



**AMENDED CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
AUGUST 1, 2017, 5:30 PM**

Call to Order

Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54956.8 – Conference with Real Property
Negotiators/Property: 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 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 54956.8 – Conference with Real Property
Negotiators/Property: APN: 255-190-022 and 254-010-059. Agency Negotiator: John Lollis and Mike Reed. Negotiating Parties: City of Porterville and Greg L. and Cinda D. Woodard. Under Negotiation: Terms and Price.
- 4** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis, Patrice Hildreth, Che Johnson, and Matt Pierce. Employee Organizations: Porterville City Employees Association, Public Safety Support Unit, Porterville City Firefighters Association, and Fire Officer Series.
- 5** - Government Code Section 54956.95 – Liability Claim: Claimant: The Estate of Maureen Hamilton. Agency claimed against: City of Porterville.
- 6** - Government Code Section 54956.95 – Liability Claim: Claimant: Jessie Vernon David. Agency claimed against: City of Porterville.
- 7** - Government Code Section 54956.9(d) (3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four cases in which facts are not yet known to potential plaintiff.
- 8** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One case.
- 9** - Government Code Section 54957 - Public Employee Evaluation - Title: City Manager.
- 10** - 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**

Pledge of Allegiance Led by Council Member Reyes

Invocation

PRESENTATIONS

Intern Presentation - Tule River Parkway

AB 1234 REPORTS

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

1. Tulare County Homelessness Task Force - July 19, 2017
2. Council of Cities - July 19, 2017
3. Eastern Tule Groundwater Sustainability Agency (GSA) - July 20, 2017
4. Tulare County Economic Development Corp. (TCEDC) - July 26, 2017

REPORTS

This is the time for all staff informational items.

- I. Staff Informational Reports
 1. Military Banner Program
 2. Attendance Report for City Commissions and Committees -4th Quarter FY 2016/17
 3. Building Permit Activity - 4th Quarter Report (April, May, June)
 4. Golf Course - 4th Quarter FY 2016/2017
 5. OHV Park - 4th Quarter FY 2016/2017
 6. Street Performance Measure - 4th Quarter Report (April, May, June)
 7. Code Enforcement Quarterly Report
 8. Report on Charitable Car Washes

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. **Award of Contract for the Plano Street Micro Surfacing and Water Replacement Project**
Re: Considering awarding a contract in the amount of \$2,001,860 to DOD Construction for the project consisting of the micro surfacing of Plano Street from Henderson Avenue to SR 190 and the Barn Theatre parking lot, and replacement of the existing water main from Date Avenue to SR 190; authorization to negotiate surveying service; and authorization of an additional appropriation of \$230,572.36.
2. **Award of Contract for the Downtown Parking Lots Perimeter Improvement Project**
Re: Considering award of a contract in the amount of \$443,418.00 to Clean Cut Landscape Inc. for the project consisting of improvements to the parking lots at the northwest corner of Olive Avenue and Second Street, the southwest corner of Second Street and Mill Avenue, the northwest corner of Second Street and Putnam Avenue, and the northeast corner of Putnam Avenue and Hockett Street; and authorization to negotiate construction surveying service.
3. **Policy for Activation of the Fallen Heroes Park Splash Pad as a Designated Public Cooling Area**
Re: Considering approval of a policy for activation of the Fallen Heroes Park splash pad as a designated public cooling area.
4. **Quarterly Portfolio Summary**
Re: Considering acceptance of the quarterly Portfolio Summary.
5. **Interim Financial Status Reports**
Re: Considering acceptance of the preliminary interim financial status reports as presented.
6. **Amendment to Employee Pay and Benefit Plan -- Public Safety Support Unit**
Re: Considering approval of a draft Resolution amending the Employee Pay and Benefit Plan pertaining to Public Safety Support Unit Employees.
7. **Approval for Community Civic Event - Porterville Breakfast Lions Club - Summer Extravaganza for Hope - August 12, 2017**
Re: Considering approval of an event to take place at the Porterville Sports Complex on Saturday, August 12, 2017, from 7:00 a.m. to 9:00 p.m.

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

PUBLIC HEARINGS

8. **Consideration of a Resolution Approving the Establishment of The River Church at 2440 W. Henderson Avenue in the RM-3 Zone District Continued from July, 18, 2017 City Council Meeting**
Re: Continuation of a public hearing for a conditional use permit to allow the use of a religious facility at 2440 W. Henderson Avenue in order to clarify reported activities of an event not associated with the River Church.

SCHEDULED MATTERS

9. **Results of Code Enforcement Survey**
Re: Consideration of information pertaining to code enforcement survey results.
10. **Consideration of Pocket Parks in New Residential Development**
Re: Consideration of pocket parks as an amenity in new residential development.
11. **Consideration of Community Swimming Pools in New Residential Development**
Re: Consideration of community swimming pools as an amenity in new residential development.
12. **Status and Review of Declaration of Local Emergency**
Re: Consideration of the continuance of the Declaration of Local Emergency.

ORAL COMMUNICATIONS

OTHER MATTERS

CLOSED SESSION

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

ADJOURNMENT - to the meeting of August 15, 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 – AUGUST 1, 2017

SUBJECT: 1. Military Banner Program

SOURCE: Parks and Leisure Services

COMMENT: The City Council authorized the inception of a military banner program on October 6, 2015. The program was created for the Porterville area as a way to honor both current and past military personnel for their service to the nation and community. The banners act as a public expression of gratitude that pays tribute to the courage, commitment, and heroism displayed by individuals who have served in the United States Armed Forces.

There were 36 inductees at the inaugural Military Banner Program ceremony on May 27, 2016. An additional 77 banners were added May 26, 2017. The banners are raised each year for Memorial Day and lowered after Veterans Day. So far all of the banners are displayed on Main St. between Morton St. and Olive Ave.

Due to increased production costs, the local banner manufacturer has raised the cost of each banner by \$10, increasing the new banner cost from \$95 to \$105. The Parks and Leisure Services Commission recommended increasing the cost of the banners \$10 at their meeting on January 5, 2017, to cover the new banner expense, which is still lower than other quotes previously received. City Council sponsors any nominations submitted on behalf of KIAs. The expenses from the annual ceremony are paid out of the Community Promotions account. The nomination period is set to begin this month and last until March 15, 2018.

RECOMMENDATION: Informational only.

ATTACHMENTS: 1. Military Banner Program Map

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager



MILITARY BANNER MAP

ACOSTA, DOMINIK J. (50)	FORNER, TONY (8)	PHELPS, RONNIE L. (23)
BALANGUE, HENRY (69)	FOSTER, GORDON (11)	PHILLIPS, FRANK (45)
BARNES, DAVE (19)	FRASHER, BUBBA (52)	PHILLIPS, SHANE (49)
BARNES, MICHAEL (9)	GABARA, KIMBERLEE (56)	PINTEK, STEVE (60)
BARNES, TAYLOR (5)	GARCIA, JAIME (28)	POE, JAMES F. (92)
BEDOLLA, FRANCISCO (48)	GARFIELD, RYAN (22)	RAMSEY, JIMMIE (94)
BOESCH, JACK (58)	GARNER, JUSTIN (75)	RATEKIN, MICHAEL (74)
BONILLA, RUBEN (3)	GARZA, JOHN A. (23)	RAZO, PHILLIP (68)
BORJON, FRANKIE (73)	GOMEZ, CRYSTAL (84)	RENFROW, DANNY (38)
BROWN, THOMAS (57)	GONZALES, JOHN (80)	RENFROW, JOSEPH (38)
BROWN, THOMAS (61)	GONZALES, RALPH (82)	RENFROW, ROBERT (40)
BROWN, KENNETH (66)	GOODE, RICHARD (67)	REYES, HENRY (25)
BROWN, RUSSELL (70)	HAMILTON, RICHARD (29)	REYNA JR., JOEL (12)
BRYANT II, IRA (33)	HAWKINS, HARLAN (91)	RHODES, WILKES (37)
BUFFINGTON, ROLLIN A. (27)	HOWELL, JAMES E. (44)	RODRIGUEZ, RICHARD (53)
BYARS, WALLACE (18)	HUGHES, JAMES (10)	SANDOVAL, MITCHELL (72)
CALDERA, MARIO (88)	HUTH, RICHARD T. (64)	SERNA, RAUL (20)
CALO, ROGELIO (62)	JOHNSON, ALYWARD (15)	SHELTON, MATTHEW (35)
CARTWRIGHT, JONATHAN (17)	JONES, JERRY (19)	SHELTON, DAVID (35)
CASTILLO, RAYMOND O. (90)	KOOP, GARY (76)	SMITH, MICHAEL D. (79)
CAULK, DEARL (55)	LEMBKE, CHEYENNE (16)	SONKSON, NIKOLAUS (60)
CAULK, STEVEN (55)	LUCIO, ERIC (81)	SOUZA, JOE (42)
CERVANTES, TONY (21)	LUNSTAD, PETE (51)	STONEBURNER, LARRY (46)
CHADWELL, NANCY (7)	MANCHA, GABRIEL R. (14)	TATUM, JAMES (47)
CORDOVA, ROBERT (63)	MARCHANT, LOUIS (40)	TAYLOR, ALBERT (25)
CORY JR., OREN L. (83)	MATA, VICTOR (22)	THOMSON, KATHLEEN (32)
COSBY, GEORGE A. (93)	MCCOY, JASON (71)	THOMSON, MICHAEL (30)
DARLING, PRISCILLA (2)	MCCRILLIS, LEO (28)	THOMSON, ROBERT (30)
DAVIS, JR., FREDDIE (21)	MCDONNELL, ROBERT (1)	TRAMMELL, JAMES (34)
DEVINE, VALERIE (41)	MEACHUM, BRIAN (34)	TUMBLESON, RALPH (54)
DOHRER, ROBERT (6)	MILEY, KEN (32)	VELASQUEZ, TITO (26)
DOWLING, DON R. (31)	MORALES, FRANK G. (43)	VELASQUEZ, ETHAN (26)
DOYEL, LESTER (24)	NICHOLS, WELDON B. (36)	VEST, JAMES (59)
DRUMRIGHT, BILL (78)	NICHOLS, WELDON P. (36)	VIDRIO, DAVID (13)
DUNNING, RON (11)	PAGUIA, RICHARD (39)	VILLAREAL, RICHARD (24)
ECOBIZA, HERMAN (62)	PARMER, BRENT (89)	WITT, JUSTIN (33)
ERVIN, GARRET (77)	PEREZ, XAVIER (4)	WORTHINGTON, SHAWN (65)
FABELA, DANNY (87)	PERINE, RONALD (20)	

MORTON AVE	1	2
	3	4
	5	6
	7	8
	9	10
	11	HARRISON AVE
	13	14
	15	16
	17	18
	19	20
THURMAN AVE	21	22
	23	24
	25	26
	27	28
	29	30
	31	32
	33	CLEVELAND AVE
	35	34
	37	36
	39	38
	41	40
	43	42
	45	44
PUTNAM AVE	47	46
	49	48
	51	50
	53	MILL AVE
	55	52
	57	54
	59	56
	61	58
	63	60
	64	62
OAK AVE	66	OAK AVE
	68	65
	70	67
	73	69
	75	71
	77	72
	79	GARDEN AVE
	81	74
	83	76
	85	78
	87	80
	89	82
	91	84
	93	86
OLIVE AVE		88
		90
		92
		94

*KIA *POW





CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 2. Attendance Report for City Commissions and Committees - 4th Quarter FY 2016/17

SOURCE: Administrative Services

COMMENT: Staff herein provides for the Council's information attendance records as of the 4th Quarter FY 2016/17 for the following City Commissions and Committees:

- > Parks & Leisure Services Commission;
- > Library & Literacy Commission;
- > Arts Commission;
- > Animal Control Commission;
- > CDBG Advisory & Housing Opportunity Committee; and
- > Transactions & Use Tax (Measure H) Oversight Committee

RECOMMENDATION: Informational Report Only.

ATTACHMENTS:

1. Parks & Leisure Services
2. Library & Literacy Commission
3. Arts Commission
4. Animal Control Commission
5. CDBG Citizens' Advisory Committee
6. TUTOC

Appropriated/Funded: N/A

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

PARKS & LEISURE SERVICES COMMISSION
ATTENDANCE RECORDS

As of June 30, 2017

Parks & Leisure Services Commissioner's Record of Attendance

	2016 Jul 7	2016 Aug 11	2016 Sep 1	2016 Oct 6	2016 Nov 3	2016 Dec 8	2017 Jan 5	2017 Feb 2	2017 Mar 2	2017 Apr 6	2017 May 4	2017 Jun 1	
Rocco Calantone	**	P	E	P	P	P	P	E	E	P	P	**	FT Exp 10/19
Monte Moore	**	E	P	P	P	P	P	P	P	P	E	**	FT Exp 10/17
Leticia Lupio-Devine	**	P	E	P	P	P	E	P	P	P	P	**	FT Exp 10/17
Rick Vafeades	**	P	P	P	P	E	E	P	P	P	P	**	FT Exp 10/17
Richard Rankin	**	P	P	P	P	P	P	P	P	E	P	**	PUSD Rep.
Carroll Land	**	E	E	P	P	P	P	P	P	P	P	**	FT Exp 10/19
Rachel Lucero	**	P	P	E	P	P	A	P	P	P	P	**	FT Exp 10/19
Shannon Bennett	**	A	<i>Resigned</i>										

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

Parks & Leisure Services Commissioner's Record of Attendance

	2015 Jul 2	2015 Aug 6	2015 Sep 3	2015 Oct 1	2015 Nov 5	2015 Dec 3	2016 Jan 7	2016 Feb 4	2016 Mar 3	2016 Apr 7	2016 May 5	2016 Jun 2	
Rocco Calantone	**	P	P	E	P	P	P	P	*	P	E	**	FT Exp 10/19
Monte Moore	**	P	P	P	P	P	P	P	*	P	P	**	FT Exp 10/17
Leticia Lupio	**	P	P	A	P	P	P	P	*	P	P	**	FT Exp 10/17
Rick Vafeades	**	E	P	P	P	P	P	P	*	P	P	**	FT Exp 10/17
Richard Rankin	**	P	P	P	P	P	E	E	*	P	P	**	PUSD Rep.
Carroll Land	**	P	E	T	P	P	P	P	*	P	P	**	FT Exp 10/19
Shannon Bennett	**	P	A	P	E	P	P	P	*	E	E	**	FT Exp 10/17
Rachel Lucero	**	P	P	P	P	P	P	P	*	P	P	**	FT Exp 10/19
Totals	N/A	7	6	6	7	8	7	7		7	6		

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

Parks & Leisure Services Commissioner's Record of Attendance

	2014 July 7	2014 Aug 7	2014 Sept 4	2014 Oct 2	2014 Nov 6	2014 Dec 4	2015 Jan 8	2015 Feb 5	2015 Mar 5	2015 Apr 2	2015 May 7*	2015 June 4	
Rocco Calantone	**	P	P	P	P	P	P	P	P	P	P	P	FT Exp 10/15
Monte Moore		P	P	P	P	P	P	P	E	P	E	P	FT Exp 10/13
Leticia Lupio		P	E	P	P	P	P	P	P	P	E	P	FT Exp 10/13
Rick Vafeades		P	P	P	P	P	P	P	P	P	P	E	FT Exp 10/13
Richard Rankin		P	A	P	P	P	E	P	E	P	P	P	PUSD Rep.
Carroll Land		P	P	A	P	P	P	P	P	P	E	E	FT Exp 10/15
Shannon Bennett		P	P	E	A	P	P	P	P	P	A	P	FT Exp 10/13
Eric Mendoza		P	P	<i>Resigned</i>									
Derric Salazar		<i>Appointed 2/15</i>						P	P	<i>Resigned</i>			
Totals	N/A	8	6	5	6	7	6	8	6	7	3	5	

**No meeting held.

* Due to lack of quorum, an informal discussion only took place.

P = Present; E = Excused Absence; A = Absent; T = Tardy

P = Present; A = Absent; E = Excused absence; T = Tardy

As of: June 30, 2017

[illegible]

**Arts Commission
Attendance Records**

As of: June 30, 2017

	2017 26-Apr	2017 24-May	2017 28-Jun	2017	2017	2017	2017	2017	
Deana Worthington	*	*	*	Term expired.					
Joan Givan	*	*	*	Term expired.					
Judith Halloway	*	*	*	Term expired.					
Mel Gosage	*	*	*	Term expired.					
Donna Serna	*	*	*						Reappted 7/18/17
Hector Marquez	*	*	*	Term expired.					
Mariza Serrano	Appted 7/18/17								Appted to 3-yr term.
Dalia Gonzalez	Appted 7/18/17								Appted to 1-yr youth term.

* No meeting due to lack of quorum.

	2016 24-Aug	2016 14-Sep	2016 26-Oct	2016 23-Nov	2016 28-Dec	2017 25-Jan	2017 22-Feb	2017 22-Mar	
Deana Worthington	P	P	*	*	*	*	*	P	
Joan Givan	P	P	*	*	*	*	*	P	
Judith Halloway	P	P	*	*	*	*	*	P	
Mel Gosage	A	P	*	*	*	*	*	A	
Donna Serna	P	P	*	*	*	*	*	P	
Hector Marquez	A	A	*	*	*	*	*	A	
Vacant									

* No meeting due to lack of quorum.

	2015 16-Dec	2016 28-Jan	2016 24-Feb	2016 16-Mar	2016 20-Apr	2016 25-May	2016 22-Jun	2016 20-Jul	
Deana Worthington	P	*	P	P	*	P	P	P	
Joan Givan	P	*	P	P	*	P	A	P	
Judith Halloway	P	*	A	A	*	P	P	P	
Mel Gosage	P	*	P	P	*	A	P	P	
Donna Serna						P	P	A	
Hector Marquez						A	A	A	
Vacant									

* No meeting due to lack of quorum.

**Animal Control Commission
Attendance Records**

As of: June 30, 2017

	2017 13-Feb	2017 13-Mar	2017 10-Apr	2017 8-May	2017 12-Jun	2017 10-Jul	2017 14-Aug	Notes:
Margaret Land	P	P	P	P	*			
Daniel Penaloza	A	P	A	P	*			
Florenza Pizanis	P	P	P	P	*			
Maritza Altamirano	P	P	P	P	*			
Richard Stadtherr	P							Appointment rescinded 2/21

*Meeting cancelled due to lack of quorum.

	2016 11-Jul	2016 8-Aug	2016 9-Sep	2016 10-Oct	2016 14-Nov	2016 12-Dec	2017 9-Jan	Notes:
Margaret Land	A	P	P	P	P	P	P	
Daniel Penaloza	P	P	P	P	A	P	P	
Florenza Pizanis	P	P	P	P	P	P	P	
Maritza Altamirano	P	P	P	P	P	P	P	
Richard Stadtherr	P	P	P	P	P	P	P	

	2016 7-Mar	2016 4-Apr	2016 18-Apr	2016 12-May	2016 16-May	2016 6-Jun	2016 20-Jun	Notes:
Maureen Hamilton	A	A	*	A	*	*	*	Resigned 05/16.
Margaret Land	P	P	*	P	*	*	*	
Debbie Arthur	P	P	*	P	*	*	*	Resigned 05/16.
Melanie Huerta	P	P	*	P	*	*	*	Resigned 05/16.
Daniel Penaloza		P	*	P	*	*	*	

*Meeting cancelled due to lack of quorum.

	2015 27-Oct	2015 2-Nov	2015 7-Dec	2016 4-Jan	2016 18-Jan	2016 1-Feb	2016 22-Feb	Notes:
Maureen Hamilton	P	E	P	P	A	A	*	
Margaret Land	P	P	A	P	P	P	*	
Debbie Arthur	P	P	P	P	P	P	*	
Shawn Schwartzenberger	P	P	P	P	P	P	*	
Melanie Huerta			P	P	P	P	*	Appointed 11/17/15

**CDBG Citizens' Advisory and Housing Opportunity Committee
Attendance Records**

As of: June 30, 2017

Committee Member	Reg. Mtg 4/27/2015	Reg. Mtg 3/28/2016	Reg. Mtg 3/1/2017	Reg. Mtg	Reg. Mtg
Pat Contreras	P	A	P		
Linda Mendez	P	A	P		
Grace Munoz-Rios	P	P	P		
Doug Heusdens	P	P	P		
Rebecca Vigil	P	P	A		
Kelle Jo Lowe	P	P	P		
Maria Gonzalez	P	A	P		

Committee Member	Year Originally Appointed	Reg. Mtg 3/14/2011	Reg. Mtg 3/12/2012	Reg. Mtg 3/11/2013	Reg. Mtg 3/10/2014
Pat Contreras	1988	P	P	P	P
Linda Olmedo	1997	P	P	P	P
Grace Munoz-Rios	1992	P	P	P	A
Doug Heusdens	2012	N/A	P	P	P
John Dennis	1998	P	P	A	P
Rebecca Vigil	2008	P	P	A	P
Kelle Jo Lowe	2009	P	P	P	P

This Committee typically meets on an annual basis in March.

