



**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
MARCH 7, 2023, 5:30 PM**

The City of Porterville is allowing for and encouraging electronic participation at City Council Meetings. Porterville City Council Meetings will be live streamed on YouTube at <https://www.youtube.com/channel/UC5KuhSrNMNL9nwHJVtnJvvA>

Alternatively, this meeting will also be available via Zoom using the following information

Topic: City of Porterville – City Council Meeting of March 7, 2023

Please use the following link below to join the webinar:

<https://us06web.zoom.us/j/85163522979?pwd=ZfVEMVZOeXp5bFNuc1ZSWThQN0Q1dz09>

Or via Telephone: **1-669-900-6833** Webinar ID: **851 6352 2979** Passcode: **135950**

Call to Order

Roll Call

ORAL COMMUNICATIONS

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

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

- 1** - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Patrice Hildreth. Employee Organization: Porterville City Employees Association and Management & Confidential Series.
- 2** - Government Code Section 54956.95 – Liability Claim: Claimant: Anaberta Champion. Agency claimed against: City of Porterville.
- 3** - Government Code Section 54956.95 – Liability Claim: Claimant: Blanca Dewitt Lopez. Agency claimed against: City of Porterville.
- 4** - Government Code Section 54956.95 – Liability Claim: Claimant: Elyssa Garcia. Agency claimed against: City of Porterville.
- 5** - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Four (4) cases in which facts are not yet known to potential plaintiff.
- 6** - Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One (1) case.

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

Pledge of Allegiance Led by Council Member Meister

Invocation

PRESENTATIONS

Employee of the Month
Legacy Award - The Press Shop
Tulare County Regional Transit Agency - Rich Tree
Taskforce on Homelessness Presentation - Claudia Calderon

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.

REPORTS

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

- I. Staff Informational Reports
 1. Update Regarding Reported Bicycle Incidents

CONSENT CALENDAR

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

1. **City Council Minutes of February 21, 2023**
Re: Considering approval of the City Council Meeting draft Minutes of February 21, 2023
2. **Authorization to Purchase Playground Engineered Wood Fiber**
Re: Consideration of the purchase of shock-absorbing playground engineered wood fiber from Park Planet in an amount not to exceed \$25,000 from the General Fund Reserves Deferred Maintenance account.
3. **Authorization to Purchase Monitor Nozzle for Aerial Fire Ladder Truck**
Re: Authorizing the purchase of a nozzle for the aerial fire ladder truck from Burton's Fire Inc. at a cost not to exceed \$9,329.
4. **Authorization to Advertise for Bids - Villa Street Reconstruction Project**
Re: Consideration to approve staff recommended Plans and Project Manual for the Villa Street Reconstruction Project between Olive Avenue and Henderson Avenue (excluding the Porter Slough Bridge crossing).

5. **Authorization to Distribute a Request for Qualifications for Golf Course Driving Range Netting**
Re: Consideration to authorize the distribution of a Request for Qualifications for golf course driving range netting.
6. **Authorization to Distribute a Request for Qualifications for Design Services - Porterville Public Library Project**
Re: Consideration to authorize staff to distribute a Design Services Request for Qualifications for the Porterville Public Library Project.
7. **Award of Contract - Rehabilitate Parallel and Connecting Taxiways Project**
Re: Consideration to award the contract for the parallel and connecting taxiways rehabilitation project at the Porterville Municipal Airport to Teichert Construction, in the amount of \$4,675,270 with a ten percent (10%) contingency; authorize Tartaglia Engineering to provide construction administration at an estimated cost of \$708,300; and authorize the purchase of two lighted closure crosses through the informal bidding process, at an estimated cost of \$90,000.
8. **Intent to Abandon and Close to Public Use an Unimproved Alley Bounded by Morton Avenue and the East 7.5 Feet of the William Duncan Subdivision**
Re: Consideration to adopt a Resolution of intent to abandon an alley bounded by Morton Avenue to the south, and the east 7.5 feet of the William Duncan Subdivision; and set the City Council meeting of April 4, 2023, as the time and place for the Public Hearing for consideration.
9. **Acceptance of Subdivision Improvements - Royal Oaks, Phase 2 (Greenvine, LLC)**
Re: Consideration to accept the public improvements, including those related to the Landscape & Lighting Maintenance District of the Royal Oaks, Phase 2 Subdivision for maintenance.
10. **Amendment No. 1 to 4Creeks, Inc. Santa Fe Byway Trail Service Agreement**
Re: Consideration to authorize the Engineering & Project Management Director to execute Addendum No. 1 to the 4Creeks, Inc. Service Agreement at an agreed upon fee of \$38,320 for the services described herein for the Santa Fe Byway Trail, which is a converted former right-of-way of the San Joaquin Valley Railroad that runs north to south approximately 1/4-mile east of Downtown Porterville from Henderson Avenue to Walnut Avenue.
11. **Amendment No. 2 to 4Creeks, Inc. Butterfield Stage Corridor Service Agreement**
Re: Consideration to authorize the Engineering & Project Management Director to execute Addendum No. 2 to the 4Creeks, Inc. Service Agreement at an agreed upon fee of \$116,670 for the services described herein for the Butterfield Stage Corridor Project which will convert City-owned former Union Pacific Railroad right-of-way that is less than a 1/4-mile west of Downtown Porterville, beginning at Yates Avenue to the south and the north to W. North Grand Avenue.
12. **Acceptance of Board of State Community and Corrections Officer Wellness and Mental Health Grant**
Re: Consideration to authorize staff to sign all necessary grant documents and budget adjustments upon receipt and acceptance of the funds for the Board of State and Community Corrections Officer Wellness and Mental Health Grant Program.

13. **Community Civic Event - Boys & Girls Club of the Sequoias - 2023 Love Our Kids Fun Run - April 15, 2023**
Re: Consideration to approve the Community Civic Event application from Boys & Girls Club of the Sequoias to hold the "2023 Love Our Kids Fun Run" on April 15, 2023, beginning at 9:00 a.m. at Veterans Park.
14. **Community Civic Event - Pink Heals Tulare County Chapter - Rollin' Relics Car Show - May 13, 2023**
Re: Consideration to approve the Community Civic Event application from Pink Heals Tulare County Chapter to hold the Rollin' Relics Car Show on May 13, 2023, from 8:00 a.m. to 4:00 P.M. at Veterans Park.
15. **Community Civic Event - Optimist Club of Porterville / Porterville Unified School District / Burton School District - Porterville Celebrates Reading - April 1, 2023**
Re: Consideration to approve the Community Civic Event application from the Optimist Club, Porterville Unified School District, and Burton School District to hold the "Porterville Celebrates Reading" event on April 1, 2023, at Veterans Park from 10:00 A.M. to 2:00 P.M.
16. **Travel to Washington D.C. for Tulare County Association of Governments "One Voice Trip" - May 9-12, 2023**
Re: Considering authorization to expend City monies in support of travel to Washington D.C. by Mayor Flores and the City Manager.
17. **Status and Review of Local Drought Emergency**
Re: Considering approval of the continuance of the Declaration of Local Emergency.

SCHEDULED MATTERS

18. **Tulare County Regional Multi-Jurisdiction Housing Element Update**
Re: Consideration of the development of the 2023-2031 Draft Housing Element Update.

AB 1234 REPORTS

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

1. CalVans Board Meeting - February 9, 2023
2. Social Services Transportation Advisory Council - February 14, 2023
3. Tulare County Task Force on Homelessness - February 15, 2023
4. Tulare County Economic Development Corporation Board Meeting - February 22, 2023
5. Internal City Audit Committee Meeting - February 22, 2023
6. Tulare County Regional Transit Agency - February 22, 2023
7. City/Tribe Casino MOU Meeting - February 23, 2023
8. San Joaquin Valley Regional Early Action Planning (REAP) Committee Meeting - February 24, 2023
9. Tulare County Association of Governments (TCAG)/City/Tribe Active Transportation Program (ATP) Project Meeting - February 24, 2023

10. Tule River Tribal Council Swearing-In Ceremony - February 27, 2023
11. TCAG/Tulare County Transportation Authority (TCTA) Board - February 27, 2023
12. Tulare County Board of Supervisors Meeting - February 28, 2023
13. Local Initiatives Navigation Center (LINC) Committee - March 1, 2023
14. TCAG Board Training - March 2, 2023
15. Eastern Tule Groundwater Sustainability Agency (ETGSA) - March 2, 2023

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 March 21, 2023 at 5:30 P.M.

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 – MARCH 7, 2023

SUBJECT: 1. Update Regarding Reported Bicycle Incidents

SOURCE: Police

COMMENT: From January 1, 2022 to present, Porterville Police Department Officers were dispatched to a total of 63,358 calls for service. Out of those total calls, 265 calls were related to bicycles, which is equivalent to 0.42% of the total calls.

A majority of the 265 calls for service, 219 were classified as involving juveniles. 141 of the calls for service were closed by Officer(s) because the bicyclists were gone upon arrival. Forty-four (44) calls were classified as traffic hazards. Two were classified as traffic collisions involving bicycles which resulted in minor injuries. Of the aforementioned calls/contacts, eighteen (18) resulted in traffic citations, arrests or arrest warrant being issued. One contact was a result of an Officer soliciting help from a group of juvenile bicyclists to help locate an at-risk missing child, which the bicycle group did in fact locate the child and notified the Department.

Crime reports taken by Officers included an assault in the Target Store parking lot, as well as bicycle riders shooting BB guns where several windows were damaged - these cases both resulted in arrests.

In conjunction with the above cases, School Resource Officers and the Crime Prevention Unit conduct on-going presentations regarding bicycle safety at local schools and during the annual Porterville Police Jr. Police Academy's.

Below are the 2022 annual statistics involving bicyclists:

- (8) Traffic citations issued
- (7) Juveniles arrested
- (4) Traffic Collisions with no injuries
- (2) Traffic Collisions with minor injuries
- (1) Submitted for arrest warrant
- (1) Juvenile Field Interviewed
- (1) Bicyclists located an at-risk missing juvenile
- (1) Juvenile cited to Juvenile Diversion for resisting and/or delaying arrest

RECOMMENDATION: Informational Only

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Jake Castellow, Chief of Police

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: City Council Minutes of February 21, 2023

SOURCE: Administrative Services

COMMENT: Staff has prepared the draft Minutes of February 21, 2023, for the Council's consideration.

RECOMMENDATION: That the Council approve the draft Minutes of February 21, 2023

ATTACHMENTS: 1. 2023-02-21 Draft Minutes

Appropriated/Funded:

Review By:

Department Director:
Patrice Hildreth, Deputy City Manager

Final Approver: Patrice Hildreth, Deputy City Manager

**CITY COUNCIL MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 21, 2023, 5:30 PM**

Call to Order at 5:30 p.m.

Roll Call: Council Member Greg Meister, Council Member Raymond Beltran,
Council Member Donald Weyhrauch, Vice Mayor Kellie Carrillo,
Mayor Martha A. Flores

ORAL COMMUNICATIONS

None.

CITY COUNCIL CLOSED SESSION:

A. Closed Session Pursuant to:

1 - Government Code Section 54957.6 – Conference with Labor Negotiator. Agency Negotiator: John Lollis and Yuliana Andrade. Employee Organizations: Porterville City Firefighters Association.

2 - Government Code Section 54956.95 – Liability Claim: Claimant: Melissa Planing. Agency claimed against: City of Porterville.

3 - Government Code Section 54956.95 – Liability Claims: Claimant: Candelario Garcia and Engracia Garcia. Agency claimed against: City of Porterville.

4 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Estate of Armando Orozco, Jr. et al. v. City of Porterville, et al., Tulare County Superior Court Case No. PCU 282499.

5 - Government Code Section 54956.9(d)(3) – Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation: Four (4) cases in which facts are not yet known to potential plaintiff.

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

**6:40 P.M. RECONVENE OPEN SESSION AND REPORT ON REPORTABLE ACTION
TAKEN IN CLOSED SESSION**

City Attorney Lew reported action pertaining to A-2, and A-3, as follows:

A-2. On a MOTION made by Council Member Beltran, and SECONDED by Vice Mayor Carrillo the City Council unanimously rejected the claim filed by Melissa Planing.

Documentation: M.O. 01-022123

Disposition: Claim rejected.

A-3. On a MOTION made by Council Member Meister, and SECONDED by Council Member Weyhrauch the City Council unanimously rejected the claim filed by Candelario Garcia.

Documentation: M.O. 02-022123

Disposition: Claim rejected.

The Pledge of Allegiance was led by Council Member Donald Weyhrauch

Invocation – a member of the public came forward to speak.

PRESENTATIONS

Fourth Street Park and Community Center Draft Conceptual Design
Outstanding Business – Happy Hearts

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, voiced appreciation that Public Works staff had painted the red curb on Newcomb Street, North of Mulberry.
- Silia Thompson, Porterville, spoke of her concern with recent bicycle riders who are weaving in and out of traffic within the city and requested that the city look into this matter.
- Josh Flowers, Porterville, spoke of models of different freedoms such as national freedom, political freedom, and individual freedom. He described each freedom to the Council.
- Fred Beltran, Porterville, stated he is present on behalf of the Porterville Rescue Mission and was available for any questions.
- Richard Dunn, Porterville, spoke on behalf of his church Foothill Presbyterian Church and gave the history of the property and its annexation into the city. He stated he is in favor of the Foothill Presbyterian Church being connected to city sewer and water.
- Scott Bowler, Porterville Chamber of Commerce, stated the Chamber welcomed two new members and two new ambassadors, and spoke of upcoming events such as First Friday Coffee, Ribbon Cuttings for EECU, Christen's Tonsorial Parlor, Imagine Arts Center, Business After Hours with BSD, and the upcoming Spring Festival.
- Ed McKervery, Porterville, stated it's a privilege to be able to say a prayer at the council meeting and recited words from the California Preamble; spoke of the City motto "In God We Trust" to which he stated that we don't make decisions just for money, we make decisions to do the right thing.
- Sergio Gonzalez, Porterville, spoke of donations that he has allegedly made to the city, state and federal government; and spoke of alleged investigations and misappropriation of donated funds and embezzlement going on within the city.

REPORTS

I. City Commission and Committee Meetings

1. Parks & Leisure Services Commission - February 2, 2023 – no report was provided.
2. Library & Literacy Commission - February 14, 2023

Commissioner Edith LaVonne reported on the adult book club for the month of January, bilingual story time hosted on Facebook, and provided monthly statistics regarding patronage, program participation, library visits, interlibrary loans, computer usage and virtual programs.

3. Arts Commission - January 24, 2023

Commissioner Dawn Bennett stated the Commission reported on having a third chalk art booth and of the upcoming Spring Festival; reported on the Commission's discussion to move back to regularly scheduled monthly meetings; and spoke of a vacant youth position on the Commission.

4. Animal Control Commission – no meeting was scheduled.

5. Youth Commission - February 8, 2023 – no report was provided.

6. Transactions and Use Tax Oversight Committee (TUTOC) - February 16, 2023 – no report was provided.

II. Staff Informational Reports

1. Wall of Fame

- Mayor Flores – Cameron “Cam” Hamilton
- Vice Mayor Carrillo – Maria Roman
- Council Member Beltran – David Gong
- Council Member Meister – Don Dowling
- Council Member Weyhrauch – Milton “Milt” Gene Stowe

2. Water Conservation Phase IV Status Update - January 2023

CONSENT CALENDAR

Vice Mayor Carrillo noted for the record that she has a conflict on Item No. 7.

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

1. CITY COUNCIL MINUTES OF FEBRUARY 7, 2023

Recommendation: That the Council approve the draft Minutes of February 7, 2023

Documentation: M.O. 03-022123

Disposition: Approved.

2. AUTHORIZATION TO PURCHASE POLICE DEPARTMENT AMMUNITION

Recommendation: That the City Council authorize payment to Dooley Enterprises, Inc. in the amount of \$8,257.68 upon receipt of the listed ammunition.

Documentation: M.O. 04-022123

Disposition: Approved.

3. ONE YEAR EXTENSION OF ON-CALL RIGHT-OF-WAY AND APPRAISAL AND CONSULTING SERVICES

Recommendation: That the City Council:

1. Approve extension of all three contracts for a period of one year;
2. Authorize the Mayor to sign contract documents;
3. Authorize the Assistant City Manager to sign task orders; and
4. Authorize staff to make payments up to 100% upon satisfactory completion of tasks.

Documentation: M.O. 05-022123

Disposition: Approved.

4. APPROVAL TO APPLY FOR CALHOME GRANT

Recommendation: That the City Council:

1. Adopt the draft Resolution approving the submittal of a CalHome Program funding application to the California Department of Housing and Community Development;
2. Authorize the Mayor or designee to execute all documents pertaining to the CalHome program; and be authorized to make any augmentation, modification, addition or revision as may be necessary to conform to requirements imposed by the California Department of Housing and Community Development; and
3. Authorize the Community Development Director to execute, in the name of the City of Porterville, project drawdown requests, and all other administrative documents required by the California Department of Housing and Community Development.

Documentation: Resolution No. 09-2023

Disposition: Approved.

5. SPORTS COMPLEX CONCESSION LICENSE

Recommendation: That the City Council:

1. Approve the Sports Complex Concession License with Porterville Soccer League/South Valley Chivas; and
2. Authorize and direct the Mayor to execute the same.

Documentation: M.O. 06-022123

Disposition: Approved.

6. APPROVAL OF OVERNIGHT CAMPING DURING 2023 OHV PARK RACES

Recommendation: That the City Council approve overnight camping during 2023 OHV Park Races.

Documentation: M.O. 07-022123

Disposition: Approved.

7. COMMUNITY CIVIC EVENT - NATIVE STAR FOUNDATION - YOKUTS MURAL CELEBRATION - MARCH 5, 2023

Recommendation: That the City Council approve the Community Civic Event application from the Native Star Foundation to hold the Yokuts Mural Celebration event on March 5, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

AYES: Meister, Beltran, Weyhrauch, Flores

NOES: None

ABSTAIN: Carrillo

ABSENT: None

Documentation: M.O. 08-022123

Disposition: Approved.

8. COMMUNITY CIVIC EVENT - VALLEY CHILDREN'S HEALTHCARE FOUNDATION - 36TH ANNUAL KIDS' DAY - MARCH 7, 2023

Recommendation: That the City Council approve the Community Civic Event application from Valley Children's Healthcare Foundation to hold the 36th Annual Kids' Day on March 7, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 09-022123

Disposition: Approved.

9. COMMUNITY CIVIC EVENT - PORTERVILLE CHAMBER OF COMMERCE - PORTERVILLE CHAMBER SPRING FESTIVAL - APRIL 15, 2023

Recommendation: That the City Council approve the Community Civic Event application from the Porterville Chamber of Commerce to hold the Porterville Chamber Spring

Festival on April 15, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A and Exhibit B.

Documentation: M.O. 10-022123

Disposition: Approved.

10. COMMUNITY CLEAN-UP EVENTS

Recommendation: That the City Council:

1. Approve Saturday, April 22, 2023 as "Spring Clean-Up Day" and Saturday, October 14, 2023 as "Fall Clean-Up Day;"
2. Encourage all residents to clean up their properties and take advantage of these special opportunities offered by the City;
3. Authorize the City to accept trash, litter and yard clippings delivered by City residents receiving City residential refuse service to the Spring and Fall Clean-Up Events for free disposal; and
4. Authorize the cost of both events be funded from the Solid Waste Operating Budget.

Documentation: M.O. 11-022123

Disposition: Approved.

11. STATUS AND REVIEW OF LOCAL DROUGHT EMERGENCY

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

Documentation: M.O. 12-022123

Disposition: Approved.

SCHEDULED MATTERS

12. CONSIDERATION OF FOOTHILL PRESBYTERIAN CHURCH SEWER EXTENSION

Recommendation: That the City Council:

1. Consider the cost of sewer main improvements performed by the Foothill Presbyterian Church along Douglas Street and Merrill Avenue in 2001 as acceptable compensation for sewer main extension and lateral to the property;
2. Authorize the use of contingency funds in the current construction agreement for Sewer Utility District 474B with Todd Companies for the installation of approximately 200 feet of sewer main and new sewer lateral to the Church; and
3. Assess the church's sewer connection fees of \$7,179.64 through the formation of Sewer Utility District 474B.

City Manager Lollis introduced the item and Engineering and Project Management Director Javier Sanchez presented the staff report.

Director Sanchez stated the city has enough contingency left in the construction contract to pay for the extension of the sewer main along Merrill Avenue and to provide a lateral that provides relief to the church to more easily connect and save them money.

COUNCIL ACTION: MOVED by Council Member Greg Meister, SECONDED by Vice Mayor Kellie Carrillo that the City Council to consider the cost of sewer main improvements performed by the Foothill Presbyterian Church along Douglas Street and Merrill Avenue in 2001 as acceptable compensation for sewer main extension and lateral to the property; authorize the use of contingency funds in the current construction agreement for Sewer Utility District 474B with Todd Companies for the installation of approximately 200 feet of sewer main and new sewer lateral to the Church; and assess the church's sewer connection fees of \$7,179.64 through the formation of Sewer Utility District 474B. The motion carried unanimously.

Documentation: M.O. 13-022123

Disposition: Approved.

13. NEW PORTERVILLE RESCUE MISSION UPDATE

Recommendation: That the City Council consider the report and provide direction as deemed appropriate.

City Manager Lollis introduced the item and Assistant City Manager Jason Ridenour presented the staff report.

Council received the biannual update report of the rescue mission and gave direction to staff to place these reports as a Staff Informational report in the future instead of a scheduled matter.

Documentation: None.

Disposition: Direction given.

14. 2023 KJUG FREE SUMMER CONCERT SERIES

Recommendation: That the City Council:

1. Consider sponsorship of the 2023 KJUG Free Summer Concert Series for concert dates to be determined; and
2. Authorize the expenditure of \$7,000 as the concert events sponsor from the Community Promotions fund.

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

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Vice Mayor Kellie Carrillo that the City Council approve its sponsorship of the 2023 KJUG Free Summer Concert Series for dates to be determined; and authorize the expenditure of \$7,000 as the concert events sponsor from the Community Promotions fund. The motion carried unanimously.

Documentation: M.O. 14-022123

Disposition: Approved.

15. CONSIDERATION OF SCHEDULING CITY COUNCIL GOAL AND PRIORITY SETTING SESSION

Recommendation: That the City Council approve the scheduling of its annual Goal Setting and Priority Projects Study Session for Tuesday, April 11, 2023, beginning at 6:00 P.M., in Council Chambers.

City Manager Lollis introduced the item and presented the staff report. Mr. Lollis noted a change of date to the budget calendar, which was the Transactions and Use Tax Oversight Committee Meeting to be scheduled for May 25th.

Mayor Flores encouraged new Council Members to ask their questions not only during the open session of the study session, but also before. Flores spoke of the history of how the study session has occurred in the past.

COUNCIL ACTION: MOVED by Mayor Martha A. Flores, SECONDED by Council Member Raymond Beltran that the City Council approve the scheduling of its annual Goal Setting and Priority Projects Study Session for Tuesday, April 11, 2023, at 6:00 p.m. The motion carried unanimously.

Documentation: M.O. 15-022123

Disposition: Approved.

AB 1234 REPORTS

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

1. Local Initiatives Navigation Center (LINC) Services Event - February 8, 2023
No report was provided.

2. Tulare County Regional Transit Agency (TCRTA) Board - February 8, 2023
Council Member Weyhrauch reported on the approval of the consent calendar items; several discussions regarding directors to attend a spring conference in Lake Tahoe, a Letter of Commitment regarding the Thriving Communities Program, a resolution to authorize FTA Section 5311f Application, Federal FY 2023 Certifications and Assurances for FTA Assistance Programs; and consideration to amend Joint Powers Agreement and Bylaws to Include Student Transportation.

3. CalVANS Board - February 9, 2023

Vice Mayor Carrillo advised that she would provide reports on Items 3 and 11 at the next meeting.

4. Tulare County Association Of Governments (TCAG) Sustainable Corridors Committee - February 9, 2023

Mayor Flores reported on the approval of minutes, clean California updates, local grants call for projects, clean California community day kick off, adopt a highway program information, and corridor beautification strategies.

5. Tulare County Economic Development Corporation (TCEDC) Board Reception - February 9, 2023

Mayor Flores reported on those in attendance and stated there was a small number of participants, but it was an opportunity to speak with Dr. Chris Thornburg in person before the Economic Summit.

6. TCEDC Economic Summit - February 9, 2023

Mayor Flores reported on those in attendance, and reported on a presentation done by economist Dr. Christopher Thornberg of Beacon Economics where he shared updates on local, state, and national economies.

7. City/Tribe Casino MOU Meeting - February 10, 2023

Mayor Flores reported on those in attendance and stated they were provided updates regarding the casino project, the Tertiary Treatment Facility and Storm Basin, and Road Improvements in the area of the Casino. Flores wanted to be clear that the meeting was informational only and no action was taken, and any information that would require action will be taken to each respective council for consideration.

8. Tulare County Water Commission - February 13, 2023

Mayor Flores reported on the approval of minutes, a presentation by Denise England on the Water Commission priorities, SB 552 updates, drought updates, Form 700 disclosures to be filed by April, and future agenda topics.

9. Caltrans/City/CSET/TCAG Litter Abatement Program Event - February 14, 2023

Mayor Flores stated it was exciting to attend the event because of the collaboration and partnership between the different organizations that participated and thanked city staff for engaging in the countless hours to get to this point.

10. CalCities Homeless Roundtable - February 14, 2023

Council Member Beltran reported on the different participating agencies that attended and stated that the Roundtable discussion was more of a Q&A between the participants. Beltran highlighted that CalCities was looking for three billion dollars in funding this year to help communities address homelessness, and stated long term funding was a concern of most cities.

11. Social Services Transportation Advisory Council - February 14, 2023

This report was carried over to the next meeting at the request of Vice Mayor Carrillo.

12. Tulare County Task Force on Homelessness - February 15, 2023

Mayor Flores stated that she would provide her report at the next meeting.

13. Porterville Area Development Authority (PADA) Board - February 17, 2023

Council Member Weyhrauch reported on those in attendance, adoption of a resolution adopting procedures consistent with AB 361, a postponement of the Board of Directors reorganization, approval of minutes, and approval of reimbursements of eligible expenses by the City of Porterville to Tule River Tribe for the Tertiary Treatment Wastewater Facility Project. Weyhrauch also provided updates regarding the Storm Drain Recharge Retention Basin Project, the local roads improvements, and the Tule River Tribe Active Transportation Plan.

ORAL COMMUNICATIONS

- Brock Neeley, Porterville, stated that homelessness is not a California problem, and that the state with the largest per capita of homelessness is Hawaii.
- Richard Dunn, Porterville, thanked the council on behalf of the Foothill Presbyterian Church.

OTHER MATTERS

- Council Member Beltran, thanked staff and noted how much he relies on staff's input on the many things that go on in the city. He spoke of a tour of the new casino project and commended city staff in their collaboration with the Tule River Tribe in getting the project moving forward.
- Council Member Meister stated that he seconds what Council Member Beltran stated and spoke of his attendance to the tour as well; expressed his support for small businesses with in the city; and would like to see staff look into the bicycle concerns going on in the city.
- Council Member Weyhrauch thanked the community that spoke during Oral Communications; stated that he enjoyed hearing others' shared belief in God; expressed his love in hearing the library report; thanked those who participated in the design elements of the Fourth Street Park; and thanked Public Safety.
- Vice Mayor Carrillo stated she loved the library updates; acknowledged the woman who spoke of the bicycle issues within the city and stated it would be nice to get informational updates by staff in that regard; spoke of her Wall of Fame Nominee that is to be determined; and of the MOU between the Tule River Tribe and Porterville College.
- Mayor Flores spoke briefly of the February 18th dates significance to the city regarding the tragic loss of Fire Captain Roman Figueroa and Firefighter Patrick Jones; that the City continues to move forward with its strength and resiliency; and that it is an honor to stand with Public Safety.
- Deputy City Clerk Fernando Gabriel-Moraga advised that the Annual Form 700s will be due soon.
- City Manager Lollis stated AB361 will soon expire, and any remote participation in the future will need to be properly noticed; spoke of the upcoming Tribal Council Swearing-In Ceremony, of the Board of Supervisors Meeting at City Hall the following day. Mr. Lollis then thanked Deputy Fire Chief Shannon Skiles for the subtle touches the fire department

did this last weekend in memory of both Fire Captain Raymond Figueroa and Firefighter Patrick Jones.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:55 p.m. to the meeting of March 7, 2023, at 5:30 p.m.

Fernando Gabriel-Moraga,
Deputy City Clerk

SEAL

Martha A. Flores, Mayor



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Authorization to Purchase Playground Engineered Wood Fiber

SOURCE: Parks and Leisure Services

COMMENT: Park playground areas require shock absorbing ground materials to minimize impact in the event of a fall. Playground mulch refers to a type of loose-fill padding that is spread around playground equipment to create a soft surface on which children can play. Engineered Wood Fiber (EWF) is the predominant playground mulch surface used in the City's parks. EWF exceeds ADA playground surfacing standards. No other playground surface material is as safe or easy to maintain, as cost efficient, and is less sensitive to extreme temperatures.

In an ongoing effort to ensure that the EWF maintains absorbency and sufficient depth at all playgrounds, it is inspected on an annual basis . To appropriately plan ahead for the ongoing expense of adding additional EWF, which is necessary to remain ADA compliant, a total of \$25,000 was allocated in the 2022-23 Fiscal Year budget from the General Fund Facility Deferred Maintenance/Equipment Replacement Designated Fund. The EWF will be used at eight playgrounds within five City park locations. The responsive quotes based on EWF per cubic yard as truckload capacities vary are as follows:

Park Planet	\$38.70/cubic yard
Game Time	\$70.08/cubic yard
Zoom Recreation	\$71.55/cubic yard

RECOMMENDATION: That the City Council authorize the purchase of playground engineered wood fiber from Park Planet in an amount not to exceed \$25,000 from the General Fund Facility Deferred Maintenance/Equipment Replacement Designated Fund.

ATTACHMENTS:

1. Draft Resolution
2. Playground EWF Quotes

Appropriated/Funded:

Review By:

Department Director:
Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager

RESOLUTION NO. ____-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE FACILITY DEFERRED
MAINTENANCE / EQUIPMENT REPLACEMENT DESIGNATED FUND
FOR THE PURCHASE OF ENGINEERED WOOD FIBER FOR PLAYGROUNDS

WHEREAS: Park playground safety is a foremost concern for the City and playground surfacing requires shock absorbing ground materials to minimize the impact of a fall; and

WHEREAS: Engineered Wood Fiber (EWF) is the most common type of playground safety surfacing that meets American with Disabilities Act (ADA) requirements; it is natural-looking, cost efficient, and provides an impact attenuating surface that helps reduce fall related injuries; and

WHEREAS: EWF is already the predominant playground mulch surface used in City parks; and in order to ensure that the EWF maintains its shock-absorbency and thickness, it is necessary to regularly top off the playgrounds with additional material.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Porterville make a finding that the purchase of engineered wood fiber for City playground surfacing is within the intent and purpose of the Facility Deferred Maintenance / Equipment Replacement Designated Fund; and
2. That the City Council of the City of Porterville does hereby approve and authorize the appropriation of funds up to \$25,000 from the Facility Deferred Maintenance / Equipment Replacement Designated Fund for the purchase of engineered wood fiber for City playground surfacing.

PASSED, APPROVED AND ADOPTED this 7th day of March, 2023.

Martha A Flores, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



Park Planet

a Division of Park Associates Inc
415 Elm Street
Red Bluff California 96080
(530) 244-6116

QUOTE

Quoted To:

City of Porterville

291 N Main St

Porterville, CA 93257

Contact: Donnie Moore

Phone: (559) 782-7536 / Email: dmoore@ci.porterville.ca.us

Quote #:

Q23-1207

Date:

January 26, 2023

Project:

WF for Porterville

City:

Porterville

Sales Rep - Email:

Kasanna Coulter -
kasanna@parkplanet.com

Terms:

Net 10dys / Shipment

#	Description	Vendor	Item No	Qty	Rate	Amount
1	Wood Fiber - Chinese Camp Mill	Park Planet	Wood Fiber - CC	70	17.00	1,190.00
2	Bettendorf Freight	Bettendorf Enterprises	BDF	1	1,677.00	1,677.00
3	WOOD FIBER IS DELIVERED ON SEMIS W/ TRAILERS: - 1 Truck holds up to 100 cubic yards - Dimensions - Approx. 73ft Long by 14ft High - Can Weigh Up To 80,000lbs w/ WF - Driver will not attempt delivery to a site they deem unsafe to access. - If locations are not accessible by semi truck, an accessible location must be provided for the drop. WET WEATHER CONDITIONS - Truck loads will vary in yardage due to wet weather conditions. - Loads may be less than the 100yd truck capacity due to added weight. - Winter/Spring loads can be from 65yds to 75yds - Summer/Fall loads can be from 80yds to 100yds PLEASE DISCUSS ACCESS TO SITE AND SITE PARAMETERS BEFORE PLACING ORDER					

QUOTE GOOD FOR 30 DAYS - DUE TO THE CURRENT INDUSTRY WIDE VOLATILITY OF STEEL, AFTER 30 DAYS STEEL PRICES MAY ADJUST. CURRENTLY EXPERIENCING EXTENDED LEAD TIMES DUE TO NATIONWIDE TRANSPORTATION DELAYS -PLEASE DISCUSS WITH A PARK PLANET REPRESENTATIVE.

Sub Total 2,867.00

CA-Tulare-Porterville (9.25%) 110.08

Total \$2,977.08

ORDER / DELIVERY INFORMATION:

A PURCHASE ORDER OR SIGNED CHANGE ORDER MUST BE RECEIVED BEFORE ADDITIONAL EQUIPMENT, INSTALLATION, OR SERVICES CAN PROCEED. IF PAYING BY CREDIT CARD, A SURCHARGE WILL BE ASSESSED ON PAYMENT AMOUNT FOR 3.5% VISA/MC OR 5% AMEX.

Authorized Signature: _____ Date: _____

**Purchasing agent who is authorized to enter into binding agreement for quoted entity.

**By signing this quote, I have read and agree to the quote Terms & Conditions listed below, on the following 2 pages.



C/O MRC
PO Box 106
Spring Lake, NJ 07762
Ph: 732-458-1111
Fx: 732-974-0226
Em: MRC@GAMETIME.COM
Web: www.mrcrec.com

01/26/2023
Quote #
109680-01-01

CA Porterville City Engineered Wood Fiber

Porterville City of
Attn: Donnie Moore
555 N Prospect St
Porterville, CA 93257
Phone: 559-782-7539
dmoore@ci.porterville.ca.us

Ship to Zip 93257

Quantity	Part #	Description		
1	EWf110487	GT-Impax - 120 CUBIC YARDS ENGINEERED WOOD FIBER - ONE TRUCKLOAD- TOTAL DELIVERED PRICE		
		ALL MATERIAL DELIVERED TO ONE LOCATION		
			Tax	\$580.72
			Total	\$8,409.72

Comments

INSTALLATION IS NOT INCLUDED IN THIS PROPOSAL

JP/hd

NOTE: Customer must be on site at time of delivery. No Geotextile fabric, installation or landscape ties included in above price.

