of the corridor and the implementation of the City's Active Transportation Plan.

Thank you for your time and consideration of this letter.

Sincerely, 
Milt Stowe, Mayor
City of Porterville



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Conditional Use Permit Review for Galaxy 9 Theatre (PRC 2016-041-M)

SOURCE: Community Development

COMMENT: On July 5, 2016, the City Council approved Resolution 42-2016 for a modification to Conditional Use Permit 1-97(PRC 2016-041-M), to allow for a Type 41 On-Sale (beer and wine) alcohol license at Galaxy 9 Theatres, located at 631 N. Indiana Street. The resolution included Condition #7 which states: "This conditional use permit shall be reviewed 12 months from the date of approval at which time the City Council will review the application to determine whether the applicant has met adequate measures to control alcohol consumption and customer activities inside the building."

Galaxy 9 Theatre started serving alcohol to patrons attending the theatre on February 9, 2017. No additional staff was hired; however, two floor staff employees were promoted to Assistant Managers to assist with the supervision of alcohol sales and auditorium inspections. The theatre has regular security on Friday and Saturday nights from 5:00 p.m. to 1:00 a.m. Theatre Manager Veronica Garcia stated that if a movie is anticipated to have more alcohol sales they will call the security company and request additional guards. Ms. Garcia stated that the sale of alcohol was a learning experience for herself, the other managers, and staff, but Galaxy 9 Corporate helped make the transition easier. All customers are required to provide ID regardless of age. Additionally, Galaxy Theatres has mystery shoppers that will come and review once or twice a month. During their review, the mystery shopper will always request an alcoholic beverage. In the instances where the mystery shopper did not have identification, they were refused an alcoholic beverage. Ms. Garcia stated that every time a mystery shopper has provided feedback, they were refused alcohol when they were not able to produce identification.

The Porterville Police Department identified there have been no incidents of significance related to the sale of alcohol. Community Development staff performed a site visit on July 3, 2017, and took pictures of where the alcohol is kept. Ms. Garcia stated that many patrons are unaware that alcohol is offered at this location as she still receives inquiries as to when they will begin to serve alcohol.

Based on a review of the resolution and conditions of approval, Galaxy 9 is operating in compliance with the conditions set forth in Resolution 42-2016.

RECOMMENDATION: That the City Council consider staff's report in the review of whether the applicant has met adequate measures to control alcohol consumption and customer activities inside the building.

ATTACHMENTS: 1. Resolution 42-2016

Appropriated/Funded:

Review By:

Department Director:

Jenn

Final Approver: John Lollis, City Manager

RESOLUTION NO. 42-2016

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

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

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

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

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

WHEREAS: The City Council made the following findings:

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

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

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

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

3. This project is Categorical Exempt pursuant to CEQA Guidelines §15301, Existing Facilities, Class 1.

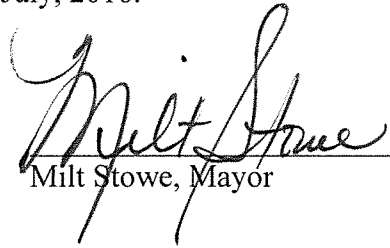
4. The California Department of Alcoholic Beverage Control (ABC) allows for a specific number of licenses per census tract, based on population. Whenever the ratio of on-sale licenses to population in a census tract exceeds the average ratio for the county, an “undue concentration” of licenses is determined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

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

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

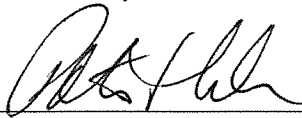
9. The applicant shall operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. In the event that this or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

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


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By 
Patrice Hildreth, Chief Deputy City Clerk

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 a meeting of the Porterville City Council duly called and held on the 5th day of July, 2016.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:					
ABSTAIN:					
ABSENT:		X			

JOHN D. LOLLIS, City Clerk


By: Luisa M. Zavala, Deputy City Clerk



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Adoption of Annual Appropriation Limit

SOURCE: Finance

COMMENT: Article XIII-B of the California Constitution requires that each governmental agency must adopt an appropriation limit each fiscal year. This limit represents the maximum amount of tax revenue that can be appropriated during the fiscal year.

The State Department of Finance has provided the percentage change in population of the City of Porterville and the percentage change in per capita personal income for the 2017-2018 fiscal year calculation. Based on this information and the guidelines established by the State, the appropriation limit for the 2017-2018 fiscal year is \$67,836,078. With proceeds from taxes estimated at \$21,388,741 for the adopted 2017-2018 fiscal year budget, the City continues to appropriate well below the maximum limit allowed by law.

RECOMMENDATION: That the City Council approve the attached resolution adopting the appropriation limit of \$67,836,078 for the 2017-2018 fiscal year.

ATTACHMENTS:

1. Draft Resolution
2. Calculation worksheet

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PORTERVILLE SETTING THE APPROPRIATION LIMIT FOR THE
2017-2018 FISCAL YEAR

WHEREAS: Article XIII – B of the California Constitution requires that each governmental agency adopt an appropriation limit each fiscal year; and

WHEREAS: The State of California has presented the guidelines for the consumer price index, the per capita personal income and the population data for local governments to compute the appropriation limit.

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve the appropriation limit of \$67,836,078 for the 2017-2018 fiscal year as computed on the attached worksheet.