**Transactions and Use Tax Oversight Committee
Attendance Records**

As of: June 30, 2017

	2017 28-Feb	2017 23-May	2017 29-Aug					
John Simonich	P	A						
Margaret Stinson	P	P						
Kathleen "Kat" Harris	P	P						
Russell "Buck" Fletcher	P	A						
Titus Moore								<i>Resigned</i>
Richard Stadtherr								<i>Appointment rescinded 2/21</i>
John Angell	P	P						<i>Appointed 2/7</i>
Mike Boudreaux Sr.	P	P						<i>Appointed 2/7</i>
Jerry Claborn	P	P						<i>Appointed 2/7</i>
Virginia Gurrola	P	P						<i>Appointed 2/21</i>

	2015 8-Oct	2015 18-Nov	2016 11-Feb	2016 12-May	2016 30-Jun	2016 25-Aug	2016 22-Nov	
Khris Saleh	A	A	A	**	<i>Term ended</i>			
John Simonich	P	A	P	**	P	P		
Raheel Mann	A	A	A	**	<i>Resigned</i>			
Gail Lemmen	P	P	P	**	<i>Term ended</i>			
Margaret Stinson	P	P	P	**	P	P		
Janet Meister	P	P	A	**	<i>Term ended</i>			
Kathleen "Kat" Harris	P	P	P	**	P	P		
Russell "Buck" Fletcher	P	P	P	**	P	P		
Salvador Estrada, Jr.	P	A	P	**	<i>Term ended</i>			
Titus Moore					P	P		
Richard Stadtherr					P	A		

	2014 7-Aug	2014 22-Oct	2014 12-Nov	2015 14-Jan	2015 11-Feb	2015 6-May	2015 25-Jun	
Khris Saleh	A	P	P	P	P	P	A	
John Simonich	P	P	A	A	P	P	P	
Raheel Mann	P	P	A	A	P	A	A	
Gail Lemmen	P	P	P	P	P	P	P	
Margaret Stinson	P	P	P	P	P	P	P	
Janet Meister	P	A	P	A	P	P	P	
Bill Nebeker	A	A	<i>Resigned effective 10/30/14</i>					
Kathleen "Kat" Harris	P	P	P	P	A	P	P	
Russell "Buck" Fletcher	P	P	P	P	P	P	P	
Salvador Estrada, Jr.	A	P	P	P	P	P	P	

** No meeting held due to lack of quorum.

	2013** 23-May	2013** 30-May	2013 13-Jun	2013 8-Aug	2013 7-Nov	2014 13-Mar	2014 1-May	
Gary Mekeel	-	-	A	A	<i>Resigned effective 8/13/13</i>			
Khris Saleh	-	-	A	P	P	A	P	<i>Apptd 04/2010 thru 05/2012</i>
Charles Webber	-	-	P	<i>Resigned effective 6/30/13</i>				
John Simonich	-	-	A	P	P	P	P	<i>Apptd. 01/2011 thru 05/2014.</i>
Michael MacDonald	-	-	P	P	P	P	P	<i>Apptd 01/2011 thru 05/2014.</i>
Gail Lemmen	-	-	P	P	P	P	A	<i>Apptd 09/2010 thru 05/2012.</i>
John Dennis	-	-	P	P	P	P		<i>Resigned 3/2014.</i>
Margaret Stinson	-	-	P	A	P	P	A	<i>Apptd 05/2012.</i>
Janet Meister	-	-	P	P	P	P	P	<i>Apptd 08/2012.</i>
Bill Nebeker	-	-	A	P	P	P	A	<i>Apptd. 02/12.</i>
Kathleen "Kat" Harris	<i>Appt. 6/30/13</i>			P	P	P	A	
Russell "Buck" Fletcher	<i>Appt. 8/2013</i>				P	P	P	

** No meeting held due to lack of quorum.



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 3. Building Permit Activity - 4th Quarter Report (April, May, June)

SOURCE: Public Works

COMMENT: The Building Permit Activity Report (BPAR) presented herein to the City Council covers the months of April, May and June 2017. The two main categories include new residential permits issued and new commercial permits issued.

4th Quarter of FY 2016/2017 compared to 4th Quarter of FY 2015/2016
New residential permits issued during the 4th quarter of 2017 (11) are down 38.89% from the 4th quarter of 2016 (18). There were no new commercial permits issued during the 4th quarter of 2017 and there were no new commercial permits issued during the same period last fiscal year.

Year-to-Date (July 2016 to June 2017)
New residential permits issued this fiscal year (33) are down 42.1% as compared to the same period last fiscal year (57). New commercial permits issued this fiscal year (9) are up 350% as compared to the same period last fiscal year (2).

RECOMMENDATION: Information only

ATTACHMENTS:

1. Building Permit Activity - April 2017
2. Building Permit Activity - May 2017
3. Building Permit Activity Report - June 2017

Appropriated/Funded:

Review By:

Department Director:

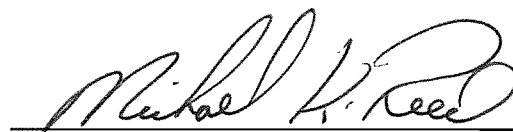
Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2015 - 4/30/2016 AND
7/1/2016 - 4/30/2017

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	APRIL 2017	APRIL 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	APRIL 2017	APRIL 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	APRIL 2017	APRIL 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	4	5	26	44	1,193,252	1,067,938	6,232,934	9,139,594	9,079	10,485	57,358	95,775
NEW COMM	0	0	9	2	0	0	7,040,500	1,591,000	0	0	52,891	12,450
RESID IMPROV	19	16	153	118	138,526	128,653	1,557,959	1,800,059	6,468	4,886	55,423	42,638
COMM RESID	3	4	49	56	88,000	2,123,900	4,913,626	10,001,363	3,438	4,040	52,827	72,137
OTHER	22	27	242	331	260,364	324,911	2,233,858	3,073,289	4,592	4,832	47,529	63,068
ELECT	23	34	324	473	423,290	512,278	5,044,128	6,790,895	4,282	6,718	62,955	93,821
PLUMB	29	43	361	389	5,000	0	17,560	9,750	4,236	5,211	44,939	48,873
TOTALS	100	129	1,164	1,413	2,108,432	4,157,680	27,040,565	32,405,950	32,095	36,172	373,920	428,763

	NEW DWELLING UNITS TOTALS			
	APRIL 2017	APRIL 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	4	5	26	43
MULTI FAMILY	0	0	0	0
TOTAL	4	5	26	43

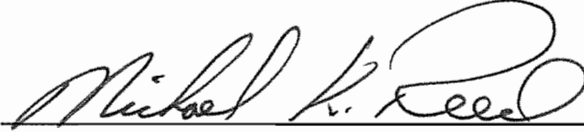


CHIEF BUILDING OFFICIAL

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2015 - 5/31/2016 AND
7/1/2016 - 5/31/2017

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	MAY 2017	MAY 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	MAY 2017	MAY 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	MAY 2017	MAY 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	2	7	28	51	450,960	1,472,547	6,683,894	10,612,141	4,549	13,528	61,907	109,303
NEW COMM	0	0	9	2	0	0	7,040,500	1,591,000	0	0	52,891	12,450
RESID IMPROV	16	16	169	134	313,119	153,207	1,871,078	1,953,266	8,608	4,281	64,031	46,919
COMM RESID	6	5	55	61	266,550	846,137	5,180,176	10,847,500	7,583	11,125	60,410	83,262
OTHER	36	34	278	365	398,322	295,378	2,632,180	3,368,667	7,008	6,931	54,537	69,999
ELECT	36	35	360	508	395,791	620,594	5,439,919	7,411,489	6,469	7,004	69,424	100,825
PLUMB	41	30	402	419	6,500	0	24,060	9,750	6,515	6,558	51,454	55,431
TOTALS	137	127	1,301	1,540	1,831,242	3,387,863	28,871,807	35,793,813	40,732	49,426	414,653	478,189

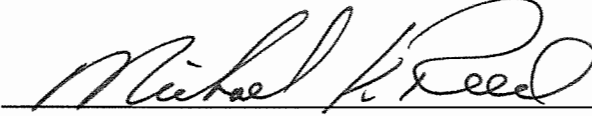
	NEW DWELLING UNITS TOTALS			
	MAY 2017	MAY 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	2	7	28	50
MULTI FAMILY	0	0	0	0
TOTAL	2	7	28	50


 CHIEF BUILDING OFFICIAL

CITY OF PORTERVILLE - BUILDING DIVISION
REPORT FOR THE PERIODS OF
7/1/2015 - 6/30/2016 AND
7/1/2016 - 6/30/2017

PERMIT	NUMBER OF PERMITS ISSUED				ACTUAL VALUATION OF PERMITS ISSUED				BUILDING FEES TOTALS FOR PERMITS ISSUED			
	JUNE 2017	JUNE 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	JUNE 2017	JUNE 2016	THIS YEAR TO DATE	LAST YEAR TO DATE	JUNE 2017	JUNE 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
NEW RESID	5	6	33	57	2,300,069	1,092,583	8,983,963	11,704,724	17,991	12,483	79,898	121,786
NEW COMM	0	0	9	2	0	0	7,040,500	1,591,000	0	0	52,891	12,450
RESID IMPROV	16	15	185	149	160,378	91,729	2,031,456	2,044,995	4,100	4,004	68,131	50,923
COMM RESID	10	5	65	66	659,050	64,630	5,839,226	10,912,130	10,440	4,473	70,849	87,735
OTHER	32	31	310	396	324,458	259,116	2,956,638	3,627,783	6,229	6,286	60,766	76,285
ELECT	33	44	393	552	386,836	697,330	5,826,755	8,108,819	6,495	8,967	75,919	109,792
PLUMB	45	42	447	461	0	0	24,060	9,750	6,604	5,361	58,058	60,792
TOTALS	141	143	1,442	1,683	3,830,791	2,205,388	32,702,598	37,999,201	51,858	41,574	466,511	519,763

	NEW DWELLING UNITS TOTALS			
	JUNE 2017	JUNE 2016	THIS YEAR TO DATE	LAST YEAR TO DATE
SINGLE FAMILY	4	6	32	56
MULTI FAMILY	8	0	8	0
TOTAL	12	6	40	56


 CHIEF BUILDING OFFICIAL



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 4. Golf Course - 4th Quarter FY 2016/2017

SOURCE: Parks and Leisure Services

COMMENT: At the request of the City Council, staff is providing a report for informational purposes on participation numbers at the Porterville Golf Course. The report reflects the Fourth Quarter FY 2016/2017.

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. Golf Course 4th Quarter Report

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

PORTERVILLE GOLF COURSE STATISTICS

	Apr-16	Apr-17	May-16	May-17	Jun-16	Jun-17
Golfers	2215	1831	2496	1785	1891	1500
Repeat 9/Twilight	497	607	779	542	388	418
Tickets Used	995	863	989	864	914	746
Passes Sold	36	53	61	54	84	60
Carts	709	714	866	724	690	607
Total	\$17,479.00	\$17,597.00	\$21,312.00	\$18,142.00	\$16,762.00	\$13,215.00

FOOTGOLF

	Apr-16	Apr-17	May-16	May-17	Jun-16	Jun-17
18-hole adult	4	0	7	24	8	0
18-hole youth	90*	13	0	9	1	0
Cart rental	0	2	0	0	2	0
Ball rental	0	0	3	0	0	0
Party	0	0	0	0	0	0
Total	\$490.00	\$83.00	\$79.00	\$285.00	\$63.00	\$0.00

* Corporate Games

GRAND TOTAL	\$17,969.00	\$17,680.00	\$21,391.00	\$18,427.00	\$16,825.00	\$13,215.00
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* **Repeat 9:** Additional 9 rounds after first 9

* **Twilight:** Afternoon discount rate

* **Tickets:** Surcharge with monthly play pass \$1.00 9-hole, \$2.00 18-hole

* **Passes:** Monthly Passes sold

April 2017

- Monache Golf Team "Glow Ball" golf tournament
- Wednesday Night Scrambles "open to all skill levels"

May 2017

- Family Reunion Golf Tournament 9-holes
- Junior Golf "Glow Ball" Fundraiser golf tournament
- Wednesday Night Scrambles "open to all skill levels"

June 2017

- Strathmore Basketball "Glow Ball" Fundraiser golf tournament
- St. Anne's "Glow Ball" Fundraiser golf tournament
- Wednesday Night Scrambles "open to all skill levels"

Through the month of June every Friday from 9:00-11:00 FREE Junior Golf Clinics were held for children ages 4-17. Each clinic had 27-35 participants in attendance. Children were provided clubs, golf balls, range balls, and the chance to play 1-4 holes.

Junior Travel League. The Porterville Golf Course team had 35 participants. The travel league is free.



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 5. OHV Park - 4th Quarter FY 2016/2017

SOURCE: Parks and Leisure Services

COMMENT: At the request of the City Council, staff is providing a report for informational purposes on participation numbers at the OHV Park. The report reflects the Fourth Quarter FY 2016/2017.

RECOMMENDATION: Informational Only

ATTACHMENTS: 1. OHV Park - 4th Quarter FY 2016/2017

Appropriated/Funded:

Review By:

Department Director:

Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

PORTERVILLE OHV RIDERSHIP

	Apr-16	Apr-17	May-16	May-17	Jun-16	Jun-17
Riders	101	77	156	73	104	46
Revenue	\$2,016.00	\$1,480.00	\$2,944.00	\$1,466.00	\$2,398.00	\$864.00
Days Open	13	6	13	5	12	3

Note: The main contributing factors when the park is not open are wet conditions and multiple equipment maintenance repairs.



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 6. Street Performance Measure - 4th Quarter Report (April, May, June)

SOURCE: Public Works

COMMENT: The purpose of this staff report is to provide Council with an update on progress made on street reconstruction, overlay, micro-surfacing, and pothole repair efforts for the 4th quarter (April, May, June) of FY 2016/2017.

For Council's information, the light blue bar represents staff's estimated quantity of "work" for each category for the fiscal year. The black overlaid bar represents the quantity of work accomplished to date.

The past rainy winter months have created quite the pothole nuisance for the community. The attachments represent an upward trend when comparing past practices during the drought years. This statement can be derived from the attachments and upon commencement of the this fiscal year quarterly report, the anticipated quantity (8000 sq. ft.) of pothole repairs were based on normal practices during dryer seasons. The repair efforts for this fiscal year far exceeds (over 4 times) the anticipated efforts (33,817 sq. ft.).

Major construction of the Lime Street Reconstruction Project is complete. Henderson Avenue Reconstruction Project is still pending a soils engineer peer review and is now scheduled to be a 17/18 fiscal year project.

Bids have been received for the Plano Street Micro-Surfacing Project between SR 190 and Henderson Avenue and is being considered for contract award during tonight's meeting. The project also consists of removal and replacement of street intersection curb ramps and making them access compliant, which is now a Federal requirement for all micro-surfacing projects. Various segments of water mains that are past their useful life will be replaced and the Barn Theater parking lot will be resurfaced as part of this project as well.

Main Street between Morton Avenue and Olive Avenue is also still under design. Through research and review, staff determined an access compliance exception that relates to "blended transitions" (flush interface between sidewalk and street) that are currently in place along Main Street in the Downtown area. As stated in past reports, the results of the Main Street project economic analysis has forced staff to transition into a full reconstruction project. Additional sampling and analysis are still forth coming and necessary to fully complete the design efforts. The attachment is currently reflecting this project as a full reconstruction project.

RECOMMENDATION: Information only

ATTACHMENTS:

1. Street Performance Chart - 4th Quarter 2017
2. Street Performance Chart - 3rd Quarter

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

4th QUARTER REPORT - April 1, 2017 - June 30, 2017

CITY OF PORTERVILLE
2016/2017 Level of Service Report
Prepared By M. Reed

3rd QUARTER REPORT - January 1, 2017 - March 31, 2017

[illegible]



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 7. Code Enforcement Quarterly Report

SOURCE: Fire

COMMENT: This informational report utilizes data from the “myPorterville” application for tracking code enforcement activity between April 1 and June 30, 2017. During this 4th quarter of fiscal year 2016/2017, each department of the City contributed toward recording 688 code enforcement issues. Of these, 469 were corrected and 219 were continued into the 1st quarter of 2017/2018 for additional corrective action. The Code Enforcement Officer issued 57 Administrative Citations.

The Code Enforcement Officer continues to coordinate with Porterville Police Department as they inspect both permitted and non-permitted cannabis grow sites for compliance with the municipal code. During the quarter, 4 permits for cultivation of medical cannabis were approved. The Water Conservation Task Force continued its regular operations which have resulted in the issuance of 287 notices of violation for non-compliance and 10 Administrative Citations.

RECOMMENDATION: Information only

ATTACHMENTS: 1. Code Enforcement FY 16-17 Q4

Appropriated/Funded:

Review By:

Department Director:

Dave LaPere, Fire Chief

Final Approver: John Lollis, City Manager

Code Enforcement Report
Q4, FY 16-17

Q4 Code Enforcement Activity	# Requests	# Completed	% Closed
Abandoned Vehicle (Street)	15	15	100.00%
Animals- agricultural animals	7	7	100.00%
Animals- barking dogs	11	11	100.00%
Animals- keeping too many or unauthorized species	2	2	100.00%
Animals- roosters	1	1	100.00%
Building Department/ Permits	11	3	27.27%
Business License Inquiries	8	6	75.00%
CEO, Business License	7	7	100.00%
Code Enforcement, General	11	3	27.27%
Community Development, General or MULTIPLE violations	9	2	22.22%
Engineering	14	1	7.14%
Fences and freestanding walls	3	2	66.67%
Fire Hazard	1	0	0.00%
Garbage Collection/ Illegal Dumping	9	8	88.89%
General Feedback	1	1	100.00%
Graffiti	2	2	100.00%
Health Hazard	18	9	50.00%
Itinerant Vendor, Solicitor, Peddler	1	1	100.00%
Landscaping/trees- private property	13	6	46.15%
Neglected property/trash & debris	29	6	20.69%
Noise Complaint	1	1	100.00%
Outdoor Storage	3	1	33.33%
Parking Issue	2	2	100.00%
Police/ Traffic Enforcement	12	12	100.00%
Sheds or second units	1	1	100.00%
Sidewalk Condition	7	5	71.43%
Signs- commercial signage in residential zones	1	0	0.00%
Signs- in public right of way	1	1	100.00%
Signs- other	7	1	14.29%
Signs- temporary commercial	2	1	50.00%
Vehicles- inoperable vehicles	36	5	13.89%
Vehicles- RVs/boats/etc	29	8	27.59%
Water Waste	44	14	31.82%
Water Waste Admin Cite	10	10	100.00%
Water Waste NOV	287	273	95.12%
Water Waste Tracking	1	1	100.00%
Weed Abatement	66	35	53.03%
Yard Sales, Frequent	5	5	100.00%
Q4 Total	688	469	68.17%

Administrative Citations	Q1	Q2
\$100	9	7
\$200	3	1
\$500	5	0
\$1,000	4	0
\$1,500	12	0
FY 16-17 Total Assesment	33	8

Water Conservation Task Force	Q1	Q2
<u>Personnel</u>		
Hours	100.5	7.5
Cost	\$1,035.00	\$77.25
<u>Vehicles</u>		
Miles	0	49
Cost	\$0	\$28.18
<u>Equipment</u>		
	\$0	0

Medical Cannabis	Q1	Q2
Approved Permits	5	0
Permits passing inspection	5	8
Permits Pending Inspection	14	6
NOV's	0	0
Admin Citations	2	1

Weed Abatement	Q1	Q2
Properties Noticed	9	9
Completed by Owner	9	9
Assigned to Contractor (private)	6	0
Assigned to Contractor (city owned)	0	0
Completed by Contractor	7	0

Code Enforcement Report

Q4, FY 16-17

Q3	Q4	Total
15	36	\$6,700
8	2	\$2,800
11	14	\$15,000
1	5	\$10,000
0	0	\$18,000
35		\$52,500
Q3	Q4	Total
35.75	10.41	154.2
\$368	\$107.16	\$1,587.64
131	93	273
\$75	\$53.24	\$156.82
0	0	\$0
Q3	Q4	Total
1	4	10
0	0	13
57	59	N/A
0	0	0
0	0	3
Q3	Q4	Total
1693	66	1777
2	1,211	1231
0	9	15
28	38	66
0	64	71



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: 8. Report on Charitable Car Washes

SOURCE: Finance

COMMENT: In accordance with City Council direction, staff is providing a report on charitable car wash permits issued during the year. Article VI, Section 15-130 of the City Code allows up to four car washes by a charitable organization in a calendar year. For the period of January 1 to June 30, 2017, the following car washes occurred within the City.