This quotation is subject to policies in the current GameTime Park and Playground Catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to **GAMETIME, c/o MRC**. Kindly issue one order for the equipment and a separate order for surfacing and/or equipment installation services. Customer is responsible for any required permits and fees pertaining to such permits.

PRICING / PAYMENT: Pricing f.o.b. factory, firm for 30 days from date of quotation. Payment terms: Purchase order payable to **GameTime**. Net 30 days for tax supported governmental agencies. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

TAXES: State and local taxes, if applicable, will be added at time of invoicing unless a tax exempt certificate is provided at the time of order entry.

FREIGHT/SHIPMENT: Freight charges: Prepaid and added at time of invoicing. Shipment: order shall ship within 30-45 days after GameTime's receipt and acceptance of your PURCHASE ORDER and signed quotation.

RECEIPT OF GOODS: Customer must be on-site at time of wood fiber delivery. Direct access to the site is required for a tractor-trailer to deliver the wood fiber.

EXCLUSIONS: unless specifically included, this quotation excludes all site work and landscaping; removal of existing safety surfacing; storage of wood fiber prior to installation; installation; installation tools/equipment; filter cloth, borders and drainage provisions.

TO ORDER: Please complete the acceptance portion of this quotation and provide your PURCHASE ORDER and other key information requested. Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Sales Representative:Jenn Petersen/hd



Re: EWF

Dan Smith <dan@zoomrecreation.com>

Wed 1/25/2023 8:13 AM

To: Donnie Moore <dmoore@ci.porterville.ca.us>

Warning! This message was sent from outside your organization and we are unable to verify the sender.

[Allow sender](#) | [Block sender](#)

Mornin' Donnie!

Yup, we can deliver a truckload (130 Cubic Yards) to you for \$9,301 w/ freight (excludes sales tax).

Please let me know if you'd like to get this scheduled and I can send over a formal quote.

Thanks,

Dan Smith, CPSI

949.336.2729

LIC # 1067651 (C61/D34)

DIR # 1000655676

www.zoomrecreation.com

4000 Barranca Parkway, Suite 250-659

Irvine, CA 92604



On Tue, Jan 24, 2023 at 3:08 PM Donnie Moore <dmoore@ci.porterville.ca.us> wrote:

Hi Dan,

Will you please send me a quote for engineered wood fiber if you guys deliver it. We'll start with one truckload. Can't remember the quantity that equates to.

Thank you,

Donnie Moore

Parks and Leisure Services Director

City of Porterville

(559) 782-7539

This e-mail (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act.

**Park Planet**

a Division of Park Associates Inc
415 Elm Street
Red Bluff California 96080
(530) 244-6116

QUOTE

Quoted To:

City of Porterville

291 N Main St
Porterville, CA 93257

Contact: Donnie Moore

Phone: (559) 782-7536 / Email: dmoore@ci.porterville.ca.us

Quote #: Q23-1518
Date: February 27, 2023
Project: Porterville Wood Fiber
City: Porterville
Sales Rep - Email: Kasanna Coulter -
kasanna@parkplanet.com
Terms: Net 10dys / Shipment

#	Description	Vendor	Item No	Qty	Rate	Amount
1	Wood Fiber - Chinese Camp Mill	Park Planet	Wood Fiber - CC	500	17.00	8,500.00
2	Bettendorf Freight	Bettendorf Enterprises	BDF	6	1,677.00	10,062.00
3	WOOD FIBER IS DELIVERED ON SEMIS W/ TRAILERS: - 1 Truck holds up to 100 cubic yards - Dimensions - Approx. 73ft Long by 14ft High - Can Weigh Up To 80,000lbs w/ WF - Driver will not attempt delivery to a site they deem unsafe to access. - If locations are not accessible by semi truck, an accessible location must be provided for the drop. WET WEATHER CONDITIONS - Truck loads will vary in yardage due to wet weather conditions. - Loads may be less than the 100yd truck capacity due to added weight. - Winter/Spring loads can be from 65yds to 75yds - Summer/Fall loads can be from 80yds to 100yds PLEASE DISCUSS ACCESS TO SITE AND SITE PARAMETERS BEFORE PLACING ORDER					

QUOTE GOOD FOR 30 DAYS - DUE TO THE CURRENT INDUSTRY WIDE VOLATILITY OF STEEL, AFTER 30 DAYS STEEL PRICES MAY ADJUST. CURRENTLY EXPERIENCING EXTENDED LEAD TIMES -PLEASE DISCUSS WITH A PARK PLANET REPRESENTATIVE.

Sub Total	18,562.00
CA-Tulare-Porterville (9.25%)	786.25
Total	\$19,348.25

ORDER / DELIVERY INFORMATION:

A PURCHASE ORDER OR SIGNED CHANGE ORDER MUST BE RECEIVED BEFORE ADDITIONAL EQUIPMENT, INSTALLATION, OR SERVICES CAN PROCEED. IF PAYING BY CREDIT CARD, A SURCHARGE WILL BE ASSESSED ON PAYMENT AMOUNT FOR 3.5% VISA/MC OR 5% AMEX.

Authorized Signature: _____ Date: _____

**Purchasing agent who is authorized to enter into binding agreement for quoted entity.

**By signing this quote, I have read and agree to the quote Terms & Conditions listed below, on the following 2 pages.



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Authorization to Purchase Monitor Nozzle for Aerial Fire Ladder Truck

SOURCE: Public Works

COMMENT: Ladder Truck #T73, City Equipment #2195, is an active Fire Apparatus and the only aerial ladder truck in the city and nearby vicinity. The truck is in need of a replacement of the monitor nozzle. City Shop staff will replace the nozzle upon receipt.

Staff is requesting authorization to purchase the nozzle from Burton's Fire, Inc. at an estimated cost not to exceed \$9,329 (inclusive of all parts, taxes, and freight, including a 10% contingency). Funds are available in the Fire Department's Maintenance & Operations Budget.

RECOMMENDATION: That the City Council:

1. Authorize the purchase of a monitor nozzle for an aerial fire ladder truck from Burton's Fire, Inc. at a cost not to exceed \$9,329 (inclusive of all parts, taxes, freight, including a 10% contingency); and
2. Authorize payment of up to one hundred percent (100%) of the authorized amount upon receipt of invoice approved by the Public Works Director.

ATTACHMENTS: 1. Burton's Fire, Inc. Quote

Appropriated/Funded:

Review By:

Department Director:
Michael Knight, Public Works Director

Final Approver: John Lollis, City Manager



Burton's Fire, Inc.
1301 Doker Dr., Modesto, CA 95351
PARTS DEPT: 209-846-7400
OFFICE/SHOP: 209-544-3161
FAX: 209-544-1109
WWW.BURTONSFIRE.COM

PLEASE
DO NOT
PAY, THIS
IS JUST AN
ESTIMATE.

Estimate E 10677
Date //
Date Open 02/15/2023

Page: 1 of 1

Sold To : 100-1303

Ship To : 100-1303

Porterville Fd, City Of
291 N. Main St
555 N Prospect
Porterville Ca 93257

Porterville Fd, City Of
291 N. MAIN ST
555 N Prospect
Porterville Ca 93257

Ordered By: Eduardo

Written By Thomas		Terms CHG		Time 11:08:17	Customer Po # P1702553		Phone		Ship Via Chief Aar		Tracking #	
Unit #		Plate #	Year	Make		Model		Mileage/Hrs 0/0.0		VIN		Engine
Qty	Description							List Price		Price	Amount	
1.000	AKR35781001		STRM MSTR S/A STOW 12V PNT L/ELPKG NZ					11644.000		7762.670	7762.67	
										SubTotal	7762.67	

All returns must be accompanied by the original invoice. No returns on electrical components.
Special orders are subject to restocking fee of 20%. Material surcharges may apply to certain components.

Parts..... 7762.67

Resale# SRKHE 100-536806 Fed-ID# 20-1972133.
DUNS# 626635031 CAGE# 1QKX8 UEI# NRKNXLJFP579

FRT CHARGE & FRT PPI are non taxable. FRT INCOMING is taxable.
MIL-MILEAGE, LOD-TRAVEL, AND GEO DIESEL are non taxable.

THIS INVOICE IS DUE IN 30 DAYS. VERIFY YOUR SALES TAX.
THANK YOU FOR YOUR BUSINESS. COME BACK AGAIN.

Sub Total 7762.67
Tax..... 718.05

Authorized By _____

TOTAL 8480.72



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Authorization to Advertise for Bids - Villa Street Reconstruction Project

SOURCE: Engineering and Project Management

COMMENT: The Plans and Project Manual have been prepared for the Villa Street Reconstruction Project between Olive Avenue and Henderson Avenue (excluding the Porter Slough Bridge crossing). The Project will consist of the removal and replacement of the existing asphalt and base and the installation of access compliant curb ramps. The existing water pipes, storm drain pipes, and sanitary pipes are to be removed and replaced, and purple pipe is to be installed along the stretch of road in order to prepare for the future use of reclaimed water throughout the city. This Project also includes the installation of conduit for a fiber optic line, and installing video detection at the intersections of Villa Street and Olive Avenue, Villa Street and Putnam Avenue, and Villa Street and Morton Avenue.

The Engineer's Estimate of Probable Cost for the Project is \$7,815,108.28. An additional \$781,510.83 is necessary for construction contingency (10%) and \$781,510.83 is required for construction management, surveying, quality control and inspection services (10%), equating to a total construction cost of \$9,378,129.94.

Funding for this Project was approved in the 2022-23 Fiscal Year Budget. Initial planned funding appropriations as defined in the 2022-23 Fiscal Year Budget are from four funding sources; 1) Measure I in the amount of \$1,300,000, Road Maintenance Rehabilitation Account (SB1)/Special Gas Tax Funds in the amount of \$1,300,000, Water Replacement Funds in the amount of \$3,000,000, and Sewer Revolving Funds in the amount of \$1,000,000. The estimated cost for the street maintenance/reconstruction program is \$5,580,045.94 for a shortfall of \$2,900,045.94 in Measure I funds to fully fund this portion of the Project. The estimated cost for the portions of the Project funded by water replacement funds is \$3,534,504 for a short fall of \$534,504 of water replacement funds to fully fund this portion of the Project.

RECOMMENDATION: That the City Council:

1. Approve staff's recommended Plans and Project Manual;
2. Authorize staff to advertise for bids on the project;
3. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council MO #04-041922;
4. Authorize the Finance Director to appropriate an additional

\$2,900,045.94 from Measure I Funds to fully fund this project;
and
5. Authorize the Finance Director to appropriate an additional
\$534,504 from Water Replacement Funds to fully fund this
project.

ATTACHMENTS:

1. Engineer's Estimate
2. Locator Map

Appropriated/Funded:

Review By:

Department Director:
Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

City of Porterville
Project: Villa St Improvements
Engineer's Estimate

Date: 3/2/2023
By: T. Pascua
Checked: C. Crawford

BASE BID "A" - PHASE 1					
Item	Description of Work	Qty	Unit	Unit Price (\$)	Amount (\$)
A1	Mobilization, Demobilization, Bonds, and Insurance	1	LS	\$155,000.00	\$155,000.00
A2	Dust Control and Project Site Maintenance	1	LS	\$8,000.00	\$8,000.00
A3	Furnish and Implement Traffic Control Plan	1	LS	\$75,000.00	\$75,000.00
A4	Construction Notification Sign	2	EA	\$1,000.00	\$2,000.00
A5	Furnish Utility Locating	1	LS	\$65,000.00	\$65,000.00
A6	SWPPP, Storm Water Pollution Prevention Plan	1	LS	\$10,000.00	\$10,000.00
A7	Miscellaneous Facilities and Operations	1	LS	\$50,000.00	\$50,000.00
A8	Unknown Utility Conflict	1	LS	\$75,000.00	\$75,000.00
A9	Remove and Dispose of Exist. Water Pipe, Valve Risers, Boxes & Lids	1	LS	\$55,000.00	\$55,000.00
A10	Remove and Dispose Exist. Storm Drain Inlet	3	EA	\$1,250.00	\$3,750.00
A11	Remove and Dispose Exist. Storm Drain Manhole	4	EA	\$1,000.00	\$4,000.00
A12	Remove and Dispose of Exist. Storm Drain Pipe	1	LS	\$12,500.00	\$12,500.00
A13	Abandon Exist. Storm Drain Segment (Sta 14+25 to Sta 17+00)	275	LF	\$5.00	\$1,375.00
A14	Remove and Dispose of Exist. Sanitary Sewer Pipe, Includes Temporary Pumping and Bypass/Diversion of Existing Sewage	1	LS	\$15,000.00	\$15,000.00
A15	Remove Exist. Sidewalk (Temporary Sidewalk Transition at Sta. 29+00 - Rt)	32	SF	\$4.00	\$128.00
A16	Remove Exist. Water Service and Install New 1" Water Service Assembly	86	EA	\$2,800.00	\$240,800.00
A17	Adjust Manholes and Covers to Final Grade	35	EA	\$1,500.00	\$52,500.00
A18	Adjust Gate Valve Wells and Covers to Final Grade	106	EA	\$750.00	\$79,500.00
A19	6-Inch DR-14 PVC Water Pipe	426	LF	\$115.00	\$48,990.00
A20	8-Inch DR-14 PVC Water Pipe	6,342	LF	\$120.00	\$761,040.00
A21	10-Inch DR-14 PVC Water Pipe	72	LF	\$120.00	\$8,640.00
A22	12-Inch DR-14 PVC Non-Potable Water (NPW) Pipe	5,931	LF	\$150.00	\$889,650.00
A23	16-Inch DR-14 PVC Non-Potable Water (NPW) Pipe	149	LF	\$175.00	\$26,075.00
A24	6-Inch Gate Valve	10	EA	\$2,000.00	\$20,000.00
A25	8-Inch Gate Valve	49	EA	\$2,000.00	\$98,000.00
A26	10-Inch Gate Valve	6	EA	\$2,000.00	\$12,000.00
A27	12-Inch Gate Valve	39	EA	\$2,000.00	\$78,000.00
A28	16-Inch Butterfly Valve	2	EA	\$5,000.00	\$10,000.00
A29	Relocate Backflow Preventer (283 N. Villa St)	2	EA	\$5,000.00	\$10,000.00
A30	Install Fire Hydrant Assembly	13	EA	\$9,500.00	\$123,500.00
A31	Storm Drain Catch Basin	5	EA	\$7,250.00	\$36,250.00
A32	15-Inch SDR-26 PVC Storm Drain Pipe	363	LF	\$150.00	\$54,450.00
A33	18-Inch PS-115 PVC Storm Drain Pipe	915	LF	\$160.00	\$146,400.00
A34	24-Inch RGRCP Storm Drain Pipe	40	LF	\$250.00	\$10,000.00
A35	54-Inch RGRCP Storm Drain Pipe	124	LF	\$1,000.00	\$124,000.00
A36	48-Inch Storm Drain Manhole	10	EA	\$5,750.00	\$57,500.00
A37	72-Inch Storm Drain Manhole	2	EA	\$10,000.00	\$20,000.00
A38	Install Plug at end of 54" RGRCP Storm Drain Pipe	2	EA	\$2,000.00	\$4,000.00
A39	Install Concrete Collar and Connect to Existing Storm Drain Main	9	EA	\$1,000.00	\$9,000.00
A40	6-Inch SDR-26 PVC Sanitary Sewer Pipe (green)	290	LF	\$95.00	\$27,550.00
A41	8-Inch SDR-26 PVC Sanitary Sewer Pipe (green)	924	LF	\$100.00	\$92,400.00
A42	4-Inch PVC Sanitary Sewer Service (green)	8	EA	\$2,900.00	\$23,200.00
A43	Tie In Sanitary Sewer to Existing SSMH	9	EA	\$1,000.00	\$9,000.00
A44	Tie In Storm Drain to Existing SDMH	1	EA	\$1,000.00	\$1,000.00
A45	Install 6-Inch Decomposed Granite (Temporary Sidewalk Transition at 29+00 - Rt)	32	SF	\$30.00	\$960.00
A46	Concrete Curb & Gutter (Temporary Sidewalk Transition at 29+00 - Rt)	8	LF	\$50.00	\$400.00
A47	4-Inch Concrete Sidewalk (Temporary Sidewalk Transition at 29+00 - Rt)	36	SF	\$10.00	\$360.00
A48	4-Inch Caltrans Type 3 HDPE Fiber Conduit	5,368	LF	\$30.00	\$161,040.00
A49	No. 6E Fiber Pull Box	15	EA	\$2,500.00	\$37,500.00
A50	48-1/4-Inch x 30-1/4-Inch Fiber Vault	3	EA	\$5,000.00	\$15,000.00
A51	Traffic Signal Modification to Video Detection System (Olive Ave, Putnam Ave, and Morton Ave)	3	EA	\$175,000.00	\$525,000.00
A52	Relocate Unknown Conduit (South of Henderson Ave)	1	EA	\$5,000.00	\$5,000.00
A53	Install Pedestrian Push Button Assembly	2	EA	\$12,000.00	\$24,000.00
A54	Install 1.5-Inch Street Light Conduit per SCE Plans and Specifications	1,482	LF	\$55.00	\$81,510.00
A55	Install 3-Inch Street Light Conduit per SCE Plans and Specifications	3,052	LF	\$60.00	\$183,120.00
A56	Install Street Light Pull Boxes per SCE Plans	12	EA	\$500.00	\$6,000.00
A57	Install Street Light Per SCE Plans & Specifications	13	EA	\$3,500.00	\$45,500.00
A58	48-Inch RCP Culvert Extension and Cast-in-Place Concrete Headwall	1	LS	\$50,000.00	\$50,000.00
Bid Part "A" Construction Subtotal					\$4,740,588.00
Contingency (10%)					\$474,058.80
Construction Management					\$474,058.80
Bid Park "A" Construction Total					\$5,688,705.60

City of Porterville
Project: Villa St Improvements
Engineer's Estimate

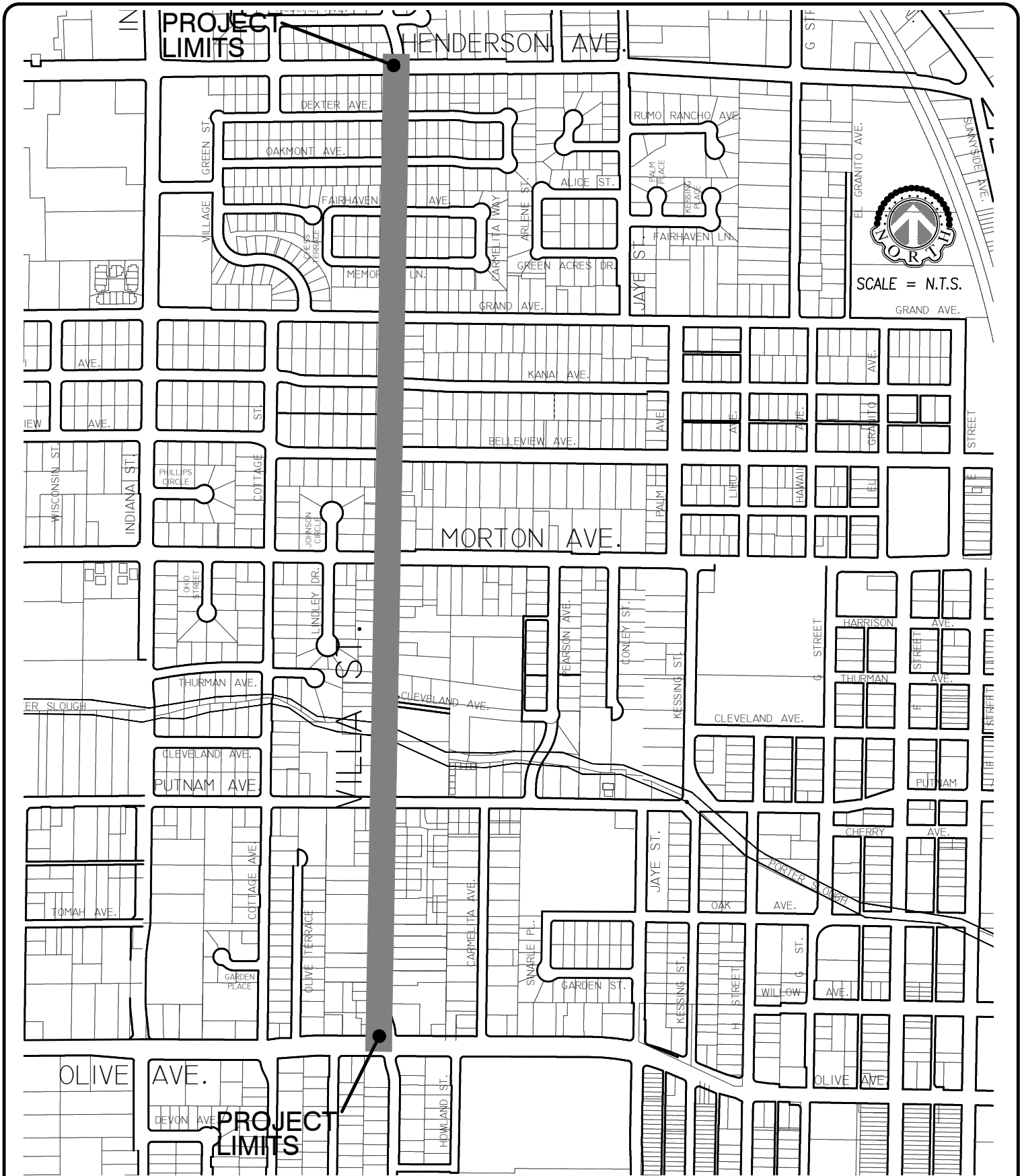
Date: 3/2/2023
By: T. Pascua
Checked: C. Crawford

BASE BID "B" - PHASE 2 (Morton Ave to Henderson Ave)					
Item	Description of Work	Qty	Unit	Unit Price (\$)	Amount (\$)
B1	Mobilization, Demobilization, Bonds, and Insurance	1	LS	\$50,000.00	\$50,000.00
B2	Dust Control and Project Site Maintenance	1	LS	\$2,500.00	\$2,500.00
B3	Furnish and Implement Traffic Control Plan	1	LS	\$50,000.00	\$50,000.00
B4	Grind and Remove Existing Asphalt Concrete (F)	11,807	SY	\$4.00	\$47,228.44
B5	Roadway Excavation (F)	1	LS	\$160,000.00	\$160,000.00
B6	SWPPP, Storm Water Pollution Prevention Plan	1	LS	\$5,000.00	\$5,000.00
B7	Miscellaneous Facilities and Operations	1	LS	\$40,000.00	\$40,000.00
B8	Adjust Manhole to Final Grade	12	EA	\$1,500.00	\$18,000.00
B9	Adjust Gate Valve Wells and Covers to Final Grade	71	EA	\$750.00	\$53,250.00
B10	Reset Survey Monument to Grade	4	EA	\$750.00	\$3,000.00
B11	Remove Exist. Curb Ramp	25	EA	\$1,500.00	\$37,500.00
B12	Remove Exist. Drive Approach	5,101	SF	\$4.00	\$20,404.00
B13	Remove Exist. Curb & Gutter (excluding Curb Ramps)	1,083	LF	\$20.00	\$21,660.00
B14	Remove Exist. Sidewalk (excluding Curb Ramps)	3,311	SF	\$4.00	\$13,244.00
B15	Hot Mix Asphalt Concrete	3,492	TN	\$120.00	\$419,093.50
B16	Class II Aggregate Base	6,680	TN	\$35.00	\$233,810.50
B17	Concrete Curb Ramp	25	EA	\$7,000.00	\$175,000.00
B18	Concrete Cross Gutter	6,800	SF	\$14.00	\$95,200.00
B19	Concrete Curb & Gutter (Excluding Curb Ramps)	1,083	LF	\$40.00	\$43,320.00
B20	4-Inch Concrete Sidewalk (Excluding Curb Ramps)	3,311	SF	\$9.00	\$29,799.00
B21	6-Inch Concrete Drive Approach	4,807	SF	\$12.00	\$57,684.00
B22	8-Inch Concrete Drive Approach	294	SF	\$14.00	\$4,116.00
B23	Retaining Curb (Excluding Curb Ramps)	165	LF	\$30.00	\$4,950.00
B24	Detectable Warning Panels (Alley Approach at Sta. 44+30 - Lt)	27	SF	\$35.00	\$945.00
B25	Signage, Pavement Striping and Marking, and Raised Pavement Markers	1	LS	\$25,000.00	\$25,000.00
Bid Part "B" Construction Subtotal					\$1,610,704.44
Contingency (10%)					\$161,070.44
Construction Management					\$161,070.44
Bid Part "B" Construction Total					\$1,932,845.33

City of Porterville
Project: Villa St Improvements
Engineer's Estimate

Date: 3/2/2023
By: T. Pascua
Checked: C. Crawford

BASE BID "C" - PHASE 3 (Olive Ave to Morton Ave)					
Item	Description of Work	Qty	Unit	Unit Price (\$)	Amount (\$)
C1	Mobilization, Demobilization, Bonds, and Insurance	1	LS	\$50,000.00	\$50,000.00
C2	Dust Control and Project Site Maintenance	1	LS	\$2,500.00	\$2,500.00
C3	Furnish and Implement Traffic Control Plan	1	LS	\$40,000.00	\$40,000.00
C4	Grind and Remove Existing Asphalt Concrete (F)	10,638	SY	\$4.00	\$42,553.78
C5	Roadway Excavation (F)	1	LS	\$112,000.00	\$112,000.00
C6	SWPPP, Storm Water Pollution Prevention Plan	1	LS	\$5,000.00	\$5,000.00
C7	Miscellaneous Facilities and Operations	1	LS	\$50,000.00	\$50,000.00
C8	Adjust Manhole to Final Grade	23	EA	\$1,500.00	\$34,500.00
C9	Adjust Gate Valve Wells and Covers to Final Grade	34	EA	\$750.00	\$25,500.00
C10	Reset Survey Monument to Final Grade	5	EA	\$750.00	\$3,750.00
C11	Remove Exist. Curb Ramp	5	EA	\$1,500.00	\$7,500.00
C12	Remove Exist. Drive Approach	10,204	SF	\$4.00	\$40,816.00
C13	Remove Exist. Curb & Gutter (Excluding Curb Ramps)	2,920	LF	\$20.00	\$58,400.00
C14	Remove Exist. Sidewalk (Excluding Curb Ramps)	9,207	SF	\$4.00	\$36,828.00
C15	Hot Mix Asphalt Concrete	2,957	TN	\$120.00	\$354,823.00
C16	Class II Aggregate Base	3,838	TN	\$35.00	\$134,319.06
C17	Concrete Curb Ramp	5	EA	\$7,000.00	\$35,000.00
C18	Concrete Vee Gutter	41	LF	\$35.00	\$1,435.00
C19	Concrete Curb & Gutter (Excluding Curb Ramps)	2,920	LF	\$40.00	\$116,800.00
C20	4" Concrete Sidewalk (Excluding Curb Ramps)	9,207	SF	\$9.00	\$82,863.00
C21	6" Concrete Drive Approach	6,700	SF	\$12.00	\$80,400.00
C22	8" Concrete Drive Approach	3,422	SF	\$14.00	\$47,908.00
C23	Stamped Concrete	490	SF	\$8.00	\$3,920.00
C24	Retaining Curb (Excluding Concrete Curb Ramps)	1,002	LF	\$35.00	\$35,070.00
C25	Install 6" Decomposed Granite	1,231	SF	\$30.00	\$36,930.00
C26	Signage, Pavement Striping and Marking, and Raised Pavement Markers	1	LS	\$25,000.00	\$25,000.00
Bid Part "C" Construction Subtotal					\$1,463,815.84
Contingency (10%)					\$146,381.58
Construction Management					\$146,381.58
Bid Part "C" Construction Total					\$1,756,579.01
Total Bid (Parts A+B+C) Construction Subtotal					\$7,815,108.28
Total Contingency (10%)					\$781,510.83
Total Construction Management					\$781,510.83
Total Bid (Parts A+B+C) Construction Total					\$9,378,129.94



CITY OF PORTERVILLE

ENGINEERING DIVISION

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

VILLA STREET RECONSTRUCTION PROJECT

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



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Authorization to Distribute a Request for Qualifications for Golf Course Driving Range Netting

SOURCE: Parks and Leisure Services

COMMENT: Netting at a golf course driving range serves to contain golf balls hit by the public utilizing the designated practice area. The netting is an important safety feature that prevents golf balls from escaping the driving range and landing on the golf course where patrons can be, or in public areas where vehicles and buildings exist. The top three reasons a golf course needs a properly enclosed driving range are: reduce liability, improve player safety, and protect property.

The current driving range poles and netting at the Porterville Golf Course are very old and due for replacement. The poles are wood and some are rotted, while portions of the netting are showing significant signs of wear. In addition to custom design, the project requires that the awarded company set the poles for the netting installation, run all necessary cabling, affix hardware and rigging, sew a poly rope border into the sections of netting, and stretch all cables before hanging the netting.

In the event a golf ball ever goes over or through the netting, the individual who struck the ball bears the ultimate legal burden of liability should the ball create any damage. New poles and netting will add an additional layer of protection for the City against any potential liability claims and provide a safer environment for patrons enjoying the facility. The Fiscal Year 2022-23 budget includes \$300,000 allocated from federal American Rescue Plan Act (ARPA) funds to cover the cost of this project.

RECOMMENDATION: That the City Council authorize the distribution of a Request for Qualifications for golf course driving range netting.

ATTACHMENTS:

1. Driving Range Locator Map
2. Driving Range RFQ
3. Golf Course Driving Range Project RFQ Cover Letter

Appropriated/Funded:

Review By:

Department Director:
Donnie Moore, Parks and Leisure Services Director

Final Approver: John Lollis, City Manager



CITY OF PORTERVILLE
REQUEST FOR QUALIFICATIONS (RFQ) FOR GOLF COURSE DRIVING RANGE PROJECT

The City of Porterville seeks “Statement of Qualifications” (SOQ) from golf course driving range professionals interested in contracting to provide poles and netting for the Golf Course Driving Range project. The City intends to select one (1) qualified lighting professional to provide full-service materials and installation for the replacement of poles and netting at the Porterville Golf Course driving range. This document identifies the general project scope and procedures for Contractor involvement in this process. Responding businesses must have relevant experience and the ability to provide the requisite professional services.

SCOPE OF SERVICES:

The contractor will respond directly to the Engineering and Project Management Director or their designee on the project. The selected contractor will perform, but not be limited to the following tasks:

1. Meet with City staff to ascertain the full scope of work and determine the level and amount of information and drawings available to the consultant to assist in the preparation of the formal “scope of service”. Said scope shall be prepared and transmitted to the City for review and concurrence. The contractor shall include their “fee” for all work described in the scope of services and, if acceptable to the City, the scope of services and associated fee shall form the basis for the Contract Services Agreement. A brief description of some of the work needed is listed below.
2. Provide clarifications and answer questions as needed.
3. Coordinate early consultation and ongoing meetings with City staff.
4. The Contractor shall provide a working schedule indicating major milestones to complete the work identified in the scope of services above.
5. The Contractor will be required to perform field data collection necessary to complete the requirements of the Project. The Contractor is solely responsible for safety of its employees including any sub-contracted employees during any field operations.
6. The Contractor shall provide project management to a level commensurate with the Project including clearly defined lines of communication between the City and the Contractor, coordination necessary for successful completion of the Project, timely invoicing for services rendered, and notification of tasks outside the executed Agreement.

DESIRABLE QUALIFICATIONS OF THE CONTRACTOR:

The City is seeking a qualified professional with the following qualifications:

1. Experience in similar size and need of golf course driving range netting.
2. The company should be comprised of professionals with the technical competence and resources to perform the work specific to this RFQ.
3. The company should include the proper mix of professionals capable of producing the desired outcome of CITY.

LOCAL AGENCY RESPONSIBILITIES:

The CONTRACTOR will report to the CITY's Contract Administrator. The CONTRACTOR shall not proceed with any work until the CITY provides the Notice to Proceed to the CONTRACTOR.

The CITY's Contract Administrator will directly handle the project management and monitoring of the CONTRACTOR's work to ensure it is complete, accurate, and consistent with the terms and conditions of the CONTRACTOR's contract. The Contract Administrator and designees will also inspect, review, and discuss project progress, comply with Federal, State and Local policies and regulations, and other requirements to further the prosecution of the contract work with the least delay.

The CITY's Contract Administrator (or designee) shall be responsible for the following:

- Serve as the CITY's primary contact person for the CONTRACTOR
- Monitor the CONTRACTOR's progress and provide direction
- Review billings and determine whether costs billed are reasonable in relation to the work performed during billing period
- Approve the CONTRACTOR's progress payments
- Identify other CITY personnel for CONTRACTOR to contact, if needed
- Provide access to CITY facilities as required
- Provide available data pertinent to the Project
- Provide CONTRACTOR with CITY documents including policies, procedures, regulations and standards pertinent to the Project
- Examine documents submitted to CITY by CONTRACTOR and render decisions pertaining thereto in a timely manner



REQUEST FOR QUALIFICATIONS

Professional Services – Golf Course Driving Range Project
March 2023

PREPARED BY:
PARKS AND LEISURE SERVICES DEPARTMENT
March 2023

I INTRODUCTION AND OBJECTIVES:

The City of Porterville (hereinafter referred to as "CITY") is requesting statements of qualifications (SOQs) from qualified consultant firms to provide professional services for the Golf Course Driving Range Project. This document identifies the general project scope and procedures for Consultant involvement in this process. Responding consultants must have relevant experience and the ability to provide the requisite professional services.

II EXAMINATION OF PROPOSAL DOCUMENTS:

By submitting a proposal, each CONSULTANT represents that it has thoroughly examined and become familiar with the work required under this RFQ and that it is capable of performing quality work to achieve the objectives of CITY.

III ADDENDA/CLARIFICATIONS:

Any CITY changes to this RFQ will be made via written addendum. No verbal modification shall be binding.

IV PROPOSAL REQUIREMENTS:

Proposals for this project will be accepted at this office until 4:00 p.m., on Thursday, April 20, 2023. Three (3) copies of the proposal shall be submitted in a sealed envelope, plainly marked "Statement of Qualifications for Golf Course Driving Range Project." Cost proposals shall not be submitted until requested by the CITY. Proposals shall be addressed to:

Donnie Moore, Director
Parks and Leisure Services Department
City of Porterville
291 N. Main Street
Porterville, CA 93257

The City reserves the right to reject any and all proposals, which do not meet the requirements of this RFQ and/or any portion of the requirements of this project.