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

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

**CITY OF PORTERVILLE
APPROPRIATION LIMIT DOCUMENTATION
FISCAL YEAR 2017-2018**

PROCEEDS OF TAXES CALCULATION				APPROPRIATION LIMIT CALCULATION			
	[1] PROCEEDS OF TAXES	PROCEEDS OTHER THAN TAXES	TOTAL ESTIMATED REVENUES	YEAR	[2] CALIFORNIA PCPI CHANGE	[3] POPULATION CHANGE	LIMIT
PROPERTY TAXES	6,508,500		6,508,500	1986-1987	BASE YEAR		10,422,371
SALES & USE TAXES	9,476,628		9,476,628	1987-1988	3.47%	1.75%	10,972,748
UTILITY USERS TAX	4,000,000		4,000,000	1988-1989	4.66%	2.27%	11,744,767
TRANSIENT OCCUPANCY TAX	500,000		500,000	1989-1990	5.19%	8.28%	13,377,258
BUSINESS LICENSE	450,000		450,000	1990-1991	4.21%	7.03%	14,920,454
OTHER TAXES	265,000		265,000	1991-1992	4.14%	3.79%	16,127,057
FRANCHISE FEES		1,561,134	1,561,134	1992-1993	-0.64%	4.51%	16,746,519
PERMITS		489,800	489,800	1993-1994	2.72%	4.26%	17,934,831
REVENUE FROM STATE				1994-1995	0.71%	3.63%	18,717,825
MOTOR VEHICLE IN LIEU	25,000		25,000	1995-1996	4.72%	2.40%	20,071,738
HOMEOWNERS RELIEF	25,000		25,000	1996-1997	4.67%	2.85%	21,607,847
OTHER REV FR STATE		26,909,260	26,909,260	1997-1998	4.67%	2.71%	23,229,852
OTHER INTERGOVTAL REV		14,900,786	14,900,786	1998-1999	4.53%	2.05%	24,779,949
USE OF MONEY & PROPERTY				1999-2000	4.91%	1.61%	26,415,190
INTEREST	138,613	589,542	728,155	2000-2001	7.82%	1.33%	28,859,653
RENT		590,184	590,184	2001-2002	-1.27%	2.07%	29,082,943
FINES & FORFIETURES		186,000	186,000	2002-2003	2.31%	2.56%	30,516,481
CHARGES FOR SERVICES		44,602,429	44,602,429	2003-2004	3.28%	2.43%	32,283,295
OTHER REVENUES		1,140,262	1,140,262	2004-2005	5.26%	2.45%	34,813,941
	<u>21,388,741</u>	<u>90,969,397</u>	<u>112,358,138</u>	2005-2006	3.96%	2.18%	36,981,571
				2006-2007	4.42%	14.26%	44,122,820
				2007-2008	4.29%	1.99%	46,931,401
				2008-2009	0.62%	1.79%	48,067,656
				2010-2011	-2.54%	1.98%	47,774,303
				2011-2012	2.51%	1.47%	49,693,348
				2012-2013	3.77%	1.28%	52,226,842
				2013-2014	5.12%	0.92%	55,405,944
				2014-2015	-0.23%	0.75%	55,693,099
				2015-2016	3.82%	0.75%	58,254,230
				2016-2017	5.37%	5.39%	64,690,998
				2017-2018	3.69%	1.13%	67,836,078
				PROCEEDS OF TAXES			<u>21,388,741</u>
				PROCEEDS OF TAXES UNDER APPROPRIATION LIMIT			<u>46,447,337</u>

[1] Per City of Porterville 2017-2018 Annual Budget adopted by City Council on June 20, 2017.

[2] Per State Department of Finance (per capita personal income).

[3] Per State Department of Finance (population growth of City or County, whichever is greater).

CITY OF PORTERVILLE
APPROPRIATION LIMIT DOCUMENTATION
FISCAL YEAR 2017-2018

	GENERAL	MEAS H	SPECIAL GAS TAX	LTF	TRAFFIC SAFETY	ZALUD ESTATE	CDBG	TRANSIT	COPS	SEWER OPER	SOLID WASTE	AIRPORT	GOLF COURSE	WATER OPER	GEN GOV DEBT SERV	
PROPERTY TAXES	6,500,000											8,500				
SALES & USE TAXES	5,909,737	3,566,891														
UTILITY USERS TAX	4,000,000															
TRANSIENT OCCUPANCY TAX	500,000															
BUSINESS LICENSE	450,000															
OTHER TAXES	265,000															
FRANCHISE FEES	1,561,134															
PERMITS	489,800															
REVENUE FROM STATE																
VEHICLE LICENSE FEES IN EX	25,000															
HOMEOWNERS RELIEF	25,000															
OTHER REV FR STATE	187,535		2,276,361	232,000			92,424	10,136,397	150,000		20,000	10,000				
OTHER INTERGOVTAL REV			367,355	3,930,000			634,391	7,772,897	15,000							
USE OF MONEY & PROPERTY																
INTEREST	175,000	5,000	15,000	70,000	400	600	20,000		1,200	25,000	18,000	20,000		30,000		
RENT	295,000									112,596		164,588				
FINES & FORFIETURES	36,000				150,000											
CHARGES FOR SERVICES	5,110,054	2,500				6,500	725	595,952	42,500	6,687,000	5,780,000	1,458,394	196,000	10,970,000	640,710	
OTHER REVENUES	87,200					500				294,000	95,000	400	2,000	200,000		
	25,616,460	3,574,391	2,658,716	4,232,000	150,400	7,600	747,540	18,505,246	208,700	7,118,596	5,913,000	1,661,882	198,000	11,200,000	640,710	
	RISK MGMT	EQUIP MAINT	LMD	WATER REPLACE	SOLID WASTE RE	SEWER REVLV	TRANSPORT IMPACT	PARK DEVEL	WWTP RESERVE	STORM DRAIN DEVELOP	BLDG CONSTR	GEN FUND EQUIP REPL	AIRPORT REPL AND DEVEL	GOLF COURSE REPL	EQUIP MAINT REPL	TOTAL ESTIMATED REVENUES
PROPERTY TAXES																6,508,500
SALES & USE TAXES																9,476,628
UTILITY USERS TAX																4,000,000
TRANSIENT OCCUPANCY TAX																500,000
BUSINESS LICENSE																450,000
OTHER TAXES																265,000
FRANCHISE FEES																1,561,134
PERMITS																489,800
REVENUE FROM STATE																
MOTOR VEHICLE IN LIEU																25,000
HOMEOWNERS RELIEF																25,000
OTHER REV FR STATE				13,760,000									44,543			26,909,260
OTHER INTERGOVTAL REV					1,290,278								890,865			14,900,786
USE OF MONEY & PROPERTY																
INTEREST	1,000	7,000		75,000	35,000	50,000	10,000	55	60,000	18,000	5,000	75,000	5,000	1,700	5,200	728,155
RENT		18,000														590,184
FINES & FORFIETURES																186,000
CHARGES FOR SERVICES	6,570,020	3,210,000		398,938	934,910	213,426	200,000	50,000	380,364	100,000		800,000	84,186	37,188	133,062	44,602,429
OTHER REVENUES	500		115,500	155,162		45,000			125,000			20,000				1,140,262
	6,571,520	3,235,000	115,500	14,389,100	2,260,188	308,426	210,000	50,055	565,364	118,000	5,000	895,000	1,024,594	38,888	138,262	112,358,138

* Source:

City of Porterville 2017-2018 Annual Budget adopted by City Council on June 20, 2017.