<u>Date</u>	<u>Name of Organization</u>	<u>Location of Car Wash</u>
4/30/17	Burton Horizon Academy	Burton Pathways Charter Academy - 1414 W. Olive Ave.
6/10/17	El Granito Foundation	Phillip's Pool Supplies - 1031 W. North Grand

RECOMMENDATION: Information only.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Award of Contract for the Plano Street Micro Surfacing and Water Replacement Project

SOURCE: Public Works

COMMENT: On July 25, 2017, staff received two (2) bids for the Plano Street Micro Surfacing and Water Replacement Project. The project is part of the City's Measure R Street Maintenance Program, which consists of a durable thin asphalt overlay on several streets within the City. An important and expensive project component is the removal and replacement of badly distressed asphalt concrete, along with the sealing of significant cracks. New pavement markings will be placed once this street receives the thin asphalt overlay. The limits of the project are Plano Street from Henderson Avenue to SR 190. The Barn Theatre parking lot will also be included in the project. The parking lot will include some removal of distressed pavement and a thin micro overlay. The project will also consist of replacing the existing water main from Date Avenue to SR 190.

The Engineer's Estimate of Probable Cost for the project was \$1,832,250.75. The low bid presented by DOD Construction of Bakersfield is \$2,001,860, which is 9.26% more than the Engineer's Estimate. An additional \$200,186 is required for construction contingency (10%). It is anticipated that an additional \$150,140 is required for construction management, quality control, inspection services and construction surveying (7.5%). The total estimated cost for the project is \$2,352,186.

The higher than anticipated costs are due to the fact that while Part A of the bid for the street micro surfacing came in very close to the Engineer's Estimate, Part B of the bid for the water replacement came in significantly higher. An appropriation of additional Water Replacement Funds in the amount of \$230,572.36, which are available, is necessary to fully fund the project.

The funding sources for the project are General Fund Carry Over, Local Measure R Funds, and the Water Replacement Fund. Council approved appropriations to the Local Measure R fund by MO #04-062017 with the Authorization to Advertise for Bids for the project.

The bids are as follows:

<u>Contractor</u>	<u>Amount</u>
1. DOD Construction	\$2,001,860.00

Bakersfield, CA

2. Todd Companies
Visalia, CA

\$2,156,392.40

Staff has found the low bid acceptable.

RECOMMENDATION:

That City Council:

1. Award the Plano Street Micro Surfacing and Water Replacement Project to DOD Construcion in the amount of \$2,001,860;
2. Authorize progress payments up to 95% of the contract amount;
3. Authorize a 10% contingency to cover unforeseen costs;
4. Authorize an additional 7.5% for construction management, construction surveying, quality control, and inspection services;
5. Authorize the City Engineer to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714; and
6. Authorize an additional appropriation of \$230,572.36 from the Water Replacement Fund.

ATTACHMENTS:

1. Locator Map

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager

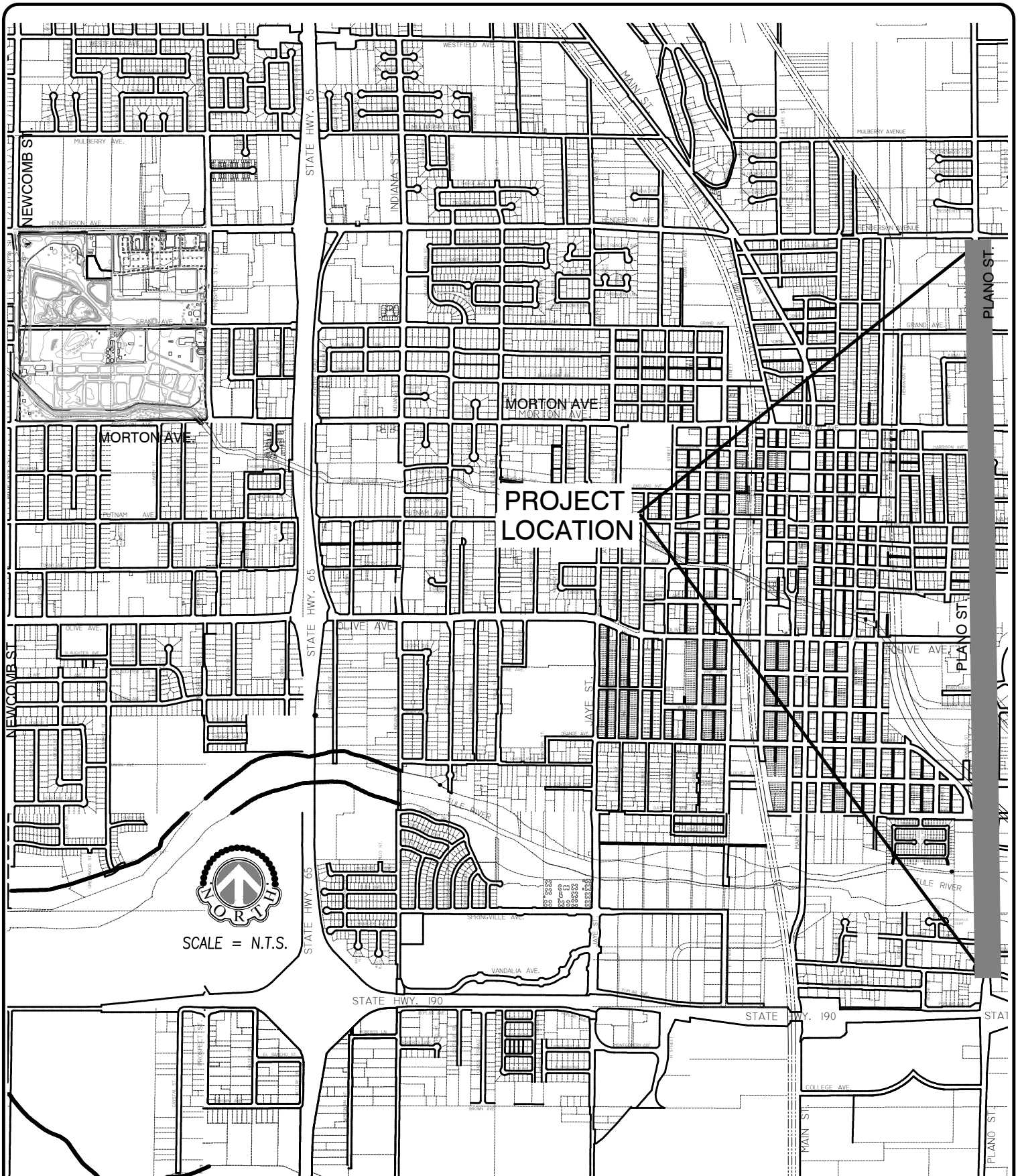


EXHIBIT "B"

CITY OF PORTERVILLE

ENGINEERING DIVISION

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

**PLANO STREET MICRO
SURFACING AND WATER
PROJECT HENDERSON
TO HIGHWAY 190**

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



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Award of Contract for the Downtown Parking Lots Perimeter Improvement Project

SOURCE: Public Works

COMMENT: On July 25, 2017, staff received three (3) bids for the Downtown Parking Lots Perimeter Improvement Project. The project consists of the removal of existing concrete improvements and replacing them with new ADA access ramps, driveways, stamped concrete, parkway trees, nostalgic lights and other pedestrian amenities along the perimeter of the existing parking lots. There are four parking lots that are included in this project, the parking lot at the northwest corner of Olive Avenue and Second Street, the parking lot at the southwest corner of Second Street and Mill Avenue, the parking lot at the northwest corner of Second Street and Putnam Avenue, and the parking lot at the northeast corner of Putnam Avenue and Hockett Street.

The Engineer's Estimate of Probable Cost for the project was \$512,490.00. The low bid presented by Clean Cut Landscape Incorporated of Fresno is \$443,418, which is 13.48% below the Engineer's Estimate. An additional \$44,341.80 is required for construction contingency (10%). It is anticipated that an additional \$35,473.44 is required for construction management, quality control, inspection services and construction surveying (8.0%). Southern California Edison (SCE) lighting costs are \$92,309.04. The total estimated cost for the project is \$615,542.25.

The funding source for the project is Local Transportation Funds (LTF). Council approved appropriations to the fund by MO #05-062017 with the Authorization to Advertise for Bids for the project.

The bids are as follows:

Contractor Amount

1. Clean Cut Landscape Inc. Fresno	\$443,418.00
2. MAC General Porterville	\$498,416.00
3. DOD Construction Bakersfield	\$653,480.00

Staff has found the low bid acceptable.

RECOMMENDATION: That City Council:

1. Award the Downtown Parking Lots Perimeter improvement Project to Clean Cut Landscape Incorporated in the amount of \$443,418.00;
2. Authorize progress payments up to 95% of the contract amount;
3. Authorize a 10% contingency to cover unforeseen costs;
4. Authorize an additional 8.0% for construction management, construction surveying, quality control, and inspection services; and
5. Authorize the City Engineer to negotiate construction surveying service with one of the firms as approved by Council MO #02-100714.

ATTACHMENTS: 1. Locator Map

Appropriated/Funded:

Review By:

Department Director:

Mike Reed, Acting Public Works Director

Final Approver: John Lollis, City Manager



CITY OF PORTERVILLE
ENGINEERING DIVISION

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

**PERIMETER REPAIR OF
 DOWNTOWN PARKING
 LOTS**

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



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Policy for Activation of the Fallen Heroes Park Splash Pad as a Designated Public Cooling Area

SOURCE: City Manager's Office

COMMENT: At its meeting on July 18, 2017, the City Council provided direction to staff in the activation of the Fallen Heroes Park splash pad as a designated public cooling area in the concern and protection of public health and safety. The Council directed that the splash pad be activated on Saturday and Sunday afternoons when local temperatures are forecasted to exceed 95 degrees Fahrenheit, and during weekdays in consultation with the Mayor when exceedingly high temperatures are forecasted. Staff indicated it would codify the Council's direction for approval as policy.

Staff proposes that the splash pad be operational during the warmest periods of the day, on weekends between 3:00 and 6:00 PM when local temperatures are forecasted to exceed 95 degrees Fahrenheit, and during weekdays between 4:00 and 6:00 PM when temperatures are forecasted to exceed 102 degrees Fahrenheit.

RECOMMENDATION: That the City Council approve the policy for activation of the Fallen Heroes Park splash pad as a designated public cooling area.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Quarterly Portfolio Summary

SOURCE: Finance

COMMENT: This report reflects the investment portfolio of the City of Porterville as of June 30, 2017, and is in compliance with California Government Code Section 27000, etc., Section 53600, etc., and the City of Porterville's Statement of Investment Policy. Investments are selected based on the statutory objectives of safety, liquidity and yield.

Items identified in the summary include the portfolio composition, weighted average rate of earnings, weighted average days to maturity, and the percentage of liquid holdings.

RECOMMENDATION: That the City Council accept the quarterly Portfolio Summary.

ATTACHMENTS: 1. Quarterly Portfolio Summary

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE
PORTFOLIO SUMMARY AS OF JUNE 30, 2017

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1006	LOCAL AGENCY INVESTMENT FUND	\$ 14,150,561	\$ 14,150,561	0.920%	DAILY	DAILY	1
1007	CSJVRMA INVESTMENT FUND	6,641,654	6,772,159	1.580%	DAILY	DAILY	30
866	TULARE COUNTY INVESTMENT POOL	8,870,186	8,870,186	1.370%	DAILY	DAILY	30
	TULARE COUNTY JUNIOR LIVESTOCK SHOW AND COMMUNITY FAIR	1,093,437	1,093,437	4.000%	1/15/2015	7/15/2039	8,050
313382FP3	FEDERAL HOME LOAN BANKS	997,500	997,260	1.000%	3/20/2013	3/20/2018	263
313388G21	FEDERAL HOME LOAN BANKS	1,000,000	994,850	1.200%	6/20/2013	6/20/2018	355
3133EGKA2	FEDERAL FARM CREDIT BANK	1,000,000	983,240	1.500%	6/29/2016	7/6/2021	1,467
3130A9VY4	FEDERAL HOME LOAN BANKS	1,000,000	982,800	1.650%	11/23/2016	11/23/2021	1,607
3134GAH31	FEDERAL HOME LOAN MTG CORP	1,000,000	1,000,040	2.000%	1/27/2017	1/27/2021	1,307
3134GAR89	FEDERAL HOME LOAN MTG CORP	1,000,000	1,000,180	2.250%	2/14/2017	2/14/2022	1,690
3130AARH3	FEDERAL HOME LOAN BANKS	1,000,000	1,000,620	2.250%	2/28/2017	2/28/2022	1,704
3130ABCS3	FEDERAL HOME LOAN BANKS	1,000,000	994,920	2.100%	5/18/2017	5/18/2022	1,783
3133EHAA1	FEDERAL FARM CREDIT BANK	1,000,000	994,930	2.240%	4/4/2017	2/22/2022	1,698
3134GBSU7	FEDERAL HOME LOAN MTG CORP	1,000,000	990,830	2.200%	6/29/2017	6/29/2022	1,825
4042K1U68	HSBC USA INC	1,000,000	1,000,000	2.200%	7/5/2012	7/5/2017	5
89233P6S0	TOYOTA MOTORS CRD CORP	1,000,000	999,810	1.250%	3/13/2013	10/5/2017	97
24422ESW0	JOHN DEERE CAP CORP	1,000,000	1,005,940	2.050%	3/10/2015	3/10/2020	984
38148TMC0	GOLDMAN SACHS GROUP INC	1,000,000	980,540	2.000%	4/29/2016	4/29/2021	1,399
46625HQJ2	JP MORGAN CHASE & CO NOTE	1,000,000	1,004,910	2.550%	12/28/2016	3/1/2021	1,340
00206RBM3	AT&T INC	1,004,830	999,170	1.400%	1/22/2013	12/1/2017	154
94974BFG0	WELLS FARGO CO	1,006,910	999,680	1.500%	1/22/2013	1/16/2018	200
17284A2U1	CERTIFICATE OF DEPOSIT	240,000	240,062	1.500%	7/18/2012	7/18/2017	18
795450PA7	CERTIFICATE OF DEPOSIT	240,000	240,286	1.700%	8/22/2012	8/22/2017	53
36160NS83	CERTIFICATE OF DEPOSIT	245,000	246,838	2.000%	5/23/2014	5/23/2019	692
48126XFX8	CERTIFICATE OF DEPOSIT	200,000	195,316	1.700%	9/30/2016	9/30/2021	1,553
02587CAF7	CERTIFICATE OF DEPOSIT	246,383	248,813	1.950%	7/17/2014	7/17/2019	747
74267GUQ8	CERTIFICATE OF DEPOSIT	247,000	248,811	2.000%	7/22/2014	7/22/2019	752
29266NB30	CERTIFICATE OF DEPOSIT	247,000	249,122	2.050%	8/28/2014	8/28/2019	789
254672NN4	CERTIFICATE OF DEPOSIT	247,000	248,581	2.000%	5/13/2015	5/13/2020	1,048
20033AKP0	CERTIFICATE OF DEPOSIT	249,000	250,220	1.900%	5/26/2015	5/26/2020	1,061
140420RT9	CERTIFICATE OF DEPOSIT	247,380	249,195	1.850%	6/3/2015	6/3/2020	1,069
46147UQL7	CERTIFICATE OF DEPOSIT	248,378	249,807	1.900%	6/17/2015	6/17/2020	1,083
981571BN1	CERTIFICATE OF DEPOSIT	200,000	201,206	2.300%	6/25/2015	6/25/2020	1,091
29976DYV6	CERTIFICATE OF DEPOSIT	246,382	248,124	1.950%	6/30/2015	6/30/2020	1,096
14042E4P2	CERTIFICATE OF DEPOSIT	246,000	248,888	2.300%	7/15/2015	7/15/2020	1,111
31938QN26	CERTIFICATE OF DEPOSIT	247,000	248,808	2.050%	7/17/2015	7/17/2020	1,113
58403BY67	CERTIFICATE OF DEPOSIT	247,000	249,964	2.250%	7/27/2015	7/27/2020	1,123
05580ACW2	CERTIFICATE OF DEPOSIT	247,000	250,223	2.200%	9/22/2015	9/18/2020	1,176
02587DL30	CERTIFICATE OF DEPOSIT	246,000	247,683	2.300%	12/23/2015	12/23/2020	1,272
9497486Z5	CERTIFICATE OF DEPOSIT	249,000	243,821	1.600%	8/3/2016	8/3/2021	1,495
06062QXG4	CERTIFICATE OF DEPOSIT	247,000	244,572	1.850%	11/23/2016	11/23/2021	1,607
58733ADT3	CERTIFICATE OF DEPOSIT	240,000	239,594	2.100%	1/27/2017	1/27/2022	1,672
38148PGX9	CERTIFICATE OF DEPOSIT	245,000	246,389	2.300%	3/8/2017	3/8/2022	1,712
857894SK6	CERTIFICATE OF DEPOSIT	249,000	248,171	2.050%	1/13/2017	1/13/2022	1,658
71270QQJ8	CERTIFICATE OF DEPOSIT	246,000	245,137	2.050%	1/18/2017	1/18/2022	1,663
8562845Z3	CERTIFICATE OF DEPOSIT	246,000	248,258	2.350%	1/26/2017	1/26/2022	1,671
33767A2G5	CERTIFICATE OF DEPOSIT	249,000	247,787	2.100%	4/19/2017	4/19/2022	1,754
55266CVB9	CERTIFICATE OF DEPOSIT	248,502	245,987	1.950%	4/28/2017	4/28/2022	1,763
67054NAK9	CERTIFICATE OF DEPOSIT	249,000	249,473	2.300%	6/21/2017	6/21/2022	1,817
9819962K6	CERTIFICATE OF DEPOSIT	200,000	197,200	2.400%	4/19/2017	4/19/2022	1,754
1192	CERTIFICATE OF DEPOSIT	99,000	99,000	1.490%	9/18/2012	9/18/2017	80
1195	CERTIFICATE OF DEPOSIT	99,000	99,000	1.350%	11/5/2012	11/5/2017	128
1198	CERTIFICATE OF DEPOSIT	99,000	99,000	1.250%	1/9/2013	1/9/2018	193
1199	CERTIFICATE OF DEPOSIT	150,000	150,000	1.250%	2/14/2013	2/14/2018	229
1200	CERTIFICATE OF DEPOSIT	99,000	99,000	1.580%	2/26/2013	2/26/2018	241
1204	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/9/2013	4/9/2018	283
1208	CERTIFICATE OF DEPOSIT	122,408	122,408	1.100%	5/9/2013	5/9/2018	313
1209	CERTIFICATE OF DEPOSIT	99,000	99,000	1.050%	5/16/2013	5/16/2018	320
1224	CERTIFICATE OF DEPOSIT	250,000	250,000	1.950%	10/14/2013	10/14/2018	471
1228	CERTIFICATE OF DEPOSIT	250,000	250,000	1.850%	10/30/2013	10/30/2018	487