V PRE-CONTRACTUAL EXPENSES:

Pre-contractual expenses are defined as expenses incurred by the CONSULTANT in:

1) preparing and reproducing its proposal in response to this RFQ; 2) submitting its proposal to CITY; 3) negotiating with CITY any matter related to this RFQ and CONSULTANT's proposal; 4) other matters prior to the date of award of a Contract.

CITY shall not be liable for any pre-contractual expenses incurred by CONSULTANT in the preparation of proposals. Pre-contractual expenses shall not be included in the cost proposal.

VI EXCEPTIONS/DEVIATIONS:

Any exceptions to the requirements of this RFQ must be included in the CONSULTANT's proposal. Such exceptions must be included as a separate element of the proposal entitled "Exceptions and Deviations."

VII CONSULTANT REPRESENTATIVE:

The CONSULTANT shall assign a responsible representative and an alternate, both of whom shall be identified in the proposal. The CONSULTANT's representative shall remain in responsible charge for the duration of the project. Should the CONSULTANT's primary representative be unable to continue with the project, the CONSULTANT's alternate representative shall become the primary representative. No personnel changes will be acceptable without prior approval by CITY. CITY reserves the right to reject any changes in personnel at any time during the course of this project. CITY also reserves the right to terminate the contract if, in the opinion of CITY, substantial changes in project management may jeopardize the successful completion of this project to the satisfaction of CITY.

VIII LOCAL AGENCY REPRESENTATIVE:

Sarah Weaver, Project Manager, shall be the Contract Administrator and contact person for all communications with CITY.

IX INSURANCE REQUIREMENTS:

The CONSULTANT shall maintain and provide current copies to CITY of the following minimum insurance coverage for the duration of this project:

- Full liability under Worker's Compensation laws of the State of California
- General comprehensive liability (*bodily injury and property damage*)*
- Professional liability insurance (*errors and omissions*)*
- Automotive liability Insurance*

*All must provide a combined single limit (CSL) of not less than \$2 million per occurrence.

X INDEMNIFICATION:

The CONSULTANT shall indemnify, defend, and hold harmless CITY, its elected and appointed officers, employees agents from and against any and all claims, including attorney's fees and reasonable expenses for litigation or settlement, for any loss, damages, bodily injuries, and loss of property caused by negligent acts, omissions, or willful misconduct by the successful CONSULTANT and its subconsultants arising out of performance requirements of the Contract.

XI SUBCONTRACTING:

Only those firms identified in the Contract as subcontractor's or subconsultant's shall be allowed to perform work for this project. Any amendments to this requirement shall be made in writing by prime CONSULTANT to CITY. CITY has the right to reject any requested amendments at any time during the course of this project.

XII FEDERAL, STATE, AND LOCAL LAWS:

The CONSULTANT shall comply with all federal, state, and local laws, rules, regulations, ordinances, and statutes.

XIII PROPOSAL EVALUATION CRITERIA:

Evaluation criteria used to select the CONSULTANT shall include, but not be limited to, the following:

- A. Firm(s) experience with similar projects;
- B. Firm(s) key personnel qualifications/certifications and experience, especially the project manager and individuals performing services;
- C. Firm(s) understanding of the project requirements;
- D. Firm(s) ability to provide the required services in a timely and cost-effective manner to meet the required schedule;
- E. Firm(s) policy in providing Equal Employment Opportunity; and
- F. Firm(s) approach to provide the best product for CITY.

The attached CITY'S Consultant Selection Rating Form shall be used to rate each firm.

XIV CONSULTANT SELECTION AND INTERVIEWS:

CITY selection committee, consisting of the Contract Administrator and at least two additional staff members familiar with the project requirements, will review all proposals and rank CONSULTANTs according to their demonstrated competence and professional qualifications as assessed by their response to this RFQ and the evaluation criteria contained in the CITY'S Consultant Selection Rating Form. The highest ranked CONSULTANT(s) may be invited for oral interviews with CITY team. Interviews, if deemed necessary by CITY, are tentatively scheduled for the fourth week of March 2023. Each participating firm will be contacted via telephone for verification of interview date and time. Failure to be available at the time of a scheduled interview shall be considered non-responsive and shall be cause for elimination from any further consideration. CITY reserves the right to begin negotiations and enter into a Contract without interviews or further discussion.

XV COST PROPOSAL:

The cost proposal shall not be submitted until requested by the CITY. Negotiations with the top-ranked candidate(s) may begin immediately. If an agreement cannot be reached within ten (10) working days, CITY may begin negotiations with the next selected candidate(s) and proceed. If necessary, this process will continue until either an agreement is reached or CITY elects to re-advertise for new proposals. CITY reserves the right to reject any and all proposals prior to award of a Contract. All cost proposals not opened shall be returned to their respective firms.

XVI CONTRACTS/AGREEMENTS:

The successful CONSULTANT shall enter into upcoming Contracts with CITY that are based on the contents of this RFQ, the CONSULTANT's proposal, and CITY Contract. Where two or more CONSULTANT's desire to submit a single proposal (joint venture), only one CONSULTANT shall be listed as prime CONSULTANT. All others shall be listed as subconsultants. The chosen CONSULTANT is expected to be presented at the City Council meeting scheduled for Tuesday, April 18, 2023. Issuance of this RFQ and receipt of proposals does not commit CITY to award a Contract. CITY reserves the right to postpone award of a Contract for its own convenience, accept or reject any or all proposals received in response to this RFQ, and cancel any or all portions of this RFQ and resulting Contract.

XVII COMPENSATION:

- A. All items of work required for completion of the project/s to result from this RFQ shall be paid for following the cost proposal format specified in each task order request. Costs for any and all items not specifically listed, but required to complete the work for projects (including all exceptions and deviations stated included in CONSULTANT's proposal), shall be included as part of the total cost proposed. No additional compensation shall be paid for such items. No additional compensation shall be given for any reproduction costs, except those in excess of the requirements stated in this RFQ. Only a change in scope or any significant task addition or increase shall receive consideration for additional compensation.
- B. If the CONSULTANT feels that any work it has been directed to perform is beyond the scope of the Contract and constitutes extra work, it shall notify CITY in writing within ten (10) days. CITY will review such notice and, if justified, authorize additional compensation to the CONSULTANT on a fair and equitable basis.
- C. Monthly progress payments will be made to the CONSULTANT only upon submittal of invoices to CITY. Said invoice shall indicate the percentage completion of each task, as well as the overall percentage completion of the entire project. In addition, an updated schedule showing tasks and their degree of completion shall be provided.

XVIII OWNERSHIP OF REPORTS AND DOCUMENTS:

Originals of all documents, letters, drawings, design calculations, estimates, specifications, and other documents and data produced under the terms of the Contract shall become the property of CITY. CITY shall retain all rights in copyright. Copies may be made and retained by the CONSULTANT for its records, but shall not be furnished to others without the written consent of CITY for a period of three (3) years from the date of acceptance, by CITY, of all requirements of this project.

XIX PROPOSAL FORMAT AND CONTENT:

Proposals shall be brief and include a concise address of the following information:

A. Firm Experience:

1. A brief list of similar projects completed in the last five (5) years, indicate the specific relationship if other than principal and each firm's responsibilities. Descriptions of pertinent experience should include a summary of work performed, adherence to schedules, the duration of each project, and the name, title, and phone number of clients that may be contacted for reference.
2. Other information that might aid CITY in ascertaining proposing firm's qualifications.

B. Consultant Team:

Name of prime consulting firm, subconsultant(s), names of principals, associates, project manager, and key personnel, their proposed level and areas of responsibility, and their qualifications/certifications in those areas. The CONSULTANT's Project Manager and key personnel will be an important factor considered by CITY.

1. Any changes to personnel assigned to this project shall be made in writing to CITY. CITY reserves the right to reject any proposal with modified personnel.
2. If subconsultant's are used, names of subconsultant's key personnel for the project, their professional experience, qualifications/certifications, and training, which are applicable to this project, and the scope of services that will be provided by each subconsultant.
3. The office location from which the CONSULTANT(s) shall operate along with telephone and/or cell number of the project manager.

C. Proposal Format:

1. Proposals shall contain no more than twenty (20) pages, excluding cover sheet, table of contents, index sheets, and resumes, double-sided, font size no less than 10 pt., and single or double-spaced. Cover letters will be counted as part of the twenty sheets. The City encourages the use of recycled materials.
2. Proposals should include, but not be limited to, the following:
 - a. Page numbering;
 - b. Table of Contents, if applicable;
 - c. Section dividers with tabs, if applicable;
 - d. Identification of offering firms, including name, address, and telephone number of each firm;
 - e. Prime CONSULTANT organizational chart, which includes subconsultant(s) with names and titles of personnel to be used for this project;
 - f. Acknowledgment of receipt of RFQ addenda, if any;
 - g. Concise, complete response addressing each of the items, 'a' through 'p', as shown in the City's "Consultant Selection Rating Form"; and
 - h. Exceptions to or deviations from the requirements of this RFQ, separating technical exceptions from contractual exceptions. Any alternative approach proposed by the CONSULTANT shall be thoroughly explained and shall meet the objectives of CITY.



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Authorization to Distribute a Request for Qualifications for Design Services - Porterville Public Library Project

SOURCE: Engineering and Project Management

COMMENT: The City is proposing to develop the new Porterville Public Library along the south side of Olive Avenue, across from the South County Justice Center. The estimated 40,000+/- square foot facility must meet the deliverable requirements of the "Needs Assessment" as approved by City Council at its meeting on August 17, 2021 (CMO #06-081721).

With the concepts in place as defined by the "Needs Assessment", staff proceeded with the preparation of a Request for Qualifications for design services for this project. The architectural and engineering firms interested in the project shall submit a statement of qualifications that will be reviewed and rated by a selection panel. The highest ranking firms, typically two to three firms, may or may not be asked to participate in an interview panel and ranked again.

Staff will then present the results of the ranking to Council for approval and to direct staff to negotiate a fee with the highest ranking firm. The chosen firm will meet with staff to fine tune the scope and deliver a fee. If the fee is acceptable, staff will then seek Council's approval to execute a Service Agreement so that the firm can commence with the needed design work for the Porterville Public Library Project.

RECOMMENDATION: That the City Council authorize staff to distribute a Design Services Request for Qualifications for the Porterville Public Library Project.

ATTACHMENTS:

1. Draft Request for Qualifications
2. Library Services and Facility Needs Assessment
3. Locator Map

Appropriated/Funded:

Review By:

Department Director:
Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager



REQUEST FOR QUALIFICATIONS

Design Services – Porterville Public Library
March 2023

PREPARED BY:
ENGINEERING & PROJECT MANAGEMENT DEPARTMENT
on behalf of the PARKS DEPARTMENT
March 2023

I INTRODUCTION AND OBJECTIVES:

The City of Porterville (hereinafter referred to as "CITY") is requesting statements of qualifications (SOQs) from qualified architectural and/or engineering firms for the purpose of developing plans and specifications for the Porterville Public Library. The site is an approximate 3.86-Acre land parcel that is located along the south side of Olive Avenue, west of Plano Street, in Porterville, CA and bounded by the Santa Fe Byway Trail to the west, E Olive Avenue and the South County Justice Center to the north, commercial properties to the east, and the proposed Santa Fe Sportsplex to the south. The estimated 40,000 square foot +/- building must meet the deliverable requirements of the "Needs Assessment".

The City endeavors to design and construct a new public library with amenities that include a library café, book sale area, capacity for 100,000 books and other materials, desktop computer area, business centers, small and large meeting rooms, family play/interaction space, adult learning center, media lab, staff working spaces, 130 surface parking spaces with solar power generation capability, and additional specifications as detailed in the "Needs Assessment". The City wishes to receive full construction documents within 9-12 months of contractual agreement.

This document identifies the general project scope and procedures for Consultant involvement in this process. Responding consultants must have relevant experience and the ability to provide the requisite professional services.

II EXAMINATION OF SOQ DOCUMENTS:

By submitting an SOQ, each CONSULTANT represents that it has thoroughly examined and become familiar with the work required under this RFQ and that it is capable of performing quality work to achieve the objectives of CITY.

III ADDENDA/CLARIFICATIONS:

Any CITY changes to this RFQ will be made via written addendum. No verbal modification shall be binding.

IV SOQ REQUIREMENTS:

SOQs for this project will be accepted at this office until 4:00 p.m., on Wednesday, April 26, 2023. Three (3) copies of the SOQ shall be submitted in a sealed envelope, plainly marked "Statement of Qualifications for Porterville Public Library Design Services." Cost proposals shall not be submitted until requested by the CITY. SOQs shall be addressed to:

Daniel Cervantez, City Engineer
Engineering & Project Management Department
City of Porterville
291 N. Main Street

Porterville, CA 93257

The City reserves the right to reject any and all SOQs, which do not meet the requirements of this RFQ and/or any portion of the requirements of this project.

V PRE-CONTRACTUAL EXPENSES:

Pre-contractual expenses are defined as expenses incurred by the CONSULTANT in:

1) Preparing and reproducing its SOQ in response to this RFQ; 2) submitting its SOQ to CITY; 3) negotiating with CITY any matter related to this RFQ and CONSULTANT's SOQ; 4) other matters prior to the date of award of a Contract.

CITY shall not be liable for any pre-contractual expenses incurred by CONSULTANT in the preparation of SOQs. Pre-contractual expenses shall not be included in the cost proposal.

VI EXCEPTIONS/DEVIATIONS:

Any exceptions to the requirements of this RFQ must be included in the CONSULTANT's SOQ. Such exceptions must be included as a separate element of the SOQ entitled "Exceptions and Deviations."

VII CONSULTANT REPRESENTATIVE:

The CONSULTANT shall assign a responsible representative and an alternate, both of whom shall be identified in the SOQ. The CONSULTANT's representative shall remain in responsible charge for the duration of the project. Should the CONSULTANT's primary representative be unable to continue with the project, the CONSULTANT's alternate representative shall become the primary representative. No personnel changes will be acceptable without prior approval by CITY. CITY reserves the right to reject any changes in personnel at any time during the course of this project. CITY also reserves the right to terminate the contract if, in the opinion of CITY, substantial changes in project management may jeopardize the successful completion of this project to the satisfaction of CITY.

VIII LOCAL AGENCY REPRESENTATIVE:

Sarah Weaver, Project Manager, shall be the Contract Administrator and contact person for all communications with CITY.

IX INSURANCE REQUIREMENTS:

The CONSULTANT shall maintain and provide current copies to CITY of the following minimum insurance coverage for the duration of this project:

- Full liability under Worker's Compensation laws of the State of California
- General comprehensive liability (*bodily injury and property damage*)*

- Professional liability insurance (*errors and omissions*)*
- Automotive liability Insurance*

*All must provide a combined single limit (CSL) of not less than \$2 million per occurrence.

X INDEMNIFICATION:

The CONSULTANT shall indemnify, defend, and hold harmless CITY, its elected and appointed officers, employees agents from and against any and all claims, including attorney's fees and reasonable expenses for litigation or settlement, for any loss, damages, bodily injuries, and loss of property caused by negligent acts, omissions, or willful misconduct by the successful CONSULTANT and its subconsultants arising out of performance requirements of the Contract.

XI SUBCONTRACTING:

Only those firms identified in the Contract as subcontractors or subconsultants shall be allowed to perform work for this project. Any amendments to this requirement shall be made in writing by prime CONSULTANT to CITY. CITY has the right to reject any requested amendments at any time during the course of this project.

XII FEDERAL, STATE, AND LOCAL LAWS:

The CONSULTANT shall comply with all federal, state, and local laws, rules, regulations, ordinances, and statutes.

XIII SOQ EVALUATION CRITERIA:

Evaluation criteria used to select the CONSULTANT shall include, but not be limited to, the following:

- A. Transmittal Letter;
- B. Firm(s) experience with similar projects and references;
- C. Firm(s) key personnel qualifications/certifications and experience, especially the project manager and individuals performing services;
- D. Firm(s) understanding of the project requirements;
- E. Project schedule. Firm(s) must detail ability to provide the required services in a timely and cost-effective manner to meet the required schedule;
- F. Firm(s) policy in providing Equal Employment Opportunity; and
- G. Firm(s) approach to provide the best product for CITY.

The attached CITY'S Consultant Selection Rating Form shall be used to rate each firm.

XIV CONSULTANT SELECTION AND INTERVIEWS:

CITY selection committee, consisting of the Contract Administrator and at least two additional

staff members familiar with the project requirements, will review all SOQs and rank CONSULTANTs according to their demonstrated competence and professional qualifications as assessed by their response to this RFQ and the evaluation criteria contained in the CITY'S Consultant Selection Rating Form. The top three (3) highest ranked CONSULTANT(s) may be invited for oral interviews with CITY team to determine the top rated firm. However, in the event one proposal is clearly superior to all other proposals, The City of Porterville reserves the right to eliminate the oral interview process and present their recommendation to the City Council based solely on the proposals. The Engineering & Project Management Director shall make a recommendation to the City Council to award a contract to the top rated firm.

The City Council, at its sole discretion, may choose to accept staff's recommendation, or may choose to award a contract to another consulting firm, or may choose not to award a contract as this time. The Contract will be a written Service Agreement between the Consultant and the City setting forth the scope of work, responsibilities, deliverables, schedule, ownership of work, insurance requirements, compensation, method of payment, and other points. A sample Service Agreement is included in this RFQ package. Please indicate on the transmittal letter the firm's ability to comply with the Service Agreement provisions, including insurance coverage.

Interviews are tentatively scheduled for May 22, 2023. Each participating firm will be contacted via telephone for verification of interview date and time. Failure to be available at the time of a scheduled interview shall be considered non-responsive and shall be cause for elimination from any further consideration. CITY reserves the right to begin negotiations and enter into a Contract without interviews or further discussion.

XV COST PROPOSAL:

The cost proposal shall not be submitted until requested by the CITY. Negotiations with the top-ranked candidate(s) may begin immediately. If an agreement cannot be reached within ten (10) working days, CITY may begin negotiations with the next selected candidate(s) and proceed. If necessary, this process will continue until either an agreement is reached or CITY elects to re-advertise for new SOQs. CITY reserves the right to reject any and all proposals prior to award of a Contract. All cost proposals not opened shall be returned to their respective firms.

XVI CONTRACTS/AGREEMENTS:

The successful CONSULTANT shall enter into upcoming Contracts with CITY that are based on the contents of this RFQ, the CONSULTANT's SOQ and cost proposal, and CITY Contract. Where two or more CONSULTANTs desire to submit a SOQ (joint venture), only one CONSULTANT shall be listed as prime CONSULTANT. All others shall be listed as subconsultants. The chosen CONSULTANT is expected to be presented at the City Council meeting scheduled for Tuesday, June 6, 2023. Issuance of this RFQ and receipt of SOQs does not commit CITY to award a Contract. CITY reserves the right to postpone award of a Contract for its own convenience, accept or reject any or all SOQs received in response to this RFQ, and cancel any or all portions of this RFQ and resulting Contract.

XVII COMPENSATION:

- A. All items of work required for completion of the project/s to result from this RFQ shall be paid for following the cost proposal format specified in each task order request. Costs for any and all items not specifically listed, but required to complete the work for projects (including all exceptions and deviations stated included in CONSULTANT's SOQ), shall be included as part of the total cost proposed. No additional compensation shall be paid for such items. No additional compensation shall be given for any reproduction costs, except those in excess of the requirements stated in this RFQ. Only a change in scope or any significant task addition or increase shall receive consideration for additional compensation.
- B. If the CONSULTANT feels that any work it has been directed to perform is beyond the scope of the Contract and constitutes extra work, it shall notify CITY in writing within ten (10) days. CITY will review such notice and, if justified, authorize additional compensation to the CONSULTANT on a fair and equitable basis.
- C. Monthly progress payments will be made to the CONSULTANT only upon submittal of invoices to CITY. Said invoice shall indicate the percentage completion of each task, as well as the overall percentage completion of the entire project. In addition, an updated schedule showing tasks and their degree of completion shall be provided.

XVIII OWNERSHIP OF REPORTS AND DOCUMENTS:

Originals of all documents, letters, drawings, design calculations, estimates, specifications, and other documents and data produced under the terms of the Contract shall become the property of CITY. CITY shall retain all rights in copyright. Copies may be made and retained by the CONSULTANT for its records, but shall not be furnished to others without the written consent of CITY for a period of three (3) years from the date of acceptance, by CITY, of all requirements of this project.

XIX SOQ FORMAT AND CONTENT:

SOQs shall be brief and include a concise address of the following information:

- A. Firm Experience:
 - 1. A brief list of similar projects completed in the last five (5) years, indicate the specific relationship if other than principal and each firm's responsibilities. Descriptions of pertinent experience should include a summary of work performed, adherence to schedules, the duration of each project, and the name, title, and phone number of clients that may be contacted for reference.
 - 2. Other information that might aid CITY in ascertaining proposing firm's qualifications.

B. Consultant Team:

Name of prime consulting firm, subconsultant(s), names of principals, associates, project manager, and key personnel, their proposed level and areas of responsibility, and their qualifications/certifications in those areas. The CONSULTANT's Project Manager and key personnel will be an important factor considered by CITY.

1. Any changes to personnel assigned to this project shall be made in writing to CITY. CITY reserves the right to reject any proposal for modified personnel.
2. If subconsultants are used, names of subconsultant's key personnel for the project, their professional experience, qualifications/certifications, and training, which are applicable to this project, and the scope of services that will be provided by each subconsultant.
3. The office location from which the CONSULTANT(s) shall operate along with telephone and/or cell number of the project manager.

C. SOQ Format:

1. SOQs shall contain no more than twenty (20) pages, excluding cover sheet, table of contents, index sheets, and resumes, double-sided, font size no less than 10 pt., and single or double-spaced. Cover letters will be counted as part of the twenty sheets. The City encourages the use of recycled materials.
2. SOQs should include, but not be limited to, the following:
 - a. Page numbering;
 - b. Table of Contents, if applicable;
 - c. Section dividers with tabs, if applicable;
 - d. Identification of offering firms, including name, address, and telephone number of each firm;
 - e. Prime CONSULTANT organizational chart, which includes subconsultant(s) with names and titles of personnel to be used for this project;
 - f. Acknowledgment of receipt of RFQ addenda, if any;
 - g. Concise, complete response addressing each of the items, 'a' through 'p', as shown in the City's "Consultant Selection Rating Form"; and
 - h. Exceptions to or deviations from the requirements of this RFQ, separating technical exceptions from contractual exceptions. Any alternative approach proposed by the CONSULTANT shall be thoroughly explained and shall meet the objectives of CITY.

CITY OF PORTERVILLE
REQUEST FOR QUALIFICATIONS (RFQ) FOR DESIGN SERVICES FOR THE PORTERVILLE PUBLIC LIBRARY

The City of Porterville seeks "Statement of Qualifications" (SOQ) from qualified architectural and engineering firms for the purpose of developing plans and specifications for the Porterville Public Library. The final design of the 40,000 square foot +/- building and site must meet the deliverable requirements of the "Needs Assessment" the deliverables of the grant application.

This document identifies the general project scope and procedures for Consultant involvement in this process. Responding consultants must have relevant experience and the ability to provide the requisite professional services.

SCOPE OF DESIGN SERVICES:

The consultant will respond directly to the Engineering and Project Management Director or their designee on the project. The selected consultant will perform, but not be limited to the following tasks:

1. Meet with City staff to ascertain the full scope of design work and determine the level and amount of information and drawings available to the consultant to assist in the preparation of the formal "scope of service". Said scope shall be prepared and transmitted to the City for review and concurrence. The consultant shall include their "fee" for all work described in the scope of services and, if acceptable to the City, the scope of services and associated fee shall form the basis for the Consulting Services agreement. A brief description of some of the work needed is listed below.
 - a. Final design plans and specifications for the development of a public library.
 - i. The plans and specifications must meet the deliverable requirements the "Needs Assessment". A copy of the "Needs Assessment" is provided by the City as reference.
 - ii. Boundary and topography survey to establish property corners and design grades. Prepare legal descriptions and plat maps.
 - iii. Plans and specifications shall be complete and Code compliant (construction ready) for all aspects of the project deliverables including but not limit to landscape & irrigation, foundation, plumbing, building structure, internal & external concrete/asphalt improvements and amenity improvements, etc.
2. Field Surveys necessary for the establishment of property corners including descriptions and recording of said property corner establishment. Topography survey as needed to properly establish open space grades, building foundation, and floor elevations cognizant of the surrounding topography. Said topography survey shall be provided in such detail

that the information will be used to establish landscape, hardscape and irrigation systems.

3. Compile background data necessary and perform services required to prepare conceptual, preliminary and final plans, specifications, contract documents, special provisions, and special details needed for a complete and thorough project.
4. Prepare an Engineer's Estimate of Probable Cost Report.
5. Provide clarifications and answer questions as needed during the construction bid process.
6. Coordinate early consultation and ongoing meetings with City staff and staff at other agencies.
7. Prepare the "Drawings of Record" and furnish the City with a digital set for the record.
8. Provide other consulting services as available through the selected firm.

DESIRABLE QUALIFICATIONS OF THE CONSULTANT:

The City is seeking a qualified consultant to provide plans, specifications, and related documentation for a public library. The desired consultant shall have the following qualifications:

1. Experience in design and construction support of similar facilities or other experience relevant to this type of project.
2. The Consultant's proven ability to expeditiously and accurately produce the required product in a concise and useable format.
3. The "design team" should be comprised of professionals with the requisite design expertise to prepare complete "construction ready" plans, specifications, shop drawing review, and construction assistance.
4. The "design team" should include the proper mix of professionals (architectural, engineering, landscape, fire sprinkler, cost estimation, etc.).

LOCAL AGENCY RESPONSIBILITIES:

The CONSULTANT will report to the CITY's Contract Administrator. The CONSULTANT shall not proceed with any work until the CITY provides the Notice to Proceed to the CONSULTANT.

The CITY's Contract Administrator will directly handle the project management and monitoring of the CONSULTANT's work to ensure it is complete, accurate, and consistent with the terms

and conditions of the CONSULTANT contract. The Contract Administrator and designees will also inspect, review, and discuss project progress, comply with Federal, State and Local policies and regulations, and other requirements to further the prosecution of the contract work with the least delay.

The CITY's Contract Administrator shall be responsible for the following:

- Serve as the CITY's primary contact person for the CONSULTANT
- Monitor the CONSULTANT's progress and provide direction
- Review billings and determines whether costs billed are reasonable in relation to the work performed during billing period
- Approve the CONSULTANT's progress payments
- Identify other CITY personnel for CONSULTANT to contact, if needed

All records and documentation produced by the CONSULTANT become property of the CITY.

CONSULTANT SELECTION RATING FORM							
Project Name: Project Number:	Date:	Evaluation Factor	Rating Factor Numerical Range & Weighting Based on Importance of Factor	FIRM	FIRM	FIRM	FIRM
				Score	Score	Score	Score
a.	Capability to perform all or most aspects of the project.	0-10					
b.	Recent experience in projects comparable to the proposed project.	0-10					
c.	Firm's reputation for professional integrity and competence.	0-5					
d.	Key personnel's professional background and caliber.	0-7					
e.	Adequate qualified personnel available for assignment to the project.	0-5					
f.	Recent experience in specialized areas of expertise associated with the project.	0-5					
g.	Demonstrated ability to meet schedules or deadlines.	0-10					
h.	Demonstrated ability to complete projects without having major cost escalations or overruns.	0-7					
i.	Qualifications and experience of outside consultants regularly engaged by the consultant under consideration.	0-10					
j.	Quality of project previously undertaken.	0-10					
k.	Familiarity with and proximity to the geographic location of the project.	0-5					
l.	Capability of a branch office, which will do the work to perform independently of the home office, or conversely, its capability to obtain necessary support from the home office.	0-3					
m.	Demonstration of an understanding of the project's potential problems and the City's special concerns.	0-5					
n.	Degree of interest shown in undertaking the project.	0-3					
o.	Evidence that consultant is an equal opportunity employer.	0-2					
p.	Proximity of firm's office to project.	0-3					
TOTAL SCORE:							
RANKING:							

Highest Possible Score = 100

SERVICE AGREEMENT

DATE:

PARTIES: City of Porterville, a California municipal corporation, hereinafter referred to as "CITY"; and (*insert name*), hereinafter referred to as "CONSULTANT".

RECITALS: CITY has undertaken a project on which it is seeking assistance from CONSULTANT. Said project which will hereinafter be referred to as "project" is described as follows:

Project Name:

Description of Project: In general, Consultant to provide (plans and specifications) (services) for the (proposed project). Details are summarized in the Scope of Services as Attachment "A".

IN CONSIDERATION OF MUTUAL COVENANTS AND AGREEMENTS HEREINAFTER set forth the parties hereto do contract and agree as follows:

SECTION 1. CONTRACT SERVICES:

CONSULTANT hereby agrees to provide the following services and materials, in a timely manner as described:.

SECTION 2. PAYMENT:

In consideration for said services and materials, CITY shall pay CONSULTANT on a time and materials basis (and/or not to exceed _____ Dollars (\$ _____)).

TIME OF PAYMENT: Progress payment requests shall be submitted by the 25th of each month. CONSULTANT should receive payment within 45 days of the date the bill is received.

SECTION 3. COMPLETION DATE:

The services to be performed by CONSULTANT will be commenced upon execution of this agreement and all "work directives" shall be completed by (*date*). In the case of ongoing testing and results protocol, the CONSULTANT shall submit results as required to CITY, State and/or Federal governing agencies.

SECTION 4. FAMILIARITY WITH PROJECT:

CONSULTANT certifies and agrees that it is fully familiar with all of the details of the project required to perform its services. CONSULTANT agrees it will not rely upon any opinions and representations of CITY unless CITY is the only available source of said information.

SECTION 5. INDEPENDENT CONTRACTOR:

It is expressly understood that CONSULTANT is entering into this contract and will provide all services and materials required hereunder as an independent contractor and not as an employee of CITY. CONSULTANT specifically warrants that it will have in full force and effect, valid insurance covering:

- (i) Full liability under worker's compensation laws of the State of California; and
- (ii) Bodily injury and property damage insurance in the amount not less than One Million Dollars (\$2,000,000) per occurrence; and
- (iii) Errors and Omissions insurance of One Million Dollars (\$2,000,000) minimum per occurrence, if deductible for Errors and Omissions insurance is Fifty Thousand Dollars (\$50,000) or more, the City may require a Surety Bond for the deductible; and
- (iv) Automotive liability in the amount not less than One Million Dollars (\$2,000,000) per occurrence; fully protecting CITY, its elected and appointed officers, employees, agents and assigns, against all claims arising from the negligence of CONSULTANT and any

injuries to third parties, including employees of CITY and CONSULTANT.

- (v) ***To the fullest extent permitted by law, and subject to California Civil Code Sec 2782.8, CONSULTANT agrees to indemnify, including cost to defend, City, its elected and appointed officers and employees, from and against any and all claims, demands, costs, or liability that arise out of, or pertain to, or relate to the negligence, recklessness, or willful misconduct of Consultant and its employees or agents in the performance of services under this contract, but this indemnity does not apply to liability for damages arising from the sole negligence, active negligence, or willful acts of City; and does not apply to any passive negligence of the City unless caused at least in part by Consultant. City agrees that in no event shall the cost to defend charged to Consultant exceed Consultant's proportionate percentage of fault. However, if one or more defendant/s is unable to pay its share of defense costs due to bankruptcy or dissolution of the business, the Consultant shall meet and confer with other parties regarding unpaid defense costs and reallocate as allowed by law or stature. This duty to indemnify shall not be waived or modified by contractual agreement or acts of the parties.***

SECTION 6. WORKMANSHIP AND MATERIALS:

Every part of the work herein described shall be executed in a professional manner with competent, experienced personnel. Finished or unfinished material prepared under the agreement, prepared by CONSULTANT, shall become property of CITY. CONSULTANT hereby warrants that any materials prepared under this agreement shall be fit for the intended use contemplated by the parties.

SECTION 7. ASSIGNMENT OF CONTRACT:

It is acknowledged by the parties that CITY has entered into this contract with the express understanding that CONSULTANT will perform all work. CONSULTANT shall not, without the written consent of CITY, assign, transfer or sublet any portion or part of this work, nor assign any payments to others.

SECTION 8. AFFIRMATIVE ACTION.

CONSULTANT will not discriminate against any employee, or applicant for employment as required by applicable Federal and State law.

SECTION 9. CONFLICT OF INTEREST CODE:

CONSULTANT agrees to comply with the regulations of CITY'S "Conflict of Interest Code." Said code is in accordance with the requirements of the Political Reform Act of 1974.

CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of service required hereunder. The term "conflict" shall include, as a minimum, the definition of a "conflict of interest" under the California Fair Political Practices Act and the City of Porterville Conflict of Interest Code, as that term is applied to consultants.

SECTION 10. TERMINATION:

Either party for just cause may terminate this contract by giving seven (7) days written notice to the other party. Upon termination by CITY, CITY shall be relieved of any obligation to pay for work not completed including profit and overhead. CONSULTANT may be entitled to just and equitable compensation for satisfactory work completed, except CITY can withhold damages incurred as a result of the termination.

SECTION 11. ENTIRE CONTRACT:

It is understood and agreed that this Service Agreement represents the entire Agreement between the parties. Should it be necessary to institute legal proceedings to enforce any and all of the covenants and conditions of this Agreement, the prevailing party shall be entitled to recover attorneys' fees and costs.

SECTION 12. DISPUTES; VENUE:

If either party initiates an action to enforce the terms hereof or declare rights hereunder, the parties agree that this Agreement is entered into and is to be performed in Tulare County, California. CONSULTANT hereby waives any rights it might have to remove any such action pursuant to California Code of Civil Procedure Section 394.

IN WITNESS WHEREOF, the parties have executed this Service Agreement on the date and year first above written.

CITY OF PORTERVILLE

CONSULTANT

By _____

By _____

Date _____

Date _____

LIBRARY SERVICES AND FACILITY NEEDS ASSESSMENT

2021

PORTERVILLE PUBLIC LIBRARY

PENNY HUMMEL
Consulting

Executive Summary

Since 1908, the Porterville Public Library has served the educational, informational, recreational, and cultural needs of a diverse community. The tragic loss of the Porterville library to fire in February 2020 has only underscored how important a public library building is to residents of all ages and all walks of life. At the same time, Porterville's current lack of a main library facility (aside from a planned temporary location) provides a unique opportunity to explore critical community needs and to re-envision the library to address those needs.

In early 2021, the City of Porterville hired Penny Hummel Consulting in partnership with Carson Block Consulting to conduct a general needs assessment and technology assessment for a new library. The space recommendations that emerged from this effort indicate the need for a building of approximately 39,600 square feet, incorporating the following features:

- A diverse and engaging collection in both English and Spanish of over 100,000 books and other materials.
- Significantly increased programming capacity:
 - A three-way dividable 150-person meeting room.
 - A *Creation Space*, with capacity for 20 people to explore high tech makerspace activities;
 - A *Media Lab*, providing opportunities for community members to create and edit audio and video;
 - A *Teaching Kitchen*, providing space for teaching cooking skills and job training in the culinary arts.
- An expanded and improved Adult Learning Center.
- Small meeting rooms for quiet study, tutoring, community meetings and more:
 - Four 1 - 2 person rooms;
 - Two 3 – 4 person rooms;
 - One 10 – 12 meeting room;
- Increased open seating for all age groups, including a quiet reading area.
- A library café.
- A memorial to the firefighters who lost their lives fighting to save the old library.