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Consider Pocket Parks in New Residential Development

SOURCE: City Manager's Office

COMMENT: At its last meeting on June 20th, the City Council approved Vice Mayor Ward's request that the Council consider pocket parks as an amenity of new residential development as a Scheduled Matter at its July 18th meeting.

The Porterville General Plan, Chapter 5, identifies policies and implementation measures for Parks, Schools and Community Facilities. Recognizing that recreational and aesthetic resources contribute to the City's character, pocket parks have been identified as a park under an acre in size intended to serve the needs of a neighborhood within a half-mile radius. Guiding policy PSCF-G-2 provides that park and recreation facilities be within close proximity to residents they are intended to serve.

In 2006, the City had a ratio of 5.1 acres of parkland per 1,000 residents. Trails, Community Facilities and Pocket Parks do not contribute to the ratio. Under the assumed build-out of the General Plan Land Use, an additional 620 acres of parkland were determined to be necessary.

The minimum standard in the General Plan is identified in implementation policy PSCF-I-3, which requires that residential developers provide a minimum of five acres of neighborhood and community parks per 1,000 residents (294 residential units, based upon Porterville's average household size of 3.39) or pay in lieu fees (which has been implemented as §407.01(b)(10) of the Porterville Development Ordinance).

An additional implementation policy (PSCF-I-1) is to prepare, adopt and implement a Parks and Recreation Master Plan within which a standard for pocket parks or parks even smaller than an acre could be identified.

RECOMMENDATION: That the City Council consider pocket parks as an amenity of new residential development.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 18, 2017

SUBJECT: Consider Community Swimming Pools in New Residential Development

SOURCE: City Manager's Office

COMMENT: At its meeting on June 20th, the City Council approved Vice Mayor Ward's request that the Council consider community swimming pools as an amenity of new residential development as a Scheduled Matter at its July 18th meeting.

The Porterville General Plan, Chapter 5: Parks, Schools and Community Facilities Element, identifies Community Parks as a park typically greater than 15 acres in size intended to serve the recreational needs of the entire city. Such facilities may include swimming pools.

The General Plan and the Subdivision Ordinance do not currently address any requirements for public pools. It could be posited that a community pool provides a social gathering place and could serve as a base for summer activities in a neighborhood. Staff would recommend for any community pool that a requirement of maintenance and liability remain with a Homeowner's Association, and for Council to determine minimum standards for such a facility to be required.

The average residential swimming pool uses 18,000 – 20,000 gallons of water to fill. Due to evaporation, approximately 120 gallons of water per day is needed. In a 1999 study, the California Urban Water Conservation Council concluded that for 194 homes with swimming pools, the addition of a swimming pool increased demand for water between 22 to 25 percent. Adding an automatic sprinkler system for a lawn increased demand between 55 to 60 percent. The same study concluded pools use about as much water per square foot as irrigated lawns.

RECOMMENDATION: That the City Council consider community swimming pools as an amenity of new residential development.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – JULY 18, 2017

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. It is anticipated that the Governor will end the drought state of emergency in the four remaining counties effective August 1, 2017.

At its last meeting on June 20, 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. 5 residences within the city have been determined to have dry wells, for which City staff submitted a Mutual Aid Request to Tulare County OES to initiate the household tank program for identified properties within the city where wells are dry and challenged for permanent connection. City, County, State and non-profit partner representatives have continued to discuss solutions toward addressing these challenged residences when the State is expected to end its drought emergency funding effective August 1st. The State has committed funding through June 30, 2018 for non-profit agencies to continue drought-related activities, which Self-Help Enterprises has committed to continue the household tank program locally.

Representatives for the City, County, State (CalOES, DDW, DWR, and SWB) and non-profit partners 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 its 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 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.

When Fallen Heroes Park began design in 2012 and was constructed in 2014, it included a splash pad water feature. The feature was designed as a non-recirculating versus recirculating system due to cost and health safety regulations. The splash pad utilizes 98 gallons of water per minute, which calculates to 5,918 gallons per hour and at an expense of \$14.12. The splash pad drains by daylighting along the west side of the park through a sloped bio-swale that flows to a bio-retention cell at the northwest corner of the park, that percolates into the ground onsite and prevents run-off. Though it is not graded to irrigate the park's turf, staff has considered that the water could be pumped and recycled from the bio-retention cell onto the turf for irrigation purposes.

In March 2015, as California entered the fourth year of the recent historic drought, the State Water Resources Control Board adopted regulations that prohibited the operation of a fountain or decorative water feature unless the water used was part of a recirculating system, caused the City to cease operation of the splash pad. As certain emergency drought regulations are being lifted with drought conditions receding, this prohibition is being considered permanent. Other cities with similar splash pad systems have begun to again utilize the splash pads under provisions of public health and safety as a public cooling area, which is permissible under the regulations and can be locally-determined according to the Department of Water Resources.

Staff recommends that the Council consider the use of the splash pad at Fallen Heroes Park as a public cooling area for the provision of public health and safety, to be used intermittently when temperatures exceed 95 degrees Fahrenheit.

RECOMMENDATION: That the City Council:

1. Receive the report of status and review of the Declaration of Local Emergency and determine the need exists to continue said Declaration; and

2. Approve the use of the splash pad at Fallen Heroes Park as a designated cooling area for public health and safety purposes.