INVESTMENT OR CUSIP NUMBER	INSTITUTION	PURCHASE PRICE	MARKET VALUE	COUPON INTEREST RATE	PURCHASE DATE	MATURITY DATE	DAYS TO MATURITY
1239	CERTIFICATE OF DEPOSIT	250,000	250,000	1.000%	10/2/2013	10/2/2017	94
1248	CERTIFICATE OF DEPOSIT	100,002	100,002	1.260%	5/8/2015	5/8/2018	312
1254	CERTIFICATE OF DEPOSIT	250,000	250,000	2.100%	9/8/2014	9/8/2019	800
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.440%	9/5/2012	9/5/2017	67
1262	CERTIFICATE OF DEPOSIT	250,000	250,000	1.540%	12/12/2012	12/12/2017	165
1264	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/28/2013	1/28/2018	212
1265	CERTIFICATE OF DEPOSIT	100,000	100,000	1.300%	1/30/2013	1/30/2018	214
1280	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	5/21/2013	5/21/2018	325
1281	CERTIFICATE OF DEPOSIT	250,000	250,000	1.390%	5/14/2013	5/14/2018	318
1282	CERTIFICATE OF DEPOSIT	250,000	250,000	1.300%	6/21/2013	6/21/2018	356
1283	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	5/9/2013	5/8/2018	312
1284	CERTIFICATE OF DEPOSIT	250,000	250,000	1.250%	4/23/2013	4/23/2018	297
1285	CERTIFICATE OF DEPOSIT	250,000	250,000	1.500%	4/29/2013	4/29/2018	303
1286	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	6/25/2013	6/25/2018	360
1287	CERTIFICATE OF DEPOSIT	250,000	250,000	1.600%	7/19/2013	7/19/2018	384
1288	CERTIFICATE OF DEPOSIT	250,000	250,000	1.590%	7/24/2013	7/24/2018	389
1289	CERTIFICATE OF DEPOSIT	263,990	263,990	1.980%	9/18/2013	9/18/2018	445
1290	CERTIFICATE OF DEPOSIT	250,000	250,000	2.030%	10/11/2013	10/11/2018	468
1291	CERTIFICATE OF DEPOSIT	250,000	250,000	2.250%	2/7/2014	2/7/2019	587
1292	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	7/31/2014	7/31/2019	761
1293	CERTIFICATE OF DEPOSIT	250,000	250,000	1.940%	7/18/2014	7/18/2019	748
1294	CERTIFICATE OF DEPOSIT	250,000	250,000	2.030%	4/3/2015	4/3/2020	1,008
1295	CERTIFICATE OF DEPOSIT	250,000	250,000	2.084%	4/20/2015	4/20/2020	1,025
1296	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	5/8/2015	5/8/2020	1,043
1297	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	5/14/2015	5/14/2020	1,049
1298	CERTIFICATE OF DEPOSIT	250,000	250,000	2.150%	11/4/2015	11/4/2020	1,223
1299	CERTIFICATE OF DEPOSIT	250,000	250,000	2.030%	4/30/2015	3/30/2020	1,004
1300	CERTIFICATE OF DEPOSIT	250,000	250,000	2.100%	12/8/2015	12/8/2020	1,257
1301	CERTIFICATE OF DEPOSIT	250,000	250,000	2.080%	2/4/2016	2/4/2021	1,315
1302	CERTIFICATE OF DEPOSIT	250,000	250,000	2.150%	1/11/2016	1/11/2021	1,291
1303	CERTIFICATE OF DEPOSIT	250,000	250,000	2.150%	4/19/2016	4/19/2021	1,389
1304	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	5/19/2016	5/19/2021	1,419
1305	CERTIFICATE OF DEPOSIT	250,000	250,000	2.000%	6/3/2016	6/3/2021	1,434
1306	CERTIFICATE OF DEPOSIT	249,000	249,000	1.935%	10/26/2016	10/26/2021	1,579
1307	CERTIFICATE OF DEPOSIT	249,000	249,000	1.900%	12/20/2016	12/20/2021	1,634
1308	CERTIFICATE OF DEPOSIT	249,000	249,000	2.000%	1/20/2017	1/20/2022	1,665
1309	CERTIFICATE OF DEPOSIT	249,000	249,000	2.150%	2/14/2017	2/14/2022	1,690
1310	CERTIFICATE OF DEPOSIT	250,000	250,000	2.110%	6/23/2017	6/23/2022	1,819
TOTALS		\$ 65,347,502	\$ 65,411,799				
WEIGHTED AVERAGE RATE OF EARNINGS							
ONE YEAR HISTORY				CURRENT	% OF LIQUID	WEIGHTED	
6/30/2016	9/30/2016	12/31/2016	3/31/2017	6/30/2017	PORTFOLIO	AVERAGE	
1.490%	1.487%	1.470%	1.620%	1.596%	HOLDINGS	DAYS TO	
					45.392%	MATURITY	
						670	

Comments:

Portfolio holdings as of June 30, 2017, are in compliance with the current Investment Policy. With 45.392% of the portfolio being held in liquid instruments, the cash needs of the City will be met. The next portfolio report will be calculated for the third calendar quarter ending September 30, 2017, and will be presented during the November 7, 2017 Council meeting.



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Interim Financial Status Reports

SOURCE: Finance

COMMENT: The City Charter requires financial status reports to be provided to City Council on a monthly basis. Council Minute Order #10-011607 approved the recommended change in submittal of the interim financial status reports and established the requirements and parameters in the presentation of the reports.

In accordance with Council Minute Order #10-011607, the interim financial status reports for the year ended June 30, 2017, are submitted. These reports are preliminary as accruals of both revenues and expenditures for the fiscal year just ended are still being processed.

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

ATTACHMENTS: 1. Interim Financial Status Reports

Appropriated/Funded:

Review By:

Department Director:

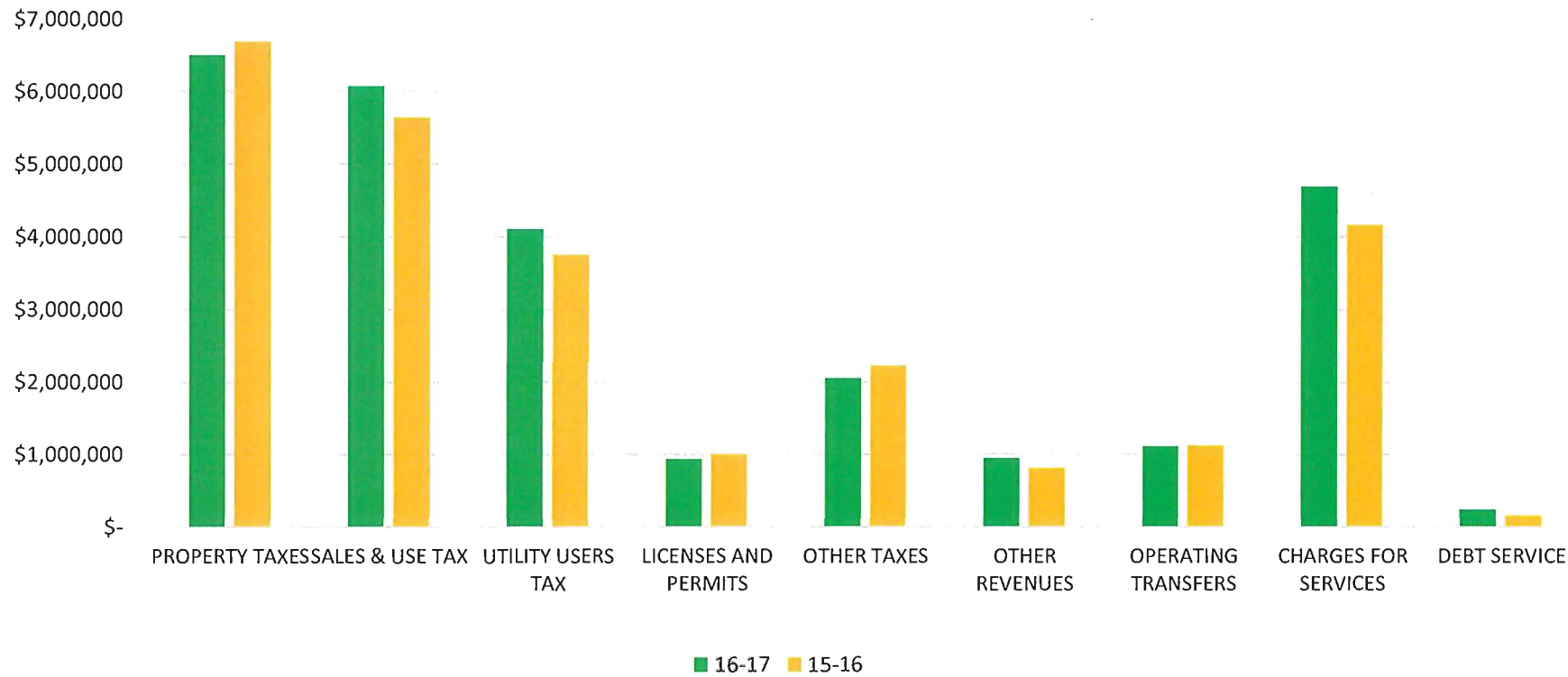
Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

**REVENUE STATUS REPORT - GENERAL FUND
FOR THE YEAR ENDED
JUNE 30, 2017 AND JUNE 30, 2016
PRELIMINARY**

REVENUE SOURCE	2016-2017 ESTIMATED REVENUE	2016-2017 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2015-2016 ESTIMATED REVENUE	2015-2016 YEAR-TO-DATE REVENUE	% OF ESTIMATE
PROPERTY TAXES	\$ 5,990,000	\$ 6,504,557	108.59%	\$ 6,940,354	\$ 6,687,123	96.35%
OTHER TAXES:						
SALES AND USE TAX	5,850,109	5,847,002	99.95%	4,630,149	5,422,336	117.11%
UTILITY USERS TAX	4,000,000	4,106,664	102.67%	4,100,000	3,752,400	91.52%
TRANSIENT OCCUPANCY TAX	475,000	396,849	83.55%	370,000	491,386	132.81%
PROPERTY TRANSFER TAX	65,000	89,712	138.02%	60,000	71,615	119.36%
FRANCHISE TAX	1,551,134	1,516,049	97.74%	1,551,134	1,616,751	104.23%
SALES TAX - PUBLIC SAFETY	200,000	225,334	112.67%	200,000	219,052	109.53%
LICENSES AND PERMITS:						
BUSINESS LICENSES	457,600	454,696	99.37%	443,000	452,754	102.20%
CONSTRUCTION PERMITS	475,000	485,159	102.14%	385,000	548,115	142.37%
REVENUE FROM AGENCIES-TAXES:						
MOTOR VEHICLE IN-LIEU TAX	22,000	26,910	122.32%	22,000	22,535	102.43%
OTHER TAXES	25,000	25,041	100.16%	27,000	25,397	94.06%
REVENUE FROM AGENCIES-GRANTS	380,337	191,750	50.42%	57,920	173,598	299.72%
USE OF MONEY AND PROPERTY	440,506	633,371	143.78%	388,404	472,268	121.59%
FINES AND FORFEITURES	56,500	34,963	61.88%	71,500	44,763	62.61%
CHARGES FOR SERVICES:						
PLANNING AND ENGINEERING	80,000	150,016	187.52%	105,000	91,546	87.19%
POLICE	317,000	292,698	92.33%	400,000	316,527	79.13%
FIRE	45,000	12,934	28.74%	48,000	65,356	136.16%
LIBRARY	43,000	40,351	93.84%	42,000	46,487	110.68%
RECREATIONAL	2,370,734	2,167,954	91.45%	2,311,845	1,880,881	81.36%
INTERDEPARTMENTAL	1,700,000	2,016,995	118.65%	1,700,000	1,753,314	103.14%
OTHER	11,835	13,506	114.12%	11,818	12,201	103.24%
OTHER REVENUES	65,000	87,509	134.63%	70,000	120,914	172.73%
SUBTOTALS	\$ 24,620,755	\$ 25,320,020	102.84%	\$ 23,935,124	\$ 24,287,319	101.47%
OPERATING TRANSFERS	1,211,656	1,108,400	91.48%	1,211,144	1,119,222	92.41%
DEBT SERVICE TRANSFERS	201,670	238,165	118.10%	148,750	159,602	107.30%
TOTALS	\$ 26,034,081	\$ 26,666,585	102.43%	\$ 25,295,018	\$ 25,566,143	101.07%

City of Porterville
General Fund Revenues

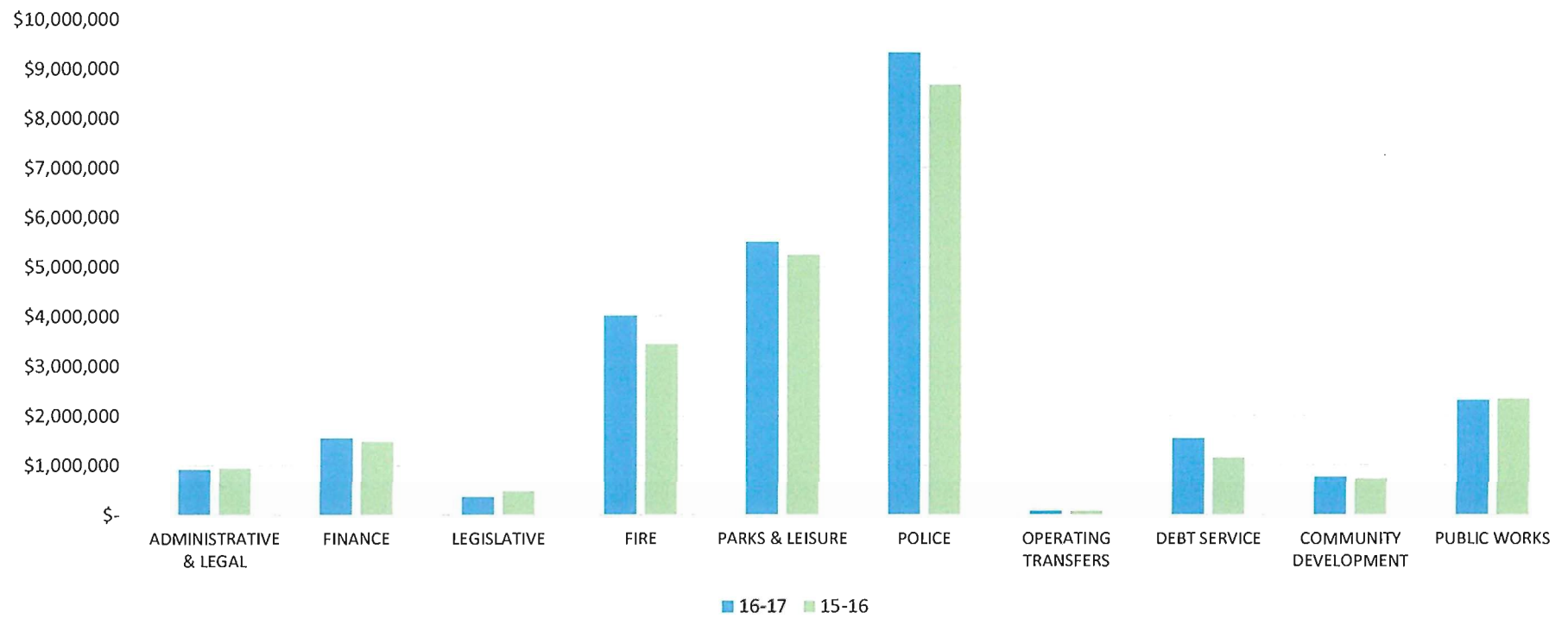


CITY OF PORTERVILLE

**EXPENDITURE STATUS REPORT - GENERAL FUND
FOR THE YEAR ENDED
JUNE 30, 2017 AND JUNE 30, 2016
PRELIMINARY**

	2016-2017 AMENDED APPROP	2016-2017 YEAR-TO-DATE EXPEND	% OF APPROP	2015-2016 AMENDED APPROP	2015-2016 YEAR-TO-DATE EXPEND	% OF APPROP
LEGISLATIVE:						
CITY COUNCIL	\$ 262,917	\$ 141,577	53.8%	\$ 285,917	\$ 268,687	94.0%
COMMUNITY PROMOTION	216,302	221,309	102.3%	216,208	205,348	95.0%
EMERGENCY OPERATIONS					3,040	
ADMINISTRATIVE & LEGAL:						
CITY MANAGER	306,049	294,213	96.1%	283,570	287,362	101.3%
CITY CLERK	242,560	202,684	83.6%	172,713	190,426	110.3%
HUMAN RESOURCES	287,898	285,474	99.2%	274,629	286,909	104.5%
CITY ATTORNEY	225,000	148,032	65.8%	225,000	192,347	85.5%
FINANCE:						
FINANCE & ACCOUNTING	901,271	863,382	95.8%	832,330	828,657	99.6%
INFORMATION SERVICES	437,890	410,946	93.8%	414,758	365,875	88.2%
ADMINISTRATIVE SERVICES	374,974	282,114	75.2%	374,489	295,429	78.9%
POLICE PROTECTION	9,741,892	9,319,698	95.7%	9,168,415	8,669,864	94.6%
FIRE PROTECTION	4,039,522	4,008,233	99.2%	3,937,506	3,445,556	87.5%
COMMUNITY DEVELOPMENT:						
PLANNING & ZONING	600,456	506,451	84.3%	534,132	490,609	91.9%
ECONOMIC DEVELOPMENT	349,147	259,428	74.3%	303,460	244,028	80.4%
PUBLIC WORKS:						
ENGINEERING & BUILDING	1,161,258	1,033,372	89.0%	1,056,102	981,847	93.0%
STREET MAINTENANCE	448,795	369,688	82.4%	429,945	378,012	87.9%
SIGNALS, SIGNING & STRIPING	381,647	317,031	83.1%	369,788	346,171	93.6%
STREET LIGHTING	507,578	490,904	96.7%	484,344	501,294	103.5%
STORM DRAINS	102,987	49,729	48.3%	93,119	82,857	89.0%
PARKING LOTS	47,442	45,879	96.7%	47,208	46,554	98.6%
PARKS & LEISURE:						
PARK MAINTENANCE & OPERATION	1,739,539	1,831,138	105.3%	1,833,585	1,850,215	100.9%
STREET TREES & PARKWAYS	179,146	187,896	104.9%	185,917	166,768	89.7%
COMMUNITY CENTERS	223,208	218,518	97.9%	225,162	220,150	97.8%
LEISURE SERVICES	276,013	290,634	105.3%	235,622	283,243	120.2%
LEISURE SERVICES - SPECIAL PROG	2,175,443	2,059,321	94.7%	2,139,598	1,823,803	85.2%
SWIMMING POOL	147,833	160,675	108.7%	157,119	141,329	90.0%
LIBRARY OPERATIONS	786,435	728,388	92.6%	763,200	739,345	96.9%
SPECIAL PROJECTS	24,519	24,363	99.4%	24,519	24,516	100.0%
 SUB TOTALS	 26,187,721	 \$ 24,751,077	 94.5%	 25,068,355	 \$ 23,360,241	 93.2%
 OPERATING TRANSFERS	 79,000	 79,000	 100.0%	 79,000	 79,000	 100.0%
DEBT SERVICE	1,504,666	1,538,766	102.3%	1,149,297	1,149,616	100.0%
	<u>\$ 27,771,387</u>	<u>\$ 26,368,843</u>	94.9%	<u>\$ 26,296,652</u>	<u>\$ 24,588,857</u>	93.5%