This study outlines the service components in a new 21st century library that are needed by Porterville residents now and into the future.

Key Findings

The following fourteen key findings reflect the results of the various information-gathering activities conducted as part of the needs assessment.

- **Porterville residents have a deep sense of community pride, and the city's unique history, culture and geography are valued and celebrated.** The community's strength lies in its ethnic and linguistic diversity.
- **Supporting youth development and student success is a core community value.** The library plays a critical role in youth development. Except for sports, Porterville currently offers young people relatively few recreational opportunities.
- **There is tremendous community support for a new library.** The old library is dearly missed, and community members are eager to again have access to all the services and amenities that a library provides.
- **Community members would like the new library to include a memorial to the brave firefighters who lost their lives defending the old library.** The sacrifice made by Captain Ramon Figueroa and Firefighter Patrick Lee Jones will not be forgotten.
- **Porterville residents want their new library to be inclusive and inspiring.** It should be designed to reflect local culture and should be welcoming to all of the people who make up the Porterville community.
- **Community members want their new library to be convenient and easy to use.** Although most residents reported few barriers to using the library, the minority who expressed concerns cited lack of time, parking, transportation and range of offerings as barriers.
- **Porterville residents love print books! But they also enjoy reading e-books.** The most popular types of books are bestsellers and books for children and teens.
- **If it's not a book, people prefer to download it.** While CD audiobooks, DVDs and Blu-ray have their supporters, most residents prefer to download their media.
- **While a quality library collection is important to residents, they also want all the services and features that a 21st century public library can offer.** Expanded and improved seating, meeting rooms, makerspaces and other common features of modern libraries are all of great interest.
- **Community members want quiet spaces at the library to read, study and gather.** Seating is a huge priority for library users from all walks of life, and many crave quiet seating, whether in a designated area or a small meeting room.

- **Residents expressed strong interest in many types of library programming and dynamic learning opportunities.** These include arts and crafts programs, homework help, storytimes, help with computer skills and applications.
- **Community members asked for greater technology access and learning for all.** Key technology needs include Wi-Fi and Internet access, power for recharging, laptops or other mobile devices for checkout and tech learning opportunities. In the future, the library will need additional resources to support this much-needed technology.
- **A makerspace at the library? Yes, please!** Papercrafting, high tech makerspace and a media lab were most popular with community members.
- **People want to enjoy the outside of the library as much as the inside.** Features such as outdoor seating, a community garden and programming areas are a great fit for the local climate.

Methodology

In early 2021, library consultants Penny Hummel and Carson Block were hired to conduct an assessment and develop a plan for a new Porterville library. Penny Hummel oversaw the general service assessment and developed a program for the new library. Carson Block conducted a technology assessment and developed recommendations for this critical aspect of library operations and services. Working collaboratively, the two consultants designed and implemented a community outreach strategy to gather input about community priorities. Given safety issues relating to COVID-19, all assessment-related meetings were conducted via Zoom from the consultant's offices in Portland, OR (Penny) and Ft. Collins, CO (Carson). This project builds upon a comprehensive 2009 study conducted by library planners Page + Moris, which evaluated the library's service model and offered potential options to expand the library's footprint.

During the course of the project, the consultants met with the project's leadership team (Parks & Leisure Director Donnie Moore and Library Director Vikki Cervantes) on a biweekly basis, with additional meetings on specific library topics (such as the library collection and library technology) with Vikki Cervantes and Library Supervisor Anthony Arellano. Penny and Carson also met with the city-appointed seven-member Library Facility Planning Committee six times to share data and gather input.

Hearing the voices of the community was a critical part of the process. The consultants conducted ten focus groups from May 24 – June 23. A community survey was conducted in both English and Spanish in two formats (online and on paper) May 24 – July 5 to ensure accessibility to all. The consultant team also gathered and reviewed operational and demographic data about the library.

Community Information

Demographics

Incorporated in 1902 in California's San Joaquin Valley, the City of Porterville is located at the base of the foothills of the Sierra Nevada Mountains. With a current population of 59,697 people, Porterville is one of the three largest cities in Tulare County, California. Local industry includes agriculture (citrus fruits, olives and olive oil and pistachios), manufacturing and a Walmart distribution center.

According to U.S. Census data, Porterville's current population is distinctive in numerous ways:

- *Porterville has a younger population.* The median age of Porterville residents is 30.5, compared to 36.5 in California. This is largely due to Porterville having a higher percentage of residents under 18: 31.2% vs. 25.6%.
- *More than half of the community is Hispanic or Latino.* 65.6% of Porterville residents are Hispanic or Latino, compared to 39% in California.

- *There are fewer foreign-born residents in Porterville, but a higher number of those were born in Latin America.* 22.4% of the population is foreign-born, compared to 26.9% in California. 84.7% of foreign-born Porterville residents are from Latin America, compared to 50.3% in California; conversely, 13.4% of Porterville residents are from Asia compared to 39.4 in California.
- *A high percentage of Porterville residents speak Spanish at home.* 50.5% of children aged 5 – 17 and 48.5% of adults 18 and over reported speaking Spanish with their families. In California as a whole, 34% of children and 27.6% of adults speak Spanish at home.

Source: Census Reporter (2019 American Community Survey data)

From a socioeconomic standpoint, Porterville residents are relatively disadvantaged on all major indicators when compared to the larger region and to California as a whole:

	Porterville	Visalia CA Metro Area	California
Per capita income	\$18,250	\$21,380	\$36,955
Median household income	\$43,823	\$49,687	\$75,235
Household income under \$50,000 a year	56.5%	50.3%	34.4%
Children under 18 living below the poverty line	35.2%	31.7%	18.1%
Seniors (65 and older) living below the poverty line	15.2%	13.7%	10.2%

Source: Census Reporter (2019 American Community Survey data)

With respect to educational levels, Porterville residents are similar to residents of the larger region, but both lag behind California as a whole:

	Porterville	Visalia CA Metro Area	California
No degree	29.8%	29.2%	16.7%
High school degree	27.3%	25.5%	20.5%
High school degree or higher	70.2%	70.8%	83.3%
Bachelor's degree or higher	11.5%	14.6%	33.9%

Source: Census Reporter (2019 American Community Survey data)

The community's socioeconomic challenges are also reflected in data from the two local school districts. 88.9% of the students enrolled in the Porterville United School District in 2020 were characterized as socioeconomically disadvantaged, with over a quarter (25.3%) designated as English language learners. Similarly, 72% of Burton School District students are socio-economically disadvantaged, with 17.1% designated as English language learners.

In the context of this demographic data, the Porterville Public Library functions as an essential informational, educational, and cultural hub, providing services that are critical to its relatively high proportion of young and socioeconomically disadvantaged residents.

Market Segmentation

Another lens that provides a useful perspective on Porterville is Experion's Mosaic® USA market segmentation classification system. According to this source, the population of Porterville's falls into 3 of its 71 market segments. Four out of 5 Porterville residents are estimated by Experion to be in one market segment: *Expanding Horizons*, described as "middle aged families earning modest to average incomes from blue collar jobs." Below are descriptions of *Expanding Horizons* and the two other smaller market segments identified in the Mosaic USA system as dominant in Porterville. This data is congruent with the census data noted above.

Mosaic® USA Market Segment	<i>Expanding Horizons</i>	<i>Balance and Harmony</i>	<i>Settled and Sensible</i>
Percentage of Porterville population	80.44%	17.36%	2.20%
Head of household age	36 – 45	36 – 45	51 - 65
Household description	Families, typically with teenage children, often multigenerational	Immigrant Gen X families	Older couples and singles, retired or close to retirement
Language	Spanish dominant language in nearly two thirds of these homes	Spanish is the language of choice at home and in the marketplace	(Presumably English)
Household Income	\$35,000 - \$49,999	\$50,000 - \$74,999	\$35,000 - \$49,999
Education	60% did not finish high school	Some did not finish high school, others attended college	Most with high school educations
Work	Laborers or service sector workers	Blue-collar construction and service sector jobs	Retail, manufacturing, and trades
Activities	Sports, travel to Mexico to visit family	Active, family centered lifestyle. Sports, theme parks	TV, reading, collecting
Shopping	Budget fashion (though style conscious), toys, TVs, and discount electronics	Price sensitive shoppers for clothing and cosmetics	Modest spending. Loyal to favorite brands, value conscious
Media	Traditionalists; like Spanish language movies and TV	Great media consumers, fondness for music, video games	Old fashioned media: local newspaper, radio, TV
Technology adoption	Wizards	Wizards	Novices
Internet	Parents not heavy users, younger members use social networking sites	Keep in touch with friends and family via e-mail	Limited activity
Values	Religious, hardworking, and ambitious	Somewhat old-fashioned family, work and religious values	Unassuming, home-based lifestyle. Honor, dignity, and home-grown values

Source: Simmons Mosaic® USA, accessed through SimplyAnalytics

Population Estimate

To estimate the library's future service population in twenty years, this assessment utilizes an approach recommended by regional planning staff at the Tulare County Association of Government. Given that the state's Department of Finance provides population projections at the county level, future growth of individual cities is estimated based on their percentage of the total county population. Between 2010 – 2020, the City of Porterville's proportion of population growth in Tulare County was 14.52%. Since Tulare County is estimated to grow from 481,733 in 2021 to 554,409 in 2041, the City of Porterville's estimated population in 2041 (based on anticipated growth of 14.52%) would be 70,124.

Library Needs Assessment

Review of Previous Studies

Two important local studies inform this current assessment. The first is the Porterville 2030 General Plan, which was developed with extensive community involvement and issued in 2007. Defining community facilities as including community centers, museums and galleries, civic buildings, libraries and medical facilities, the plan offers the following guiding policies:

- *Support the development of public and cultural facilities to enhance community identity and meet the civic and social needs of the community;*
- *Ensure that community centers provide sufficient space to conduct civic meetings, recreational programs, and social activities to meet the needs of Porterville's citizens;*
- *Achieve and maintain library services that provide adequate and accessible informational, recreational and research materials in a variety of formats for all ages and for a culturally diverse population. (p. 105)*

Section PSCF-I-29 of the Porterville 2030 General Plan delineates the implementation policy focused specifically on improvements to the Porterville Public Library:

Expand library facilities to achieve a standard of .5 to 1.0 square feet of library space per capita with a goal of providing up to date facilities full capable of supporting state-of-the-art technology in library services.

Expansion options may include, but are not limited to:

- *Construction or expansion of downtown library*
- *Mobile libraries to augment library services, and/or*
- *Other satellite facilities. (p. 106)*

The second important study relating to the current assessment was released in 2009, when the City of Porterville commissioned a Facilities and Space Needs Assessment from the library facility consulting firm Page + Moris. Based upon significant community input via surveys, focus groups and thoughtful participation by the Library Facility Planning Committee, this thorough report documented the extensive limitations of the library facility that was lost in the 2020 fire, including overall congestion, noise, inadequate computers, seating and shelving and poor staff work areas. As the report's executive summary notes:

The [Porterville Public Library's] original 3,824 square foot building has been expanded twice, in 1957 and 1974, to reach its current size of 17,784 square feet. The facility is now too small to meet the community's library service needs and lacks the infrastructure to support growing service demands. The interior layout is congested and convoluted. Seating is extremely limited, especially for families, children and teens. There is no physical or acoustic separation between the children's space and other parts of the library. More public computers are needed. There is a lack of good sight lines within the building.

Shelving is at capacity and the collection cannot grow to meet community needs. The meeting room and public restrooms are on an upper floor with no direct access to the public entrance. The open stairway that leads to the meeting room is often congested with family groups and strollers. The service desk configuration adversely impacts circulation operations. Staff workspace is limited and remote from most service assignments. Customers cannot return materials when the library is closed. (p. 1)

The study's primary recommendation was to replace the 17,784 square foot library with a significantly expanded 48,250 – 53,000 square foot building. This expanded facility included a significant increase in seating, shelving, public computers, and meeting room space.

Since the library facility that was assessed in 2009 disappeared in early 2020, the Page + Moris report provides useful historical documentation, as well as a context through which to look at the library's facilities needs with fresh eyes. 2009 was a pivotal moment for public libraries, as that is the year when public libraries first started offering e-books and smart phones became available. In 2021, both technologies are not only ubiquitous, but also have had a direct impact on library facility needs. As public libraries have shifted a portion of their collections from print materials to downloadable resources, less space for shelving is needed to store books and other materials. Similarly, as more people utilize smart phones, tablets or laptops, Wi-Fi (which requires no dedicated space such as desktop computers) has reduced the footprint needed for dedicated Internet access.

SOAR Process

On May 13, 2021, Penny Hummel and Carson Block conducted a SOAR (Strengths, Opportunities, Aspirations and Results) exercise with the Library Facility Planning Committee. Similar to a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis, SOAR is

particularly well suited for public libraries as it focuses on continuous improvement, collaborative opportunities, and optimism for the future. Complete notes for the SOAR process (and Service Priorities discussion) are included in the Needs Assessment Appendix. The general themes that emerged from this discussion include the following:

Strengths:

- The library is the “soul” of Porterville. Many community members have childhood memories of this library and have used it throughout their lives.
- Staff are multitalented and focus on patron needs to create positive interactions.
- The library provides a place to people to meet and to participate in a wide range of quality activities.
- The library collaborates well with local school districts.

Opportunities:

- Starting from ground zero provides the library with the opportunity to really listen to the community, and to design library spaces and services to meet their needs.
- Bridging the digital divide is a critical issue.
- Outside spaces are important: places to sit, possibly a garden.
- Positive additions: a creation lab, a small café, meeting rooms of all sizes.
- The new facility can be modern but also incorporate things that the community has previously loved: a mix of old and new. Flexibility is also important.
- Retail provides good ideas about how to provide future services.
- Outcome should be a destination library, one that feeds curiosity, provides lifelong learning, and is visually exciting.

Aspirations:

- Libraries inspire curiosity and lifelong learning for all ages: from small children to the elderly.
- Providing opportunities to diverse community members is important.
- Honoring local artists in the design would be beneficial.
- Porterville is in a rich agricultural area, so reflecting that agricultural heritage is desirable.
- The library should be a place where everybody belongs—everyone should feel comfortable walking through the door.

Results:

- Now that the pandemic is letting up, people can again be out in the community and together (pending any changes in public health conditions).
- The new library should attract increased interest from young people and volunteers.

- We have an opportunity to provide space and support for future entrepreneurs.
- The new facility should have adequate parking and restrooms on the first floor.
- Access and human comfort are important.

Service Priorities

For their second activity at the May 13, 2021 meeting, the members of the Library Facilities Planning Committee reviewed the eighteen public library service priorities developed by the Public Library Association and shared their top five priorities. Collectively, the priorities were ranked as follows (number of “votes” in parenthesis):

- *Create Young Readers: Early Literacy.* Children from birth to age five will have programs and services designed to ensure that they will enter school ready to learn to read, write, and listen. (7)
- *Connect to the Online World: Public Internet Access.* Residents will have high-speed access to the digital world with no unnecessary restrictions or fees to ensure that everyone can take advantage of the ever-growing resources and services available through the Internet. (6)
- *Visit a Comfortable Place: Physical and Virtual Spaces.* Residents will have safe and welcoming physical places to meet and interact with others or to sit quietly and read and will have open and accessible virtual spaces that support networking. (6)
- *Satisfy Curiosity: Lifelong Learning.* Residents will have the resources they need to explore topics of personal interest and continue to learn throughout their lives. (5)
- *Learn to Read and Write: Adult, Teen, and Family Literacy.* Adults and teens will have the support they need to improve their literacy skills in order to meet their personal goals and fulfill their responsibilities as parents, citizens, and workers. (3)
- *Express Creativity: Create and Share Content.* Residents will have the services and support they need to express themselves by creating original print, video, audio, or visual content in a real-world or online environment. (3)

It is worth noting that the first five service priorities in this list are exactly the same service priorities identified by the previous Library Facility Planning Committee for the 2009 Page + Moris library study.

Focus Groups

From May 24 – June 23, Penny Hummel and Carson Block facilitated nine community focus groups, and one focus group with library staff. The consultant team designed a comprehensive approach customized for Porterville’s unique needs, and targeted areas that would provide more nuance and specific voices to compliment a community survey. Bilingual library staff member Veronica Garcia facilitated the Spanish language focus group with support from the consultant team. Complete notes from the ten focus groups are included in the Needs Assessment Appendix. The community focus groups were promoted through social media and

individual outreach efforts by library staff. In general, the ten focus groups were well attended, and represented a broad range of community members.

Day	Group	Number of Attendees
May 24	Volunteers	7
May 24	College students and faculty	7
June 1	Seniors	5
June 1	Parents and caregivers	8
June 9	Teachers	10
June 9	Spanish speakers	7
June 18	Library staff	10
June 18	City administrators and staff	12
June 23	Teens	2
June 23	Business community	1

The following themes emerged from these ten conversations:

Community Characteristics

- Porterville has strong community pride - people work together and community partnerships are essential.
- People grow up here and never leave. Or, they come back to raise families.
- Porterville's diverse community is a huge strength.
- People choose Porterville for family and for the small-town feel.
- Parks are popular among all age groups.
- Porterville is geographically isolated and has relatively few amenities.
- Economic disparity is a growing issue.

Prioritizing Youth

- The community prioritizes young people, but other than schools, parks and sports, kids have few recreational options.
- Young people need safe places to go and opportunities to develop in-person communications skills.
- Many in the community look to the library to be a unique "third place" for young people that shows them life options and the world beyond Porterville.
- Working with community partners (such as the Pathways program) is essential.

Vision of the New Library

- Despite its many challenges, the old library was described as the soul of Porterville, and it is deeply missed. There is great anticipation for the new library.
- Another keyword for the library: family

- Community members see the library as a dynamic community center that supports literacy and learning for all ages.
- While the collection is important, there is broad understanding of the other services and amenities that a 21st century public library can offer: makerspaces, meeting rooms of all sizes, private/consultative spaces, performance and arts spaces, etc.
- The new library needs a balance of active, noisy spaces and quiet, contemplative spaces.
- Given the climate and local love of the outdoors, creating opportunities for outside experiences will be important.
- Connection to local history, community and geography should be strong.
- The new library should be culturally inclusive and welcoming to all.
- The library could highlight the community's connection to agriculture, address local nutritional needs and provide job training by incorporating a hands-on, teaching kitchen.
- Access to technology should incorporate Wi-Fi for personal devices as well as robust opportunities to use library computers and other hardware.

Community Survey

The consultants developed a 22-question community survey that was made available to the community from May 28 – July 4, 2021 in both English and Spanish, online and on paper. Most responses were completed online. Library staff conducted extensive promotion of the survey through the following channels:

- The city's June 2021 utility billing, sent to over 15,000 households
- Ads placed in the *Porterville Recorder* June 23 and July 3
- Library social media posts
- Dissemination of survey by other city departments (Community Development, Police, Fire, and Parks & Leisure)
- E-mail outreach
- In-person outreach to Spanish speaking farm workers at local food distribution sites

Library Facilities Planning Committee members also helped get the word out, particularly to schoolteachers, who distributed it to their students. All these outreach efforts paid off. 1,638 people took the survey in English and an additional 114 took it in Spanish. In total, almost 3% of the population of Porterville participated in the survey.

Survey Respondents

As noted earlier, 65% of Porterville's population is Hispanic or Latino; some are monolingual English speakers, some are monolingual Spanish speakers, and some are fluent in both languages. Offering the survey in both English and Spanish was therefore essential. The survey asked three specific questions relating to language use: 1) primary language spoken at home; 2) preferred reading language and 3) preferred viewing language. While it can be assumed that

those who took the survey in Spanish are Spanish speakers, more than twice as many Spanish speakers (as defined by their primary use of Spanish at home) took the survey in English.

The age distribution of Spanish speaking respondents varies depending upon which survey they chose to take. As the chart below indicates, those who took the survey in English are predominantly 17 and under; those who took the survey in Spanish are predominantly 25 – 64. Both slices of the survey contain a much lower percentage of respondents over age 65 than English speakers who took the English version of the survey.

	17 and under	18 –24	25–44	45–64	65+
Spanish survey (All) (114 responses)	22%	9%	34%	29%	2%
English survey—Spanish is primary language at home (280 responses)	64%	15%	16%	2%	1%
English survey—English is primary language at home (1,270 responses)	21%	9%	37%	21%	9%

As the survey results reveal, Spanish speakers taking the Spanish survey frequently express different priorities than either English speakers or those who took the English survey and who primarily speak Spanish at home. This underscores the reality that the Spanish speaking community is not monolithic, and also provides a window into the perspectives of those who are more likely to be monolingual Spanish speakers (only 11% of Spanish survey takers said they primarily speak English at home), a sector of the population that is harder for public libraries to successfully serve in comparison to bilingual Latinos. These results will be highlighted in the analysis below since they are particularly useful in designing future library programs and services.

The survey also included a question about whether the respondent’s household includes children under 18, and with both versions of the survey, a clear majority said they did: 68% for the Spanish survey and 62% for the English survey.

Top Level Survey Results

At the highest level, the results of the survey can be summarized by the following nine points:

- **Porterville residents love print books! But there is also strong interest in e-books.** For Porterville residents, the choice between physical and downloadable books is a both/and proposition.
- **Most popular types of books: bestsellers and books for children and teens.** Supporting youth development through the collection is a high priority, as is keeping up with current releases.
- **If it’s not a book, people prefer to download it.** While CD audiobooks, DVDs and Blu-Rays have their supporters, most resident prefer to download.

- **High interest offerings: arts and crafts programs, homework help, storytimes, help with computer skills and applications.** Residents gave strong support to many basic and practical types of library programming.
- **Most popular makerspace options: High tech, media, papercrafts.** When asked about an array of possible ways to create at the library, these three rose to the top.
- **Library patrons want quiet spaces to read, study and gather. They also prioritize outdoor seating areas.** Seating is a huge priority for library users from all walks of life, and many crave noise-free seating, whether in a quiet seating area or small meeting room.
- **Although most patrons use their own devices within the library, there is strong interest in the library providing laptop computers and other mobile devices.** As with the balance between print and downloadable books, this is a both/and proposition.
- **Top challenges to people using the library include lack of time, parking /transportation, lack of desirable offerings.** These challenges (expressed by a minority of survey takers) reflect the community's desire for convenient services, ease of getting to the library and a broad range of current materials and programs.
- **Spanish speakers experience higher barriers to using the library than do English speakers.** Consistently, a higher percentage of Spanish speakers reported greater difficulty or challenges in using the library.

A more detailed analysis of the results of each question follows. The full results of the English and Spanish language surveys are included in the Needs Assessment Appendix.

Survey Analysis: Community Sector

Below are the results of the survey questions, broken down by age, household situation (with children under 18), English survey takers who indicated they primarily speak Spanish at home, and Spanish survey takers. Results from English version of survey are under a blue header, while the results of the Spanish version are in coral.

The options of highest and lowest interest to various sectors of the community are indicated on some questions in yellow (high) and green (low). Unless identified as Spanish survey takers, all sectors discussed took the English language version of the survey.

When the new library opens, it will include a new collection to replace what was lost. Which materials are of most interest to you? Select up to three.

All survey takers indicated that books for children and for teens were of high priority. Spanish and English survey takers differed with respect to their third top choice: English survey takers prioritized bestsellers, while Spanish survey takers prioritized board/and picture books.

Across the board, there is relatively low interest in large print, periodicals, audiobooks, and DVDs. That said, a significantly greater percentage of Spanish survey takers prioritized large print, periodicals and audiobooks than did the English survey takers.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Bestsellers	59%	61%	71%	60%	49%	51%	59%	63%	32%
Adult Fiction	43%	39%	56%	45%	39%	52%	41%	35%	28%
Adult nonfiction	33%	23%	34%	37%	42%	43%	30%	27%	26%
Large print books	16%	12%	16%	17%	17%	19%	15%	18%	46%
Board books and picture books for small children	37%	27%	44%	48%	37%	33%	43%	38%	59%
Books for school-aged children	53%	33%	46%	72%	58%	50%	60%	43%	66%
Books for teens	55%	75%	52%	52%	42%	23%	61%	69%	62%
Graphic novels/manga	29%	51%	39%	20%	9%	5%	32%	45%	28%
Magazines and newspapers	14%	13%	11%	12%	17%	24%	12%	16%	34%
Audiobooks on CD	15%	9%	12%	17%	23%	19%	14%	13%	28%
DVDs	15%	7%	16%	15%	16%	10%	15%	21%	12%

Thinking about books, what format or formats do you prefer? Please select your top two choices.

The results are clear here: print books are still an overwhelming preference, followed by e-books, which are preferred consistently by 42% - 52% of all population sectors.

Nonetheless, downloadable audio is generally preferred over audiobooks on CD (with 18 – 24-year-olds being the exception).

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Print book	93%	90%	99%	96%	94%	90%	95%	89%	75%
E-book	43%	43%	43%	43%	42%	44%	42%	44%	52%
Audiobook on CD	14%	12%	10%	43%	18%	18%	12%	13%	28%
Downloadable audiobook	32%	33%	29%	33%	32%	25%	33%	37%	32%

What is your favorite way to watch video content (movies, TV series, documentaries, etc.)?

Among all groups, downloading is by far the most popular way to watch video. While at least twice as many people in each group expressed a preference for DVDs over Blu-Rays, all these percentages are relatively low, indicating (as with audiobooks on CD) that these formats are dwindling in popularity as more and more people turn to downloadable options.

	English survey (all)	17 and under	18–24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Downloadable	73%	71%	79%	79%	70%	53%	76%	71%	52%
DVDs	15%	17%	9%	11%	15%	28%	13%	16%	10%
Blu-Ray	6%	6%	4%	6%	6%	4%	5%	6%	3%
I don't watch video.	5%	4%	6%	3%	6%	15%	5%	6%	5%

What is your preferred reading language?

	English survey (all)	17 and under	18–24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
English	94%	93%	91%	95%	97%	99%	94%	83%	15%
Spanish	3%	4%	5%	3%	1%	0%	3%	11%	66%
Other	3%	3%	4%	2%	2%	2%	3%	6%	19%

When you watch a video/movie, what language do you prefer?

	English survey (all)	17 and under	18–24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
English	93%	88%	92%	94%	97%	96%	92%	74%	17%
Spanish	4%	7%	4%	3%	2%	0%	5%	19%	61%
Other	3%	5%	4%	2%	1%	3%	3%	8%	21%

For both these questions, many respondents wrote in “Both English and Spanish” in the comment section; other languages mentioned include Arabic, Japanese, Italian, Urdu, Punjabi, Filipino and Tagalog.

More Spanish survey takers prefer to read in Spanish than watch video in Spanish (66% vs. 61%), while the preferences of English survey takers are reversed. 19% prefer to watch video in Spanish but only 11% prefer to read in Spanish.

When the new library opens, it will include increased seating. How important are the following options to you?

Consistently, over 90% of each group rank “a dedicated quiet area for reading and study” as important or very important. This finding is consistent with multiple comments from focus group participants. Individual study desks are also highly prioritized. Note that a higher

percentage of Spanish survey takers prioritized all types of seating options than other sectors.

Important/Very Important	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Lounge (armchair) seating	70%	73%	75%	74%	63%	53%	73%	76%	78%
Individual study desks	84%	86%	88%	87%	80%	75%	86%	87%	90%
Group table seating	70%	75%	78%	72%	63%	54%	72%	73%	91%
A dedicated quiet area for reading and study	92%	90%	96%	94%	92%	92%	93%	92%	94%
Private study rooms (1 – 4 people)	74%	79%	84%	76%	64%	58%	76%	83%	86%

The new library will also include improved areas for children and teens. How important are each of the following options to you?

In addition to underscoring the preference for individual desks indicated in the previous question, these results also indicate high interest in group table seating for children and teens, as well as for a storytelling area. Once again, Spanish survey takers expressed relatively higher interest in all amenities and seating options for children and teens.

Important/Very Important	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Lounge (armchair) seating	70%	78%	73%	73%	58%	47%	74%	76%	80%
Individual study desks	82%	83%	83%	84%	83%	72%	84%	83%	92%
Group table seating	80%	80%	88%	82%	79%	68%	82%	82%	88%
Dedicated storytelling area	81%	65%	83%	92%	89%	85%	82%	73%	88%
Inside play area for small children	65%	62%	68%	75%	56%	58%	69%	69%	86%

Thinking about the new library, which of the following amenities are of interest to you? Select all that apply.

Amenities and programs of greatest interest to most population sectors include arts and crafts programs, homework help, storytimes and a business center. Contrary to the higher interest in seating and youth amenities that was demonstrated in earlier questions, Spanish survey takers expressed a lower interest in these programming options and general amenities than did English survey takers.

A library café was of relatively high interest to those 17 – 24 but was a relatively low priority for other groups. Space for community meetings also ranked as a relatively low priority by most groups.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Storytimes	64%	44%	64%	80%	71%	60%	67%	56%	58%
Cultural events	60%	48%	74%	67%	61%	60%	59%	58%	55%
Arts and crafts programs	70%	67%	74%	82%	62%	39%	76%	74%	57%
Technology classes	54%	47%	52%	56%	60%	58%	53%	51%	53%
Homework help	67%	65%	69%	72%	67%	50%	72%	69%	58%
Cooking classes	48%	56%	55%	50%	35%	27%	52%	55%	50%
Community meetings	35%	22%	41%	40%	45%	45%	32%	27%	42%
Café	55%	64%	65%	57%	39%	30%	58%	59%	40%
Business center (faxing, copying, printing)	60%	45%	72%	71%	64%	61%	60%	60%	47%

The new library will include meeting rooms of varying sizes. How important are each of the following to you?

In general, the smaller the meeting room, the higher the percentage of people who felt it was important or very important. Consistent with earlier results, a higher percentage of Spanish survey respondents indicated that each option was important or very important.

Important/Very Important	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Private study rooms (1 – 4 people)	80%	86%	84%	81%	74%	63%	83%	85%	87%
Small conference room (8 – 12 people)	65%	71%	62%	63%	64%	59%	67%	70%	85%
Medium conference room (up to 25 people)	51%	54%	43%	51%	47%	63%	52%	53%	72%
Small meeting room (up to 50 people)	44%	46%	41%	45%	41%	49%	46%	45%	70%
Medium meeting room (50 – 100 people)	38%	40%	38%	37%	36%	37%	38%	37%	65%
Large meeting room (up to 175 people)	34%	36%	36%	34%	28%	31%	37%	35%	55%

Thinking about the outdoor space at the new library, what amenities would be of interest to you? Check all that apply.

Not surprisingly, outdoor seating is the most popular choice, followed by picnic tables (another form of seating). Those aged 17 – 24 have the highest interest in food vendors, and most groups would be interested in a community garden.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Seating	80%	78%	81%	80%	82%	79%	79%	80%	67%
Picnic tables	71%	75%	85%	75%	59%	45%	75%	75%	52%
Community garden	63%	61%	71%	67%	63%	51%	65%	66%	65%
Play area	57%	51%	55%	68%	54%	51%	63%	57%	69%
Stage	40%	31%	43%	47%	44%	37%	40%	36%	43%
Area for library or community programs	54%	39%	52%	63%	62%	29%	53%	45%	57%
Space for food vendors	56%	75%	69%	51%	40%	29%	61%	71%	39%

The library offers free and fast Wi-Fi and access to computers. Please tell us about your Wi-Fi and technology needs.

Within all groups, a high percentage of respondents are interested in using their own devices at the library. In addition, a significant portion of the respondents in each category are interested in using the library's technology while at the library. Survey respondents express lower interest in checking out library devices or Wi-Fi hotspots to use at home.

Note that a lower percentage of Spanish survey takers indicate they bring in their own devices, and a higher percentage indicate interest in all the other options, particularly Wi-Fi hotspots.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
I have my own device and I would like to use the library's free Wi-Fi service for internet access.	79%	76%	90%	83%	75%	70%	79%	77%	66%
I would like to use library technology devices while visiting the library	45%	56%	47%	42%	34%	28%	47%	56%	70%
I would like to be able to check out library technology devices for use at home.	24%	27%	30%	24%	18%	18%	24%	32%	47%
I would like to be able to check out a Wi-Fi hotspot for use at home.	22%	20%	31%	24%	18%	12%	22%	25%	47%
I do not use library Wi-Fi.	10%	7%	2%	8%	16%	24%	7%	7%	9%

The new library will include opportunities to use current and emergent technology. How important are each of the following options to you?

Consistent with high interest expressed in previous question for using library devices, survey respondents across the board indicated that desktop computers are important or very important. Desktop computers are followed in popularity by laptops and smaller devices.

Makerspaces are a relatively high priority for those aged 17 – 24, those in households with children under 18, English survey takers who speak Spanish at home, and Spanish survey takers. Gaming is of relatively low interest to all age groups, including teenagers.

Important/Very Important	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Desktop computer	87%	91%	91%	85%	83%	82%	88%	90%	92%
Laptop	76%	85%	78%	73%	68%	66%	78%	82%	87%
Mobile computing devices (such as iPad, Chromebook)	71%	79%	65%	69%	66%	60%	73%	79%	83%
Gaming system (such as X Box, PlayStation, Nintendo)	30%	45%	35%	24%	14%	11%	32%	39%	40%
PC gaming	29%	48%	33%	21%	14%	10%	31%	42%	49%
A place to try new and emerging technologies, (such as Virtual Reality, Augmented Reality, “smart” devices, and others)	52%	66%	49%	45%	46%	42%	52%	65%	74%
A place to make things using technology (video production and editing, sound recording and production, 3D design and printing, sewing machines and others)	66%	77%	75%	63%	58%	48%	68%	77%	88%

Many libraries now feature areas called makerspaces to give community members the opportunity to gather and create things. Thinking about a potential makerspace, what would be of interest to you?

Results from different groups show pretty clear preferences across the board for three types of makerspaces: high tech (3D printing/design), media and papercrafts, indicating relatively lower interest in other options.

Those 65+ expressed the least amount of overall interest in makerspaces but were most interested in a media makerspace. Conversely, a higher percentage Spanish survey takers expressed interest in most options than did English survey takers.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
A high-tech makerspace that has 3D printing and design capabilities and other high-tech items	56%	61%	64%	57%	52%	28%	58%	56%	65%
A makerspace that helps develop robotics and programming skills	41%	39%	42%	46%	42%	32%	43%	39%	55%
A media makerspace that supports recording and editing video, audio (such as podcasts) and recording music	57%	58%	66%	57%	57%	42%	58%	56%	59%
A makerspace that offers tools and space for repairing electronics and small machines	39%	40%	43%	42%	36%	24%	42%	40%	53%
A makerspace that offers papercrafts, scrapbooking materials and similar activities	54%	55%	59%	60%	47%	29%	56%	60%	68%
A makerspace that offers quilting and sewing opportunities	42%	38%	53%	47%	41%	27%	44%	40%	51%
I'm not interested in a makerspace.	16%	14%	10%	14%	18%	36%	13%	17%	10%

What sort of help would you like the library to provide: how to use computers, mobile devices, and online resources?