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

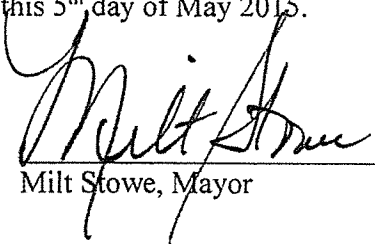
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

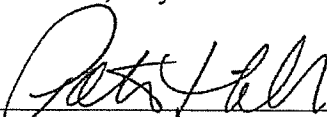
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, 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. Burrell Avenue
Visalia, CA 93291

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

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

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

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

6. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.
7. Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.
8. This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. This Agreement is entered into and shall be performed in Tulare County, California. CITY waives the removal provisions of California Code of Civil Procedure Section 394.
9. The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party or either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.
10. The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.
12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.
13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.
14. Insurance
15. Permit
16. Dispute Resolution: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.
17. Indemnification: CITY shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CITY or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CITY under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CITY's failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

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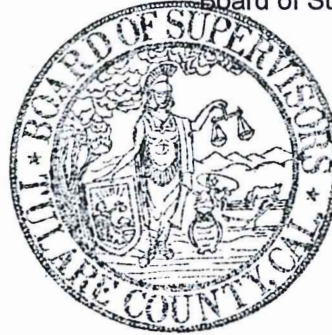
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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

BY Mike Ennis
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 Danisa A. Ybana
Deputy Clerk

Approved as to Form
County Counsel

By M. Ennis for LMT
Deputy 20151902

CITY OF PORTERVILLE

BY Milt Stowe
Milt Stowe, Mayor

ATTEST:
City Clerk of the City of Porterville

BY J. L. Lolis
John Lolis, City Manager

Approved as to Form

BY [Signature]
City Attorney

EXHIBIT 'A'

East Porterville Project Boundary

Legend

-  East Porterville Project Boundary
 Parcels Within Project Boundary Area (1,776)
 CityLimits
 UDB

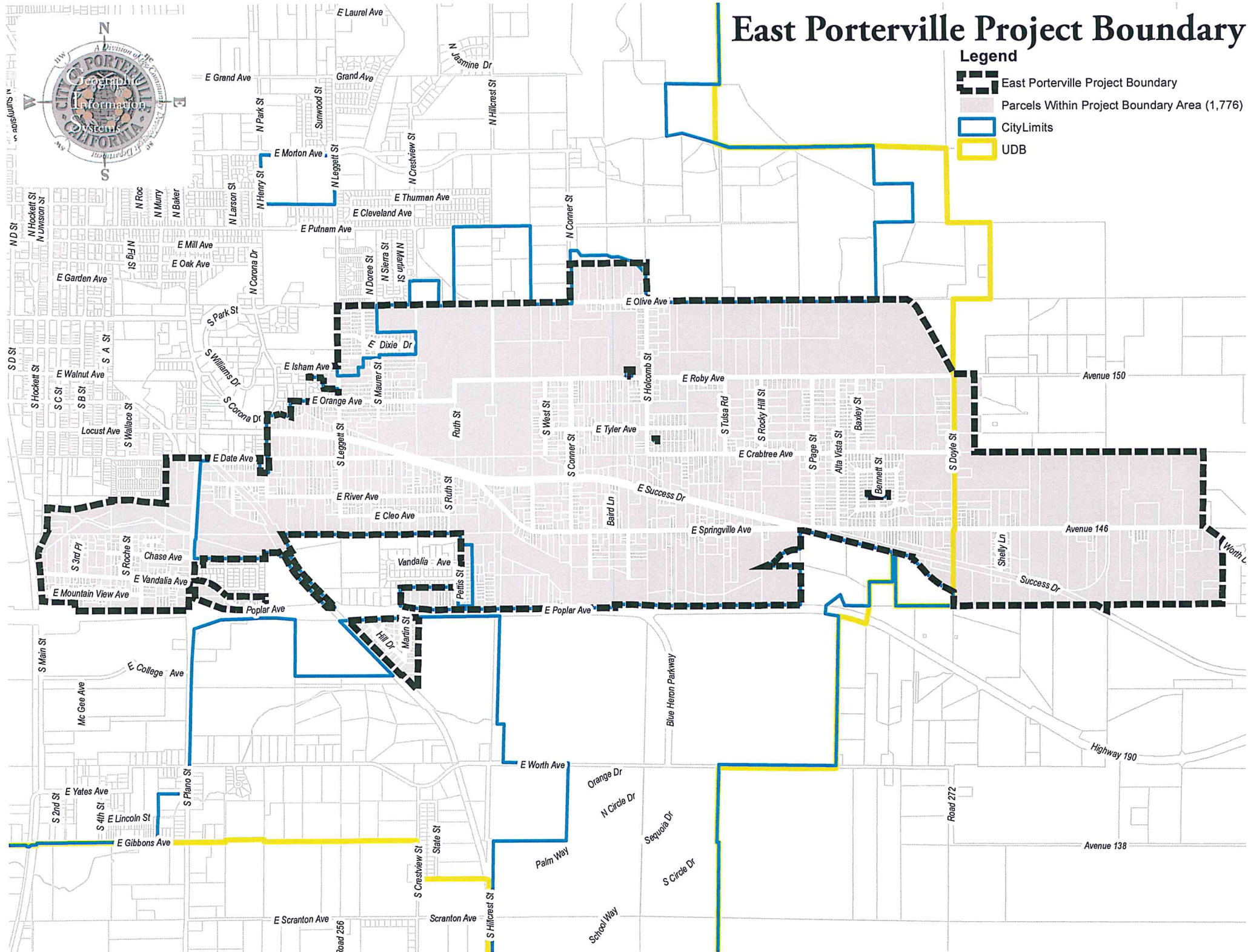


EXHIBIT 'B'

RESOLUTION NO. 74 -2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE DEFINING OBJECTIVES AND POLICIES FOR ANNEXATIONS AND MUNICIPAL SERVICES

WHEREAS: The City of Porterville established a policy concerning annexation and provision of municipal services in 1986, noting that “the City, in order to grow for reasons of economies of scale and quality of services must expand its boundaries within reason, generally encourages the owners of properties contiguous to the city of Porterville to annex to said City of Porterville”; and

WHEREAS: Since 1990, the population of the city of Porterville has increased 53% according to the California Department of Finance, and the land area of the city proper has increased by 38% according to City annexation records; and

WHEREAS: The City of Porterville accepts its responsibility to provide municipal services to those residents, businesses, and other land uses within the limits of the city. The City of Porterville has taken the position that the costs of all physical improvements within the city have been paid by property owners, and other taxes derived in the city, and, therefore, these same people should not be required to bear the expense of additional physical improvements needed to serve newly annexed areas.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby define the following objectives related to annexations and municipal services:

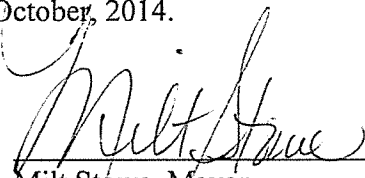
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, and where appropriate, to provide those services beyond the limits of the city within the Urban Development Boundary, and only in extreme cases to those properties beyond the Urban Development Boundary within the Urban Area Boundary.
3. To provide for land development and growth in a manner consistent with the General Plan, particularly as it relates to land use and circulation.
4. To consider an application upon its own merits, and identify what benefits would accrue to the City as an agency and service provider, to the residents of the city of Porterville, and to the applicant.
5. To identify the problems involved in any proposal considered for annexation or request for extra-territorial services and resolve them in the manner most beneficial to the properties within the city of Porterville.
6. To develop factual information to permit informed discussion between City representatives and property owners/residents of unincorporated territories.