City of Porterville General Fund Expenditures

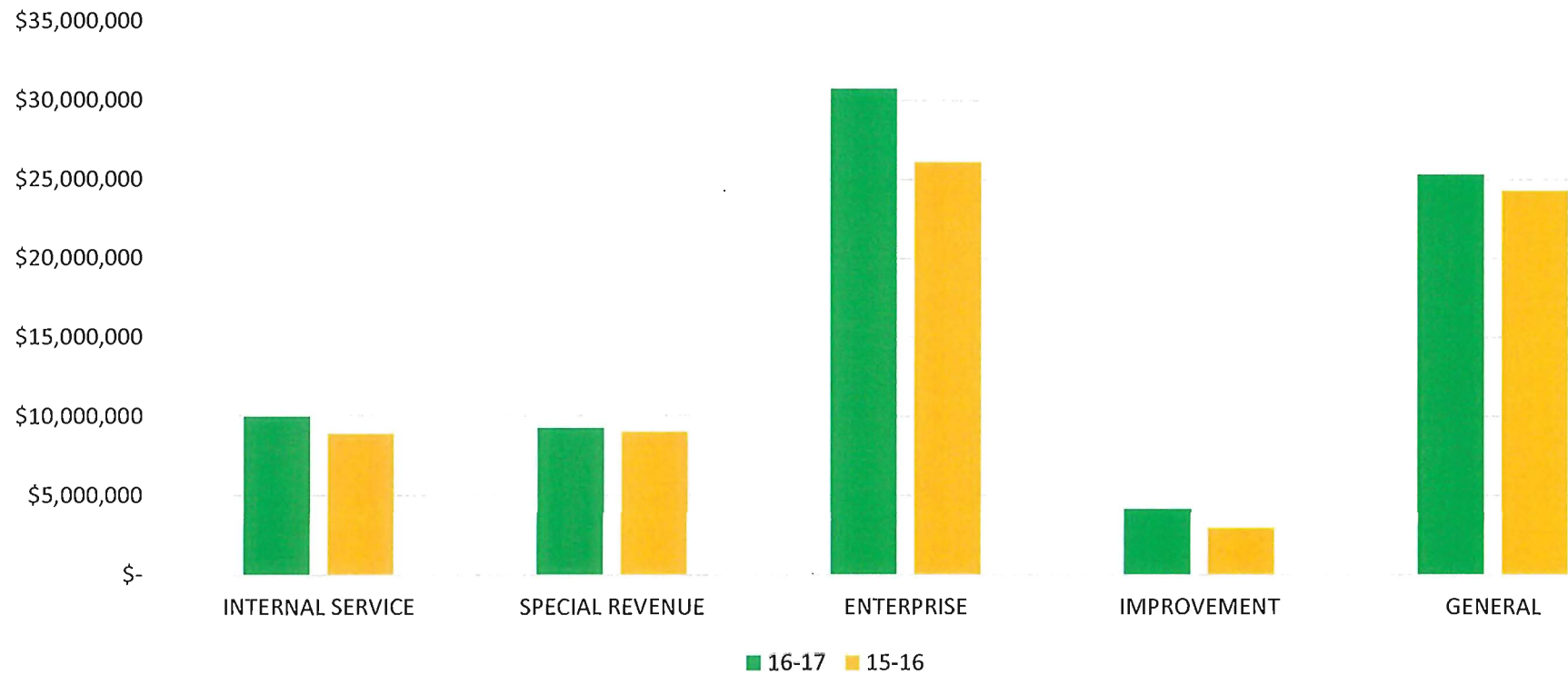


CITY OF PORTERVILLE

REVENUE STATUS REPORT - ALL OTHER FUNDS
FOR THE YEAR ENDED
JUNE 30, 2017 AND JUNE 30, 2016
PRELIMINARY

REVENUE SOURCE	2016-2017 ESTIMATED REVENUE	2016-2017 YEAR-TO-DATE REVENUE	% OF ESTIMATE	2015-2016 ESTIMATED REVENUE	2015-2016 YEAR-TO-DATE REVENUE	% OF ESTIMATE
MEASURE H SALES TAX	\$ 3,517,446	\$ 3,598,066	102.3%	\$ 3,363,626	\$ 3,419,418	101.7%
SPECIAL GAS TAX	2,449,118	1,735,653	70.9%	1,964,902	1,777,543	90.5%
LOCAL TRANSPORTATION FUNDS (LTF)	4,150,000	1,968,174	47.4%	2,614,818	1,908,547	73.0%
TRAFFIC SAFETY FUND	165,500	158,025	95.5%	200,200	147,150	73.5%
ZALUD ESTATE	5,800	10,333	178.2%	6,000	5,264	87.7%
COMMUNITY DEVELOPMENT BLOCK GRANT	800,525	630,370	78.7%	1,229,197	914,788	74.4%
TRANSIT	18,853,152	4,302,525	22.8%	9,094,650	5,538,592	60.9%
SPECIAL SAFETY GRANTS	219,886	309,620	140.8%	259,649	365,603	140.8%
SEWER OPERATING	6,864,596	7,354,267	107.1%	6,859,876	6,978,604	101.7%
REFUSE REMOVAL	5,900,000	5,884,843	99.7%	5,763,000	6,022,990	104.5%
AIRPORT OPERATIONS	1,420,700	2,514,236	177.0%	1,510,191	1,622,174	107.4%
GOLF COURSE	195,000	175,815	90.2%	194,100	198,028	102.0%
WATER OPERATING	5,677,980	10,501,016	184.9%	5,650,993	5,730,818	101.4%
RISK MANAGEMENT	6,342,698	6,613,580	104.3%	5,647,366	5,873,786	104.0%
EQUIPMENT MAINTENANCE	3,110,000	3,327,917	107.0%	3,152,500	3,005,721	95.3%
LANDSCAPE MAINTENANCE DISTRICT	92,500	79,500	85.9%	95,500	78,382	82.1%
WATER REPLACEMENT	3,324,276	732,428	22.0%	4,546,196	531,202	11.7%
SOLID WASTE RESERVE	2,248,548	1,620,652	72.1%	1,862,682	1,173,055	63.0%
SEWER REVOLVING	305,426	461,325	151.0%	278,218	353,194	126.9%
TRANSPORTATION DEVELOPMENT	160,000	284,592	177.9%	105,000	212,240	202.1%
PARK DEVELOPMENT	50,050	86,841	173.5%	45,050	51,546	114.4%
TREATMENT PLANT RESERVE	585,364	1,336,903	228.4%	578,088	870,905	150.7%
STORM DRAIN DEVELOPMENT	115,000	371,042	322.6%	120,000	117,433	97.9%
BUILDING CONSTRUCTION	8,500	5,913	69.6%	4,000	10,318	258.0%
TOTALS	\$ <u>66,562,065</u>	\$ <u>54,063,636</u>	81.2%	\$ <u>55,145,802</u>	\$ <u>46,907,301</u>	85.1%

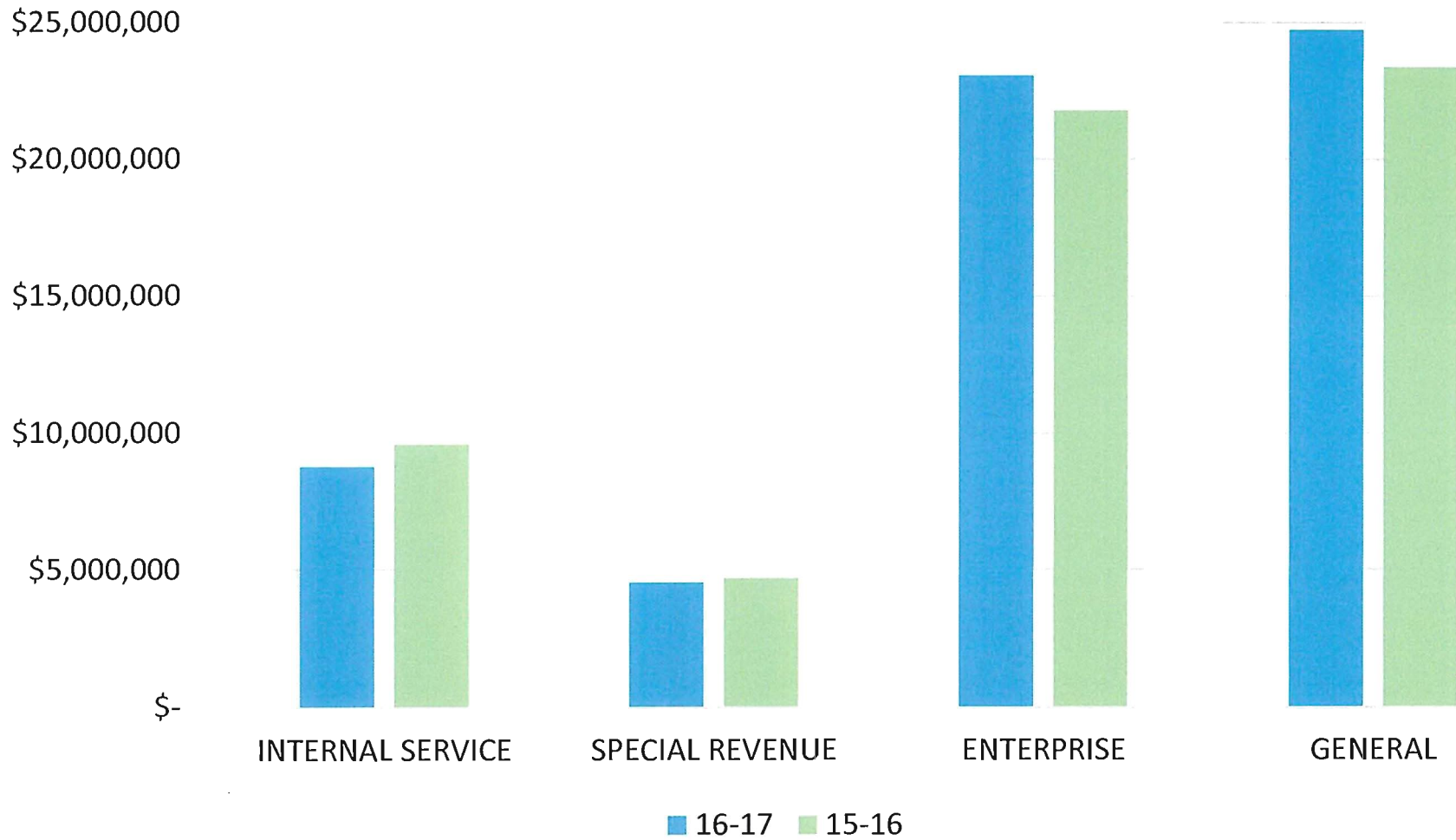
City of Porterville Revenue by Fund Type



CITY OF PORTERVILLE
EXPENDITURE STATUS REPORT - ALL OTHER FUNDS
FOR THE YEAR ENDED
JUNE 30, 2017 AND JUNE 30, 2016
PRELIMINARY

	2016-2017 AMENDED APPROP	2016-2017 YEAR-TO-DATE EXPEND	% OF APPROP	2015-2016 AMENDED APPROP	2015-2016 YEAR-TO-DATE EXPEND	% OF ACTUAL
MEASURE H SALES TAX	\$ 3,686,114	\$ 3,316,262	90.0%	\$ 3,330,005	\$ 3,061,979	92.0%
ZALUD ESTATE	22,255	25,539	114.8%	22,855	22,671	99.2%
COMMUNITY DEVELOPMENT BLOCK GRANT	1,224,602	657,304	53.7%	512,426	1,108,423	216.3%
TRANSIT	12,331,857	4,196,358	34.0%	4,259,383	3,753,302	88.1%
SPECIAL SAFETY GRANTS	423,799	406,268	95.9%	552,267	371,503	67.3%
SEWER OPERATING	6,501,442	5,647,291	86.9%	6,350,624	6,061,596	95.4%
REFUSE REMOVAL	6,206,240	5,802,168	93.5%	5,749,861	5,480,987	95.3%
AIRPORT	1,374,616	1,490,003	108.4%	1,356,910	1,343,772	99.0%
GOLF COURSE	380,775	396,276	104.1%	362,646	366,510	101.1%
WATER OPERATING	4,969,717	5,501,981	110.7%	4,807,453	4,744,766	98.7%
RISK MANAGEMENT	6,075,995	5,491,220	90.4%	6,450,144	6,638,431	102.9%
EQUIPMENT MAINTENANCE	3,116,140	3,258,401	104.6%	3,147,075	2,937,265	93.3%
LANDSCAPE MAINTENANCE DISTRICT	174,405	150,777	86.5%	173,255	136,608	78.8%
TOTALS	\$ <u>46,487,957</u>	\$ <u>36,339,848</u>	78.2%	\$ <u>37,074,904</u>	\$ <u>36,027,813</u>	97.2%

City of Porterville Expenditures by Fund Type



CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - MEASURE H
For the Year Ended June 30, 2017 and June 30, 2016
PRELIMINARY

	<u>FY 2016-17</u>	<u>FY 2015-16</u>
REVENUES		
Sales Tax - Measure H	\$ 3,589,999	3,407,547
Interest	3,753	9,571
Police Services	3,314	2,301
Contributions	1,000	-
TOTAL REVENUES	<u>3,598,066</u>	<u>3,419,419</u>
EXPENDITURES		
Police Department	1,560,138	1,512,879
Fire Department	1,248,102	1,074,219
Public Safety Station	32,542	16,802
Library & Literacy	475,480	458,078
TOTAL EXPENDITURES	<u>3,316,262</u>	<u>3,061,978</u>
CAPITAL PROJECTS		
Public Safety Station	-	1,093,500
Library Literacy Center	6,122	61,622
TOTAL CAPITAL PROJECTS	<u>6,122</u>	<u>1,155,122</u>
REVENUE OVER/(UNDER) EXPENDITURES	<u>\$ 275,682</u>	<u>\$ (797,681)</u>

CITY OF PORTERVILLE
INTERIM PERFORMANCE REPORT - ENTERPRISE FUNDS
For the Year Ended June 30, 2017 and June 30, 2016
PRELIMINARY

<u>FUND</u>	<u>REVENUES</u>	<u>EXPENSES</u>	<u>6/30/2017 NET OPERATING PROFIT (LOSS)</u>	<u>6/30/2016 NET OPERATING PROFIT (LOSS)</u>
Zalud Estate	\$ 10,333	\$ (25,539)	\$ (15,206)	\$ (17,407)
Transit	4,302,525	(4,196,358)	\$ 106,167	(1,014,967)
Sewer Operating	7,354,267	(5,647,291)	1,706,976	917,008
Solid Waste	5,884,843	(5,802,168)	82,675	542,003
Airport	2,514,236	(1,490,003)	1,024,233	278,401
Golf	175,815	(396,276)	(220,461)	(168,482)
Water Operating	10,501,016	(5,501,981)	4,999,035	986,052



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Amendment to Employee Pay and Benefit Plan -- Public Safety Support Unit

SOURCE: Administrative Services

COMMENT: Within the scope of the Meyers-Milias-Brown Act, City representatives have concluded labor negotiations with the Public Safety Support Unit (PSSU). City representatives and PSSU 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 Public Safety Support Unit Employees.

ATTACHMENTS: 1. Draft Resolution

Appropriated/Funded:

Review By:

Department Director:

Patrice Hildreth, Administrative Services Dir

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PORTERVILLE AMENDING THE EMPLOYEE PAY AND BENEFIT PLAN
PERTAINING TO PUBLIC SAFETY SUPPORT UNIT 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 Public Safety Support Unit ("PSSU") 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, PSSU 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 an on-schedule salary increase, or a higher percentage one-time off-schedule payment, then PSSU shall receive an equivalent adjustment.

III. VACATION ACCRUAL

The vacation accrual rate for regular full-time PSSU employees working on a non-shift basis 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 Max Accrual</u>	<u>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

The vacation accrual rate for regular full-time PSSU employees working on a shift-basis shall be amended as follows: The rates below include all regular holidays and three floating holidays.

<u>Years of Service</u>	<u>Hrs of Accrual Per Month of Service</u>	<u>Annual Max Accrual</u>	<u>Accumulation</u>
1-5	14.66	176	248
6-10	18.00	216	288
11-15	19.75	237	300
16 plus	21.33	256	328

IV. EMPLOYEE SERVICE AWARDS

Acknowledgement of years of service of all regular full-time PSSU 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 to 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. SAFETY BOOT ALLOWANCE

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, the Classification of Code Enforcement Officer shall be added to the list of classifications eligible to receive the safety shoe/boot allowance as set forth herein. PSSU employees who are required to wear safety shoes/boots in accordance with the California Occupational Safety and Health Act shall be reimbursed by the City an amount not to exceed \$200 per Fiscal Year. A receipt for the purchase of said safety shoes/boots shall be required and presented to the City prior to reimbursement. Previous language concerning safety boots for the Code Enforcement Officer shall be stricken.

VIII. UNIFORM AND SAFETY EQUIPMENT ALLOWANCE POLICY

Effective the pay-period after the Memorandum of Understanding is fully executed and officially accepted, the Uniform and Safety Equipment Allowance shall be amended to include the classification of Property and Evidence Technician.

The Property and Evidence Technician classification shall receive a uniform allowance in the amount of \$500.00 annually (paid on pay-period ending on 6/30). Employees assigned to this classification 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

PSSU employees may choose to receive compensatory time at time and one-half (1½) in lieu of overtime pay. Compensatory time shall be recorded on the employee's time sheet and accounted for through the payroll system. Compensatory time accrual may be accumulated at not more than a maximum of 120 hours (equivalent to 80 overtime hours worked) per fiscal year.

Subject to the Department Head's approval, PSSU employees may cash out their accrued compensatory time twice per fiscal year. Employees shall be compensated at their current rate of pay at the time of cash out. Compensatory time cash out is subject to an annual evaluation by the Department Head, and can be temporarily suspended at any time. Upon termination, all accumulated compensatory time off will be paid to employee as his/her current rate.

X. 3-12 ALTERNATIVE WORK SCHEDULE

Effective immediately upon a Memorandum of Understanding being fully executed and officially accepted, or as soon thereafter as possible, the 3-12 Alternative Work Schedule shall be administered as follows:

The 3-12 Plan alternative work schedule will entail six shifts. Notwithstanding staggered shift assignments at four-month shift change intervals, a Communications Dispatcher working under the 3-12 Plan will ordinarily have alternating work week cycles as follows:

1. One 12-hour shift each day for three consecutive days, followed by four consecutive days off; then
2. Three 12-hour shifts and one 8-hour shift for four consecutive days, followed by three days off; OR
3. One 12-hour shift each day for three consecutive days, followed by three consecutive days off; then
4. Three 12-hour shifts and one 8-hour shift for four consecutive days, followed by four consecutive days off.

In the aggregate, during each two-week cycle, Communications Dispatchers will work 80 hours and have seven days off.

Shift assignments for Communications Dispatchers under the 3-12 plan are split into three four-month intervals, i.e., from February through May, June through September, and October through January of each year. Shift selection shall take place in January of each year. Shift selection for Communications Dispatchers will be on a seniority basis.

During the year, it is expected that personnel changes may occur or may be needed due to new hires, separations, Communications Dispatchers development, etc. In order to meet the needs of the Department, Department Managers/Supervisors may restrict/change Communications Dispatchers' selections to specific shifts to meet those needs.

XI. STAND BY AND CALL BACK

Effective immediately upon a Memorandum of Understanding being fully executed and officially accepted, Stand-by assignments shall be administered as follows:

All stand-by assignments must be authorized by the Department Head involved. Community Services Officers and Communications Dispatchers who are scheduled to remain on call after normal working hours or on a normal day off shall be compensated at the rate of \$10.00 per shift of such stand-by service.

XII. COMPENSATION SURVEY

The City shall conduct a compensation survey of the following public agencies for all classifications represented by PSSU. The City shall commence said survey prior to March 1, 2018 and upon reaching an agreement with PSSU as to its parameters.

City of Clovis
City of Delano
City of Hanford
City of Los Banos
City of Madera
City of Reedley
City of Selma
City of Tulare
City of Visalia

XIII. JOINT LABOR-MANAGEMENT COMMITTEE

Recognizing the importance of a positive relationship between labor and management, a Joint Labor-Management Committee ("JLMC") shall be established to provide an opportunity for open communication and the continued development of a cooperative relationship between the City and PSSU. JLMC meetings shall take place on a quarterly basis, or as otherwise mutually agreed.

XIV. 2018/2019 NEGOTIATIONS

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

XV. 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 PSSU.

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 1st day of August, 2017.

Milt Stowe, Mayor

ATTEST:
John Lollis, City Clerk

By _____
Luisa Zavala, Deputy City Clerk



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Approval for Community Civic Event - Porterville Breakfast Lions Club - Summer Extravaganza for Hope - August 12, 2017

SOURCE: Finance

COMMENT: The Porterville Breakfast Lions Club, with co-sponsors Jeff and Rhonda Szeles, are requesting approval to hold a charity event at the Porterville Sports Complex on Saturday, August 12, 2017, from 7:00 a.m. to 9:00 p.m. The event will include a music festival, beer garden, taco truck challenge, car show, and softball and soccer tournaments. A 5K color run will take place inside the perimeter of the Porterville Sports Complex. No street closures are requested.

The event sponsors request to charge a \$10 parking fee per vehicle for those attending the event. Per City Council direction, the City does not charge for parking at the Sports Complex for those participating in City sports activities, which will also be occurring that day, thus a parking fee will not be charged for vehicles entering the Sports Complex for City sports activities.

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

RECOMMENDATION: That the City Council approve the Community Civic Event Application and Agreement from the Porterville Breakfast Lions Club and Jeff and Rhonda Szeles, subject to the Restrictions and Requirements contained in the Application, Agreement, Exhibit A and Exhibit B of the Community Civic Event Application.

ATTACHMENTS:

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

Appropriated/Funded:

Review By:

Department Director:

Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

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



(Incomplete applications can delay permit process)

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

DO YOU HAVE? Event Flyer? E-mail address? Website?
Application date: 7/7/17 Event date: 8/12/17
Event time: 7am-9pm

Name of Event: Summer Extravaganza For Hope

Sponsoring organization: PV Breakfast Lions Phone # Norman Carpenter

Address: PO Box 772, Porterville, CA 93257

Authorized representative: Phonda Szeles Phone # 559-359-1587

Address: 26 W. Gibson Ave Porterville CA 93257

Event chairperson: Phonda Szeles Phone # 359-1587

Location of event 2701 W. Scranton Ave Porterville CA 93257

(Location map must be attached)

Type of event: Charity event to fight cancer
Proceeds benefit Relay for Life

Non-profit organization status: 501(c)3 BL# 003484

(IRS Determination)

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

Barricades (quantity): 25 Street sweeping Yes No X

Police protection Yes X No Refuse pickup Yes X No

Other:

Parks facility application required: Yes No Attached Xpd.

Assembly permit required: Yes No Attached

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

Appr. Deny

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

RS Authorized Representative Initial

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

RS Authorized Representative Initials

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

RS Authorized Representative Initials

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

RS Authorized Representative Initials

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

RS Authorized Representative Initials

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees. Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.

Extravaganza For Hope	Rhonda Siles	7/7/17
(Name of Organization)	(Signature)	(Date)

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

Location: 2701 W. Scranton Ave Event date: 8/12/17 Event time: 7am-9pm

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

Requirements for Community Civic Event
Porterville Breakfast Lions Club
Jeff and Rhonda Szeles
Summer Extravaganza for Hope
August 12, 2017

Finance Director:
M. Bemis

Public Works Director:
M. Reed

Community Development Manager:
J. Phillips

No comments.

Field Services Manager:
M. Knight

Battalion Chief of Operations:
R. Land

Parks and Leisure Services Director:
D. Moore

Vehicles to remain off the grass

Police Lieutenant:
R. Standridge

Please see Exhibit B.