For all groups (even youth), the most frequently desired type of tech support was help with basic computer skills. Help with using computer applications followed (except for those 18 and under) and there was also significant interest expressed in learning about the library's databases as well as security and privacy. Over half of Spanish survey takers were interested in learning how to set up their home networks—double the frequency of any slices of the English survey takers.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Help with basic computer skills	60%	56%	65%	63%	58%	55%	59%	63%	81%
Learn how to use computer applications (such as word processing, spreadsheets, and e-mail)	58%	41%	70%	69%	63%	56%	59%	48%	66%
Learn how to navigate social media	25%	27%	24%	21%	25%	31%	24%	26%	34%
Learn how to set up my home network	23%	23%	26%	21%	25%	20%	23%	21%	57%
Learn more about computer security and privacy and how to stay safe online	51%	51%	50%	48%	51%	62%	51%	53%	37%
Learn more about all the library's free online resources	53%	41%	57%	58%	63%	57%	51%	46%	56%

If you have not been a library user in the past, why not? (Select all that apply)

The goal of this question was to identify impediments that community members experience in relationship to using the library. Parking and transportation appear to be universal challenges, inhibiting relatively high percentages of teens, young adults, and Spanish speakers. A large percentage of teens express a lack of time to visit the library.

Even though Spanish survey takers indicated they were library users at the same frequency as English survey takers (54%), other responses by Spanish survey takers indicate that they experience exponentially higher barriers to library use than those who took the English survey (which includes Anglos and bilingual Latinos.):

- 26% indicated that library hours are inconvenient, compared to 5% of the English survey takers.
- 24% say they find what they need on the Internet, compared to 8% of English survey takers.
- 22% indicated the library doesn't offer what they want or need, compared to 10% of English survey takers.
- 9% expressed concerns about fines, compared to 2 – 3 % of English survey takers.
- 9% of Spanish survey takers and 8% of English survey takers who speak Spanish at home indicated that they don't feel welcome at the library, compared to 3% of English speaking/English survey takers.

	English survey (all)	17 and under	18 –24	25–44	45–64	65+	Children under 18 in HH	Speak Spanish at home	Spanish survey (all)
Not applicable/I am a library user.	54%	35%	57%	67%	65%	57%	54%	39%	54%
Library hours were inconvenient.	5%	5%	7%	5%	5%	1%	4%	8%	26%
The library didn't offer anything I want or need.	10%	12%	17%	9%	5%	3%	10%	12%	22%
Parking or transportation was a challenge.	14%	18%	19%	9%	12%	13%	15%	19%	21%
The library's location was not convenient.	7%	11%	8%	4%	5%	7%	7%	9%	15%
I didn't feel welcome at the library.	3%	4%	5%	2%	3%	2%	3%	5%	9%
I have unpaid fines.	2%	3%	1%	4%	1%	0%	3%	2%	9%
I didn't want to incur fines.	3%	3%	1%	4%	1%	1%	3%	3%	9%
I can find what I need on the internet.	8%	9%	6%	6%	9%	14%	8%	7%	24%
I buy the books and other materials I need.	8%	7%	5%	5%	12%	19%	6%	6%	13%
I don't have time to visit the library.	15%	31%	12%	7%	6%	7%	16%	29%	18%

These results provide the library with the opportunity to consider how the perceived barriers experienced by some Spanish speakers might be addressed.

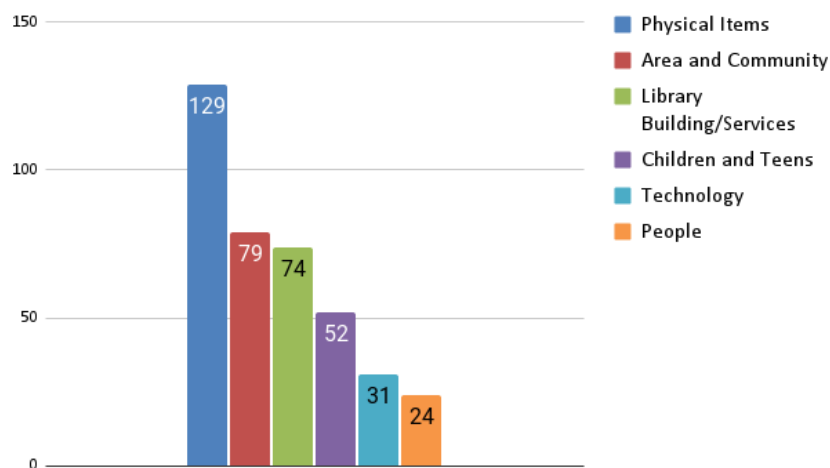
Survey Analysis: Keywords and Top Topics

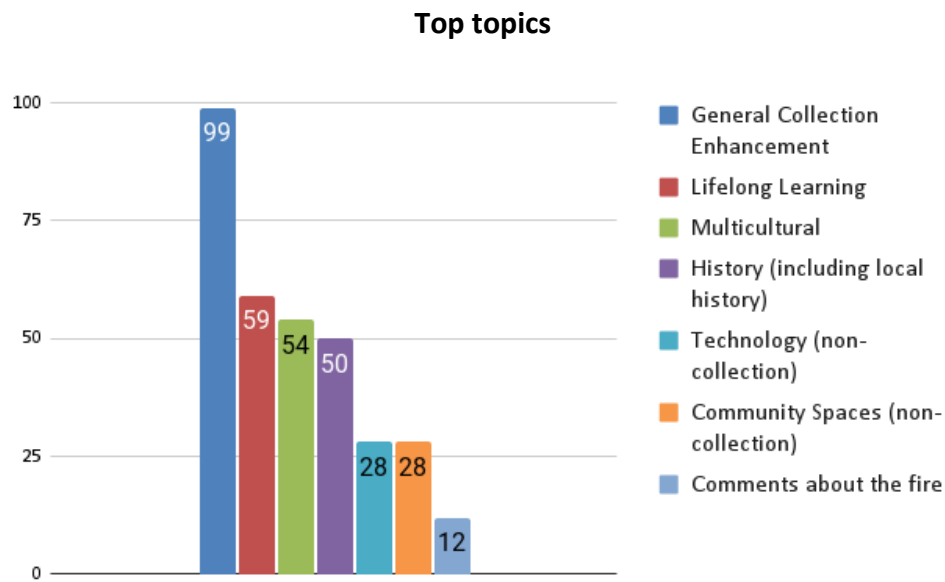
In addition to the survey analysis by community sector performed by Penny Hummel described above, Carson Block Consulting also performed a detailed two-step analysis of answers to the survey's three open-ended questions. To perform this analysis, Carson Block Consulting first ran the open-ended questions through software that identifies the most commonly used words in the survey responses. This yielded keywords that were grouped together into "trends," which in turn provided a guide to identify "top topics." The top topics that emerged were guided by the keywords but not bound by them. For example, the keyword "computer" may be utilized to express a variety of different and sometimes contradictory interests: anything from wanting to access to more library computers – or asking for less technology in general at the library. Since this insightful nuance is lost in a simple keyword analysis, the identification of top topics provides more revealing information about what the community is looking for in their new library.

Keywords and top topics for each of the survey's three open ended questions are detailed below, along with representative quotes for top topics. Collectively, these responses reflect the community's interest in a library offering the full spectrum of 21st century library services, as well as celebrating the Porterville community and local culture. Comments expressing a desire to honor those who lost their lives defending the old library as well as to ensure the safety of the new library were also common.

What else would you like to tell us about the library's collection that we haven't asked?

Keyword Trends





General Collection Enhancement (99 total comments; example comments below)

- I think there should be multiple copies of more popular books so multiple people can check these books out.
- A good amount of people I know would like to read superhero comics from Marvel or DC.
- Reference books should be high priority.
- Would like some Christian books.
- Access to music sheets and scripts for plays/musicals. More books of the arts.
- Complete sets would be nice to be able to read a series in order.
- I would like to have some books from the fantasy genre and newer ones as well.
- Would you be able to get more music CDs from more general artists and genres?
- Craft books would be nice!
- To have the different themed areas, making the reading environment like home.

Lifelong Learning (59 total comments; example comments below)

- Please include a greater variety of books for all groups as well as books in languages other than English.
- Maybe consider getting textbooks to help kids with school and their subjects.
- Would be nice to have encyclopedias and books on specific trades or hobbies.
- Would love to see finance and budgeting type books to help the community become better with their finances to help us all prosper.
- My family had loved the Porterville Library for almost 20 years. Our favorite books were always the different arts and crafts books. We love making and trying new things.
- Helping people navigate technology and becoming citizens.

- I would like to see more career help books for steps after college and true crime books for an outlook on criminal psychology.

Multicultural (54 total comments; example comments below)

- We need K-8th grade Spanish books for dual immersion students.
- A good culturally relevant selection of materials that suits our diverse community.
- It is important to have an area about Chicano, Asian, Black, Native history books and not a few books. This community is multicultural and not just white immigrants.
- I would like to read Japanese manga, such as Naruto.
- Books in Braille.

History (including local history) (50 total comments; example comments below)

- We lost a lot of historical documentation. I would like to see us replace what we can.
- Hope that the genealogy collection can be rebuilt.
- Library books should have a good array of essay and history books among those of nonfiction.
- Make an area for guest speakers and displays that can be used for teaching Porterville.
- I would like books on art and history.

Technology (non-collection) (28 total comments; example comments below)

- New popular video game show host tournaments and computer setups
- I want to be able to rent games from consoles such as the Nintendo Switch and PlayStation4 similar to the Tulare library.
- Streaming Wi-Fi and providing computer usage with printing, scanning and faxing services.
- Make a place to use computers to study, game or other stuff.

Community Spaces (28 total comments; example comments below)

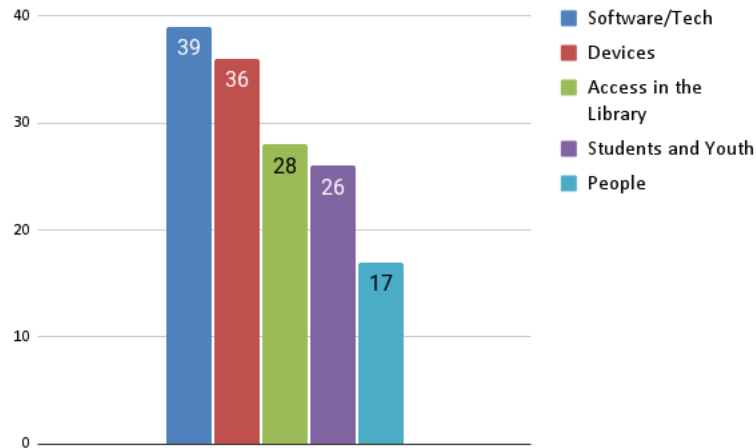
- The children's play area with stuffed toys and puppets was where I was able to interact with my children.
- It would be beneficial to have an area (outside) to have a sitting area and a small café house. An area with trees, plants, grass area, sitting benches.
- Comfortable lounging chairs to read in—to pass the time.
- It should have quiet rooms.

Comments about the fire (12 total comments; example comments below)

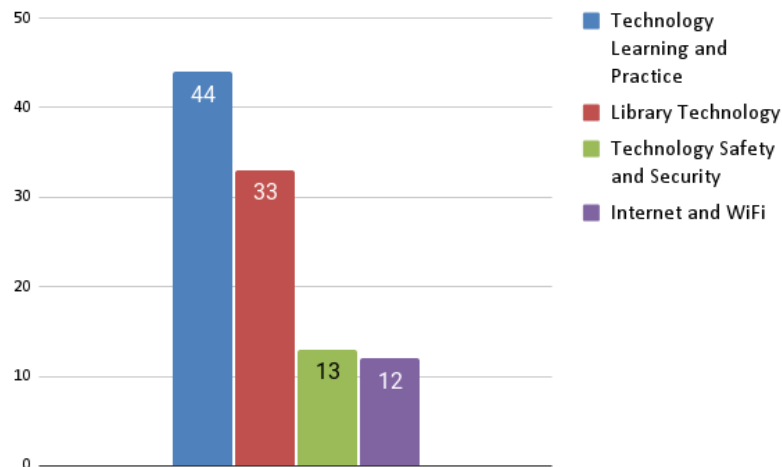
- Add a personalized lounge area in the names of our fallen firefighters.
- A memorial for the firemen lost in the fire.
- What was taken from the community goes to the very core of every child born and raised in this town for the duration of its existence.

What else would you like to share about your technology needs?

Keyword trends



Top topics



Technology Learning and Practice (44 total comments; example comments below)

- How to use our technology for school.
- I would like to learn how to set up a computer.
- Lessons and/or help for elders to navigate technology.
- Programs beyond basic computer skills such as intermediate or advanced.
- Space to create audio and video.
- Training and use of basic and advanced photoshop and photo editing programs.

Library Technology (33 total comments; example comments below)

- I would like to be able to use library desktop computers or my own laptop or iPad or phone to print from my e-mail to a library printer. I would also like to be able to use library copiers.
- My concern is the people who don't have access. We need the library to be a resource that can lift people out of poverty and join the American Dream.
- Make an area so we can charge our phones, tablets, laptops and other stuff.
- Having computers to take home to use it for homework.
- The library should be future focused with robotics and programming options.

Technology Safety and Security (13 total comments; example comments below)

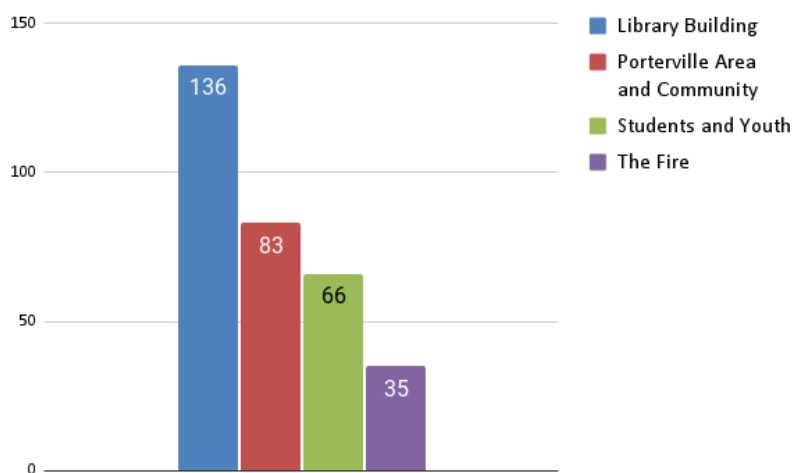
- Learn how to make my technology child safe.
- I think we should also learn about any safety hazards we can use on any devices.
- Children/teen awareness of dangers. Parental supervision and guidance to help them speak to their children of bad habits and addiction to electronics or social media.
- I would like there to be online safety courses for parents/teens, especially for Spanish speaking community.

Internet and Wi-Fi (12 total comments; example comments below)

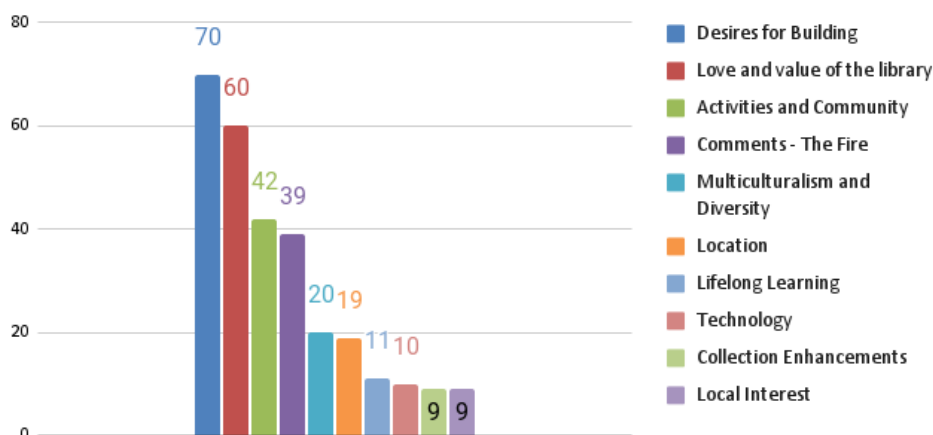
- It is important for students to be able to bring their school device and use their library's Wi-Fi.
- We need a lot of ethernet cables so each technology will have fast internet.
- I need free and fast Wi-Fi.
- Learn how to set up or fix Wi-Fi or anything like that.

Anything else you'd like to tell us that we haven't asked?

Keyword trends



Top topics



Desires for Building (70 total comments; example comments below)

- Offer a child care center to care for the children while their parents look for library materials?
- Outside playground would be amazing!
- A coffee shop outside would be loved.
- Please go big. The new library needs to be a source of community pride and serve our community for 30 – 50 years.
- I'd like the library to demonstrate energy efficiency and a green roof.
- Include a quiet area ONLY for people that have intellectual disabilities.
- Make sure quiet areas are enforced, please.
- Have some art to look at.
- Maybe keeping the children's area separate from the study rooms or quiet reading areas.
- A book drop-off and pick-up area on the west side would be helpful.

Love and Value of the Library (60 total comments; example comments below)

- I hope to see a dynamic and competitive library fit for a growing community.
- I LOVE THE LIBRARY.
- I miss the library terribly and can't wait to walk through its doors again. A town without a library is simply not complete.
- The community's support of the library following the fire only shows us how much the library meant to Porterville residents.
- I really miss the library.
- Nothing that I just miss the library! So excited to have a new library coming soon.
- When will it open?
- We loved everything about our old library but look forward to a new chapter in getting our new one up and running.

Activities and Community (42 total comments; example comments below)

- Available hours after 4/5 pm that include interactive activities with the kids.
- Movie nights maybe and partnership with the Tule River reservation, mainly the future generations, to help the youth for our future.
- Make it fun and a place that kids and teens will want to go learn and be comfortable.
- I would love to attend art classes like they have at Exeter Library.
- Bring back fitness classes to students during the summers! Just as it was done a few years back.

Comments: The Fire (39 total comments; example comments below)

- Include the READ sign that survived the fire in the new design.
- The tragic story of our library went across the country. I think people would want to see a high tech, amazingly wonderful library rise from the ashes and would put their money behind it.
- I really appreciate the response of the staff on the day we had to evacuate because of the fire. Please make sure there is an up to date alarm system and fire suppressing system in place.
- I would like to see a dedicated spot in the library for our fallen firefighters.
- I was heartbroken when it burned down.

Multiculturalism and Diversity (20 total comments; example comments below)

- I would like to see more bilingual resources.
- I would also like to suggest that you consider other languages that people speak here such as Tagalog, Russian, Urdu, Arabic and Lao.
- Judgement free environment that can make everyone feel welcome.
- The library needs to be inclusive. It needs to be accessible, safe and the people who work there able to communicate with our community members. Having this be a place where everyone feels valued is key.

Location (19 total comments; example comments below)

- I hope the city purchases a larger lot to build on and uses the old library site for other purposes. Our town has grown and we need a larger state of the art library to meet current and future needs.
- I live in Woodville, difficult for our kids to get transportation to and from Library, is there room for a mobile library?
- I want the library to stay in town.
- Having the library accessible to people of all socioeconomic backgrounds will be very vital if these resources mentioned [in the survey] will be of use.

Lifelong Learning (11 total comments; example comments below)

- I would like to see special interest classes for adults, senior citizens, community in general. In finances, real estate, Medicare, refinance, banking, etc.....?
- Would be great to offer career support services like resume and cover letter workshops, best tips for job interviews, and career coaching.

- Make sure the library offers English classes, tutoring and adult classes for reading. Author visits would also be a great idea!
- Book clubs for grandparents and grandchildren.

Technology (10 total comments; example comments below)

- I'd like the library to continue providing internet access through computers/IPads for the community.
- Build it! We need a state of the art library.
- I want them to have modern PCs.
- Evening computer classes would be good in the summer months, not in cold weather.

Collection Enhancements (9 total comments; example comments below)

- I think if there are E-books, there should also be a physical copy of that book for people who prefer physical books.
- I would love to have a library in the community where I can take my kids to show them how important reading is and it can be cool because other kids do it as well.
- We need to better our community and bring in new resources that interest our children. That way, we set a learning foundation for the real world.
- I'd like to suggest poetry books as well.

Local Interest (9 total comments; example comments below)

- I hope we can reconstruct all the historical data, pictures, etc. about Porterville. There is so much very cool history about Porterville and that loss was the most upsetting to me when our beloved library was destroyed by fire.
- It would be great to see something celebrating agriculture and education being the bridge to the American dream, as well as celebrating all cultures. Our community is very diverse and strong and everyone deserves to see a piece of their heritage.
- I loved the different glass display cases that held different and interesting collections like the display that had different stones. They were very informative.
- We would love to see the library incorporated into community events. Food vendors at the library would attract many people getting off work and just wanting a nice-safe place to relax after heading home.

Technology Assessment and Recommendations

Carson Block has prepared a separate Technology Assessment offering detailed recommendations relating to IT infrastructure, devices, and best practices. The findings and recommendations of his Technology Assessment have guided the recommendations of this general needs assessment. The following are the themes that inform the recommendations in the Technology Assessment:

- **There is tremendous community support for a new library.** The old library is dearly missed, and community members are eager to again have access to all the services and amenities that a library provides.
- **The Porterville Public Library is blessed with a tight-knit staff with close connections to patrons.** Past investments in developing a strong customer service focus have paid off and the staff's success in regrouping after the fire is truly remarkable.
- **Key technology needs include Wi-Fi/Internet access, power for recharging and learning opportunities.** The goal of the new library should be to make technology easy to use, easy to learn and maximally accessible.
- **Community members desire greater technology access and learning, with an emphasis on digital inclusion.** In an area where internet access is limited by geography and economics, the library's role in providing technology access and the skills to use tech tools and online resources is essential.
- **The library will need additional technology resources in the future to support plans, not only with respect to tech leadership and staff support, but also with respect to maintenance and management.** In order for the library to maintain the robust IT infrastructure needed to respond to community demand, adequate financial support for this infrastructure is critical.

Philosophy of Service

A successful public library today plays multiple roles in the life of the community it serves. First, it provides access to the world of learning, knowledge, and human creativity. Access to books and the printed word remains a basic library function for all age groups. As a corollary, library service to children introduces families to the joy of reading and establishes a foundation for a lifetime of reading. This role has expanded in recent years to include access to creative and informative works in many formats, including digital media and electronic content. Libraries are also a primary public gateway to online information, offering wireless and free access to the Internet.

Even as the library's role as a resource for physical and digital media continues to be important, its traditional role as a community destination and gathering place is also evolving and expanding. The public library serves as the community's principal place for solitary reading and study as well as a venue for collaboration and group interaction. Book discussion groups, storytimes and teen tech nights are a few examples of the multitude of educational and social community events that draw significant participation. The library facility can and should offer residents a safe, and comfortable place to be. This can be a sanctuary for solitary reflection, a quiet workspace in which to complete a school assignment or a social space for connecting with peers. To perform these roles, the library needs appropriate space – for collections, for people, for programming and for functional operations.

In addition, the onset of COVID-19 in early 2020 has radically changed how public libraries are providing services. Now that public libraries are reopening (as of mid-2021) after a year of

providing very restricted access, the “new normal” will be different than what it once was. With recent experience of a global pandemic in mind, library spaces should be configured with maximum flexibility to adapt should a similar health crisis emerge in the future.

The people of Porterville have experienced two challenges in rapid succession: the sudden and complete destruction of their beloved public library, followed by over a year of individual and collective isolation caused by a global pandemic. The loss of the library, as well as the loss of lives of those who attempted to save it, has left a hole in the heart of the community.

In response, the new Porterville Public Library should be designed to spark curiosity, connection, and joy. The new library should celebrate the unique characteristics of Porterville, presenting a culturally vibrant space that is welcoming and engaging to all. By integrating traditional library services with newer offerings that have emerged in our digitally connected 21st century world, the new Porterville Public Library will provide a game-changing opportunity to support lifelong learning, civic engagement, and community pride.

Library Program

A detailed library program accompanies this narrative report. The program is a series of six interrelated spreadsheets that detail the contents of the library:

- *Summary*: a summary of the proposed spaces and needed square footage
- *Detail*: description of each element included in each proposed space
- *Shelving*: the types of shelving proposed for each part of the collection, as well as other assumptions regarding shelving (percentage of each collection on the shelf, number of items that fit on one linear foot of shelving, etc.)
- *Seating*: the types and quantities of public seats for the public throughout the building
- *Computers and Equipment*: computers and other public access equipment

For the proposed Porterville Library, 70% of the building footprint is estimated to be used for the components of the library that are programmable or subject to choice (shelving, furniture, computers, desks, etc.). The remaining 30% is considered unassignable space or gross square footage, utilized for necessary components such as bathrooms, hallways, mechanical spaces, wall thicknesses and other necessary building elements. Thus, since the programmed space in this plan for the new Porterville Public Library is 27,718 square feet, at 70% efficiency the total (gross) square feet is 39,597 square feet.

It should be noted that this estimate of the library's needed square footage smaller than that provided in the 2009 Page + Moris library study (48,250 – 53,000 square feet) due to a lower estimated future population (2009 study: 90,400 people in 2030 vs. 2021 study: 70,124 people in 2041). That said, the current recommendation falls within the guidelines established by the Porterville 2030 General Plan, which recommends .5 to 1.0 square feet of library space per capita.

Porterville Public Library Program

		Total Net Assignable Square Feet:		27,718
		Total Gross Square Feet @70% Efficiency:		39,597
Code	General Area	Specific Area	SF	In GSF
Public Areas				
1.02	Public Areas	Lobby	457	IN GSF
1.04	Public Areas	Café	508	
1.06	Public Areas	Restrooms	-	IN GSF
1.08	Public Areas	Service Desk	182	
1.10	Public Areas	Express Checkout	114	
1.12	Public Areas	Business Center	314	
1.16	Public Areas	Public Access Computers	799	
1.18	Public Areas	New Materials	96	
1.20	Public Areas	Media	348	
	Total		2,818	
Adult Services				
2.02	Adult Services	Adult Fiction	2,044	
2.04	Adult Services	Adult Nonfiction	2,687	
2.06	Adult Services	Large Print	216	
2.08	Adult Services	Quiet Reading Area	1,002	
2.10	Adult Services	Adult Learning Center	532	
	Total		6,481	
Youth Services				
3.02	Youth Services	Family Space	2,747	
3.04	Youth Services	Family Restroom	-	IN GSF
3.06	Youth Services	Mother's Room	100	
3.08	Youth Services	Children's Library	4,288	
3.10	Youth Services	Teenspace	1,668	
	Total		8,803	
Meeting Areas				
4.02	Meeting Areas	Small Study Room A (2 seat)	80	
4.04	Meeting Areas	Small Study Room B (2 seat)	80	
4.06	Meeting Areas	Small Study Room C (2 seat)	80	
4.08	Meeting Areas	Small Study Room D (2 seat)	80	
4.10	Meeting Areas	Small Study Room E (4 seat)	120	
4.12	Meeting Areas	Small Study Room F (4 seat)	120	
4.14	Meeting Areas	10 - 12 Person Meeting Room	300	
4.16	Meeting Areas	Dividable 150 Person Meeting Room	2,386	
4.18	Meeting Areas	Meeting Room Storage	400	
4.20	Meeting Areas	Creation Space	582	
4.22	Meeting Areas	Media Lab	200	
4.24	Meeting Areas	Learning Kitchen	1,482	
	Total		5,910	
Staff Areas				
5.02	Staff Areas	Library Director's Office	200	
5.04	Staff Areas	Library Supervisor 2 Office	100	

Porterville Public Library Program

Code	General Area	Specific Area	SF	In GSF
5.06	Staff Areas	Library Supervisor 1 Office	100	
5.10	Staff Areas	Staff Workstations	548	
5.14	Staff Areas	Technical Services	696	
5.16	Staff Areas	Youth Services	497	
5.20	Staff Areas	Circulation	458	
5.22	Staff Areas	Staff Lounge	458	
5.24	Staff Areas	Wellness Room	100	
5.26	Staff Areas	Staff Restrooms	-	IN GSF
	Total		3,157	
Support Areas				
6.02	Support Areas	Storage and Supply Room	400	
6.04	Support Areas	Janitorial Closet	49	
6.06	Support Areas	Telecommunications Room	100	
	Total		549	
Outdoor Areas				
7.02	Outdoor Areas	Outside seating	-	IN GSF
7.04	Outdoor Areas	Outside programming area	-	IN GSF
7.06	Outdoor Areas	Garden	-	IN GSF
7.08	Outdoor Areas	Vendor Area	-	IN GSF
	Total		-	
Grand Total			27,718	

Detail

Porterville Public Library Program

				Total Net Assignable Square Feet:			27,718
				Total Gross Square Feet @ 70% Efficiency:			39,597
Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
1.02	Public Areas	Lobby	unassigned square footage	1	space	200	200
1.02	Public Areas	Lobby	floor mats, with minimum 16' walk-off length	GSF			IN GSF
1.02	Public Areas	Lobby	security gates	1	unit	10	10
1.02	Public Areas	Lobby	donor recognition display	1	unit	0	0
1.02	Public Areas	Lobby	flat screen monitor, wall mounted	1	unit	0	0
1.02	Public Areas	Lobby	2 person bench (2' x 6')	2	bench	13	26
1.02	Public Areas	Lobby	community information display unit, wall, mounted, with brochures and racks, bulletin board, storage below. 4' x 4' x 1.25	2	section	16	32
1.02	Public Areas	Lobby	display case, glass enclosed, wall mounted (6' w x 2' deep)	1	unit	30	30
1.02	Public Areas	Lobby	firefighter memorial	1	space	150	150
1.02	Public Areas	Lobby	restrooms	GSF	restroom		IN GSF
1.02	Public Areas	Lobby	drinking fountain/bottle refiller	1	unit	9	9
Lobby Total							457
1.04	Public Areas	Café	café counter, triple sinks, cupboards	1	area	240	240
1.04	Public Areas	Café	condiments table 4' x 2'	1	table	16	16
1.04	Public Areas	Café	4 person circular café tables (3)	12	seats	21	252
Café Total							508
1.06	Public Areas	Restrooms	main floor restrooms	GSF	restroom		IN GSF
Restrooms Total							0
1.08	Public Areas	Service Desk	2 staff counter positions w/ wkstns	2	position	50	100
1.08	Public Areas	Service Desk	cash register, behind counter	1	machine	12	12
1.08	Public Areas	Service Desk	book trucks	2	trucks	8	16
1.08	Public Areas	Service Desk	shelving, wall mounted, behind desk	2	section	12	24
1.08	Public Areas	Service Desk	display of library handouts, built into desk	1	unit	6	6
1.08	Public Areas	Service Desk	queuing space	4	people	6	24
1.08	Public Areas	Service Desk	flat screen monitor, wall mounted	1	monitor	0	0
Service Desk Total							182
1.10	Public Areas	Express Checkout	self check machines	3	machine	10	30
1.10	Public Areas	Express Checkout	shelving for holds (66")	5	section	12	60
1.10	Public Areas	Express Checkout	queuing space	4	people	6	24
Express Checkout Total							114
1.12	Public Areas	Business Center	copy machine, standard	1	machine	64	64
1.12	Public Areas	Business Center	debit card dispenser, change machine	1	machine	4	4
1.12	Public Areas	Business Center	cabinet with work counter and equipment	1	cabinet	16	16
1.12	Public Areas	Business Center	scanner	1	scanner	30	30
1.12	Public Areas	Business Center	fax machine	1	unit	100	100
1.12	Public Areas	Business Center	Friends of the Library sale area, book trucks	1	area	100	100
Business Center Total							314
1.16	Public Areas	Public Access Computers	computer workstations, sitdown	18	computer	35	630
1.16	Public Areas	Public Access Computers	computer with assistive technology	1	computer	40	40
1.16	Public Areas	Public Access Computers	catalog workstation	1	catalog	35	35
1.16	Public Areas	Public Access Computers	networked printer/print release station	1	printer	24	24
1.16	Public Areas	Public Access Computers	perch with moveable service desk	1	unit	70	70
Public Access Computers Total							799
1.18	Public Areas	New Materials	shelving for rental books (66")				12
1.18	Public Areas	New Materials	shelving for new English adult books (66")				60
1.18	Public Areas	New Materials	shelving for new Spanish adult books (66")				12
1.18	Public Areas	New Materials	shelving for new adult DVDs (66")				12
New Materials Total							96

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
1.20	Public Areas	Media	shelving for adult English DVDs (66")				312
1.20	Public Areas	Media	shelving for adult Spanish DVDs (66")				36
Media Total							348
2.02	Adult Services	Adult Fiction	shelving for adult English fiction (66")				480
2.02	Adult Services	Adult Fiction	shelving for adult English genre fiction (66")				240
2.02	Adult Services	Adult Fiction	shelving for adult Spanish fiction (66")				72
2.02	Adult Services	Adult Fiction	online catalog @ stack end	2	catalog	16	32
2.02	Adult Services	Adult Fiction	lounge seats (12)	12	seats	35	420
2.02	Adult Services	Adult Fiction	occasional tables @lounge chairs	12	table		0
2.02	Adult Services	Adult Fiction	1 person table (16)	16	seats	25	400
2.02	Adult Services	Adult Fiction	2 person table (8)	16	seats	25	400
Adult Fiction Total							2,044
2.04	Adult Services	Adult Nonfiction	shelving for adult English biography (66")				432
2.04	Adult Services	Adult Nonfiction	shelving for adult English nonfiction (66")				480
2.04	Adult Services	Adult Nonfiction	shelving for Spanish NF, biography (66")				60
2.04	Adult Services	Adult Nonfiction	shelving for local history (66")				48
2.04	Adult Services	Adult Nonfiction	digital microfiche/microfilm reader	1	unit	35	35
2.04	Adult Services	Adult Nonfiction	display case, glass enclosed, wall mounted (6' w x 2' deep)	1	unit	30	30
2.04	Adult Services	Adult Nonfiction	online catalog @ stack end	2	catalog	16	32
2.04	Adult Services	Adult Nonfiction	lounge seats (12)	12	seats	35	420
2.04	Adult Services	Adult Nonfiction	occasional tables @lounge chairs	12	table		0
2.04	Adult Services	Adult Nonfiction	1 person table (18)	18	seats	25	450
2.04	Adult Services	Adult Nonfiction	2 person table (10)	20	seats	25	500
2.04	Adult Services	Adult Nonfiction	4 person table (2)	8	seats	25	200
Adult Nonfiction Total							2,687
2.06	Adult Services	Large Print	shelving for English large print (66")				216
Large Print Total							216
2.08	Adult Services	Quiet Reading Area	shelving for newspapers, free pubs. (66")				12
2.08	Adult Services	Quiet Reading Area	lounge seats	14	seats	35	490
2.08	Adult Services	Quiet Reading Area	occasional tables @lounge chairs	14	table		0
2.08	Adult Services	Quiet Reading Area	1 person table (20)	20	seats	25	500
Quiet Reading Area Total							1,002
2.10	Adult Services	Adult Learning Center	workstation for literacy coordinator	1	wkstn	64	64
2.10	Adult Services	Adult Learning Center	workstation for literacy volunteer	1	wkstn	50	50
2.10	Adult Services	Adult Learning Center	shelving for ALC collection (66")				48
2.10	Adult Services	Adult Learning Center	storage cabinets for ALC materials (3' wide x 1.5' deep)	5	cabinet	14	70
2.10	Adult Services	Adult Learning Center	2 person table (6)	12	seats	25	300
Adult Learning Center Total							532
3.02	Youth Services	Family Space	area for play/interactive feature	1	space	100	100
3.02	Youth Services	Family Space	cabinet for puzzle and toy storage	1	unit	15	15
3.02	Youth Services	Family Space	stroller parking	4	strollers	6	24
3.02	Youth Services	Family Space	shelving for easy English board books				192
3.02	Youth Services	Family Space	shelving for English picture books (45")				624
3.02	Youth Services	Family Space	shelving for Easy 1-2-3, A-B-C, Holiday, Caldecotts				156
3.02	Youth Services	Family Space	shelving for easy Spanish board books				60
3.02	Youth Services	Family Space	shelving for Spanish picture books (45")				624
3.02	Youth Services	Family Space	shelving for Easy! I Can Read (45")				312
3.02	Youth Services	Family Space	sit-down early learning station	4	computer	25	100
3.02	Youth Services	Family Space	lounge seats (12)	12	seats	35	420
3.02	Youth Services	Family Space	occasional tables @lounge chairs				0
3.02	Youth Services	Family Space	4 place round toddler table (2)	8	seats	15	120