BE IT FURTHER RESOLVED, that the City Council of the City of Porterville does hereby establish the following policies for consideration of annexations and municipal services:

1. It shall be the policy of the City of Porterville to consider annexation proposals only within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County Local Area Formation Commission (LAFCo).

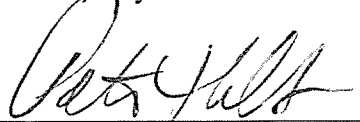
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, only where necessary in order to respond to an existing or impending threat to public health or safety of affected residents, to consider extra-territorial service requests within the Urban Area Boundary, as adopted by City Council and identified on the City of Porterville Zoning Map.
4. It shall be the policy of the City of Porterville to consider annexation proposals and extra-territorial service requests in a manner consistent with the policies and regulations adopted by the Tulare County LAFCo and the State of California, as applicable.
5. It shall be the policy of the City of Porterville to discourage single-family one (1) lot annexation proposals that may have an adverse fiscal impact on the City of Porterville.
6. It shall be the policy of the City Council that territory shall not be annexed to the city of Porterville, which as a result of such annexation, unincorporated territory is completely surrounded, or substantially surrounded by the city of Porterville.
7. It shall be the policy of the City of Porterville that annexation proposals shall be in conformance with the Cortese-Knox-Hertzberg Act of 2000, as amended.
8. It shall be the policy of the City Council to consider each petition/consent for annexation upon its relationship to what economic benefits will accrue to the City of Porterville, and to the area residents/property owners.
9. It shall be the policy of the City Council that the costs of all physical improvements will be borne by the property owners/resident or developer.
10. It shall be the policy of the City of Porterville to maintain the viability of agricultural productivity; i.e. protecting and conserving as much agricultural land as possible in the area surrounding the Porterville community.
11. It shall be the policy of the City of Porterville that the applicant for annexation present proposals to the Project Review Committee and explain the particulars of the area under consideration for possible annexation, including a plan for services.
12. It shall be the policy of the City of Porterville to consider any requests for annexation or extra-territorial services in a manner consistent with the procedures adopted by resolution of the City Council.

PASSED, APPROVED AND ADOPTED this 21st day of October, 2014.


Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 21st day of October, 2014.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X		X	X	X
NOES:		X			
ABSTAIN:					
ABSENT:					

JOHN D. LOLLIS, City Clerk


By: Luisa M. Zavala, Deputy City Clerk

RESOLUTION 19-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
ESTABLISHING PROCEDURES FOR ANNEXATIONS AND EXTENSION OF
MUNICIPAL SERVICES

WHEREAS: On October 21, 2014, the City Council of the City of Porterville adopted two resolutions that defined objectives and policies, and established procedures for annexations and municipal services, respectively; and

WHEREAS: The on-going, severe drought of the past few years has created a situation where hundreds of parcels in the East Porterville area are experiencing dry wells, or wells of substandard water quality. State and regional agencies have come together with the City to identify and develop a long-term solution to this crisis, which will involve a significant infrastructure project to allow extension of municipal water services to the area. Not all parcels within the subject area meet the mandatory findings for extra-territorial service agreements as identified in the City's current procedures.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby amend existing procedures to submit application for municipal services, and to have said application(s) processed as outlined in Exhibit "A", attached. The exemption identified for the East Porterville Feasibility Study Project Area will apply to the area represented in Exhibit "B".

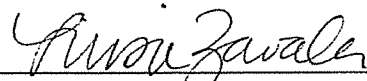
PASSED, APPROVED AND ADOPTED this 19th day of April, 2016.



Milt Stowe, Mayor

ATTEST:

John D. Lollis, City Clerk

BY 

Luisa Zavala, Deputy City Clerk

All properties requesting annexation or extraterritorial services are subject to the procedures established below unless otherwise stated. Compliance with City of Porterville procedures does not guarantee approval by LAFCo of annexations or extra-territorial service agreements. Upon request for an annexation or extraterritorial services request, staff will evaluate whether the applicant's property is within the City's Urban Development Boundary or Urban Area Boundary and explain the process.

ANNEXATION APPLICATION PROCEDURE

1. A complete annexation application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, Application for Annexation, and other materials as required with those applications respectively.
2. On receipt of an application as outlined above, all materials will be considered by the Project Review Committee, who will coordinate in a pre-consultation process with LAFCO staff and the County Public Works Department for review and recommendation.
3. During review by the Project Review Committee of the necessary application and data, staff will prepare a report and findings on all aspects of the proposed action(s).
4. An environmental document will be prepared pursuant to the California Environmental Quality Act (CEQA), reviewing the potential environmental effect of the proposed activities. The Zoning Administrator will make an initial determination of the level of environmental review required.
5. After proper noticing, a public hearing will be held for the City Council to hear comments related to the project at a regularly scheduled meeting. The Council will authorize staff to initiate the application with LAFCo. Documents will be filed in accordance with the Cortese-Knox-Hertzberg Act of 2000, as amended, and submitted to the Local Agency Formation Commission for its review, recommendation and action.
6. On consummation by the City Council, the City Clerk shall submit the necessary materials to the State Board of Equalization with the appropriate acreage fees, which are paid by the Applicant.
7. In the event the annexation fails, either by dissenting votes of the City Council or at hearing at LAFCo, the City Council may approve an extraterritorial service agreement within the Urban Development Boundary, subject to conditions identified in the deed restriction.