Administrative Services Director:
P. Hildreth

See Exhibit A, page 2. All sports participants must complete a waiver of liability.

Requirements for Community Civic Event

Sponsor: Porterville Breakfast Lions Club- Jeff and Rhonda Szeles
Event: Summer Extravaganza for Hope
Event Chairman: Rhonda Szeles
Location: Porterville Sports Complex
Date of Event: August 12, 2017
Time of Event: 7:00 a.m. to 9:00 p.m.

RISK MANAGEMENT: Conditions of Approval

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

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

CITY OF PORTERVILLE
Community Civic Event Application

Summer Extravaganza for Hope (Sports Complex) August 12, 2017

Proposed Conditions/Requirements for the Summer Extravaganza for Hope

- Food vendors should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- The typical condition for “Beer Garden” is that it shall be clearly defined. Alcohol may only be sold and consumed within the designated beer garden. A minimum of two (2) security guards shall be assigned to control the Beer Garden while it is in operation. No persons under the age of 21 shall be allowed to enter the beer garden and no alcohol shall be allowed to leave the beer garden.
- Event organizers shall have applied and been granted a temporary license to sell alcohol, from the CA Dept. of Alcoholic Beverage Control.
- An Outside Amplifier Permit has been approved and granted. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of the neighborhoods or any business establishments in the surrounding area.
- Amplified music shall not continue after 10:00 p.m.
- At conclusion of event, event organizers shall ensure streets are promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to pedestrians or vehicles traveling through this area.

Rich Standridge, Lieutenant
Police Department- Services Division

Exhibit B

SK Run →

Ball Field / Ball Field

Soccer

Soccer

SEANTON

Parking

Concession Stand

stair seating
seating

Ben
Grader

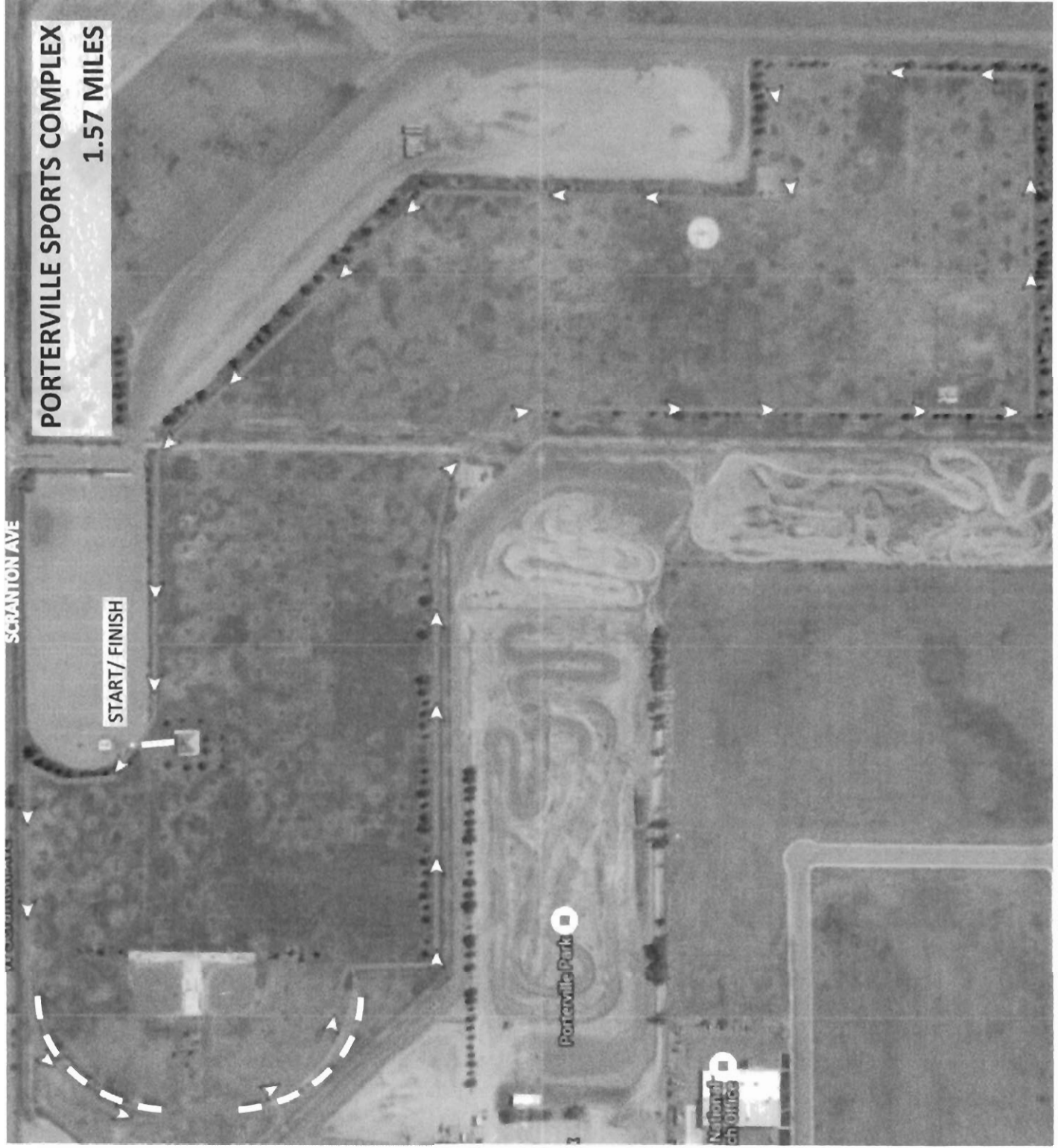
General Admission

Car Show

Vendors

Parking

↙



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



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

- 1 Name and home address of the applicant: Rhonda Steeles
26 W. Gibson Ave Porterville CA 93257
- 2 Address where amplification equipment is to be used: Sports Complex - 270 W. Scranton Ave
- 3 Names and addresses of all persons who will use or operate the amplification equipment: West Coast
Entertainment - Patrick Hicks - 359-7772
- 4 Type of event for which amplification equipment will be used: Community event to fight
Cancer
- 5 Dates and hours of operation of amplification equipment: 8am - 9pm 8/12/17
- 6 A general description of the sound amplifying equipment to be used: Complete Pro Sound
for live music

Section 18-9

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

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

Section 18-14

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

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

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

Rhonda Steeles
Signature of Applicant

8/7/17
Date

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

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

7-23-17
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/21/2017

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

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

PRODUCER JOVEN INSURANCE AGENCY 613 W OLIVE AVE PORTERVILLE CA 93257		CONTACT NAME: Mario Joven PHONE (A/C, No, Ext): 559-791-1000 FAX (A/C, No): 559-791-1002 E-MAIL ADDRESS: joveninsurance@yahoo.com	
INSURED Rhonda Szeles Summer Extravaganza for Hope		INSURER(S) AFFORDING COVERAGE INSURER A: United States Liability Insurance Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	x		CL 1822253	08/12/2017	08/14/2017	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000						
	MED EXP (Any one person) \$ 1,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ See L-535
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
x	Liquor Liability	x		CL 1822253	08/12/2017	08/14/2017	1,000,000/2,000,000

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

Summer Extravaganza for Hope
Music Festival, Taco Truck Challenge, Car Show, Soccer Touranment, Softball
Touranment, Beer Garden, 5K Color Run

CERTIFICATE HOLDER

CANCELLATION

City of Porterville
Successor Agency to the Porterville
Redevelopment Agency
291 N Main St
Porterville, Ca 93257

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

AUTHORIZED REPRESENTATIVE

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The following forms apply to multiple coverage parts

CG3234 01/05	California Changes	IL0017 11/98	Common Policy Conditions
IL0021 09/08	Nuclear Energy Liability Exclusion Endorsement	IL0270 09/12	California Changes - Cancellation And Nonrenewal
L-206 02/11	Fully Earned Premium Endorsement	L-224 10/10	Punitive Or Exemplary Damages Exclusion
L-606 02/11	Exclusion For Injury To Performers, Entertainers And Participants	L-607 02/11	Exclusion For Climbing, Rebounding And Interactive Games And Devices
L-608 02/11	Exclusion For Firearms, Fireworks And Other Pyrotechnic Devices	L-609 02/11	Animal Exclusion
L-610 11/04	Expanded Definition Of Bodily Injury	LLQ101 08/06	Expanded Definition Of Employee
LLQ368 08/10	Separation Of Insureds Clarification Endorsement	SPE 312 03/15	Who Is An Insured
TRIADN 02/15	Policyholder Disclosure Notice of Terrorism Insurance Coverage	ME Jacket 09/10	The Main Event Special Event Commercial Liability Policy Jacket

The following forms apply to the Commercial Liability coverage part

CG0001 12/07	Commercial General Liability Coverage Form	CG0068 05/09	Recording And Distribution Of Material Or Information In Violation Of Law Exclusion
CG2026 04/13	Additional Insured-Designated Person or Organization	CG2107 05/14	Exclusion - Access Or Disclosure Of Confidential Or Personal Information And Data-Related Liability - Limited Bodily Injury Exception Not Included
CG2109 06/15	Exclusion - Unmanned Aircraft	CG2136 03/05	Exclusion - New Entities
CG2139 10/93	Contractual Liability Limitation	CG2144 07/98	Limitation Of Coverage To Designated Premises Or Project
CG2147 12/07	Employment-Related Practices Exclusion	L 535 03/15	Exclusion - Products-Completed Operations Hazard Other Than Food Or Beverage Products
L-387 03/06	Exclusion - Mechanical Rides	L-423 02/11	Exclusion For Structure Collapse
L-461 12/11	Assault Or Battery Exclusion	L-526 01/15	Absolute War Or Terrorism Exclusion
L-536 09/09	Exclusion - Participation In Athletic Activity, Physical Activity Or Sports	L-599 10/12	Absolute Exclusion for Pollution, Organic Pathogen, Silica, Asbestos and Lead with a Hostile Fire Exception
L-686 10/12	Absolute Exclusion for Liquor and Other Related Liability	Notice-Unmanned Aircraft-GL 05/16	Advisory Notice To Policyholders
SPE 300 05/09	Special Events Property Damage Amendment	SPE 312 03/15	Who Is An Insured

The following forms apply to the Liquor Liability coverage part

CG0033 12/07	Liquor Liability Coverage Form	CG2406 04/13	Liquor Liability - Bring Your Own Alcohol Establishments
L-657 01/11	Absolute Pollution Exclusion - Liability	LLQ 102 02/15	Event Vendor, Exhibitor And Contractor Exclusion
LQ-202 12/11	Assault Or Battery Exclusion	LQ-352 09/08	Event Vendor - Other Insurance
LQ-354 10/09	Limitation Of Coverage To Insured Premises	SPE 312 03/15	Who Is An Insured



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Consideration of a Resolution Approving the Establishment of The River Church at 2440 W. Henderson Avenue in the RM-3 Zone District Continued from July, 18, 2017 City Council Meeting

SOURCE: Community Development

COMMENT: On July 18, 2017, City Council continued, at staff's request, the public hearing to the meeting of August 1, 2017 for a conditional use permit to allow the use of a religious facility at 2440 W. Henderson Avenue in order to clarify reported activities of an event not associated with the River Church.

The applicant, Mr. Dakhill, was unable to meet with staff until July 27, 2017, which is the required submittal date for staff reports. Staff notified the agent, Mr. Hillman, that the item would need to be continued until August 15, 2017 if unable to meet sooner than the July 27th date. The applicant was out of town and therefore requests the public hearing be continued until the August 15, 2017 City Council meeting.

The July 18, 2017, staff report has been attached for reference.

RECOMMENDATION: That the City Council continue the public hearing until August 15, 2017.

ATTACHMENTS: 1. Staff Report from July 18, 2017 City Council

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



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

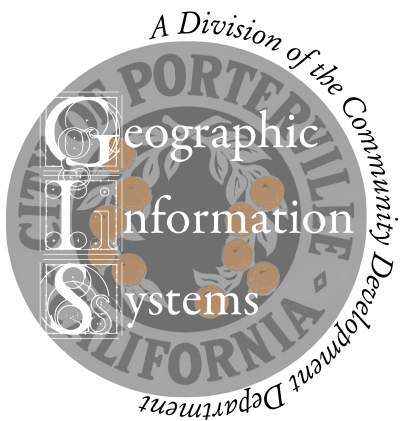
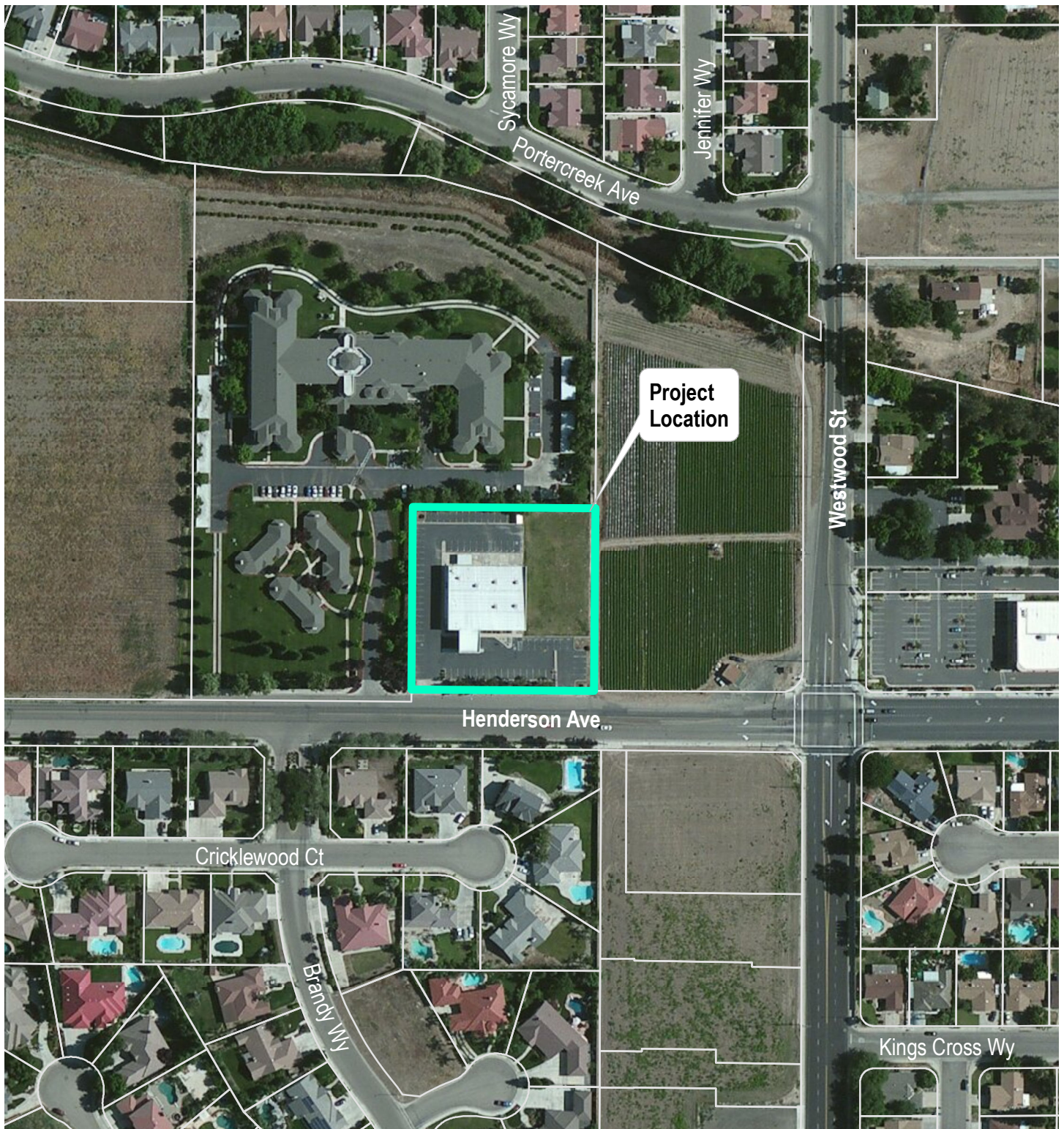
Appropriated/Funded:

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.

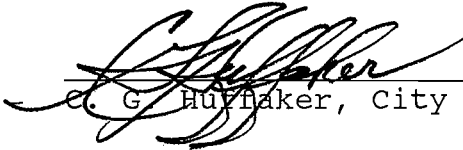
4. The developer/applicant shall construct a six foot masonry wall along the northerly and westerly property lines, built to City standards.
5. Any signage on the building or along the site's street frontage will be limited in size (square footage) to 15% of the total square footage of the building's 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. Huftaker, 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.

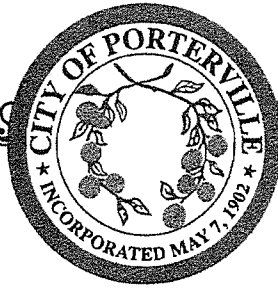
If you have any questions regarding this matter, please feel free to contact me at (559) 789-6842 or our office at (559) 798-9027.

Respectfully,

A handwritten signature in black ink, appearing to read "Marcus De La Cruz", written in a cursive style.

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 – AUGUST 1, 2017

SUBJECT: Results of Code Enforcement Survey

SOURCE: Community Development

COMMENT: On April 4, 2017, the City Council directed staff to distribute a survey and informational brochure regarding Porterville's code enforcement efforts. Staff distributed this information through a variety of methods: surveys were mailed in the June cycle of City utility bills, information was included in the Porterville Chamber of Commerce June newsletter, and the survey was made available electronically through the City's website and the Choose Porterville Facebook page.

The code enforcement survey received an impressive volume of responses compared to other survey efforts, with 673 respondents. Responses are included in Attachment 1 of this report. The questions were created by the ad hoc committee of Vice Mayor Ward and Councilmember Reyes and staff, and were approved by the Council on April 4, 2017 (Attachment 2). Notably, the majority of respondents live in the northwest quadrant of the city, and work in the northeast quadrant of the city (which includes the downtown area). Of the options provided, the three highest priority issues were: storing junk in front or side yards (82%), overgrown or untended landscaping (74%), and noise - loud music/partying (66%). When asked what were signs of a neglected property, respondents overwhelmingly identified trash or debris in the front yard, broken windows, and overgrown trees/bushes as issues that made a property appear neglected.

The last survey question asked if respondents would be interested in volunteering time to help improve the community. Nearly half (47%) noted they would be interested in either participating in or coordinating quarterly clean up efforts. A field was also provided where respondents could write in comments. The comments ranged vastly, from "great job, add more code enforcement officers" to complaints about city streets, speeding traffic, and other complaints not listed in the survey. Some statements were not appropriate to be published, so this information was not included in the report.

The purpose of the survey was to gain insight into the issues most important to members of the community. Of the twelve violation types referenced in the survey, nine were deemed a high priority by at least 50% of the respondents. The majority of write-in comments were complaints about issues in residential communities, with many responses urging the city to be more consistent or proactive about code enforcement.

RECOMMENDATION: That the City Council consider the information presented and provide direction to staff related to code enforcement.

ATTACHMENTS: 1. Code Enforcement Survey Results
2. Staff Report of April 4, 2017

Appropriated/Funded:

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager

Code Enforcement Survey Results

July 2017

- Do you **live** north or south of **Olive Avenue**?

644 out of 673 people answered this question

North 471 / **73%**

South 173 / **27%**

- Do you **live** east or west of **State Route 65**?

650 out of 673 people answered this question

West 393 / **60%**

East 257 / **40%**

- Do you **work** north or south of **Olive Avenue**?

349 out of 673 people answered this question

North 230 / **66%**

South 119 / **34%**

- Do you **work** east or west of **State Route 65**?

360 out of 673 people answered this question

East 216 / **60%**

West 144 / **40%**

- Do you own your home or own/manage a business?

633 out of 673 people answered this question

Own Home 613 / **97%**

Own\Manage a Business 51 / **8%**

- Has your home been annexed since 2006?