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
Family Space Total							2,747
3.04	Youth Services	Family Restroom	family restroom	GSF			IN GSF
Family Restroom Total							0
3.06	Youth Services	Mother's Room	Nursing/lactation room	1	room	100	100
Mother's Room Total							100
3.08	Youth Services	Children's Library	perch with moveable service desk	1	unit	70	70
3.08	Youth Services	Children's Library	display case, glass enclosed, wall mounted (6' w x 2' deep)	2	unit	30	60
3.08	Youth Services	Children's Library	art installation	1	unit	100	100
3.08	Youth Services	Children's Library	shelving for juvenile rental books				12
3.08	Youth Services	Children's Library	shelving for juvenile Eng. new books (66")				84
3.08	Youth Services	Children's Library	shelving for juvenile Span. new books (66")				36
3.08	Youth Services	Children's Library	shelving for juvenile Eng. Fiction (66")				708
3.08	Youth Services	Children's Library	shelving for juvenile Span. fiction (66")				144
3.08	Youth Services	Children's Library	shelving for juvenile graphic novels (66")				108
3.08	Youth Services	Children's Library	shelving for juvenile Eng. nonfiction (66")				756
3.08	Youth Services	Children's Library	shelving for juvenile Span. nonfiction (66")				372
3.08	Youth Services	Children's Library	shelving for juvenile Eng. biography (66")				36
3.08	Youth Services	Children's Library	shelving for juvenile Span. biography (66")				24
3.08	Youth Services	Children's Library	shelving for juvenile DVDs (66")				36
3.08	Youth Services	Children's Library	computer workstations, sitdown	4	wkstn	35	140
3.08	Youth Services	Children's Library	online catalog @ stack end	2	catalog	6	12
3.08	Youth Services	Children's Library	self check machine	1	machine	10	10
3.08	Youth Services	Children's Library	lounge seats (8)	8	seats	35	280
3.08	Youth Services	Children's Library	occasional tables @ lounge chairs				0
3.08	Youth Services	Children's Library	1 person table (6)	6	seats	25	150
3.08	Youth Services	Children's Library	2 person table (11)	22	seats	25	550
3.08	Youth Services	Children's Library	4 person table (6)	24	seats	25	600
Children's Library Total							4,288
3.10	Youth Services	Teenspace	shelving for new books, rentals (66")				12
3.10	Youth Services	Teenspace	shelving for YA fiction (66")				120
3.10	Youth Services	Teenspace	shelving for YA graphic novels (66")				108
3.10	Youth Services	Teenspace	shelving for YA nonfiction, biography (66")				36
3.10	Youth Services	Teenspace	lounge seats (12)	12	seats	35	420
3.10	Youth Services	Teenspace	1 person table (8)	8	seats	25	200
3.10	Youth Services	Teenspace	2 person table (4)	8	seats	25	200
3.10	Youth Services	Teenspace	4 person table (4)	16	seats	25	400
3.10	Youth Services	Teenspace	computer workstations, sitdown	4	wkstn	35	140
3.10	Youth Services	Teenspace	online catalog @ stack end	2	catalog	16	32
Teenspace Total							1,668
4.02	Meeting Areas	Small Study Room A (2 seat)	1 - 2 person study/meeting room	2	seats	40	80
Small Study Room A (2 seat) Total							80
4.04	Meeting Areas	Small Study Room B (2 seat)	1 - 2 person study/meeting room	2	seats	40	80
Small Study Room B (2 seat) Total							80
4.06	Meeting Areas	Small Study Room C (2 seat)	1 - 2 person study/meeting room	2	seats	40	80
Small Study Room C (2 seat) Total							80
4.08	Meeting Areas	Small Study Room D (2 seat)	1 - 2 person study/meeting room	2	seats	40	80
Small Study Room D (2 seat) Total							80
4.10	Meeting Areas	Small Study Room E (4 seat)	4 person study/meeting room	4	seats	30	120
Small Study Room E (4 seat) Total							120
4.12	Meeting Areas	Small Study Room F (4 seat)	4 person study/meeting room	4	seats	30	120
Small Study Room F (4 seat) Total							120
4.14	Meeting Areas	10 - 12 Person Meeting Room	10 - 12 person meeting room	12	seats	25	300
4.14	Meeting Areas	10 - 12 Person Meeting Room	digital projector, ceiling mounted	1	unit	0	0

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
4.14	Meeting Areas	10 - 12 Person Meeting Room	large screen video monitors, wall mounted	3	monitor	0	0
10 - 12 Person Meeting Room Total							300
4.16	Meeting Areas	Dividable 150 Person Meeting Room	150 person meeting room, dividable into three rooms	150	seats	15	2,250
4.16	Meeting Areas	Dividable 150 Person Meeting Room	large screen video monitor, wall mounted	3	monitor	0	0
4.16	Meeting Areas	Dividable 150 Person Meeting Room	digital projector, ceiling mounted	3	unit	0	0
4.16	Meeting Areas	Dividable 150 Person Meeting Room	podium	1	podium	6	6
4.16	Meeting Areas	Dividable 150 Person Meeting Room	A/V rack	1	unit	10	10
4.16	Meeting Areas	Dividable 150 Person Meeting Room	kitchenettes for all three sections	3	kitchenette	40	120
Dividable 150 Person Meeting Room Total							2,386
4.18	Meeting Areas	Meeting Room Storage	chair dollies	8	dollies	7	56
4.18	Meeting Areas	Meeting Room Storage	space for tables (nesting)	20	table	6	120
4.18	Meeting Areas	Meeting Room Storage	unassigned square footage	1	space	224	224
Meeting Room Storage Total							400
4.20	Meeting Areas	Creation Space	counter, 12' x 2' with cabinets above, below	1	counter	60	60
4.20	Meeting Areas	Creation Space	4 person tables (5)	20	seats	25	500
4.20	Meeting Areas	Creation Space	flat screen monitor, wall mounted	1	monitor	0	0
4.20	Meeting Areas	Creation Space	laptop storage/recharging station	1	unit	12	12
4.20	Meeting Areas	Creation Space	mobile A/V cart	1	cart	10	10
Creation Space Total							582
4.22	Meeting Areas	Media Lab	computer stations	4	wkstn	35	140
4.22	Meeting Areas	Media Lab	counter, 12' x 2' with equipment	1	counter	60	60
Media Lab Total							200
4.24	Meeting Areas	Learning Kitchen	commercial/teaching kitchen (burners, convection ovens, grill top, walk in refrigerator, reach-in refrigerators, freezer drawer, ice maker, scullery, large classroom prep table)	1	kitchen	1050	1,050
4.24	Meeting Areas	Learning Kitchen	high stainless steel work tables for class participants (6)	24	seats	18	432
Learning Kitchen Total							1,482
5.02	Staff Areas	Library Director's Office	desk, computer workstation, printer, file cabinet, table with four chairs	1	office	200	200
Library Director's Office Total							200
5.04	Staff Areas	Library Supervisor 2 Office	desk, computer workstation, printer, file cabinet, guest chair	1	office	100	100
Library Supervisor 2 Office Total							100
5.06	Staff Areas	Library Supervisor 1 Office	desk, computer workstation, printer, file cabinet, guest chair	1	office	100	100
Library Supervisor 1 Office Total							100
5.10	Staff Areas	Staff Workstations	workstation for IT/outreach coordinator	1	wkstn	100	100
5.10	Staff Areas	Staff Workstations	workstation for adult services coordinator	1	wkstn	64	64
5.10	Staff Areas	Staff Workstations	workstations for part time staff	6	wkstn	64	384
Staff Workstations Total							548
5.14	Staff Areas	Technical Services	workstation for tech services coordinator	1	wkstn	64	64
5.14	Staff Areas	Technical Services	workstation for tech services volunteer	1	wkstn	50	50
5.14	Staff Areas	Technical Services	work table	4	seats	30	120
5.14	Staff Areas	Technical Services	work counter, 12' x 2', with double sink, cabinets above and below	1	counter	60	60
5.14	Staff Areas	Technical Services	supply cabinet	1	cabinet	20	20
5.14	Staff Areas	Technical Services	shelving, 88" for in-process materials	3	section	12	36
5.14	Staff Areas	Technical Services	shelving, 88" for withdrawn materials	1	section	12	12
5.14	Staff Areas	Technical Services	shelving, 88" for donated materials	2	section	12	24
5.14	Staff Areas	Technical Services	shelving, 88" for processing supplies	4	section	12	48
5.14	Staff Areas	Technical Services	lateral file cabinets	2	cabinet	15	30

Detail

Porterville Public Library Program

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
5.14	Staff Areas	Technical Services	copy machine, standard	1	unit	64	64
5.14	Staff Areas	Technical Services	laminator	1	machine	12	12
5.14	Staff Areas	Technical Services	paper cutter	1	unit	12	12
5.14	Staff Areas	Technical Services	book truck parking	4	trucks	8	32
5.14	Staff Areas	Technical Services	trash and recycling bins	2	container	6	12
5.14	Staff Areas	Technical Services	clear space for deliveries 10' x 10'	1	space	100	100
Technical Services Total							696
5.16	Staff Areas	Youth Services	workstation for youth services coordinator	1	wkstn	64	64
5.16	Staff Areas	Youth Services	workstation for Ellison die-cutting machine, laminator, storage	1	wkstn	64	64
5.16	Staff Areas	Youth Services	volunteer work table	4	seats	30	120
5.16	Staff Areas	Youth Services	shelving for programming props, storytime collection, supplies (88")	2	unit	12	24
5.16	Staff Areas	Youth Services	vertical file cabinet	2	cabinet	8	16
5.16	Staff Areas	Youth Services	stackable washer and dryer	1	unit	18	18
5.16	Staff Areas	Youth Services	mobile A/V cart	3	cart	10	30
5.16	Staff Areas	Youth Services	book trucks	4	trucks	6	24
5.16	Staff Areas	Youth Services	paper dolly	1	unit	25	25
5.16	Staff Areas	Youth Services	trash and recycling bins	2	container	6	12
5.16	Staff Areas	Youth Services	clear space for temporary storage 10' x 10'	1	space	100	100
Youth Services Total							497
5.20	Staff Areas	Circulation	workstation for circulation coordinator	1	wkstn	64	64
5.20	Staff Areas	Circulation	mail and delivery sorting counter, 6' x 3'	1	counter	30	30
5.20	Staff Areas	Circulation	interlibrary loan counter, 6' x 3'	1	counter	30	30
5.20	Staff Areas	Circulation	lateral file cabinet	1	cabinet	15	15
5.20	Staff Areas	Circulation	supply cabinet	1	cabinet	20	20
5.20	Staff Areas	Circulation	delivery crates (5 stacks, 12"x 18")	1	space	58	58
5.20	Staff Areas	Circulation	book truck parking	8	trucks	6	48
5.20	Staff Areas	Circulation	shelving, 88" for snags, problem materials, supplies	2	section	12	24
5.20	Staff Areas	Circulation	wall safe	1	safe	4	4
5.20	Staff Areas	Circulation	hand truck	1	trucks	3	3
5.20	Staff Areas	Circulation	materials return slot	1	space	6	6
5.20	Staff Areas	Circulation	large check in bins	2	unit	10	20
5.20	Staff Areas	Circulation	laptop storage/recharging station	2	unit	12	24
5.20	Staff Areas	Circulation	trash and recycling bins	2	container	6	12
5.20	Staff Areas	Circulation	delivery space, 10' x 10'	1	space	100	100
Circulation Total							458
5.22	Staff Areas	Staff Lounge	lockers, half height, 2 per stack	4	unit	5	20
5.22	Staff Areas	Staff Lounge	coat closet, 6' x 3'	1	closet	30	30
5.22	Staff Areas	Staff Lounge	work counter, 8' x 2', with double sink, dishwasher, cabinets above	1	counter	40	40
5.22	Staff Areas	Staff Lounge	microwave oven, on counter	1	unit	0	0
5.22	Staff Areas	Staff Lounge	refrigerator, full size	1	unit	20	20
5.22	Staff Areas	Staff Lounge	bulletin board, wall mounted	1	unit	0	0
5.22	Staff Areas	Staff Lounge	trash and recycling bins	2	container	4	8
5.22	Staff Areas	Staff Lounge	2 person couch	1	unit	30	30
5.22	Staff Areas	Staff Lounge	lounge seats	2	seats	35	70
5.22	Staff Areas	Staff Lounge	4 person tables (2)	8	seats	30	240
Staff Lounge Total							458
5.24	Staff Areas	Wellness Room	wellness room with recliner, mini-fridge	1	room	100	100
Wellness Room Total							100
5.26	Staff Areas	Staff Restrooms	staff restrooms	GSF	restroom		IN GSF
Staff Restrooms Total							0

Detail

Porterville Public Library Program

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
6.02	Support Areas	Storage and Supply Room	room for general supplies and storage	1	room	400	400
Storage and Supply Room Total							400
6.04	Support Areas	Janitorial Closet	shelving for supplies (88")	2	unit	12	24
6.04	Support Areas	Janitorial Closet	mop sink, with mop storage	1	space	25	25
Janitorial Closet Total							49
6.06	Support Areas	Telecommunications Room	equipment for wired and wireless networks	1	space	100	100
Telecommunications Room Total							100
7.02	Outdoor Areas	Outside seating	outside seating area	GSF	area		IN GSF
Outside seating Total							0
7.04	Outdoor Areas	Outside programming area	outside classroom/programming area	GSF	area		IN GSF
Outside programming area Total							0
7.06	Outdoor Areas	Garden	garden	GSF	area		IN GSF
Garden Total							0
7.08	Outdoor Areas	Vendor Area	space for food vendors	GSF	area		IN GSF
Vendor Area Total							0
Grand Total							27,718

Shelving

Porterville Public Library Program

								Assumes 12 SF/single sided shelf, standard shelving is 3' x 1'				
No of												
General Area	Specific Area	Description	Materials Count	% on Shelf	Items Shelved	Storage Type	Items / LF	Total shelves	Shelves or Items	Sections Needed	Section Type	SF
Public Areas	New Materials	shelving for rental books (66")	20	50%	10	Shelf	1	3	4	1	Single Sided	12
Public Areas	New Materials	shelving for new English adult books (66")	400	65%	260	Shelf	4	22	4	5	Single Sided	60
Public Areas	New Materials	shelving for new Spanish adult books (66")	51	65%	33	Shelf	4	3	4	1	Single Sided	12
Public Areas	New Materials	shelving for new adult DVDs (66")	245	65%	159	Shelf	15	4	5	1	Single Sided	12
Public Areas	Media	shelving for adult English DVDs (66")	9,000	65%	5,850	Shelf	15	130	5	26	Single Sided	312
Public Areas	Media	shelving for adult Spanish DVDs (66")	900	65%	585	Shelf	15	13	5	3	Single Sided	36
Public Areas Total												444
Adult Services	Adult Fiction	shelving for adult English fiction (66")	5,500	70%	3,850	Shelf	8	160	4	40	Single Sided	480
Adult Services	Adult Fiction	shelving for adult English genre fiction (66")	2,800	70%	1,960	Shelf	8	82	4	20	Single Sided	240
Adult Services	Adult Fiction	shelving for adult Spanish fiction (66")	1,000	70%	700	Shelf	8	29	5	6	Single Sided	72
Adult Services	Adult Nonfiction	shelving for adult English biography (66")	5,000	70%	3,500	Shelf	8	146	4	36	Single Sided	432
Adult Services	Adult Nonfiction	shelving for adult English nonfiction (66")	5,500	70%	3,850	Shelf	8	160	4	40	Single Sided	480
Adult Services	Adult Nonfiction	shelving for Spanish NF, biography (66")	1,050	70%	735	Shelf	10	25	5	5	Single Sided	60
Adult Services	Adult Nonfiction	shelving for local history (66")	500	85%	425	Shelf	8	18	4	4	Single Sided	48
Adult Services	Large Print	shelving for English large print (66")	2,500	70%	1,750	Shelf	8	73	4	18	Single Sided	216
Adult Services	Quiet Reading Area	shelving for newspapers, free pubs. (66")	16	100%	16	Shelf	2	3	4	1	Single Sided	12
Adult Services	Adult Learning Center	shelving for ALC collection (66")	600	70%	420	Shelf	8	18	4	4	Single Sided	48
Adult Services Total												2,088
Youth Services	Family Space	shelving for easy English board books	2,000	70%	1,400	Shelf	10	47	3	16	Single Sided	192
Youth Services	Family Space	shelving for English picture books (45")	10,000	70%	7,000	Shelf	15	156	3	52	Single Sided	624
Youth Services	Family Space	shelving for Easy 1-2-3, A-B-C, Holiday, Caldecotts	2,100	85%	1,785	Shelf	15	40	3	13	Single Sided	156
Youth Services	Family Space	shelving for easy Spanish board books	600	70%	420	Shelf	10	14	3	5	Single Sided	60
Youth Services	Family Space	shelving for Spanish picture books (45")	10,000	70%	7,000	Shelf	15	156	3	52	Single Sided	624
Youth Services	Family Space	shelving for Easy!! Can Read (45")	5,000	70%	3,500	Shelf	15	78	3	26	Single Sided	312
Youth Services	Children's Library	shelving for juvenile rental books	30	50%	15	Shelf	2	3	3	1	Single Sided	12
Youth Services	Children's Library	shelving for juvenile Eng. new books (66")	1,000	65%	650	Shelf	8	27	4	7	Single Sided	84
Youth Services	Children's Library	shelving for juvenile Span. new books (66")	447	65%	291	Shelf	8	12	4	3	Single Sided	36
Youth Services	Children's Library	shelving for juvenile Eng. Fiction (66")	10,100	70%	7,070	Shelf	10	236	4	59	Single Sided	708
Youth Services	Children's Library	shelving for juvenile Span. fiction (66")	2,000	70%	1,400	Shelf	10	47	4	12	Single Sided	144
Youth Services	Children's Library	shelving for juvenile graphic novels (66")	1,500	70%	1,050	Shelf	10	35	4	9	Single Sided	108
Youth Services	Children's Library	shelving for juvenile Eng. nonfiction (66")	10,000	75%	7,500	Shelf	10	250	4	63	Single Sided	756
Youth Services	Children's Library	shelving for juvenile Span. nonfiction (66")	5,000	75%	3,750	Shelf	10	125	4	31	Single Sided	372
Youth Services	Children's Library	shelving for juvenile Eng. biography (66")	500	75%	375	Shelf	10	13	4	3	Single Sided	36
Youth Services	Children's Library	shelving for juvenile Span. biography (66")	300	75%	225	Shelf	10	8	4	2	Single Sided	24
Youth Services	Children's Library	shelving for juvenile DVDs (66")	1,128	65%	733	Shelf	15	16	5	3	Single Sided	36
Youth Services	Teenspace	shelving for new books, rentals (66")	90	65%	59	Shelf	4	5	4	1	Single Sided	12
Youth Services	Teenspace	shelving for YA fiction (66")	1,500	65%	975	Shelf	8	41	4	10	Single Sided	120
Youth Services	Teenspace	shelving for YA graphic novels (66")	1,500	75%	1,125	Shelf	10	38	4	9	Single Sided	108
Youth Services	Teenspace	shelving for YA nonfiction, biography (66")	550	75%	413	Shelf	10	14	5	3	Single Sided	36
Youth Services Total												4,560
Grand Total												7,092

Seating

Porterville Public Library Program

Code	General Area	Specific Area	Description	No of Tables	Qty	Unit	SF/Unit	SF
1.02	Public Areas	Lobby	2 person bench (2' x 6')		2	bench	13	26
1.04	Public Areas	Café	4 person circular café tables (3)		12	seats	21	252
Public Areas Total				14				278
2.02	Adult Services	Adult Fiction	lounge seats (12)		12	seats	35	420
2.02	Adult Services	Adult Fiction	1 person table (16)	16	16	seats	25	400
2.02	Adult Services	Adult Fiction	2 person table (8)	8	16	seats	25	400
2.04	Adult Services	Adult Nonfiction	lounge seats (12)		12	seats	35	420
2.04	Adult Services	Adult Nonfiction	1 person table (18)	18	18	seats	25	450
2.04	Adult Services	Adult Nonfiction	2 person table (10)	10	20	seats	25	500
2.04	Adult Services	Adult Nonfiction	4 person table (2)	2	8	seats	25	200
2.08	Adult Services	Quiet Reading Area	lounge seats		14	seats	35	490
2.08	Adult Services	Quiet Reading Area	1 person table (20)	20	20	seats	25	500
2.10	Adult Services	Adult Learning Center	2 person table (6)	6	12	seats	25	300
Adult Services Total				148				4,080
3.02	Youth Services	Family Space	lounge seats (12)		12	seats	35	420
3.02	Youth Services	Family Space	4 place round toddler table (2)	2	8	seats	15	120
3.08	Youth Services	Children's Library	lounge seats (8)		8	seats	35	280
3.08	Youth Services	Children's Library	1 person table (6)	6	6	seats	25	150
3.08	Youth Services	Children's Library	2 person table (11)	11	22	seats	25	550
3.08	Youth Services	Children's Library	4 person table (6)	6	24	seats	25	600
3.10	Youth Services	Teenspace	lounge seats (12)		12	seats	35	420
3.10	Youth Services	Teenspace	1 person table (8)	8	8	seats	25	200
3.10	Youth Services	Teenspace	2 person table (4)	4	8	seats	25	200
3.10	Youth Services	Teenspace	4 person table (4)	4	16	seats	25	400
Youth Services Total				124				3,340
4.02	Meeting Areas	Small Study Room A (2 seat)	1 - 2 person study/meeting room	1	2	seats	40	80
4.04	Meeting Areas	Small Study Room B (2 seat)	1 - 2 person study/meeting room	1	2	seats	40	80
4.06	Meeting Areas	Small Study Room C (2 seat)	1 - 2 person study/meeting room	1	2	seats	40	80
4.08	Meeting Areas	Small Study Room D (2 seat)	1 - 2 person study/meeting room	1	2	seats	40	80
4.10	Meeting Areas	Small Study Room E (4 seat)	4 person study/meeting room	1	4	seats	30	120
4.12	Meeting Areas	Small Study Room F (4 seat)	4 person study/meeting room	1	4	seats	30	120
4.14	Meeting Areas	10 - 12 Person Meeting Room	10 - 12 person meeting room		12	seats	25	300
4.16	Meeting Areas	Dividable 150 Person Meeting Room	150 person meeting room, dividable into three rooms		150	seats	15	2,250
4.20	Meeting Areas	Creation Space	4 person tables (5)		20	seats	25	500
4.24	Meeting Areas	Learning Kitchen	high stainless steel work tables for class participants (6)		24	seats	18	432
Meeting Areas Total				222				4,042
Grand Total				508				11,740

Computers and Technology

Porterville Public Library Program

Code	General Area	Specific Area	Description	Qty	Unit	SF/Unit	SF
1.10	Public Areas	Express Checkout	self check machines	3	machine	10	30
1.16	Public Areas	Public Access Computers	computer workstations, sitdown	18	computer	35	630
1.16	Public Areas	Public Access Computers	computer with assistive technology	1	computer	40	40
1.16	Public Areas	Public Access Computers	catalog workstation	1	catalog	35	35
1.16	Public Areas	Public Access Computers	networked printer/print release station	1	printer	24	24
Public Areas Total							759
2.02	Adult Services	Adult Fiction	online catalog @ stack end	2	catalog	16	32
2.04	Adult Services	Adult Nonfiction	digital microfiche/microfilm reader	1	unit	35	35
2.04	Adult Services	Adult Nonfiction	online catalog @ stack end	2	catalog	16	32
Adult Services Total							99
3.02	Youth Services	Family Space	sit-down early learning station	4	computer	25	100
3.08	Youth Services	Children's Library	computer workstations, sitdown	4	wkstn	35	140
3.08	Youth Services	Children's Library	online catalog @ stack end	2	catalog	6	12
3.08	Youth Services	Children's Library	self check machine	1	machine	10	10
3.10	Youth Services	Teenspace	computer workstations, sitdown	4	wkstn	35	140
3.10	Youth Services	Teenspace	online catalog @ stack end	2	catalog	16	32
Youth Services Total							434
4.22	Meeting Areas	Media Lab	computer stations	4	wkstn	35	140
Meeting Areas Total							140
Grand Total							1,432

Collections

The community needs access to a well-balanced collection in both print and digital media formats. Adequate shelving capacity is needed to support a balanced physical collection, so that materials can be shelved and displayed for convenient browsing. Shelving capacity needs to allow shelves to be kept 20% to 25% clear, so that there is readily available shelving space for incoming materials. The various collections of the library need to be shelved in appropriate locations within the overall space, clearly identified and easily found, and at heights appropriate to their target audiences.

As the assessment's community survey indicates, while downloadable audio and video are strongly preferred over physical media (such as DVDs and CD audiobooks), community use of e-books complements but has not replaced use of books. Therefore, maintaining a robust and well-weeded print collection should remain a priority. In the future, when the demand for physical media may diminish, shelving dedicated to these materials in the current program may be redeployed for other purposes.

The shelving plan for the new library includes capacity for 100,427 physical items, which will be augmented by over 1 million downloadable resources offered directly by the library or through its participation in the San Joaquin Valley Library System.

To maintain desirable sightlines, accessibility and aesthetics, this plan recommends a maximum shelf height of 66" for adult, media and young adult and children's materials. Formulas used to calculate needed 66" shelving for these materials assume the bottom shelf is empty; alternatively, 60" shelves could be installed for same square footage but without the empty bottom shelf. Picture and board books will be housed in 45" high shelves.

Proposed collection areas include the following:

- *New Materials:* rental books, new adult books in English and Spanish, and new adult DVDs in English and Spanish
- *Media:* DVDs in English and Spanish
- *Adult Fiction:* Adult fiction in English and Spanish
- *Adult Nonfiction:* Adult nonfiction in English and Spanish, local history collection, digital microfiche/microfilm reader
- *Large Print:* Adult large print
- *Adult Learning Center:* materials for the library's tutoring and ESL programs
- *Teenspace:* Young adult new books and rentals, fiction, graphic novels, nonfiction, and biography (all in English)
- *Children's Library:* Juvenile new books, fiction and nonfiction and biography in English and Spanish, graphic novels in English
- *Family Space:* picture and board books, easy readers

The *Shelving* spreadsheet for the Porterville Public Library program provides detailed information about the size of each area of the library's collection and the variables used to create a square foot estimate (such as percentage of items on the shelf and items per linear foot). Consistent with the library's philosophy of service, English and Spanish language materials of the same type are co-located in the same areas of the library.

Computers and Technology

Carson Block's separate technology assessment document provides an extensive and detailed overview of the new Porterville Public Library's technology requirements. The library program focuses on aspects of technology that have square footage implications, which are listed in the *Computers and Technology* spreadsheet of the program.

This program recommends fixed-location computers be distributed in the following way:

- *Public Access Computers*: 20 computer workstations (with internet access) for adult and general use, including 1 equipped with assistive technology, and one catalog workstation
- *Teenspace*: four computer workstations (with internet access)
- *Children's Library*: four computer workstations (with internet access)
- *Family Space*: four early learning stations
- *Media Lab*: 4 computer workstations
- Eight stack end online catalogs, distributed among various collection areas

In addition, this program assumes that the library will provide laptops or other computing devices (such as Chromebooks) for checkout.

The program also includes three self-check machines in the express checkout area, and one self-check machine in the children's library. The plan's business center includes a copy machine, fax, and scanner for public use.

Seating

In a library facility, it is as important to provide space for people to use the building, as it is to provide space to house and display the collection. The preschool/family area needs chair seating for toddlers and their parents or caregivers. The children's area should offer distinct seating areas for individual school aged children who need to do homework or quietly read.

Teens in particular need a designated area with age-appropriate furniture. The design of the space should not only send a message that they are welcome at the library but should also create a buffer, both physical and psychological, between this gregarious age group and other library visitors. Adults need both table seating and lounge chairs for quiet reading of books and periodicals as well as concentrated work at a laptop. All seats should be adjacent to electrical power, with outlets located safely out of circulation paths.

The desire for improved seating was frequently expressed by both survey and focus group participants. Both high school and college students requested quiet space to support their learning efforts. In the library program, the broad desire for dedicated quiet space is addressed in a designated Quiet Reading Area.

Overall, this plan recommends a variety of seating options to offer appropriate work/study, collaboration and reading space for the community. These including lounge seating, 1 person tables, 2 person tables and 4 person tables. The distribution of this seating is detailed in the *Seating* spreadsheet of the program. Overall, the program offers 288 seats, or just over 4 seats/1000 people, which is within best practice range for an independent public library serving a population of Porterville's size. The location of these seats is detailed in the *Seating* spreadsheet of the library program.

In addition, this program provides additional capacity for small meeting rooms and larger programming spaces, which will substantially increase possibilities for patrons to gather, study and learn at the library.

Special Features/Service Areas

The program includes several amenities that were prioritized by community members in the information gathering process. These include:

- *Firefighters Memorial* to honor those who lost their lives defending the previous library
- *Library Cafe*, with seating for 12 and capacity for an outside vendor to provide drinks and snacks
- *Business Center* offering capacity for copying, faxing, and scanning
- *Friends of the Library Sales Area* (in Business Center)
- *Adult Learning Center*, with space for the staff coordinator, a volunteer, literacy collection, storage for program materials and six two-person tables for one-on-one tutoring
- *Quiet Reading Area*, offering access to newspapers, fourteen lounge seats and twenty one-person tables

Youth Areas

Survey and focus group participants were consistent in expressing their desire for vibrant and dynamic areas to serve the age-specific interests of children and teens. Therefore, the program divides services to those 18 and under into three areas:

- *Family Space*, an area geared towards pre-K children and their parents/caregivers. In addition to holding the library's collection of picture books, board books and Easy! I Can Read books, this portion of the library includes a play area, stroller parking, lounge

seating, toddler tables and four sit down early learning stations. Adjacent to the Family Space are a Family Restroom and a Mother's Room for nursing/lactating women.

- *Children's Library*, an area serving school age children. This area features books and media for this age group, four computer workstations, table and lounge seating, and a display case.
- *Teenspace*, an area intended for teenagers. This area includes the young adult collection of books and media, four computer workstations, and table and lounge seating, including four four-person tables that can be temporarily combined for programming.

Small Meeting Rooms

As the survey results indicate, small meeting rooms are an amenity greatly desired by both adults and teens. Patrons desire privacy and quiet for activities such as tutoring, one-on-one discussions and collaboration and virtual meetings. This program recommends the addition of six small meeting rooms: four 1 – 2 person rooms and two 3 – 4 person rooms. The program also includes a 10 – 12-person meeting room for larger gatherings.

Programming and Event Space

Library programs are a basic library service that complements the collection, attracts new users and provides the community with needed information on many topics. Dedicated space within the library is needed to provide an appropriate, accessible venue for these events, with seating to accommodate different groups of people. The primary programming space needs to be flexible and multipurpose, with built-in media projection equipment, adjustable lighting, a kitchen, and table and chair storage. Additionally, programming areas designed for activities provide efficient and dynamic opportunities for enrichment.

Survey and focus group participants expressed a wide range of interests with respect to the kinds of activities they would like to engage in at the library. High interest activities included arts and crafts programs, homework help, storytimes, and help with basic computer skills and applications. When asked about makerspace options of greatest interest to them, survey respondents most frequently chose high tech (3D printers, etc.), media (audio/video) and papercrafts. Focus group participants also repeatedly brought up interest in leveraging the community's agricultural heritage to provide programming that addresses food insecurity, enhances cooking skills and/or provides job training in the culinary field.

In consideration of all these factors, the following programming spaces are recommended for the Porterville Public Library:

- *Dividable 150 Person Meeting Room*: Equipped with moveable partitions/sound barrier that will divide the room into three spaces, this room will host the library's largest gatherings and programs. Each of the three sections of the meeting includes a flat screen monitor and projector as well as a small kitchenette to support craft programs

and refreshment service. An adjacent storage room holds chair dollies and nesting tables.

- *Creation Space:* Envisioned as a place to explore high tech makerspace activities, this room incorporates seating for 20 people at five tables, counter space for equipment, a flat screen monitor and a laptop storage/recharging station. The consultants recommend that prior to the construction of the facility, that the library conduct further research to determine the most desirable components of this makerspace.
- *Media Lab:* To address high community interest in exploring audio and video, this room includes four computer workstations as well as space for a variety of equipment appropriate to audio/video production. As with the Creation Space, the consultants recommend that prior to the construction of the facility, that the library conduct further research to determine the most desirable components of this makerspace.
- *Teaching Kitchen:* Based on the groundbreaking Culinary Literacy Center at the Free Library of Philadelphia, this space provides opportunities to teach cooking skills and provide job training in the culinary arts. In addition to a full-scale commercial/teaching kitchen, this space includes worktables for 24 participants. As with the makerspaces described above, the consultants recommend that the library conduct further research to determine the most desirable components of this area, and to identify potential community partnerships to support it.