ANNEXATION EXEMPTION PROCEDURE

Where a certain property meets all of the following criteria, they may proceed with an Extraterritorial Service Agreement for water or storm-water drainage without first attempting annexation, subject to the conditions of Extraterritorial Service Agreements as defined below.

1. Previously developed single family residences on parcels 24,999 square feet or smaller, OR a school developed by a State funded school district.
2. The parcel requesting services must be immediately adjacent to a municipal main providing the requested service, or the property owner shall provide for the extension of the main line to City standards at their expense.

EXTRATERRITORIAL SERVICES APPLICATION PROCEDURE

Extraterritorial Service connections may be made subject to the following conditions. Note specific parameters and the required findings for connections in the Urban Development Boundary and the Urban Area Boundary.

1. Application: A complete extraterritorial services application packet includes: fees, an Irrevocable Agreement to Annex, information as needed to define a deed restriction specific to land use and zoning, and other materials as required with those applications respectively.
2. General Plan Consistency:
 - a. Proposed Uses and Improvements: Service connections are to be withheld from proposed uses and improvements that would not be consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan.
 - b. Existing Uses and Improvements: Service connections to existing uses and improvements which are not consistent with the adopted Land Use Element of the Porterville Area General Plan and the City of Porterville General Plan shall be considered at the discretion of the City Council, and may be subject to other restrictions.
3. Agreements and covenants:
 - a. A deed restriction specific to land use and zoning must be approved by the property owner and the City Council, and recorded with the County of Tulare upon the property, at the applicant's cost.
 - b. An irrevocable agreement to annex must be signed by the property owner and recorded with the County of Tulare upon the property, at the applicant's cost.
4. Time limitations: The City Manager or his designee, or the City Council may condition the approval of applications for service connections by establishing a time frame within which connections must be made to avoid re-application.
5. Improvement Plans: Applications for service connections, which necessitate the extension of one or more municipal facilities to property in order to make such connections, shall be conditioned by the City Manager or his designee, or the City Council to require that Construction Drawings of the intended public improvements be submitted to the City Engineer for plan check and approval. Costs incurred for the preparation of improvement plans, and certain off-site construction and/or installation costs related to extending facilities, shall be the responsibility of the applicant.
6. Fees: Prior to the issuance of a Connection Permit, payment must be made to the City of Porterville of all fees pertinent to the respective service connection, or connections, approved by the City Manager or his designee, or the City Council.

Within the Urban Development Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.
- That the subject property is not within an island as defined by Tulare LAFCo.
- That an attempt to annex the subject site is not realistic given current city limit boundaries. Specifically, the parcel is too far removed from the city limit, and/or the number and valuation of adjacent parcels would result in a failed annexation effort.

Within the Urban Area Boundary:

For connection of water or storm-water facilities, the requesting party must fully fund the extension of infrastructure if it does not already exist in order to connect. The City of Porterville Wastewater Facility is a regional facility and as such, an extraterritorial service request cannot be denied; however, the requesting party must fund a fair share of the extension of infrastructure if it does not already exist in order to connect. Contract services for police, fire, or building inspection services shall be approved by resolution of the City Council.

For connection of water or storm-water facilities, the following findings must be made in order for the Council approve an extraterritorial service connection:

- That the subject property is a previously developed single family residence on a parcel 24,999 square feet or smaller, OR a school developed by a State funded school district.
- That failure to connect to municipal services would result in a threat to public health or safety of affected residents.
- That connection of the subject property would not result in a negative impact to the City of Porterville water and/or storm-water system.

EXEMPTIONS AND EXCEPTIONS

1. PVPUD: Connections to Porterville Regional Sewage Treatment Facilities serving uses and improvements to property within the boundaries and jurisdiction of the Porter Vista Public Utility District (PVPUD) are exempted from application to the City of Porterville. Interested parties should contact the PVPUD for information on connection requirements and fees pertaining

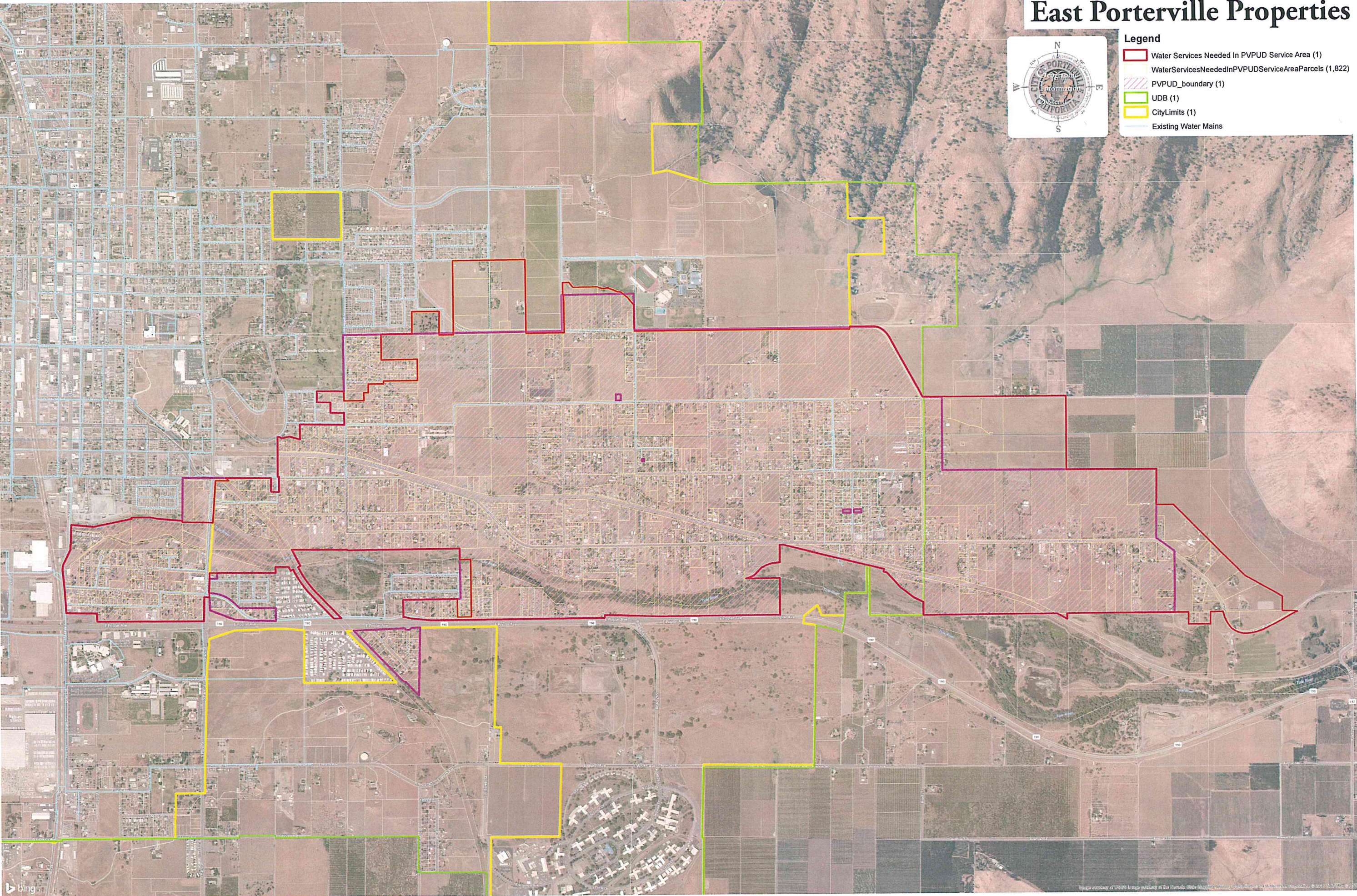
to sewer services. This exemption does not apply to requests for connection to Municipal Water and/or Master Storm Drain Facilities.