567 out of 673 people answered this question

No 385 / **68%**

Yes 182 / **32%**

- Operating a home business without a permit

619 out of 673 people answered this question

No Issue 221 / **36%**

Low Priority 201 / **32%**

High Priority 197 / **32%**

- Operating an auto-repair shop at a private residence

631 out of 673 people answered this question

High Priority 340 / **54%**

Low Priority 158 / **25%**

No Issue 133 / **21%**

- Unpermitted structures or remodels

621 out of 673 people answered this question

High Priority 254 / **41%**

Low Priority 219 / **35%**

No Issue 148 / **24%**

- Vehicles parked on the lawn/ an unimproved area

639 out of 673 people answered this question

High Priority 406 / **64%**

Low Priority 139 / **22%**

No Issue 94 / **15%**

- Storing RV's, boats, or trailers in the front or side yard

642 out of 673 people answered this question

High Priority 320 / **50%**

Low Priority 178 / **28%**

No Issue 144 / **22%**

- Parking of vehicles with three or more axles in residential areas (commercial trucks)

630 out of 673 people answered this question

High Priority 379 / **60%**

Low Priority 148 / **23%**

No Issue 103 / **16%**

- Storing junk, trash, or debris in the front or side yards

645 out of 673 people answered this question

High Priority 526 / **82%**

Low Priority 61 / **9%**

No Issue 58 / **9%**

- Overgrown or untended landscaping

649 out of 673 people answered this question

High Priority 478 / **74%**

Low Priority 117 / **18%**

No Issue 54 / **8%**

- Banners being used as permanent signs

625 out of 673 people answered this question

Low Priority 260 / **42%**

No Issue 188 / **30%**

High Priority 177 / **28%**

- Barking dogs loud enough to disturb the comfort, quiet, or peace

639 out of 673 people answered this question

High Priority 385 / **60%**

Low Priority 177 / **28%**

No Issue 77 / **12%**

- Water waste

635 out of 673 people answered this question

High Priority 396 / **62%**

Low Priority 155 / **24%**

No Issue 84 / **13%**

- Noise- Loud music/partying

641 out of 673 people answered this question

High Priority 426 / **66%**

Low Priority 142 / **22%**

No Issue 73 / **11%**

- Provide curbside pick-up on free dump days

615 out of 673 people answered this question

High Priority 348 / **57%**

Low Priority 177 / **29%**

No Issue 90 / **15%**

- Hold neighborhood meetings to explain what is not in compliance and encourage compliance

607 out of 673 people answered this question

Low Priority 268 / **44%**

High Priority 190 / **31%**

No Issue 149 / **25%**

- Provide a resource guide of local contractors and handymen

614 out of 673 people answered this question

High Priority 253 / **41%**

Low Priority 234 / **38%**

No Issue 127 / **21%**

- Provide financial assistance to those who qualify

606 out of 673 people answered this question

Low Priority 250 / **41%**

High Priority 183 / **30%**

No Issue 173 / **29%**

- As with weed abatement, hire a contractor to clean up the properties with debris and charge property owners

624 out of 673 people answered this question

High Priority 393 / **63%**

Low Priority 155 / **25%**

No Issue 76 / **12%**

- What do you consider signs of a neglected property? (Check all that apply)

640 out of 673 people answered this question

Trash or debris in the front yard 599 / **94%**

Broken windows 506 / **79%**

Overgrown trees/bushes 455 / **71%**

Untended/weedy flower beds 378 / **59%**

Chipping paint on the house 226 / **35%**

Other 72 / **11%**

- Would you be interested in volunteering your time to help improve the community?

375 out of 673 people answered this question

Other 220 / **59%**

Yes, I would be interested in participating in quarterly clean-up efforts. 138 / **37%**

Yes, I would be interested in coordinating quarterly clean-up efforts. 37 / **10%**



CITY COUNCIL AGENDA – APRIL 4, 2017

SUBJECT: Consider Administration of a Code Enforcement Resident Survey

SOURCE: Community Development

COMMENT: At the City Council meeting on November 15, 2016, staff was directed staff to develop a Draft Survey, which was further reviewed on December 20, 2016. An ad hoc committee was formed with Vice Mayor Ward and Councilmember Reyes to meet with staff to address concerns regarding the draft survey.

The ad hoc committee met on January 20, 2017. The attached survey is a result of that meeting. The Survey initially focuses on general personal information, and then progresses to gauge individuals preferences in specific examples of property code enforcement. Additionally attached to the staff report is an informational brochure regarding Code Enforcement's top ten violations, as well as information to report an issue and the process in which City staff addresses reported violations.

The Council previously discussed the possibility of the Survey being distributed in the City's monthly utility mailing, which is estimated to cost \$1,500, and would also be available to be completed online.

RECOMMENDATION: That the City Council provide direction in the circulation of the Resident Survey.

ATTACHMENTS:

1. Code Enforcement Survey
2. Informational Brochure

Appropriated/Funded: JR for MB

Review By:

Department Director:

Jenni Byers, Community Development Director

Final Approver: John Lollis, City Manager



The City is currently considering updating its Code Enforcement policies and procedures and wants to know what concerns are important to you. Please help shape the future of your City by completing and returning the following survey to: Code Enforcement Survey, 291 N. Main St, Porterville, CA 93257.

1. To give us a general idea of where you live or work, please answer the following:
 - A. Do you live north or south of **Olive Avenue**?
 - ☐ North
 - ☐ South
 - B. Do you live east or west of **State Route 65**?
 - ☐ East
 - ☐ West
 - C. Do you work north or south of **Olive Avenue**?
 - ☐ North
 - ☐ South
 - D. Do you work east or west of **State Route 65**?
 - ☐ East
 - ☐ West
2. Do you own your home or own/manage a business?
 - ☐ Own home
 - ☐ Own/manage a business
3. Has your home been annexed since 2006?
 - ☐ Yes
 - ☐ No
4. Please assign a priority to the following complaint types according to how important each issue is to you.

Complaint Type	Scale		
	High Priority	Low Priority	No Issue
1. Operating a home business without a permit			
2. Operating an auto-repair shop at a private residence			
3. Unpermitted structures or remodels			
4. Vehicles parked on the lawn/ an unimproved area			
5. Storing RV's, boats, or trailers in the front or side yard			
6. Parking of vehicles with three or more axles in residential areas (commercial trucks)			
7. Storing junk, trash, or debris in the front or side yards			
8. Overgrown or untended landscaping			
9. Banners being used as permanent signs			

Complaint Type	Scale		
	High Priority	Low Priority	No Issue
10. Barking dogs loud enough to disturb the comfort, quiet, or peace			
11. Water waste			
12. Noise- Loud music/partying			

5. Please provide any additional comments or complaints not listed that you feel should be addressed:

6. How do you feel that City Code Enforcement could help? Please rate each item by priority.

Ways Enforcement can help	Scale		
	High Priority	Low Priority	No Issue
1. Provide curbside pick-up on free dump days			
2. Hold neighborhood meetings to explain what is not in compliance and encourage compliance			
3. Provide a resource guide of local contractors and handymen			
4. Provide financial assistance to those who qualify			
5. As with weed abatement, hire a contractor to clean up the properties with debris and charge property owners			

7. What do you consider signs of a neglected property? (Check all that apply)

- ☐ Overgrown trees/bushes
- ☐ Untended/weedy flower beds
- ☐ Trash or debris in the front yard
- ☐ Chipping paint on the house
- ☐ Broken windows
- ☐ Other: _____

8. Would you be interested in volunteering your time to help improve the community?

- ☐ Yes, I would be interested in participating in quarterly clean-up efforts.
- ☐ Yes, I would be interested in coordinating quarterly clean-up efforts.
- ☐ Other: _____



Procedure after receiving complaint

The Code Enforcement Division seeks to gain voluntary compliance with the code in all of its interactions with the public. Inspectors respond to complaints according to the impact of the violation on the community. Situations that pose a serious risk to health and safety are given top priority; while others are pursued in the order in which they are received. After receiving a complaint, our goal is to have all investigations started within one to two weeks. Some violations can be solved with a courtesy letter sent to the property owner/ home owner. For all complaints, the first step in the follow-up procedure is an inspection to verify if a code violation exists. Some cases take longer than others to investigate. If the violation is an ongoing activity rather than a physical violation, the investigation may take longer to verify.



CITY OF PORTERVILLE
291 N. Main Street
Porterville, CA
93257



#7 Yard Sales

Yard or garage sales are limited to no more than three consecutive days, and sales shall be held no more than twice in any six month period. All merchandise to be sold shall be displayed on a private lot, and signage shall be limited to one sign not exceeding two feet by two feet to be posted on the property where the sale is being held during the duration of the sale only. No sign shall be posted on any property other than where the sale is being held.

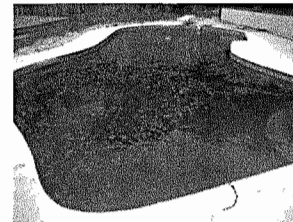
Per Municipal Code Section 21-301.21



#8 Temporary Signs

A temporary sign permit shall be secured prior to the installation of any sign associated with a commercial use.

Per Municipal Code Section 21-305.11



#9 Green Pools

Pools left unattended can create a health hazard. The code enforcement officer has authority to summarily abate any condition on or use of property that causes or constitutes or reasonably appears to constitute imminent or immediate danger to the health or safety of the public.

Per Municipal Code Section 12-3.15



#10 Barking Dogs

It shall be unlawful for any owner or caretaker of a dog to keep said dog in the city limits which by loud or excessive barking, howling, whining, crying, yelping, or making any other noise disturbs the comfort, quiet, or peace of any neighborhood or any person at any time, provided the owner has been made aware of the disturbance by the police department.

Per Municipal Code Section 5-2.25



Code Enforcement's Top Ten Code Violations

About Code Enforcement

Code Enforcement operates to help keep Porterville a safe and beautiful place to live. Public safety is a top priority and our code enforcement officers work in partnership with the public to abate hazardous conditions which threaten the life, health, safety, and welfare of the public. We believe that by doing so we can attract people who want a clean and safe community to live in or raise their children.

Contact Us

Phone: (559) 782-7526
Complaint/Service Request:
www.ci.porterville.ca.us/ServiceRequest.cfm
Email:



#1 Water Waste

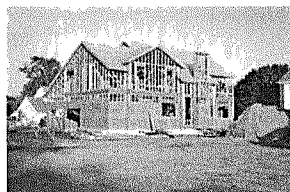
The City has initiated ongoing water conservation efforts. There are five phases to our water conservation plan. Information on each of the phases and the appropriate water usage restrictions can be found at the city's website, on the Department of Public Works Water Conservation page; <http://www.ci.porterville.ca.us/depts/PublicWorks/waterconservation.cfm>



#2 Overgrown Conditions

City Code states that the existence of any accumulation of weeds, hay, grass, straw, or combustible trash upon any roof or in any building, entranceway, court, yard, vacant lot, or open space or the accumulation of any of the above when the same endangers property or is liable to be fired is a nuisance and shall be abated.

Per Municipal Code Section 12-3.4



#3 Construction without Permits

The Code Enforcement Division monitors any construction, alteration, demolition, or other activities within any building or structure in which permits are required in order to ensure public safety.



#4 Improper Parking: RVs, Boats, etc.

City of Porterville Code states that recreational vehicles, boats, campers, trailers, and similar vehicles are prohibited from being stored for a period longer than 72 hours in the front yard setback. At no time may recreational vehicles be occupied as residences.

Per Municipal Code Section 21-304.11

Furthermore, the parking or storing of vehicles on a lawn constitutes a nuisance.

Per Municipal Code Section 18-25



#5 Abandoned Vehicles

Porterville Code states that it is unlawful for any person to abandon, park, store or leave any licensed vehicle which is in an abandoned, or inoperative condition upon any private property or public within the city for a period in excess of ten (10) days.

Per Municipal Code Section 17-17

Furthermore, no person shall park a vehicle upon any street or alley for more than a consecutive period of seventy two (72) hours.

Per Municipal Code Section 17-10.4



#6 Junk, Trash, Debris

Porterville Code states that neglect of real property is an offense, with neglected properties including properties with excessive trash and debris, visible from a public street or sidewalk, or from adjoining property.

Per Municipal Code Section 18-26



How to file a Code Enforcement complaint

The best way to file a complaint for a code violation is through the City's cellphone app, MyPorterville. This app is easy to use and has a host of information on it. Using the app, you can file a request at any time that is most convenient to you 24 hours a day 7 days a week. If you don't have a smartphone, you can also file a complaint online at <http://www.ci.porterville.ca.us/ServiceRequest.cfm>. You can also email [INSERT EMAIL HERE] or call (559) 782-7526 to report a violation. After you make a report, an official case is opened. The case is then assigned to an employee in the correct department to deal with the particular violation in question. To begin an investigation, a city employee will drive out to observe the violation and document it by taking a picture. The employee will then return to the office to draft a courtesy letter to send to the person in violation of city code. Residents are given two weeks to respond to this letter. When a resident responds to a code enforcement letter, we aim to work with that resident to solve the violation. If a resident fails to respond to the courtesy notice, their case gets escalated to our Code Enforcement Officer who specializes in resolving difficult cases.



CITY COUNCIL AGENDA – AUGUST 1, 2017

SUBJECT: Consideration of Pocket Parks 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 pocket parks as an amenity of new residential development as a Scheduled Matter at its July 18th meeting. Due to Vice Mayor Ward unable to attend the meeting in person, the Council approved the matter to be considered at its August 1st 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 – AUGUST 1, 2017

SUBJECT: Consideration of 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. Due to Vice Mayor Ward not able to attend the meeting in person, the Council approved the matter to be considered at its August 1st 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. In 2016, a total of 18 swimming permits were issued by the City, and 11 have been issued thus far in 2017.

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 – AUGUST 1, 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 in the near future.

At its last meeting on July 18, 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.

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

ATTACHMENTS:

1. Resolution 49-2015 - Declaration of Local Emergency
2. City-County Well Agreement
3. Memorandum of Understanding
4. Memorandum of Understanding Draft Amendment
5. Governor Brown Executive Order

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager

RESOLUTION NO. 49-2015

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PORTERVILLE DECLARING A DROUGHT EMERGENCY
WITHIN THE CITY OF PORTERVILLE

WHEREAS: in response to the ongoing severe drought, the State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement; and

WHEREAS: as we enter the fourth year of severe drought, long-term forecasts indicate no relief of the current drought conditions, and suggest a warmer-than-average summer, resulting in increased domestic demand for water; and

WHEREAS: public and private potable water supplies continue to be threatened due to decreasing supplies of groundwater caused by the precipitation deficit and an extended state of groundwater overdraft; and

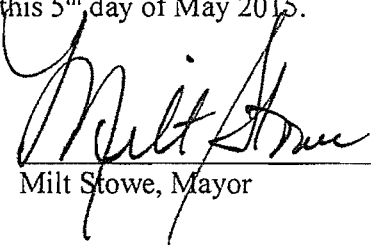
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

NOW, THEREFORE, BE IT RESOLVED: that the City Council of the City of Porterville does hereby proclaim that, due to drought conditions, a Local Emergency now exists in the city of Porterville and shall remain in effect for the duration of the emergency; and

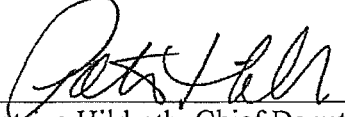
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, to include a Presidential Declaration of Emergency and Individual Assistance and Public Assistance programs as applicable; and

BE IT FURTHER RESOLVED: that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services.

PASSED, APPROVED, AND ADOPTED this 5th day of May 2015.


Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk


By: Patrice Hildreth, Chief Deputy City Clerk

TULARE COUNTY – CITY OF PORTERVILLE WELL AGREEMENT

THIS AGREEMENT is entered into this day of, May 10, 2016, between the COUNTY OF TULARE, referred to as COUNTY, and the CITY OF PORTERVILLE, referred to as CITY, with reference to the following:

- A. WHEREAS, East Porterville/Doyle Colony area properties within the COUNTY's jurisdiction and within the CITY's Urban Development Boundary are experiencing serious water shortages due to the historical drought conditions. Attached hereto as Exhibit 'A' is a map defining the East Porterville/Doyle Colony and Vandalia areas; and
- B. WHEREAS, CITY and COUNTY have been and are collaborating to jointly develop a new municipal water well; and
- C. WHEREAS, COUNTY shall secure complete funding for a new well to be solely owned, operated and maintained by the CITY for the purpose of providing long-term capacity to enable permanent water connections to properties that comply with CITY'S Annexation and Extension of Municipal Services policy, with certain exceptions for specific properties in excess of the maximum lot size. These procedures are defined by two Resolutions, 74-2014 and 19-2016, which are attached hereto as Exhibit 'B'; and
- D. WHEREAS, the COUNTY owns a parcel at the southeast corner of the Tule River and Olive Avenue (APN 240-120-017), represented in Exhibit 'C', and has drilled a municipal supply well, and will equip said well utilizing CITY standards, after which the COUNTY shall convey the land to CITY at a cost of \$1; and
- E. WHEREAS, CITY operates an existing municipal water system, with limited infrastructure already established in the East Porterville/Doyle Colony and Vandalia areas, and has experience and qualifications necessary to provide such services; and
- F. WHEREAS, CITY and COUNTY mutually agree that a regional, collaborative solution to leverage and expand CITY'S municipal water system into the East Porterville/Doyle Colony and Vandalia areas is the most feasible means to address the area's water needs; and
- G. WHEREAS, CITY is willing to enter into this Agreement with COUNTY upon terms and conditions set forth herein; and
- H. WHEREAS, CITY and COUNTY mutually understand that due to the limited resources of the CITY's municipal water system, all future connections must comply with the CITY's Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size, attached hereto and made a part thereof as Exhibit 'B'.

ACCORDINGLY, IT IS AGREED:

- 1. **TERM:** This agreement shall become effective as of the date the agreement is fully executed by both agencies.
- 2. **SERVICES TO BE PERFORMED & PAYMENT FOR SERVICES – EQUIPPING MUNICIPAL WELL FACILITY:** Refer to attached Exhibit 'D'.

TULARE COUNTY AGREEMENT NO. 27596

3. **SERVICE TO BE PERFORMED IN PERPETUITY:** The services described below shall be performed in perpetuity upon completion of all tasks enumerated in Exhibit 'D' and upon COUNTY securing the funds for equipping the well to CITY standards and requirements:
- A. CITY shall provide to STATE and/or COUNTY, upon STATE and COUNTY's request, a maximum of three million (3,000,000) gallons of water per month upon integration of the well provided under this Agreement, for the purposes of meeting emergency water needs in COUNTY's jurisdiction. CITY shall not charge COUNTY or STATE for said water.
 - B. CITY shall utilize water produced by the well provided under this Agreement as source capacity for new service connections and agreements in East Porterville/Doyle Colony and Vandalia areas. CITY agrees to provide source water for up to four hundred twenty-three (423) new connections in the East Porterville/Doyle Colony area subject to the CITY'S Annexation and Extension of Municipal Services policies, with certain exceptions for specific properties in excess of the maximum lot size, and up to 80 new connections in the Vandalia area. The 423 new connections noted above are inclusive of those properties immediately adjacent to an existing water main, estimated at 40 parcels, which can be connected to the City's water system immediately upon execution of this agreement and the Memorandum(a) of Understanding between CITY, COUNTY, and STATE. Upon connection to CITY services, the listed properties will be exempt from payment of CITY water impact fees, but will be subject to standard fees, such as, but not limited to, water service and meter installation, unless otherwise financed by STATE or other funding sources, and associated monthly fees. This section shall not be construed to limit additional connections beyond the above referenced 503 properties provided for herein, where CITY provides consumption documentation that determines additional source capacity is available as a result of the connection of this well to CITY's system.
 - C. CITY expressly agrees to own, operate, maintain, repair and otherwise care for the well provided under this Agreement, in order to maintain it in proper working order and to the highest standard, for the duration of the well's useful life.
 - D. COUNTY shall grant the parcel on which the well is located to the CITY by Grant Deed at a cost of \$1 upon formal acceptance of the project. A 50-foot control zone around the well site is a requirement of the State Water Resources Control Board, Drinking Water Program, therefore establishing the minimum parcel size to be conveyed to the CITY. Existing COUNTY infrastructure may encroach through or conflict with the subject parcel and if so, ownership, maintenance, repair and replacement of these facilities shall transition to the City's responsibility by separate maintenance agreement upon acceptance of the project.
 - E. CITY shall not be entitled to compensation by COUNTY, or any State or Federal agency providing funding for the activities enumerated in Exhibit 'D', for any ongoing costs related to owning, operating, maintaining, repairing, or replacing this well. CITY and COUNTY expressly agree that CITY's ongoing compensation for such ongoing costs shall be the use of the well for CITY's use within its water system, unrestricted except as noted in "A"

above. No part of this paragraph shall be construed to limit or restrict in any way CITY's ability to seek any grant funding or collect rates and fees from users of CITY's water system.

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

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

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

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

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

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

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

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

6. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply to address and interpret any uncertainty.
7. Unless specifically set forth, the parties to this Agreement do not intend to provide any other party with any benefit or enforceable legal or equitable right or remedy.
8. This Agreement shall be interpreted and governed under the laws of the State of California without reference to California conflicts of law principles. This Agreement is entered into and shall be performed in Tulare County, California. CITY waives the removal provisions of California Code of Civil Procedure Section 394.
9. The failure of either party to insist on strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by either party or either performance or payment shall not be considered to be a waiver of any preceding breach of the Agreement by the other party.
10. The Recitals and the Exhibits to this Agreement are fully incorporated into and are integral parts of this Agreement.

11. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court of other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the Agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases the remainder of the Agreement shall continue in full force and effect.
12. Each party agrees to execute any additional documents and to perform any further acts which may be reasonably required to affect the purposes of this Agreement.
13. CITY expressly agrees that it will not discriminate in employment or in the provision of services on the basis of any characteristic or condition upon which discrimination is prohibited by state or federal law or regulation.
14. Insurance
15. Permit
16. Dispute Resolution: If a dispute arises out of or relating to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties, otherwise each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within 30 days, either party may pursue litigation to resolve the dispute.
17. Indemnification: CITY shall hold harmless, defend and indemnify COUNTY, its agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, including COUNTY property, arising from, or in connection with, the performance by CITY or its agents, officers and employees under this Agreement. This indemnification specifically includes any claims that may be made against COUNTY by any taxing authority asserting that an employer-employee relationship exists by reason of this Agreement, and any claims made against COUNTY alleging civil rights violations by CITY under Government Code sections 12920 et seq. (California Fair Employment and Housing Act), and any fines or penalties imposed on COUNTY for CITY's failure to provide form DE-542, when applicable. This indemnification obligation shall continue beyond the term of this Agreement as to any acts or omissions occurring under this Agreement or any extension of this Agreement.

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

COUNTY OF TULARE

BY Mike Ennis
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. G. Glick 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)
-  City Limits
-  UDB

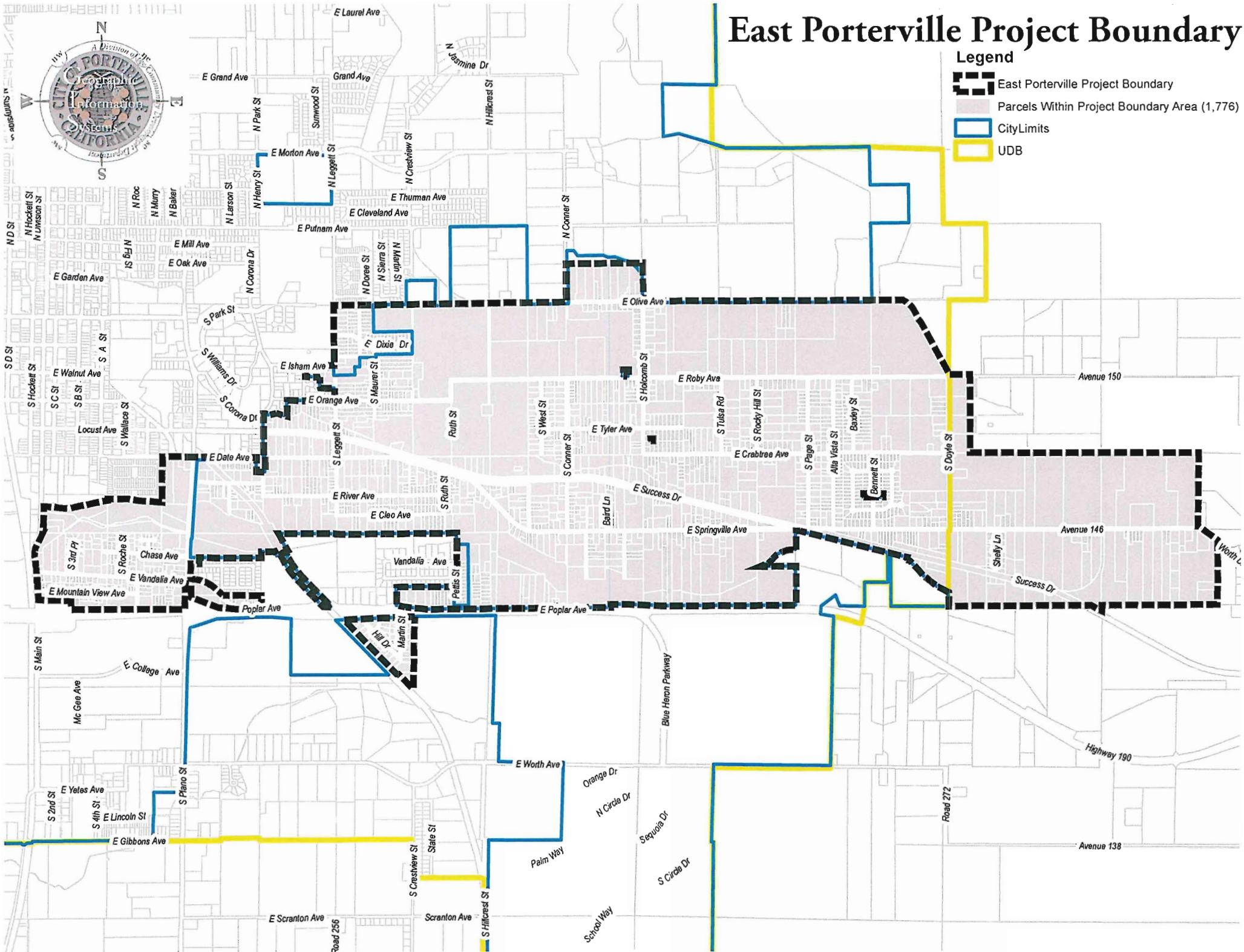


EXHIBIT 'B'

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:

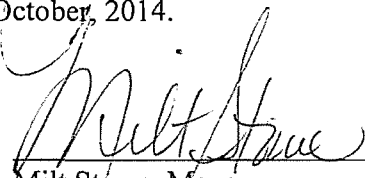
1. To promote orderly development while discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.
2. To honor the City’s fundamental responsibility to provide efficient and sustainable public services to the inhabitants of the city, 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).

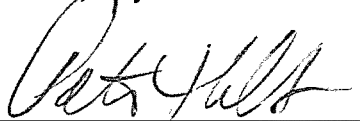
2. It shall be the policy of the City of Porterville to consider extra-territorial service requests primarily within the Urban Development Boundary, which is defined as the City of Porterville Annexation Boundary, as adopted by Tulare County LAFCo.
3. It shall be the policy of the City of Porterville, 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".

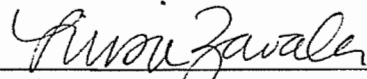
PASSED, APPROVED AND ADOPTED this 19th day of April, 2016.



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.

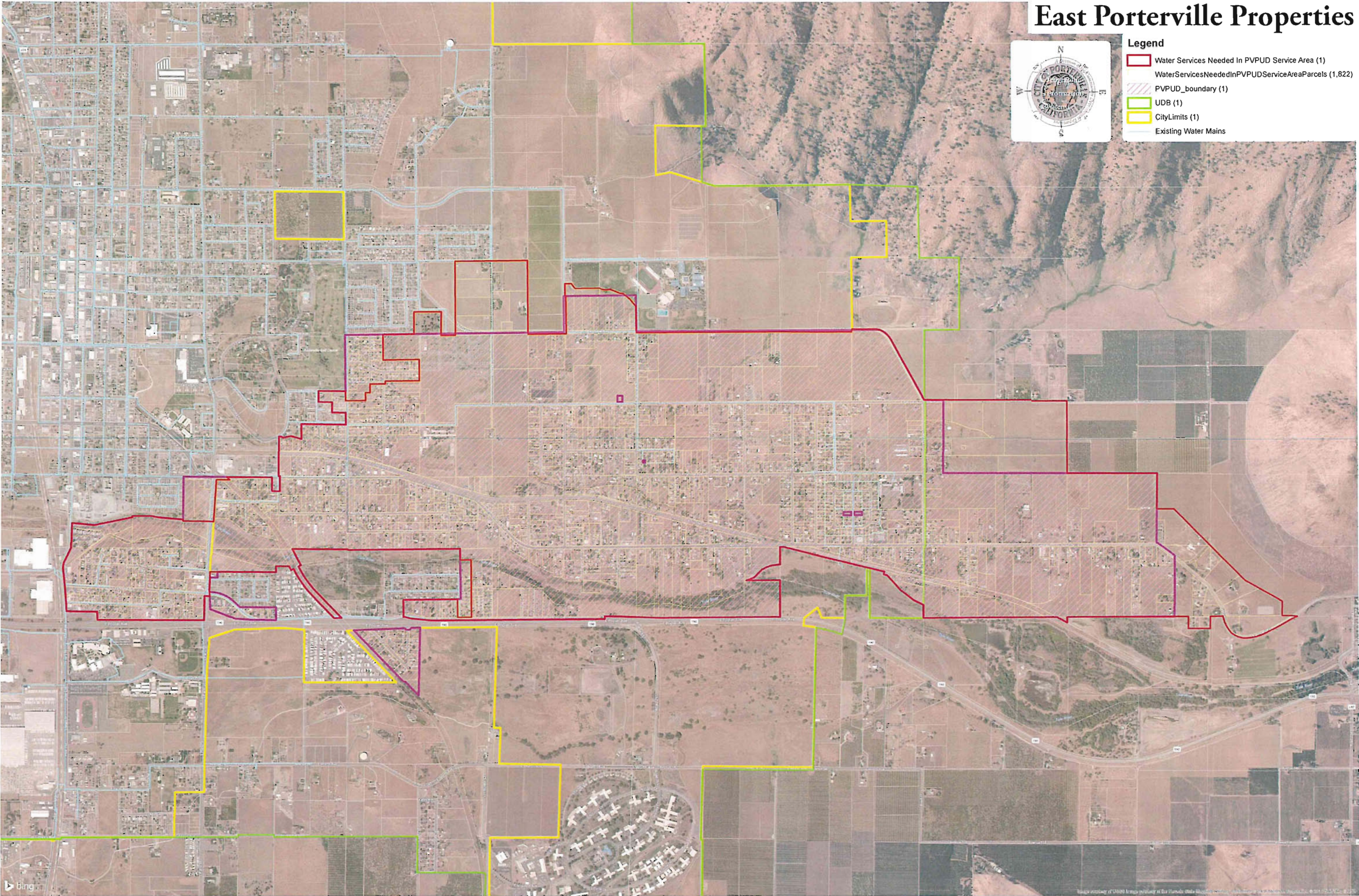
3. PROPERTIES WITHIN THE EAST PORTERVILLE FEASIBILITY STUDY PROJECT AREA: The California State Water Resources Control Board, in coordination with the Department of Water Resources Drought Task Force, is charged with preparing a feasibility study to define a long-term solution to the water related issues 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



- Legend**
- Water Services Needed In PVPUD Service Area (1)
 - WaterServicesNeededInPVPUDServiceAreaParcels (1,822)
 - PVPUD_boundary (1)
 - UDB (1)
 - CityLimits (1)
 - Existing Water Mains



STATE OF CALIFORNIA)
CITY OF PORTERVILLE) SS
COUNTY OF TULARE)

I, JOHN D. LOLLIS, the duly appointed City Clerk of the City of Porterville do hereby certify and declare that the foregoing is a full, true and correct copy of the resolution passed and adopted by the Council of the City of Porterville at regular meeting of the Porterville City Council duly called and held on the 19th day of April, 2016.

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

Council:	REYES	WARD	STOWE	HAMILTON	GURROLA
AYES:	X	X	X	X	
NOES:					
ABSTAIN:					
ABSENT:					X

JOHN D. LOLLIS, City Clerk

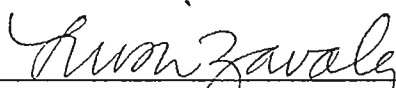

By: Luisa Zavala, Deputy City Clerk

EXHIBIT 'C'



EXHIBIT 'D'

Scope of Work

Task	Description	Cost
1.2	Prepare Well Drilling Plans, Specifications, and Estimates	\$468.00
3.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$1,526.00
5	Ph. 1 Preconstruction Meeting	\$1,357.43
Total:		\$3,351.43

Consulting Engineering work will be reimbursed directly to Dee Jaspar & Associates under Tulare County Agreement No. 1276, including the following Tasks:

Task 4.1	Project Evaluations and Field Surveying	\$58,326.00
Task 4.2	Prepare Well Equipping Plans, Specifications, and Estimates	\$30,000.00
Task 4.3	Prepare and Assist with SCE Application & Telephone Service	\$5,000.00
Task 4.4	SCE Costs	\$15,000.00
Total:		\$108,326.00

Discussion Draft

Subject to Additional Review and Modification by the Parties

Porterville MOU
Draft 2
June 15, 2016
PortervilleEmergencyMOU061516



Memorandum of Understanding (MOU)

Regarding the Provisions of Emergency Water Supplies to East Porterville

by the California Department of Water Resources (DWR), California Office of Emergency

Service (OES), the State Water Resources Control Board (SWRCB),

the County of Tulare (County), and City of Porterville (Porterville),

which are collectively known as the “Parties”

Recitals

Whereas, some residents living in an unincorporated area of Tulare County, commonly known as “East Porterville,” have experienced loss of adequate water supply to their homes and properties as a result of severe drought conditions, which has caused significant hardship for the residents;

Whereas, Governor Edmund G. Brown Junior has directed all State agencies to assist these residents who are in need of water supplies with emergency and long-term assistance;

Whereas, Governor Edmund G. Brown Junior signed Assembly Bill 685 in 2012, adding Water Code section 106.3, which recognizes that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes, and which requires all relevant state agencies to consider this right when revising, adopting, or establishing pertinent policies, regulations, and grant criteria;

Whereas, the Parties have provided emergency water supplies to some residents of East Porterville that are without an adequate household water supply;

Whereas, the Parties to this MOU seek an emergency and long-term solution to the lack of adequate household water supply by developing and providing continuous water supplies to these residents;

Whereas, East Porterville is located east and adjacent to Porterville, which has an existing municipal water system that serves residents within the incorporated area of Porterville;

Whereas, some of the residents of East Porterville without an adequate household water supply could be connected to Porterville's municipal water system provided certain arrangements and projects are carried out by the Parties;

Whereas, Vandalia is a neighborhood located within Porterville, and some Vandalia residents lack adequate household water supply and these households could be connected to Porterville's municipal water system;

Whereas, the Parties have met and have discussed alternative plans and projects that would provide an emergency water supply from Porterville to some residents of East Porterville and Vandalia in an expeditious manner;

Whereas, to advance these projects, DWR has provided funding, as reflected in the agreement between DWR and Tulare attached as Exhibit 1, for a municipal well designated as "Well C1" located in Tulare County that ultimately could be used to supply water to these residents of East Porterville;

Whereas, the SWRCB has also provided funding for Well C1, as reflected in the agreement between the SWRCB and the County attached as Exhibit 2;

Whereas, the County and Porterville intend to execute an agreement, a draft of which is attached as Exhibit 3, that will connect Well C1 to Porterville's municipal water system and that will provide for an adequate household water supply for some residents of East Porterville; and

Whereas, the Parties have reached an understanding on how best to implement the project alternative that will provide an adequate household water supply to some residents of East Porterville and Vandalia, and alleviate the hardships in an expeditious, cost-effective manner.

Understanding

A. Description of Emergency Project and Long-Term Plan

1. The purpose of this MOU is to set forth in writing the intentions of the Parties of how best to move forward with plans to complete an emergency water supply project (Project) to some residents in the East Porterville and Vandalia areas, which are represented in Exhibit 4. (Map showing East Porterville and Porterville). The goal of the Project is to provide an adequate household water supply to some of the residents and properties in these areas that do not have one presently, and to end the need of the Parties to provide temporary water supplies to those residents through tanks and bottles.

2. The Parties intend to develop the Project in two phases. Phase 1 will make municipal water connections to the properties in East Porterville that have dry wells and are adjacent to Porterville's existing municipal water distribution system. It is estimated that this phase will serve 40 properties with dry wells that are currently receiving temporary household water supplies.

3. The Parties intend that Phase 2 of the Project will provide municipal water supply to approximately 500 properties in East Porterville and in Vandalia that have dry wells or otherwise lack an adequate source of water and have not been connected by Phase 1. In order to complete Phase 2, the residents of these properties will likewise need to connect to Porterville's municipal water system.

4. As soon as possible, Porterville and DWR will undertake Phase 1 of the Project and connect the properties in East Porterville that are adjacent to Porterville's existing municipal water distribution system. These connections will be accomplished as described in Water Installation Diagram attached as Exhibit 5 and based on the cost estimate, which is attached as Exhibit 6. In order to make these connections, a property owner desiring to receive public water supply will need to execute the Extraterritorial Service Agreement, a sample of which is attached as Exhibit 7, and the SWRCB's Water Connection Agreement, a sample of which is attached as Exhibit 8. Necessary signatures and agreements with property owners will be sought through SWRCB's outreach carried out with the assistance of all Parties to this MOU.

5. The Parties intend that Well C1 will be used to provide the emergency water supply in Phase 2 to about 500 properties without adequate household water supplies. The Parties presently understand that there are about 423 properties in East Porterville and approximately 80 properties in Vandalia where connections may be needed to provide emergency water supplies.

6. The Parties have created a Technical Workgroup consisting of engineers and planners, which work cooperatively on the technical issues described in this MOU. Based on recommendations of the Technical Workgroup, the Parties intend to provide the emergency water supply contemplated by this MOU.

7. The Parties intend to develop a Long-Term Water System Plan (Long-Term Plan) for the East Porterville area, which will serve other residents in the area besides those served by the Project. The Parties intend that the Project will be designed consistent with the Long-Term Plan to ensure that all water facilities constructed as part of the Project will be incorporated into the facilities ultimately developed through the Long-Term Plan. The first work product produced by the Technical Workgroup will be a Feasibility Study for the Long-Term Plan. The outline of the Feasibility Study is attached as Exhibit 9.

8. The Parties intend to use best efforts to complete both phases of the Project by December 31, 2016. The completion date of the Long-Term Plan is dependent on the completion of the Feasibility Study carried out by Technical Workgroup and on Porterville and/or the County applying for and securing sufficient funding from the SWRCB or from other sources. The Parties desire to complete the Long-Term Plan as expeditiously as possible.

B. Project Contributions of the Parties

9. Working in cooperation with the other Parties and the Technical Workgroup, DWR will prepare all environmental compliance for the Project, and design and construct the Project, both Phases 1 and 2. DWR will provide funding for Phases 1 and 2 of the Project through Emergency Drought Funding. DWR intends to serve as California Environmental Quality Act (CEQA) lead agency for the Long-Term Plan and will prepare any necessary CEQA documentation and any other necessary environmental review documents, unless the Feasibility Study recommends another lead agency.

10. SWRCB will provide the community outreach to assist in obtaining necessary property owner acceptance before proceeding with Project. SWRCB will also work with Porterville and/or County to secure funding of the Long-Term Plan. SWRCB will provide certain reviews and approvals for the permitting of the Project and the Long-Term Plan.

11. OES will coordinate all of the State's efforts under the Governor's Drought Task Force in the Project area and will be provided at no cost by Porterville up to 3,000,000 gallons of emergency water per month as needed as a result of this MOU and the agreement that Porterville and the County are in the process of considering for execution, a draft of which is attached as Exhibit 3, with regard to the Well C1.

12. Porterville will provide the needed water service to the residents of East Porterville without an adequate household water supply after they are connected to Porterville's municipal water system as described in the Project. The water service will be accomplished per the Extraterritorial Service Agreement, which requires that property owners served pay the monthly water bill. DWR is funding the residents' connection to the Project, and as a result, some of the normal connection fees will be waived provided that connection is made during Phase 1 or Phase 2. Porterville will install the water meters for each connection, which will be paid for by DWR.

13. The County intends to execute an agreement with Porterville that is consistent with this MOU and Exhibit 3, which will allow Well C1 to serve as a water supply for the Project. The County will inspect the work of the Project and the property connections at no cost to the residents.

14. The Parties to the MOU will cause the removal of all temporary water tanks from the properties upon completion of the Project and the appurtenances necessary for the receipt of municipal water service. The work for removing the water tanks will be carried out by the County under an agreement between the County and OES.

C. General Provisions

15. The Parties intend to use their best efforts to carry out this MOU. This MOU is not a binding agreement, and is not intended to create contractual rights and remedies among the Parties. However, the Parties have entered into and intend to enter into certain binding agreements in the future necessary to develop and complete the Project and the Long-Term Plan.

16. This MOU will become effective upon the signature of the all Parties. The MOU will terminate on December 31, 2016, unless extended by all of the Parties in writing.

[Signatures on following page]

This MOU has been executed by:

California Department of Water Resources

State Water Resources Control Board

California Office of Emergency Services

County of Tulare

City of Porterville

List of Exhibits

1. DWR and Tulare County Executed Well C1 Agreement
2. SWRCB and County Executed Well C1 Agreement (Water Board Grant #D-15-11-902)
3. County and Porterville Draft Well Agreement
4. Map of East Porterville
5. Household Water Service Installation Diagram
6. Household Water Service Cost Estimate
7. Sample Extraterritorial Service Agreement
8. Sample SWRCB Water Connection Agreement
9. Draft Emergency Project Feasibility Study



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