Staff and Volunteer Areas

The proposed library program includes the following areas for staff and volunteer activities:

- *Service Desk:* a two-person central service desk combining reference and circulation
- *Public Access Computers:* a moveable perch/service desk
- *Adult Learning Center:* workstations for literacy coordinator and literacy volunteer
- *Children's Library:* a moveable perch/service desk
- *Administrative Staff:* three enclosed offices for library staff: one for the library director (with a table and four chairs for small staff meetings) and two for library supervisors (with guest chairs)
- *General Staff Area:* workstations for IT/outreach coordinator (new position) and adult services coordinator, and six stations for part-time staff
- *Technical Services:* workstations for technical services coordinator, volunteer, shelving, worktables, and equipment for materials cataloging and processing
- *Youth Services:* workstation for youth services coordinator, volunteer worktable, shelving, supplies and equipment for youth services activities
- *Circulation:* workstation for circulation coordinator, shelving, storage, equipment, and areas for circulation activities
- *Staff Support:* A staff lounge with kitchen and seating for ten, a wellness room and staff restrooms
- *Operational Support:* a storage and supply room, janitorial closet, telecommunications room

Outdoor Areas

Given the warm Porterville climate and the community's affinity for outdoor activities, it is not surprising that many survey and focus group participants expressed interest in incorporating outside spaces into the plan for the new library outside library. Though outside of the scope of the library program (which focuses on what is included inside the facility walls), the program includes placeholders for outdoor seating areas, an outside classroom/programming area and a garden. As the project progresses, the consultants recommend that the library gather additional input from the community to gauge interest in outside amenities, which present a wonderful opportunity to connect community members with their unique locale.

Conclusion

The sudden loss of the Porterville Public Library in early 2020 has underscored the critical importance of the library to the well-being of its communities. Since the destruction of the library affected people of all ages from all walks of life, its rebirth will be a pivotal moment in the history of Porterville. Anticipating what will happen when the new library opens, a community member said, *"We will feel whole again. We'll feel complete again. Right now, you can tell something is missing."*

After a year when a deadly virus has upended daily life across the world, the critical services that the public library provides are needed more than ever. Designed with maximum flexibility to adapt to whatever the future holds, the new Porterville Public Library will continue to provide learning opportunities, access to timely and accurate information and the ability to connect residents with their community.

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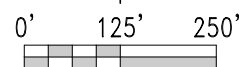
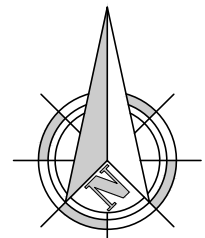
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SCALE: 1" = 250'

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

LOCATOR MAP

DRAWN BY	GG
CHECKED BY	SW
SCALE	1" = 250'
DATE	3/1/2023

SHEET
1
OF
1



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Award of Contract - Rehabilitate Parallel and Connecting Taxiways Project

SOURCE: Finance

COMMENT: On September 7, 2022, the City received a grant award of \$4,748,734 from the Federal Aviation Administration (FAA) to pay for ninety percent (90%) of the allowable cost of the rehabilitation of the parallel and connecting taxiways at the Porterville Municipal Airport. The project consists of the reconfiguration of Taxiways A, C and D from their current airfield location to new alignments to meet FAA geometry standards and the rehabilitation of Taxiways A and B pavement to extend their useful lives.

At its meeting on November 15, 2022, the City Council authorized staff to re-advertise for bids for the project. The original contractor's low bid of \$4,418,371.39 from the previous bidding process in February 2022 had expired due to the length of time that had lapsed from the opening of the bids to the FAA grant award. Due to the expected increase in construction costs, the project was split into three phases: Phase 1 - the base bid which includes the reconfiguration of taxiways A and D; Phase 2 - additive A consisting of the reconfiguration of taxiway C; and Phase 3 - additive B consisting of the rehabilitation of taxiways A and B pavement.

As was expected, the rebidding effort resulted in higher bid amounts. With the additional costs of construction administration, inspections, materials testing, and other related costs, the entire project would cost over \$6.7 million. Due to the increased cost, City staff and Tartaglia Engineering, the City's airport consultant, resolved to proceed with the project Base Bid plus Additive B work.

The following bids were received on January 10, 2023:

	Base Bid	Base Bid + Add B	Total All Bids
Teichert Construction	\$4,210,740.00	\$4,675,270.00	\$5,767,990.00
Granite Construction	\$4,305,607.50	\$4,768,801.50	\$5,991,466.50
Griffith Company	\$4,541,637.76	\$4,898,081.76	\$6,201,155.00
Cal Valley Construction	\$4,554,005.00	\$4,884,199.00	\$5,902,177.00

Staff found the low bid of \$4,675,270 (Base Bid + Add B) presented by Teichert Construction acceptable. Construction administration will be provided by Tartaglia Engineering under the existing airport consulting contract, and will include inspection, construction layout and surveying control, materials testing,

and other related costs for an estimated fee of \$708,300. The project will also entail the purchase of two new lighted closure crosses to be used during construction at an estimated cost of \$90,000. An additional \$80,000 is budgeted for City administration for a total project cost of \$5,553,570.

Staff had consulted with the FAA and received concurrence with staff's recommendation. FAA also advised that the City seek a grant amendment towards the end of the project when the actual as-constructed costs are determined to address the reduced project scope (eliminating Taxiway C from the project description) and to request additional grant funds for the increased project costs.

If approved, project funding will consist of the FAA grant of \$4,748,734, a State AIP matching grant of \$150,000 and the remainder of \$654,836 from the City's Airport Fund.

RECOMMENDATION: That the City Council:

1. Award the contract for the parallel and connecting taxiways rehabilitation project to Teichert Construction in the amount of \$4,675,270;
2. Authorize a construction contingency of ten percent (10%) or \$467,527;
3. Authorize Tartaglia Engineering to provide construction administration at an estimated cost of \$708,300;
4. Authorize the purchase of two lighted closure crosses through the informal bidding process, at an estimated cost of \$90,000; and
5. Authorize staff to submit a grant amendment to the FAA to correct the project scope and description and to request additional funds.

ATTACHMENTS:

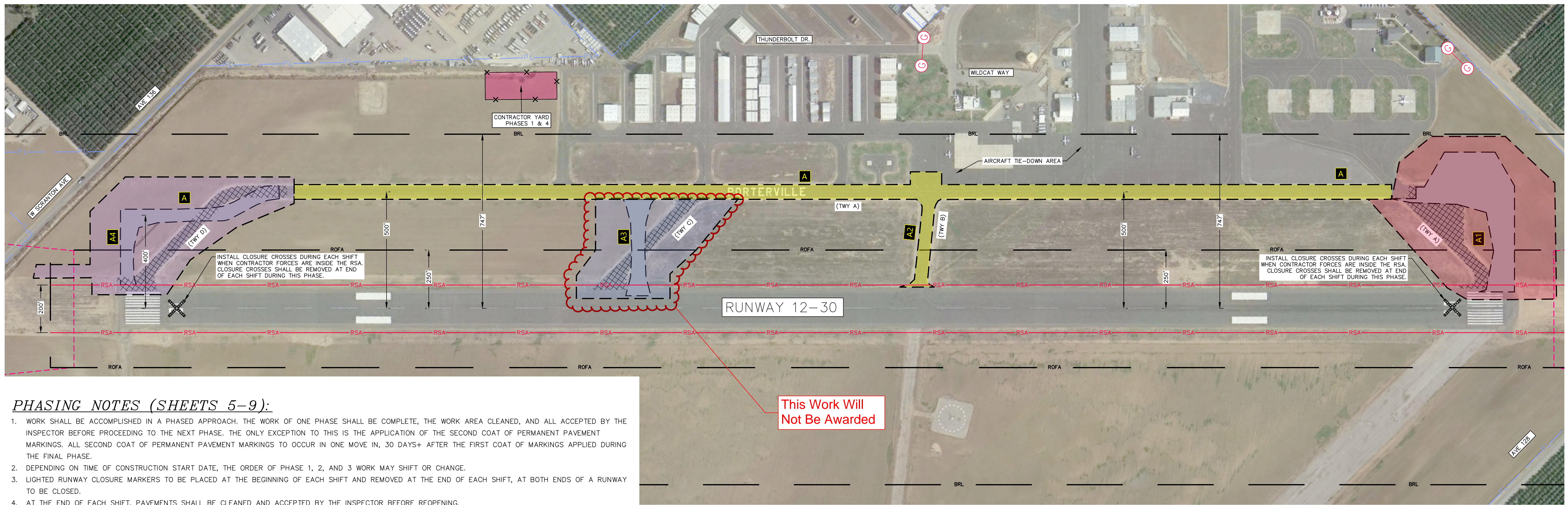
1. Project Layout Plan
2. Project Cost Summary

Appropriated/Funded:

Review By:

Department Director:

Final Approver: John Lollis, City Manager



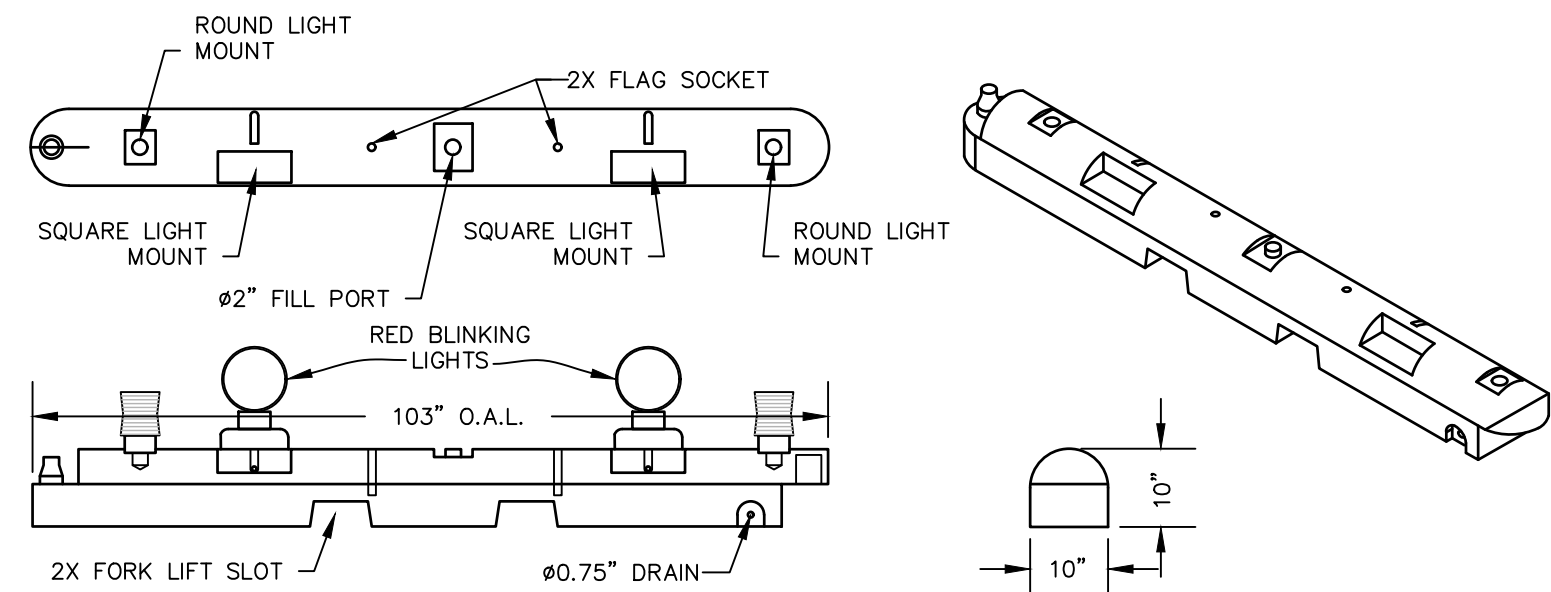
PHASING NOTES (SHEETS 5-9):

- WORK SHALL BE ACCOMPLISHED IN A PHASED APPROACH. THE WORK OF ONE PHASE SHALL BE COMPLETE, THE WORK AREA CLEANED, AND ALL ACCEPTED BY THE INSPECTOR BEFORE PROCEEDING TO THE NEXT PHASE. THE ONLY EXCEPTION TO THIS IS THE APPLICATION OF THE SECOND COAT OF PERMANENT PAVEMENT MARKINGS. ALL SECOND COAT OF PERMANENT PAVEMENT MARKINGS TO OCCUR IN ONE MOVE IN, 30 DAYS+ AFTER THE FIRST COAT OF MARKINGS APPLIED DURING THE FINAL PHASE.
- DEPENDING ON TIME OF CONSTRUCTION START DATE, THE ORDER OF PHASE 1, 2, AND 3 WORK MAY SHIFT OR CHANGE.
- LIGHTED RUNWAY CLOSURE MARKERS TO BE PLACED AT THE BEGINNING OF EACH SHIFT AND REMOVED AT THE END OF EACH SHIFT, AT BOTH ENDS OF A RUNWAY TO BE CLOSED.
- AT THE END OF EACH SHIFT, PAVEMENTS SHALL BE CLEANED AND ACCEPTED BY THE INSPECTOR BEFORE REOPENING.
- CONTRACTOR YARD INSIDE THE AIRPORT PERIMETER FENCE CAN BE USED FOR MATERIAL AND EQUIPMENT ONLY. NO PERSONAL VEHICLES ALLOWED.
- ON PHASES 1, 2, 3, AND 4, THE FIRST SHIFT SHALL FOCUS ON REMOVING TAXIWAY LEAD-IN LINES AND REMOVING TAXIWAY GUIDANCE SIGNS ASSOCIATED WITH TAXIWAY IN THE WORK AREA.
- LOW PROFILE BARRICADES AND CONES SHALL BE PLACED AT LOCATIONS SHOWN ON THESE PHASING PLANS. THE PROJECT INCLUDES TWO SEPARATE CLOSURE DELINEATION SCENARIOS:
 - PAVEMENT CLOSURE FOR THE DURATION OF THE PHASE - USE LOW PROFILE BARRICADES FOR DELINEATION, AND SHALL BE INSTALLED AT THE BEGINNING OF THE PHASE, REMAIN IN-PLACE FOR THE DURATION OF THE PHASE (24 HOURS, 7 DAYS A WEEK) AND REMOVED WHEN THE PHASE IS COMPLETE AND ACCEPTED BY THE INSPECTOR. REFER TO DETAIL A, SHEET 5 FOR LOW PROFILE BARRICADE DETAIL.
 - PAVEMENT CLOSURE FOR THE DURATION OF EACH SHIFT - DELINEATION CONES OR BARRICADES SHALL BE INSTALLED AT THE BEGINNING OF THE SHIFT, AND REMOVED AT THE END OF EACH SHIFT (INSTALLED AND REMOVED EVERY WORKING DAY). REFER TO DETAIL B, SHEET 5.
- PORTION OF WORK ON THIS PROJECT IS WITHIN THE RUNWAY SAFETY AREA (RSA) AND TAXIWAY SAFETY AREA (TSA). EACH SHIFT REQUIRES SITE AND GRADE RESTORATION AFTER WORKING WITHIN THE RSA OR TSA. CONTRACTOR TO RESTORE SITE TO A SAFE CONDITION BEFORE RE-OPENING AIRFIELD PAVEMENTS:
 - MAXIMUM VERTICAL DROP OFF EDGE OF ACTIVE AIRFIELD PAVEMENT = 3"
 - SURFACE GRADED 5% DOWN AND AWAY FROM EDGE OF AIRFIELD PAVEMENTS TO LIMIT OF RSA AND TSA.
 - NO OPEN TRENCHES, DRAINAGE BOXES OR ELECTRICAL VAULTS IN RSA AND TSA.
 - NO EARTH, AGGREGATE BASE OR OTHER MATERIAL STOCKPILES.
 - ELECTRICAL JUMPERS, WHERE SHOWN, TO BE IN PVC CONDUIT AND SECURED TO THE GROUND SURFACE WITH STEEL WICKETS, OR LOW SAND BAGS.

This Work Will
Not Be Awarded

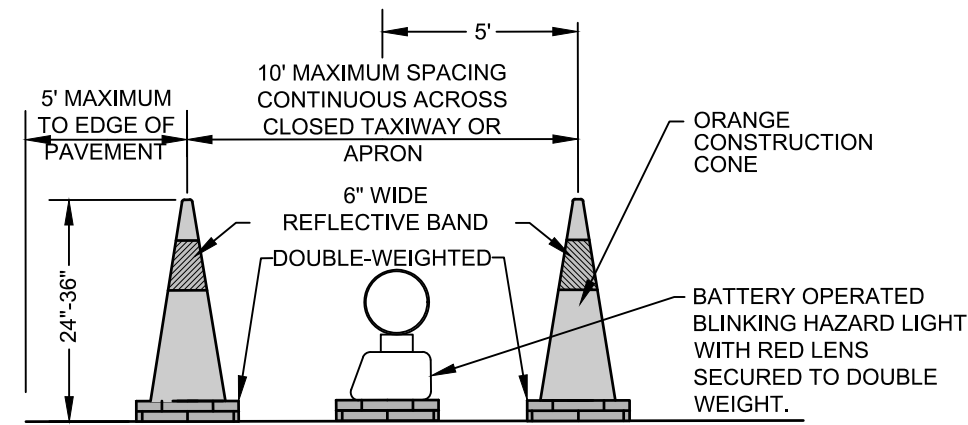
PROJECT PHASING SUMMARY:

PHASE	BID SCHEDULE	WORK AREAS	GENERAL WORK SUMMARY	ALLOWABLE WORK WINDOW	RUNWAY STATUS	ANTICIPATED DURATION
1	BASE BID	TAXIWAY D (NAME CHANGED TO TAXIWAY A4), TAXIWAY A, RUNWAY 12-30	REMOVE & RE-CONFIGURE TAXIWAY BETWEEN RUNWAY 12-30 AND TAXIWAY A. CURRENT TAXIWAY DESIGNATION (TAXIWAY D) WILL BE CHANGED TO NEW TAXIWAY DESIGNATION (TAXIWAY A4). INFIELD GRADING AND STORM DRAIN IMPROVEMENTS. RECONSTRUCT PORTION OF RUNWAY 12-30 SHOULDER AT TIE-IN LOCATION. WORK INCLUDES ALL SUBGRADE PREPARATION, AGGREGATE BASE, PAVING, ELECTRICAL, AND FIRST COAT OF PAVEMENT MARKINGS.	INSIDE RSA: (9:00 PM - 6:00 AM) OUTSIDE RSA: (NO RESTRICTIONS)	INSIDE RSA: (CLOSED) OUTSIDE RSA: (OPEN)	65 WORKING DAYS
2	ADDITIVE ALTERNATE A	TAXIWAY C (NAME CHANGED TO TAXIWAY A3), TAXIWAY A, RUNWAY 12-30	REMOVE & RE-CONFIGURE TAXIWAY BETWEEN RUNWAY 12-30 AND TAXIWAY A. CURRENT TAXIWAY DESIGNATION (TAXIWAY C) WILL BE CHANGED TO NEW TAXIWAY DESIGNATION (TAXIWAY A3). INFIELD GRADING AND STORM DRAIN IMPROVEMENTS. RECONSTRUCT PORTION OF RUNWAY 12-30 SHOULDER AT TIE-IN LOCATION. WORK INCLUDES ALL PAVING, ELECTRICAL, AND FIRST COAT OF PAVEMENT MARKINGS.			45 WORKING DAYS
3	BASE BID	TAXIWAY A, RUNWAY 12-30, TAXIWAY A CONNECTOR (NAME CHANGED TO TAXIWAY A1)	REMOVE & RE-CONFIGURE TAXIWAY BETWEEN RUNWAY 12-30 AND TAXIWAY A. CURRENT TAXIWAY DESIGNATION (CURRENTLY PART OF TAXIWAY A) WILL BE CHANGED TO NEW TAXIWAY DESIGNATION (TAXIWAY A1). INFIELD GRADING AND STORM DRAIN IMPROVEMENTS. RECONSTRUCT PORTION OF RUNWAY 12-30 SHOULDER AT TIE-IN LOCATION. WORK INCLUDES ALL PAVING, ELECTRICAL, AND FIRST COAT OF PAVEMENT MARKINGS.			70 WORKING DAYS
4	ADDITIVE ALTERNATE B	TAXIWAY A, TAXIWAY B (NAME CHANGED TO TAXIWAY A2)	CRACK FILL, SLURRY SEAL, AND FIRST COAT OF PAVEMENT MARKINGS. INSTALLATION OF NEW GUIDANCE SIGNS.			15 WORKING DAYS
5	BASE BID	TAXIWAY A, TAXIWAY A1, TAXIWAY A2, TAXIWAY A3, TAXIWAY A4, RUNWAY 12-30	SECOND COAT OF PAVEMENT MARKINGS			5 WORKING DAYS
TOTAL						200 WORKING DAYS

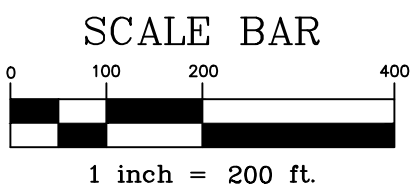


- CONTRACTOR CAN ELECT EITHER 3 LED/SOLAR OR TWO BATTERY POWER LIGHTS PER DELINEATOR.
- DELINEATORS TO BE PLACED EITHER INTERLOCKED OR SPACED WITH A 5' MAXIMUM GAP.
- DELINEATORS TO BE WEIGHTED WITH SAND BAGS OR WATER.

A
5 **LOW PROFILE LIGHTED DELINEATOR DETAIL**
NO SCALE



B
5 **CONE DELINEATOR DETAIL**
NO SCALE



LEGEND (THIS SHEET):

- A** TAXIWAY DESIGNATION (NEW NOMENCLATURE)
(TWY A) TAXIWAY DESIGNATION (OLD NOMENCLATURE)

UNDERGROUND SERVICE ALERT

811 DIAL 811

TWO WORKING DAYS BEFORE YOU DIG

PROJECT PHASING

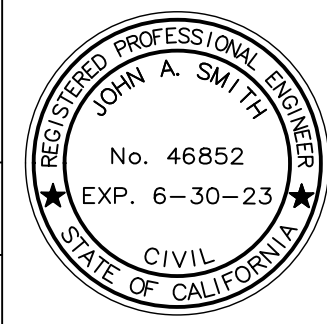
SUMMARY OF PHASING

REV.	DESCRIPTION	DATE	APP.
1			
2			
3			
4			
5			

TARTAGLIA ENGINEERING

CITY OF PORTERVILLE

REHABILITATE TAXIWAYS



DESIGN JTH
DRAWN JTH
CHECKED JTH
SCALE 1"=200'
DWG.NO. 19-69
DATE 11/22/2022
SHEET 5 of 58

PLT DATE 11/29/2022

REHABILITATE PARALLEL TAXIWAY AND RECONFIGURE TAXIWAYS A AND D

PROJECT COST SUMMARY			
Bid Opening Date			Jan, 2023
Bid Schedule			Base Bid + Add B
Duration			155 working days
Item	Category	Description	Cost
1	Equipment	Runway Closure Markers	\$90,000.00
2	Tartaglia	Construction Safety Phasing Plan (CSPP)	\$7,500.00
3	Teichert	Construction	\$4,675,270.00
4	Tartaglia	Construction Administration	\$162,000.00
5	Tartaglia	Inspection	\$245,000.00
6	Tartaglia	Construction Layout & Survey Control	\$28,000.00
7	Tartaglia (sub)	Materials Testing	\$220,000.00
8	Tartaglia	Project Close Out: As-Built Plans, Report	\$23,000.00
9	Tartaglia	Document Duplication & Advertising	\$7,800.00
10	City	Sponsor Administration - City of Porterville	\$80,000.00
11	Tartaglia	Re-Bid Project	15,000.00
		TOTAL	\$5,553,570.00

Summary	
Teichert Contract (Based on Bids)	\$4,675,270.00
Tartaglia Contract (scope of work and fee estimate still being finalized)	\$708,300.00
Equipment (estimate only)	\$90,000.00
City	\$80,000.00
Total	\$5,553,570.00



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Intent to Abandon and Close to Public Use an Unimproved Alley Bounded by Morton Avenue and the East 7.5 Feet of the William Duncan Subdivision

SOURCE: Engineering and Project Management

COMMENT: The City has received a request to vacate an unimproved alley bounded by Morton Avenue to the south, and the east 7.5 feet of the William Duncan Subdivision. The alley was dedicated for public highways as a part of the the William Duncan Subdivision, recorded March 10, 1923. The City has authority to vacate the alley under Section 8320 & Section 8331, Part 3, Division 9 of the Streets and Highways Code of the State of California.

The United States Forest Service has just completed a Record of Survey of its property at Morton Avenue and Henrahan Street. The U.S. Forest Service noticed that the alleyway was not abandoned, while the other roads associated with the William Duncan Subdivision map had been abandoned. The US Forest Service represents a majority proprietary interest to the property encompassing the north half of the proposed abandonment and is the requesting party. Jimmy and Peggy King represent proprietary interest to the south half of the proposed alley abandonment. Staff believes that there are no problems with any other reversionary rights, and the abandonment is necessary for the proposed orderly development of the property.

All fees have been paid, and after the City Council takes action, the utility companies will be notified of the intent to vacate the unimproved alley. An easement will be retained for utilities, if any, that may exist within the unimproved alley.

RECOMMENDATION: That City Council:

1. Approve the draft Resolution of intent to abandon an alley bounded by Morton Avenue to the south, and the east 7.5 feet of the William Duncan Subdivision; and
2. Set the City Council meeting of April 4, 2023, as the time and place for the Public Hearing for consideration.

ATTACHMENTS:

1. Draft Resolution
2. Exhibit A - Legal Description
3. Exhibit B - Legal Exhibit

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
OF INTENTION TO VACATE AND CLOSE TO PUBLIC USE
AN UNIMPROVED ALLEY BOUNDED BY MORTON AVENUE AND THE EAST 7.5
FEET OF THE WILLIAM DUNCAN SUBDIVISION**

SECTION 1: The Council of the City of Porterville, California, pursuant to Division 9, Part 3, Section 8320, of Streets and Highways Code of the State of California, does hereby resolve as follows, to-wit:

That it is the intention of the Council of the City of Porterville to abandon and close to public use that certain public right of way located in the City of Porterville, County of Tulare, State of California, and known generally as an unimproved alley bounded by Morton Avenue and the east 7.5 feet of the William Duncan Subdivision.

SECTION 2: A map or plan of said public rights of way intended to be vacated, abandoned and closed to public use is on file in the office of the City Clerk of the City of Porterville, reference to which is hereby made.

SECTION 3: That the public convenience and necessity requires the reservation of easements and rights of way for structures enumerated in Section 8330 of the California Streets and Highways Code.

SECTION 4: The City of Porterville, in the abandonment of said public rights of way to public use, reserves and excepts from the vacation the permanent easement and right at any time, or from time to time to construct, maintain, operate, replace, remove and renew sanitary sewers, water lines, and storm drains and appurtenant structures in, upon, over, and across said street or part thereof proposed to be vacated and pursuant to any existing franchises or renewals thereof, or otherwise, to construct, maintain, operate, replace, remove, renew and enlarge lines of pipes, conduits, cables, wires, poles and other convenient structures, equipment and fixtures for the operation of gas pipe lines, telegraph and telephone lines, railroad lines, and from the transportation or distribution of electric energy, petroleum and its products, ammonia, water and incidental purposes, including the access and the right to keep the property free from flammable materials and wood growth, and otherwise protect the same from all hazards in, upon and over the street or part thereof herein proposed to be vacated.

SECTION 5: Notice is further given that on Tuesday, the 4th day of April, 2023, at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chambers at City Hall in the City of Porterville, at 291 North Main Street, is hereby fixed for the time and place for hearing any objections to the vacation, abandonment and closing to public use of said public rights of way.

Martha A. Flores, Mayor

ATTEST:

John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

Exhibit A

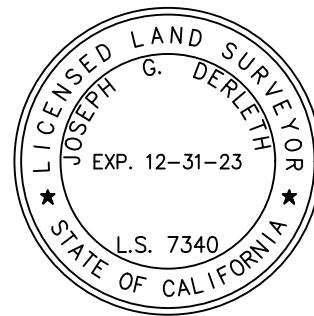
THAT PORTION OF THE 7.5 FOOT ALLEYWAY, LOCATED WITHIN THE WILLIAM DUNCAN SUBDIVISION, AS SHOWN ON THE MAP, RECORDED APRIL 02, 1923, IN BOOK 17, PAGE 36 OF MAPS IN TULARE COUNTY RECORDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT 7.5 FOOT ALLEYWAY LYING CONTIGUOUS TO AND WESTERLY OF, THE EASTERLY LINE, OF SAID WILLIAM DUNCAN SUBDIVISION, BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID WILLIAM DUNCAN SUBDIVISION AND SOUTHERLY BY THE NORTH LINE OF THE LANDS GRANTED TO THE CITY OF PORTERVILLE, BY GRANT DEED RECORDED SEPTEMBER 18, 1980, IN VOLUME 3797, PAGE 559 OF OFFICIAL RECORDS OF TULARE COUNTY AND ACCEPTED BY THE CITY OF PORTERVILLE BY RESOLUTION 9476.

THE AREA OF SAID ALLEYWAY PORTION IS APPROXIMATELY 7147 SQUARE FEET (0.05 ACRES).

12/19/2022

JOSEPH G. DERLETH DATE
PLS 7340
EXPIRES 12/31/2023



WILLIAM DUNCAN SUBDIVISION (17 MAPS 36)
ALLEYWAY VACATION LEGAL DESCRIPTION

PORTERVILLE, CALIFORNIA

POR. SEC. 25, TOWNSHIP 21 SOUTH, RANGE 27 EAST, M.D.M. 1 OF 2



TO NW'LY COR. 17 MAPS 36 N89°37'49"W, 417.80' (417.90')

N'LY LINE WILLIAM DUNCAN
SUBDIVISION, 17 MAPS 36 T.C.R.

NE COR. LOT 8,
PER 3 MAPS 34,
T.C.R.

LEGEND:

 = PROPOSED STREET VACATION AREA, 2417 SQ. FT (0.05 AC.)

REFERENCES:

BEARINGS AND DISTANCE SHOWN HEREON ARE
RECORD PER UNRECORDED RECORD OF SURVEY
22-012, RECORDED XX JANUARY, 2023, IN BOOK
XX LICENSED SURVEYS, PAGE XX, UNLESS NOTED
OTHERWISE.

() = RECORD PER THE WILLIAM
DUNCAN SUBDIVISION, RECORDED
IN 17 MAPS 36 T.C.R..

GRANT DEED
INSTR. No. 13649
VOL. 696/P. 338 O.R.

POR. A.P.N. 253-050-030

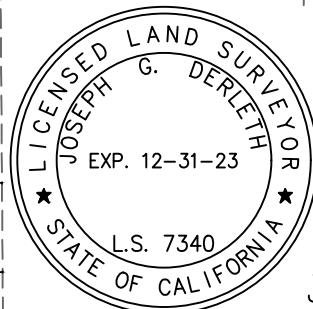
GRANT DEED INSTR. No. 13649
696/338 O.R.
POR. A.P.N. 253-050-030

FORMERLY KNOWN
AS ROCHE AVE.
VACATED PER
ORDER 8385
744/152 O.R.

N89°34'17"W, 150.89' (150.90')

TRUST TRANSFER
DEED DOC. No.
2015-0020082 O.R.

A.P.N. 253-050-050



JOSEPH G. DERLETH

N86°16'53"W, 161.86'

154.32'

GRANT DEED
VOL. 3797/P. 559 O.R.

VARIES

TO 4TH ST. N89°33'52"W, 1364.18'
SE COR. LOT 8, PER 3 MAPS 34, T.C.R.

E. MORTON AVE.

Exhibit A

WILLIAM DUNCAN SUBDIVISION (17 MAPS 36)
ALLEYWAY VACATION PLAT
PORTERVILLE, CALIFORNIA



POR. SEC. 25, TOWNSHIP 21 SOUTH, RANGE 27 EAST, M.D.M. 2 OF 2



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Acceptance of Subdivision Improvements - Royal Oaks, Phase 2 (Greenvine, LLC)

SOURCE: Engineering and Project Management

COMMENT:

The subdivider, Greenvine, LLC, has requested that the public improvements constructed for the Royal Oaks, Phase 2 subdivision be accepted by the City for maintenance. All required improvements, excluding sidewalks, have been completed, inspected by City staff and found to be acceptable. A Landscape and Lighting Maintenance District (LLD) was also a requirement of the development for street lighting and landscape improvements along Indiana Street and the Poplar Ditch. Improvements associated with the District have also been inspected by City staff and found to be acceptable.

The subdivider has on file a one year maintenance guarantee for five percent (5%) of the total cost of improvements and remaining public sidewalk security via letter of credit.

RECOMMENDATION: That the City Council:

1. Accept the public improvements, including those related to the Landscape & Lighting Maintenance District of the Royal Oaks, Phase 2 Subdivision for maintenance;
2. Authorize the City Clerk to file the Notice of Completion; and
3. Release the payment guarantee thirty-five (35) days after recordation, provided no liens have been filed.

ATTACHMENTS: 1. Royal Oaks Subdivision, Phase 2 Map

Appropriated/Funded:

Review By:

Department Director:
Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

OWNER'S STATEMENT

THE UNDERSIGNED HEREBY CERTIFY THAT WE ARE THE ONLY PERSONS HAVING ANY RECORD TITLE INTEREST IN THE REAL PROPERTY INCLUDED WITHIN THE BOUNDARIES OF THE SUBDIVISION SHOWN UPON THIS MAP, AND DO HEREBY CONSENT TO THE PREPARATION AND RECORDING OF SAID MAP AND THAT THE CONSENT OF NO OTHER PERSON IS NECESSARY. WE HEREBY OFFER FOR DEDICATION AND DO HEREBY DEDICATE TO PUBLIC USE THE FOLLOWING, AS SHOWN WITHIN THE BOUNDARIES OF THE MAP HEREON, FOR THE SPECIFIED PURPOSES:

1.

RIGHT OF WAY FOR SOUTH INDIANA STREET, RED OAK AVENUE, PIN OAK AVENUE, SOUTH CHESS TERRACE PLACE, ROYAL OAK COURT, OHIO PLACE, CREEKSIDE PLACE, AND COTTAGE PLACE
1.

BLOCK WALL AND FOOTING EASEMENT IN FAVOR OF THE CITY OF PORTERVILLE, FOR BLOCK WALL PURPOSES AND LABELED AS "BWE" HEREON
2.

PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF PORTERVILLE, FOR PUBLIC UTILITY PURPOSES AND LABELED AS "PUE" HEREON
3.

PUBLIC ACCESS EASEMENT IN FAVOR OF THE CITY OF PORTERVILLE, FOR PUBLIC ACCESS PURPOSES AND LABELED AS "PAE" HEREON
4.

TRAIL AND LANDSCAPE EASEMENT IN FAVOR OF THE CITY OF PORTERVILLE, FOR PEDESTRIAN ACCESS AND LANDSCAPE PURPOSES
5.