2. PRIOR APPROVALS: Porterville City Council approval of requests for connection to Regional Sewage Treatment, Municipal Water and/or Master Storm Drain Facilities as authorized prior to the adoption and effective date of the respective policies set forth herein shall remain valid and in force according to the terms and conditions initially specified at the time of approval, and re-application will not be required.

3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues in East Porterville. Properties within that boundary would be permitted to apply for connection, whether in association with DWR, SWRCB, or at a later date, on their own. Such connections would be subject to the mandatory findings as outlined in this procedure, with the following exceptions:

- Rather than require that the subject property be a developed single-family residence on a parcel 24,999 square feet or smaller, neither the land use nor the parcel size would be restricted neither the land use nor the parcel size would be restricted for legal and legal non-conforming structures and land uses existing as of April 29, 2016.
- Further, properties within certain islands in the EPFS Project Area would not be required to annex prior to connection. This exception does not limit the City of Porterville's authority to pursue annexation in the future, but rather waives the requirement that annexation must be approved prior to connection.

East Porterville Properties



STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 19th day of April, 2016.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X	X	X	X	
NOES:					
ABSTAIN:					
ABSENT:					X

JOHN D. LOLLIS, City Clerk

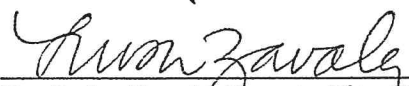

By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'



EXHIBIT 'D'

Scope of Work

Task	Description	Cost
1.2	Prepare Well Drilling Plans, Specifications, and Estimates	\$468.00
3.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$1,526.00
5	Ph. 1 Preconstruction Meeting	\$1,357.43
Total:		\$3,351.43

Consulting Engineering work will be reimbursed directly to Dee Jaspar & Associates under Tulare County Agreement No. 1276, including the following Tasks:

Task 4.1	Project Evaluations and Field Surveying	\$58,326.00
Task 4.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$30,000.00
Task 4.3	Prepare and Assist with SCE Application & Telephone Service	\$5,000.00
Task 4.4	SCE Costs	\$15,000.00
Total:		\$108,326.00

Discussion Draft

Subject to Additional Review and Modification by the Parties

Porterville MOU
Draft 2
June 15, 2016
PortervilleEmergencyMOU061516



Memorandum of Understanding (MOU)

Regarding the Provisions of Emergency Water Supplies to East Porterville

by the California Department of Water Resources (DWR), California Office of Emergency

Service (OES), the State Water Resources Control Board (SWRCB),

the County of Tulare (County), and City of Porterville (Porterville),

which are collectively known as the “Parties”

Recitals

Whereas, some residents living in an unincorporated area of Tulare County, commonly known as “East Porterville,” have experienced loss of adequate water supply to their homes and properties as a result of severe drought conditions, which has caused significant hardship for the residents;

Whereas, Governor Edmund G. Brown Junior has directed all State agencies to assist these residents who are in need of water supplies with emergency and long-term assistance;

Whereas, Governor Edmund G. Brown Junior signed Assembly Bill 685 in 2012, adding Water Code section 106.3, which recognizes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes, and which requires all relevant state agencies to consider this right when revising, adopting, or establishing pertinent policies, regulations, and grant criteria;

Whereas, the Parties have provided emergency water supplies to some residents of East Porterville that are without an adequate household water supply;

Whereas, the Parties to this MOU seek an emergency and long-term solution to the lack of adequate household water supply by developing and providing continuous water supplies to these residents;

Whereas, East Porterville is located east and adjacent to Porterville, which has an existing municipal water system that serves residents within the incorporated area of Porterville;

Whereas, some of the residents of East Porterville without an adequate household water supply could be connected to Porterville's municipal water system provided certain arrangements and projects are carried out by the Parties;

Whereas, Vandalia is a neighborhood located within Porterville, and some Vandalia residents lack adequate household water supply and these households could be connected to Porterville's municipal water system;

Whereas, the Parties have met and have discussed alternative plans and projects that would provide an emergency water supply from Porterville to some residents of East Porterville and Vandalia in an expeditious manner;

Whereas, to advance these projects, DWR has provided funding, as reflected in the agreement between DWR and Tulare attached as Exhibit 1, for a municipal well designated as "Well C1" located in Tulare County that ultimately could be used to supply water to these residents of East Porterville;

Whereas, the SWRCB has also provided funding for Well C1, as reflected in the agreement between the SWRCB and the County attached as Exhibit 2;

Whereas, the County and Porterville intend to execute an agreement, a draft of which is attached as Exhibit 3, that will connect Well C1 to Porterville's municipal water system and that will provide for an adequate household water supply for some residents of East Porterville; and

Whereas, the Parties have reached an understanding on how best to implement the project alternative that will provide an adequate household water supply to some residents of East Porterville and Vandalia, and alleviate the hardships in an expeditious, cost-effective manner.

Understanding

A. Description of Emergency Project and Long-Term Plan

1. The purpose of this MOU is to set forth in writing the intentions of the Parties of how best to move forward with plans to complete an emergency water supply project (Project) to some residents in the East Porterville and Vandalia areas, which are represented in Exhibit 4. (Map showing East Porterville and Porterville). The goal of the Project is to provide an adequate household water supply to some of the residents and properties in these areas that do not have one presently, and to end the need of the Parties to provide temporary water supplies to those residents through tanks and bottles.

2. The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville that have dry wells and are adjacent to Porterville's existing municipal water distribution system. It is estimated that this phase will serve 40 properties with dry wells that are currently receiving temporary household water supplies.

3. The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 500 properties in East Porterville and in Vandalia that have dry wells or otherwise lack an adequate source of water and have not been connected by Phase 1. In order to complete Phase 2, the residents of these properties will likewise need to connect to Porterville's municipal water system.

4. As soon as possible, Porterville and DWR will undertake Phase 1 of the Project and connect the properties in East Porterville that are adjacent to Porterville's existing municipal water distribution system. These connections will be accomplished as described in Water Installation Diagram attached as Exhibit 5 and based on the cost estimate, which is attached as Exhibit 6. In order to make these connections, a property owner desiring to receive public water supply will need to execute the Extraterritorial Service Agreement, a sample of which is attached as Exhibit 7, and the SWRCB's Water Connection Agreement, a sample of which is attached as Exhibit 8. Necessary signatures and agreements with property owners will be sought through SWRCB's outreach carried out with the assistance of all Parties to this MOU.

5. The Parties intend that Well C1 will be used to provide the emergency water supply in Phase 2 to about 500 properties without adequate household water supplies. The Parties presently understand that there are about 423 properties in East Porterville and approximately 80 properties in Vandalia where connections may be needed to provide emergency water supplies.

6. The Parties have created a Technical Workgroup consisting of engineers and planners, which work cooperatively on the technical issues described in this MOU. Based on recommendations of the Technical Workgroup, the Parties intend to provide the emergency water supply contemplated by this MOU.

7. The Parties intend to develop a Long-Term Water System Plan (Long-Term Plan) for the East Porterville area, which will serve other residents in the area besides those served by the Project. The Parties intend that the Project will be designed consistent with the Long-Term Plan to ensure that all water facilities constructed as part of the Project will be incorporated into the facilities ultimately developed through the Long-Term Plan. The first work product produced by the Technical Workgroup will be a Feasibility Study for the Long-Term Plan. The outline of the Feasibility Study is attached as Exhibit 9.

8. The Parties intend to use best efforts to complete both phases of the Project by December 31, 2016. The completion date of the Long-Term Plan is dependent on the completion of the Feasibility Study carried out by Technical Workgroup and on Porterville and/or the County applying for and securing sufficient funding from the SWRCB or from other sources. The Parties desire to complete the Long-Term Plan as expeditiously as possible.

B. Project Contributions of the Parties

9. Working in cooperation with the other Parties and the Technical Workgroup, DWR will prepare all environmental compliance for the Project, and design and construct the Project, both Phases 1 and 2. DWR will provide funding for Phases 1 and 2 of the Project through Emergency Drought Funding. DWR intends to serve as California Environmental Quality Act (CEQA) lead agency for the Long-Term Plan and will prepare any necessary CEQA documentation and any other necessary environmental review documents, unless the Feasibility Study recommends another lead agency.

10. SWRCB will provide the community outreach to assist in obtaining necessary property owner acceptance before proceeding with Project. SWRCB will also work with Porterville and/or County to secure funding of the Long-Term Plan. SWRCB will provide certain reviews and approvals for the permitting of the Project and the Long-Term Plan.

11. OES will coordinate all of the State's efforts under the Governor's Drought Task Force in the Project area and will be provided at no cost by Porterville up to 3,000,000 gallons of emergency water per month as needed as a result of this MOU and the agreement that Porterville and the County are in the process of considering for execution, a draft of which is attached as Exhibit 3, with regard to the Well C1.

12. Porterville will provide the needed water service to the residents of East Porterville without an adequate household water supply after they are connected to Porterville's municipal water system as described in the Project. The water service will be accomplished per the Extraterritorial Service Agreement, which requires that property owners served pay the monthly water bill. DWR is funding the residents' connection to the Project, and as a result, some of the normal connection fees will be waived provided that connection is made during Phase 1 or Phase 2. Porterville will install the water meters for each connection, which will be paid for by DWR.

13. The County intends to execute an agreement with Porterville that is consistent with this MOU and Exhibit 3, which will allow Well C1 to serve as a water supply for the Project. The County will inspect the work of the Project and the property connections at no cost to the residents.

14. The Parties to the MOU will cause the removal of all temporary water tanks from the properties upon completion of the Project and the appurtenances necessary for the receipt of municipal water service. The work for removing the water tanks will be carried out by the County under an agreement between the County and OES.

C. General Provisions

15. The Parties intend to use their best efforts to carry out this MOU. This MOU is not a binding agreement, and is not intended to create contractual rights and remedies among the Parties. However, the Parties have entered into and intend to enter into certain binding agreements in the future necessary to develop and complete the Project and the Long-Term Plan.

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on December 31, 2016, unless extended by all of the Parties in writing.

[Signatures on following page]

This MOU has been executed by:

California Department of Water Resources

State Water Resources Control Board

California Office of Emergency Services

County of Tulare

City of Porterville

List of Exhibits

1. DWR and Tulare County Executed Well C1 Agreement
2. SWRCB and County Executed Well C1 Agreement (Water Board Grant #D-15-11-902)
3. County and Porterville Draft Well Agreement
4. Map of East Porterville
5. Household Water Service Installation Diagram
6. Household Water Service Cost Estimate
7. Sample Extraterritorial Service Agreement
8. Sample SWRCB Water Connection Agreement
9. Draft Emergency Project Feasibility Study



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.1 to 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.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