DITCH ACCESS AND MAINTENANCE EASEMENT IN FAVOR OF DITCH OWNER, FOR ACCESS AND DITCH MAINTENANCE PURPOSES

FOR: LEORA LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

BY: TITLE:

BY: TITLE:

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA/COUNTY OF

ON , BEFORE ME, , A NOTARY PUBLIC

PERSONALLY APPEARED , WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND, AND OFFICIAL SEAL

SIGNATURE PRINT NAME

MY COMMISSION EXPIRES: COMMISSION NO.

PRINCIPAL PLACE OF BUSINESS: COUNTY

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

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I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND, AND OFFICIAL SEAL

SIGNATURE PRINT NAME

MY COMMISSION EXPIRES: COMMISSION NO.

PRINCIPAL PLACE OF BUSINESS: COUNTY

LANDSCAPE & LIGHTING ASSESSMENT DISTRICT

THIS SUBDIVISION IS SUBJECT TO A LANDSCAPE AND LIGHTING ACT ASSESSMENT DISTRICT WHICH WILL BE FORMED WITHIN 45 DAYS OF THE RECORDING OF THIS MAP

NOTICE TO HOMEOWNERS:

THIS SUBDIVISION IS WITHIN A LANDSCAPE MAINTENANCE DISTRICT AND MAINTENANCE FEE FOR LANDSCAPING, SIDEWALK, AND BLOCK WALL MAINTENANCE IS SUBJECT TO AN ANNUAL REVISION BASED ON ACTUAL MAINTENANCE COST

FLOOD NOTE

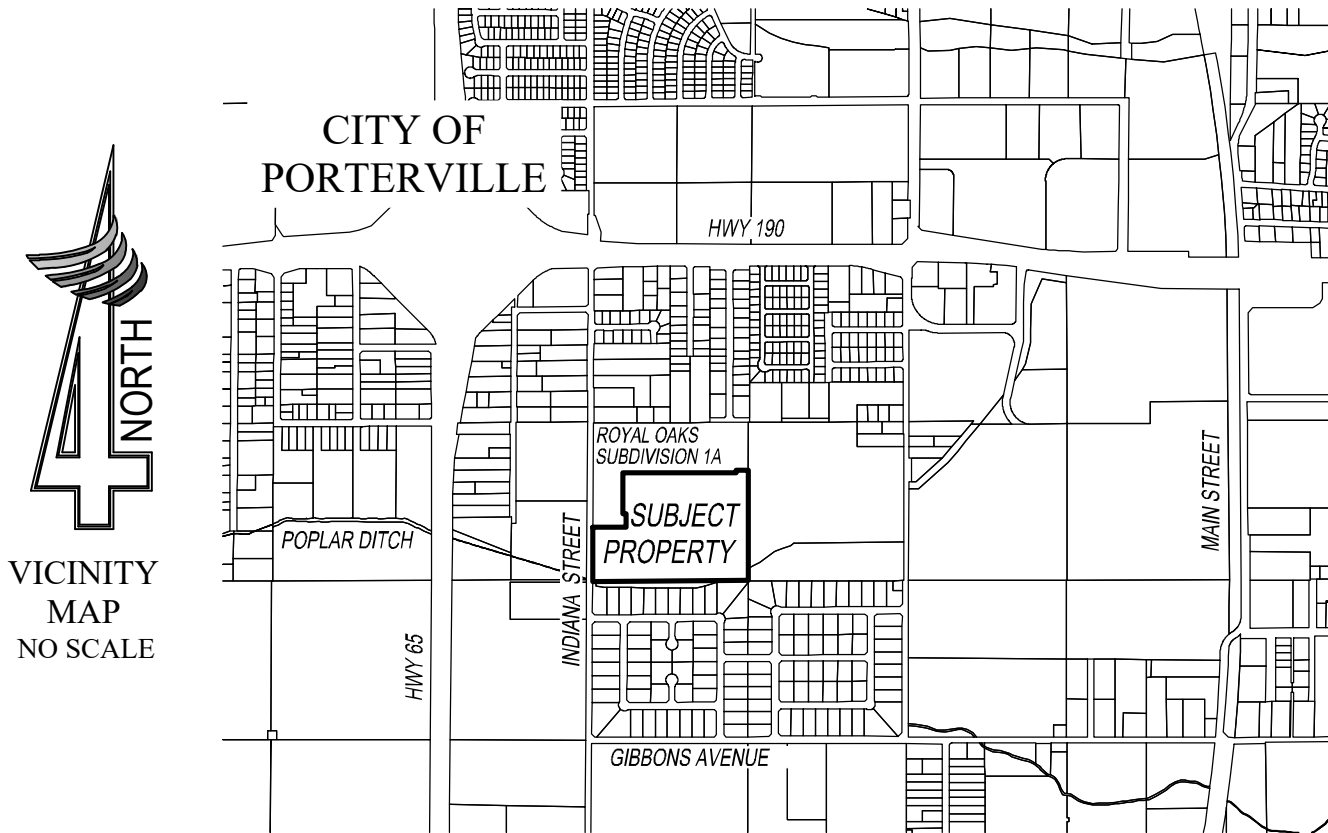
THE SUBJECT SITE IS WITHIN FLOOD ZONE X AS SHOWN ON FEMA FIRM PANEL 06107C1641E, EFFECTIVE 6/16/2009

ROYAL OAKS SUBDIVISION, PHASE 2

SITUATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 22 SOUTH, RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA.

LEGAL DESCRIPTION

ALL THAT PORTION AS LABELED "REMAINDER" OF ROYAL OAKS SUBDIVISION 1A, AS SHOWN ON SAID MAP, LOCATED IN THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, RECORDED JULY 30, 2020 AS DOCUMENT 2020-0044997 AND FILED IN VOLUME 44 OF MAPS AT PAGE 53, TULARE COUNTY RECORDS



CITY OF
PORTERVILLE

ROYAL OAKS
SUBDIVISION 1A

SUBJECT
PROPERTY

GIBBONS AVENUE

INDIANA STREET

POPLAR DITCH

HWY 65

HWY 99

MAIN STREET

NORTH

VICINITY
MAP
NO SCALE

POPLAR DITCH

HWY 65

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MAIN STREET

NORTH

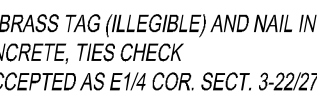
VICINITY
MAP
NO SCALE

POPLAR DITCH

HWY 65

HWY 99

FD. BRASS DISC IN WELL, STAMPED
"RCE 16094", TIES CHECK
ACCEPTED AS NE COR. SECT. 3-22/27



FD. BRASS DISC IN WELL STAMPED "RCE 24637"
ACCEPTED AS CENTER COR. SECT. 2-22/27



4CREEKS

SHEET 2 OF 3

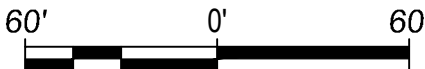
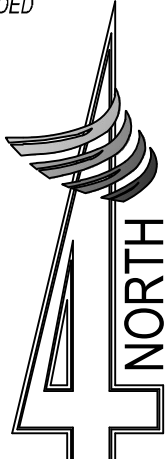
ROYAL OAKS SUBDIVISION, PHASE 2

LEGEND

- ▲ MONUMENT FOUND AS DESCRIBED
- △ FOUND BRASS DISC IN CONCRETE STAMPED "PLS 8163" PER ROYAL OAKS SUBDIVISION 1A RECORDED IN VOL. 44 OF MAPS, PG. 53 T.C.R.
- FOUND 3/4" IRON PIPE TAGGED "PLS 8163" PER ROYAL OAKS SUBDIVISION 1A
- SET 3/4" IRON PIPE TAGGED "PLS 8163"
- SET BRASS DISC IN CONCRETE STAMPED "PLS 8163"
- ◆ FOUND 3/4" IRON PIPE TAGGED "PLS 8163" AS 5' WITNESS CORNER
- ◇ SET 3/4" IRON PIPE TAGGED "PLS 8163" AS 5' WITNESS CORNER (DISTANCE IS TO TRUE CORNER)
- BWE BLOCK WALL AND CONCRETE FOOTING EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- T.C.R. TULARE COUNTY RECORDS
- O.R.T.C. OFFICIAL RECORD OF TULARE COUNTY
- FD. FOUND AS DESCRIBED
- IP IRON PIPE
- THICK SOLID LINE DENOTES SUBDIVISION BOUNDARY
- () RECORD DATA PER MAP OF ROYAL OAKS SUBDIVISION 1A RECORDED IN VOL. 44 OF MAPS, AT PG. 53, T.C.R.
- ① TRAIL AND LANDSCAPE EASEMENT
- ② DITCH ACCESS AND MAINTENANCE EASEMENT

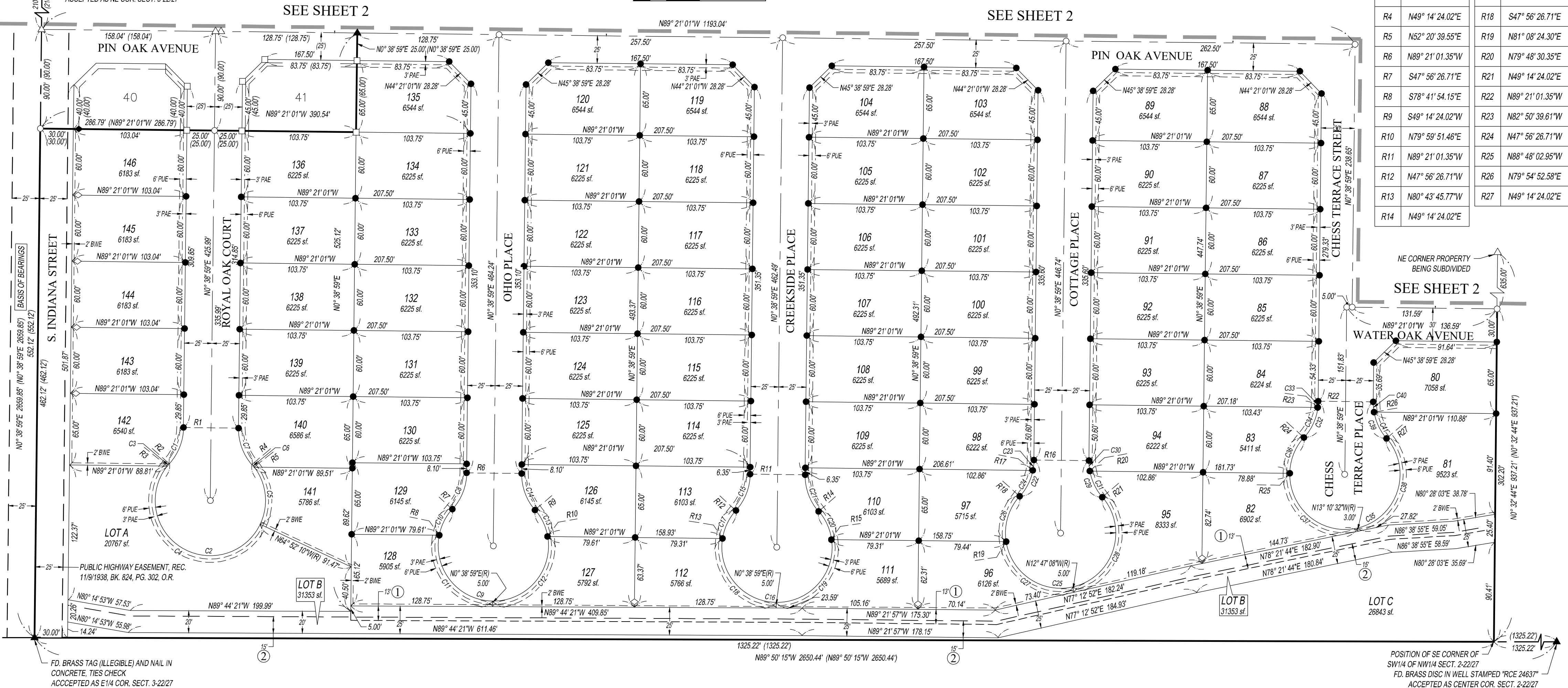
BASIS OF BEARINGS

THE WEST LINE OF THE NW1/4 OF SECTION 2-22/27
PER MAP OF ROYAL OAKS SUBDIVISION 1A, RECORDED
IN VOLUME 44 OF MAPS, PG. 53, T.C.R.



CURVE TABLE				CURVE TABLE				CURVE TABLE				CURVE TABLE				CURVE TABLE			
Curve #	Length	Radius	Delta	Curve #	Length	Radius	Delta	Curve #	Length	Radius	Delta	Curve #	Length	Radius	Delta	Curve #	Length	Radius	Delta
C1	36.14	50.00	41.41	C10	26.84	50.00	30.76	C19	86.06	50.00	98.62	C28	102.95	50.00	117.97	C37	91.08	49.79	104.80
C2	229.35	50.00	262.82	C11	87.84	50.00	100.65	C20	28.61	50.00	32.79	C29	36.14	50.00	41.41	C38	102.61	50.00	117.58
C3	2.71	50.00	3.10	C12	87.84	50.00	100.65	C21	36.14	50.00	41.41	C30	9.46	50.00	10.84	C39	36.14	50.00	41.41
C4	169.14	50.00	193.82	C13	26.84	50.00	30.76	C22	36.14	50.00	41.41	C31	26.68	50.00	30.57	C40	9.37	50.00	10.74
C5	54.79	50.00	62.79	C14	36.14	50.00	41.41	C23	9.46	50.00	10.84	C32	36.14	50.00	41.41	C41	26.77	50.00	30.67
C6	2.71	50.00	3.10	C15	36.14	50.00	41.41	C24	26.68	50.00	30.57	C33	5.68	50.00	6.51				
C7	36.14	50.00	41.41	C16	229.35	50.00	262.82	C25	229.35	50.00	262.82	C34	30.46	50.00	34.90				
C8	36.14	50.00	41.41	C17	28.61	50.00	32.79	C26	44.44	50.00	50.92	C35	229.35	50.00	262.82				
C9	229.35	50.00	262.82	C18	86.06	50.00	98.62	C27	81.97	50.00	93.93	C36	35.64	49.11	41.58				

RADIAL TABLE		RADIAL TABLE	
#	BEARING	#	BEARING
R1	N89° 21' 01.35"W	R15	N82° 01' 43.08"E
R2	N47° 56' 26.71"W	R16	N89° 21' 01.35"W
R3	S51° 02' 42.24"E	R17	N78° 30' 33.04"W
R4	N49° 14' 24.02"E	R18	S47° 56' 26.71"E
R5	N52° 20' 39.55"E	R19	N81° 08' 24.30"E
R6	N89° 21' 01.35"W	R20	N79° 48' 30.35"E
R7	S47° 56' 26.71"E	R21	N49° 14' 24.02"E
R8	S78° 41' 54.15"E	R22	N89° 21' 01.35"W
R9	S49° 14' 24.02"W	R23	N82° 50' 39.61"W
R10	N79° 59' 51.46"E	R24	N47° 56' 26.71"W
R11	N89° 21' 01.35"W	R25	N88° 48' 02.95"W
R12	N47° 56' 26.71"W	R26	N79° 54' 52.58"E
R13	N80° 43' 45.77"W	R27	N49° 14' 24.02"E
R14	N49° 14' 24.02"E		



PREPARED BY:



4CREEKS

324 S. SANTA FE ST., STE. A
P.O. BOX 7593
VISALIA, CA 93292
TEL: 559.802.3052
FAX: 559.802.3215

SHEET 3 OF 3



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Amendment No. 1 to 4Creeks, Inc. Santa Fe Byway Trail Service Agreement

SOURCE: Engineering and Project Management

COMMENT: 4Creeks, Inc. is under contract with the City to design and provide plans and specifications for the Santa Fe Byway Trail Project (a Clean California Grant project). The Santa Fe Byway is a converted former right-of-way of the San Joaquin Valley Railroad that runs north to south approximately 1/4-mile east of Downtown Porterville from Henderson Avenue to Walnut Avenue. As a component of the contract with 4Creeks for this project, and in anticipation of the City's application of a State Active Transportation Program (ATP) grant for the installation of High-intensity Activated crossWalK (HAWK) systems at the Olive Avenue and Morton Avenue crossings along the trail, 4Creeks is designing the installation of said HAWK systems. The final ATP application and grant award included an additional crossing on Plano Street at Chase Avenue that was not originally anticipated during the negotiation of the scope of services for this contract.

Staff is seeking an amendment to the 4Creeks, Inc. Service Agreement for the design of the HAWK system and required accessibility improvements on Plano Street at Chase Avenue to deliver a complete set of plans and specifications that meet the deliverable requirements of the awarded ATP grant for the HAWK crossings. Cost for the additional design services is \$38,320 and funding is available through the City's Measure R Alternative Transportation fund.

RECOMMENDATION: That the city Council:

1. Authorize the Engineering & Project Management Director to execute Addendum No. 1 to the 4Creeks, Inc. Service Agreement at an agreed upon fee of \$38,320 for the services described herein; and
2. Authorize progress payments up to one hundred percent (100%) of the fee amount and authorize a ten percent (10%) contingency to cover unforeseen costs.

ATTACHMENTS: 1. 4Creeks, Inc. - Contract Amendment 1

Appropriated/Funded:

Review By:

Department Director:
Javier Sanchez, Engineering & Project Management Director

Item No. 10.

Final Approver: John Lollis, City Manager

February 27, 2023

Ms. Sarah Weaver

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



Subject: Santa Fe Byway Project – Contract Amendment 1

Dear Ms. Weaver,

We have prepared a scope of work and fee for the additional services required to complete the plans, specifications, and engineer's opinion of probable construction costs (PS&E) for the proposed Santa Fe Byway project. Our understanding is that the scope of work will generally include the following:

- Pedestrian Hybrid Beacon (PHB) System at the intersection of Plano Street and Chase Avenue
- Approximately 190 LF of sidewalk
- Two (2) accessible curb ramps
- Two (2) drive approaches
- Signing, striping, and markings for the PHB

Below you will find a breakdown of the tasks needed to complete this project.

Task 14: New Pedestrian Hybrid Beacon at Plano Street and Chase Avenue

Task 14.1: Topographic Survey

4Creeks will complete the topographic survey which shall include, but not be limited to, the following:

- Full topographic survey of the intersection with approximately 400' in each direction on Plano Street
- More detailed topographic survey around accessibility ramp locations
- 50' cross sections
- Existing observable improvements within the right of way or directly adjacent thereto that may be affected by the project
- Observable utilities including fire hydrants, water meter boxes, sewer cleanouts, sewer and storm manholes, valve boxes, etc.
- Tie into City of Porterville benchmark and coordinate system

Right of way limits will be drafted on the topographic survey from record maps. This fee does not include ordering title reports for separate properties or record research of dedicated easements/additional right of way for the project area at the intersection of Plano Street and Chase Avenue. It is assumed improvements can be designed within existing right of way.

The above **Task 14.1** services will be provided for a **Fixed Fee of \$9,000**.

Task 14.2: PS&E for Civil Design

4Creeks will design an ADA-compliant curb ramp to replace the existing curb ramp on the northwest corner of the intersection and install a new accessible ramp on the northeast section of the intersection for the pedestrian crossing. It assumed the existing curb ramp at the southwest corner of the intersection will remain. New sidewalk will be designed for the east side of Plano Street to connect existing sidewalk north and south of the intersection. Two drive approaches will be designed with the new sidewalk at their existing locations.

4Creeks will also work with utility companies affected by the project in providing a complete set of plans for construction bidding. 4Creeks will complete utility research to identify and mitigate existing and potential conflicts, including the following:

- Obtain utility plats and record drawings from utility companies.
- Schedule meetings and site visits with affected utility companies and the City of Porterville in identifying utility conflicts.
- Include obtained utility information in the topographic survey and base map.
- Draft conflict maps for each affected facility
- Coordinate follow-up meetings with affected utility companies.
- Coordinate with affected utility companies in relocating utilities prior to construction.

At this time, it is unknown if there are any major utilities that will require relocation. 4Creeks staff will work with the utility companies as efficiently and quickly as possible to finalize the necessary relocation packages.

The above **Task 14.2** services will be provided for a **Fixed Fee of \$18,670.**

Task 14.3: PS&E for Pedestrian Hybrid Beacon System

The 4Creeks Team will prepare PS&E for review/approval by the City for the following:

- Pedestrian Hybrid Beacon System Plan (assumed 1" = 20' scale, 1 sheet)

The above **Task 14.3** services will be provided for a **Fixed Fee of \$10,650.**

Total Estimated Contract Amount for Task 14 = \$38,320.

Exclusions

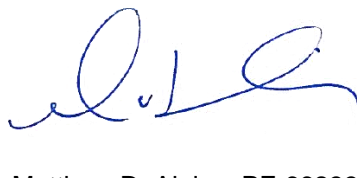
- Potholing needs are unknown and are currently excluded; however, if determined to be necessary, a scope and fee can be provided at that time.
- Any work not specifically listed in this scope of work.

If you have questions or need additional information, please feel free to give us a call to discuss.

Sincerely,



Chris Crawford, PE 71192
Senior Civil Engineer



Matthew D. Ainley, PE 66233
Principal-In-Charge

Job No. 22264

Concurrence

Date



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Amendment No. 2 to 4Creeks, Inc. Butterfield Stage Corridor Service Agreement

SOURCE: Engineering and Project Management

COMMENT: 4Creeks, Inc. is under contract with the City to design and provide plans and specifications for the Butterfield Stage Corridor Project. The Butterfield Stage Corridor Project will convert City-owned former Union Pacific Railroad right-of-way that is less than a 1/4-mile west of Downtown Porterville beginning at Yates Avenue to the south and to the north to W. North Grand Avenue. Part of the process of providing a complete set of plans and specifications is ensuring that the Project meets the required grant deliverables and that the deliverables are designed to be installed in a manner that is both safe and effective. During the review of the trail crossings at Olive Avenue, Morton Avenue, and Henderson Avenue for the installation of the High-intensity Activated crossWalk (HAWK) systems, it was determined that the guidelines for their installation recommend the HAWK systems to be integrated with neighboring traffic signals to help prevent negative impacts on traffic. The integration of the neighboring systems will require the upgrade of the existing signal controller assemblies, video detection systems, pedestrian signal heads and push buttons for access compliance, and existing curb ramps at the intersections for access compliance. The traffic signals in close enough proximity to the proposed HAWK systems are at Olive Avenue and D Street, Olive Avenue and E Street, Morton Avenue and D Street, and Henderson Avenue and Main Street.

In addition to the changes stated above, the City Engineer has determined that in order to provide redundancy to the water system in the area of Henderson Avenue and Westfield Avenue and to help alleviate the level of storm drain water that currently drains to Zalud Park, additional changes are to be made to the scope of design for this project. The changes include the installation of a water main and a storm drain main adjacent to the trail between Henderson Avenue and Westfield Avenue, as well as a storm drain catch basin on the north side of Henderson Avenue as well as the south side of Westfield Avenue with a stub-out into the street for future connection.

Staff is seeking an amendment to the 4Creeks, Inc. Service agreement that will allow the design of the necessary upgrades to the intersections, water system, and storm drain system to be completed as described herein. Cost for the additional services is \$116,670. Funding for the additional services is available through the City's Measure R Alternative Transportation fund.

RECOMMENDATION:

That the City Council:

1. Authorize the Engineering & Project Management Director to execute Addendum No. 2 to the 4Creeks, Inc. Service Agreement at an agreed upon fee of \$116,670 for the services described herein; and
2. Authorize progress payments up to one hundred percent (100%) of the fee amount and authorize a ten percent (10%) contingency to cover unforeseen costs.

ATTACHMENTS:

1. 4Creeks, Inc. - Contract Amendment 2

Appropriated/Funded:

Review By:

Department Director:

Javier Sanchez, Engineering & Project Management Director

Final Approver: John Lollis, City Manager

February 28, 2023

Ms. Sarah Weaver

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



Subject: Design Proposal for the Butterfield Stage Corridor Project – Contract Amendment 2

Dear Ms. Weaver,

We have prepared a scope of work and fee for the additional services required to complete the plans, specifications, and engineer's opinion of probable construction costs (PS&E) for the proposed Butterfield Stage Corridor project. The additional scope entails the traffic signal modification at four additional intersections – Olive Avenue and D Street, Olive Avenue and E Street, Morton Avenue and D Street, and Henderson Avenue and Main Street and the installation of a domestic water main and storm drain main between W. Henderson Avenue and W. Westfield Avenue. Below you will find a breakdown of the additional tasks needed to complete this project.

Task 21: Traffic Signal Modifications

Task 21.1 Intersection Topographic Survey

4Creeks will complete the topographic survey which shall include, but not be limited to, the following:

- Full topographic survey of the four intersections with approximately 400' in each direction, including equipment for the existing traffic signals.
- More detailed topographic survey around curb returns at the four intersections for design of ADA-compliant ramps.

The above **Task 21.1** services will be provided for a **Fixed Fee of \$9,500**.

Task 21.2: Curb Ramp Design

4Creeks will determine which existing curb returns are not ADA-compliant and remove and replace with new ramps for the installation of new pedestrian push buttons. Based on initial review, it is assumed that sixteen (16) ADA curb returns will need to be removed and replaced to meet full ADA compliance at each of the four intersections. This will include new curb ramp design, tying into existing pavement, providing ADA compliant landings adjacent to each curb ramp, tying into existing sidewalks, and all work required to provide ADA accessible crossings at each intersection.

The above **Task 21.2** services will be provided for a **Fixed Fee of \$48,550**.

Task 21.3: Traffic Signal Modifications

4Creeks will complete traffic signal modifications at the intersections of Olive Avenue and D Street, Olive Avenue and E Street, Morton Avenue and D Street, and Henderson Avenue and Main Street intersections which shall include, but not be limited to, the following:

- Upgrade traffic signal systems to remove the existing cabinet and controller assembly and install new Econolite controller assembly and battery back-up system, as necessary for compatibility with adjacent pedestrian hybrid beacon systems to be installed as part of the Butterfield Stage Corridor project.
- Upgrade to Econolite video detection system.
- Upgrade luminaires to be LED, upgrade pedestrian signal heads to be countdown type, and upgrade pedestrian push buttons as required to meet current ADA requirements.
- Emergency vehicle detection GPS Opticom System.

It is 4Creeks' understanding the City will provide PDFs of the as-built signal plans of the four intersections for use in preparing the conductor schedule, pole and equipment schedule, and phasing diagram. Should the as-builts not be accurate to existing conditions, it is assumed the City will meet 4Creeks staff in the field to open cabinets and pull boxes and determine the correct schedules and phasing diagrams and provide to 4Creeks.

4Creeks also assumes the City will prepare the traffic signal timing and program the intersections.

The above **Task 21.3** services will be provided for a **Fixed Fee of \$21,400.**

Task 22 – Storm Drainage and Domestic Water between W. Henderson Ave. and W. Westfield Ave.

4Creeks will design a domestic water main, and storm drain main adjacent to Butterfield Trail between W. Henderson Avenue and W. Westfield Avenue.

- 4Creeks will design approximately 3,200 LF of water main adjacent to the trail that will connect to the existing water main on W. Henderson Avenue and connect to the existing water main on W. Westfield Avenue.
- 4Creeks will design approximately 3,200 LF of 30" storm drain main adjacent to the trail between W. Henderson Avenue and W. Westfield Avenue. 4Creeks will design the installation of a catch basin on the north side of Henderson Avenue, a 30" main (City of Porterville to confirm capacity and size) north to the Westfield Avenue intersection, a catch basin on the south side of Westfield Avenue, and a stub into the street for a future connection.

The above **Task 22** services will be provided for a **Fixed Fee of \$37,220.**

Total Amount for Tasks 21 – 22 = \$116,670.

City of Porterville Responsibilities

- Provide traffic signal as-built plans and/or obtain information needed in the field per Task 21.3.
- Provide storm drainage capacity calculations to verify storm drain main diameter.
- Confirm size of water main needed.

Exclusions

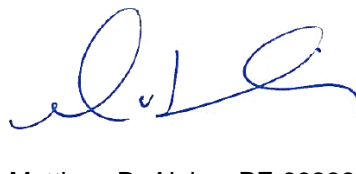
- Any work not specifically listed in this scope of work is excluded.

If you have questions or need additional information, please feel free to give us a call to discuss.

Sincerely,



Chris Crawford, PE 71192
Senior Civil Engineer



Matthew D. Ainley, PE 66233
Principal-In-Charge

encl: 4Creeks Fee Schedule

LMWD/CC
Job No. 22107

Concurrence

Date

324 S. Santa Fe, Suite A
Visalia, California 93292
www.4-creeks.com



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Acceptance of Board of State Community and Corrections Officer Wellness and Mental Health Grant

SOURCE: Police

COMMENT: The Board of State and Community Corrections (BSCC) Officer Wellness and Mental Health Grant Program, established in the 2022 Budget Act (Assembly Bill 178, Chapter 45, Statutes of 2022), provides \$50 million for city and county law enforcement agencies for the purpose of improving Officer wellness and expanding mental health resources. The funding may be used for any of the following purposes:

- Establishing or expanding Officer wellness units
- Establishing or expanding peer support units
- Services provided by a licensed mental health professional, counselor or other professional that works with law enforcement
- Expanding multi-agency mutual aid programs focused on Officer wellness and mental health
- Other programs and services that are evidence-based or have a successful track record of enhancing Officer wellness

The allocation of funds was determined by the number of peace officers described in Penal Code section 830.1 at each respective agency. A check for the full funding allocation was sent to all eligible law enforcement agencies. Funding allocated to the Porterville Police Department was \$46,337.46.

The grant period is from July 1, 2022, to December 1, 2025. All grant funds must be expended within the grant period, and any remaining funds at the conclusion of the grant must be returned to the BSCC by December 31, 2025. Those unspent funds will then be returned to the State's General Fund.

As a condition of utilizing said funds, reporting requirements are that recipients will submit brief, annual expenditure reports due December 1, 2023 and December 1, 2024. Recipients will also submit a final impact and expenditure report describing how funding was used and the impact of the resources by December 1, 2025.

RECOMMENDATION: That the City Council:

1. Authorize City Staff to sign all necessary grant documents; and
2. Authorize a budget adjustment upon receipt and acceptance of the funds.

ATTACHMENTS: 1. BSCC Officer Wellness and Mental Health Grant Award

2. BSCC Officer Wellness and Mental Health Grant Program
Funding Distribution Schedule

Appropriated/Funded:

Review By:

Department Director:
Jake Castellow, Chief of Police

Final Approver: John Lollis, City Manager

DATE: December 21, 2022
TO: Police Chiefs and Sheriffs
FROM: Linda Penner, Chair
SUBJECT: OFFICER WELLNESS AND MENTAL HEALTH GRANT AWARD

I am pleased to let you know that the BSCC has begun processing the Officer Wellness and Mental Health grants, which were included in the Budget Act of 2022. All eligible law enforcement agencies will receive their payment by February 15, 2023. This memorandum provides further information about the purposes of the grant, and requests your assistance in identifying the person in your agency who will be responsible for required data reporting.

This disbursement is being made in accordance with Assembly Bill 178, Chapter 45, Statutes of 2022, Item 5227-121-0001. This funding is available to all city and county law enforcement agencies employing officers described in Section 830.1 of the Penal Code. The Officer Wellness grant is for the purpose of improving officer wellness and expanding mental health sources as follows:

1. Establishing officer wellness units or expanding existing officer wellness units.
2. Establishing peer support units or expanding peer support units.
3. Services provided by a licensed mental health professional, counselor, or other professional that works with law enforcement.
4. Expanding multiagency mutual aid programs focused on officer wellness and mental health.
5. Other programs or services that are evidence based or have a successful track record of enhancing officer wellness.

For further information about this funding and to identify the amount of funding allocated to your agency, please visit the Board of State and Community Corrections' webpage for the Officer Wellness and Mental Health Grant available at <https://www.bscc.ca.gov/officer-wellness-and-mental-health-grant-program/>.

Provision 2 of the Budget Act requires each grant recipient to submit an expenditure report and a final impact report no later than December 1, 2025. Additionally, grant recipients will submit a brief annual expenditure report. Reports will be provided to the Commission on Peace Officer Standards and Training (POST). Detailed information regarding reporting requirements and reporting requirement webinars will be sent out in early 2023.

Please send the name and email address of the individual(s) within your agency who will be responsible for the implementation and reporting requirements for this grant to OfficerWellnessGrant@bscc.ca.gov by February 28, 2023 so they may receive additional information regarding detailed reporting requirements, webinars, and deadlines.

If you have any questions regarding this funding distribution, please email OfficerWellnessGrant@bscc.ca.gov and a BSCC staff member will respond.

Sincerely,

A handwritten signature in blue ink, appearing to read "Linda Penner", with a stylized flourish at the end.

LINDA PENNER
Chair
Board of State & Community Corrections

Officer Wellness and Mental Health Grant Program

Funding Distribution Schedule

COUNTY	AGENCY NAME	AWARD AMOUNT
ALAMEDA COUNTY	ALAMEDA CO SD/CORONER	\$ 709,103.49
ALAMEDA COUNTY	ALAMEDA PD	\$ 47,741.62
ALAMEDA COUNTY	ALBANY PD	\$ 20,000.00
ALAMEDA COUNTY	BAY AREA RAPID TRANSIT PD	\$ 145,331.11
ALAMEDA COUNTY	BERKELEY PD	\$ 106,014.48
ALAMEDA COUNTY	EAST BAY REG PARK DPS	\$ 37,912.46
ALAMEDA COUNTY	EMERYVILLE PD	\$ 28,000.00
ALAMEDA COUNTY	FREMONT PD	\$ 117,949.89
ALAMEDA COUNTY	HAYWARD PD	\$ 113,737.39
ALAMEDA COUNTY	LIVERMORE PD	\$ 63,187.44
ALAMEDA COUNTY	NEWARK PD	\$ 34,402.05
ALAMEDA COUNTY	OAKLAND PD	\$ 483,032.87
ALAMEDA COUNTY	PIEDMONT PD	\$ 15,000.00
ALAMEDA COUNTY	PLEASANTON PD	\$ 54,762.45
ALAMEDA COUNTY	SAN LEANDRO PD	\$ 49,847.87
ALAMEDA COUNTY	UNION CITY PD	\$ 47,039.54
ALPINE COUNTY	ALPINE CO SO	\$ 15,000.00
AMADOR COUNTY	AMADOR CO SO/CORONER	\$ 32,997.89
AMADOR COUNTY	IONE PD	\$ 15,000.00
AMADOR COUNTY	JACKSON PD	\$ 15,000.00
AMADOR COUNTY	SUTTER CREEK PD	\$ 15,000.00
BUTTE COUNTY	BUTTE CO SO/CORONER	\$ 122,162.38
BUTTE COUNTY	CHICO PD	\$ 65,293.69
BUTTE COUNTY	GRIDLEY PD	\$ 15,000.00
BUTTE COUNTY	OROVILLE PD	\$ 15,000.00
BUTTE COUNTY	PARADISE PD	\$ 15,000.00
CALAVERAS COUNTY	ANGELS CAMP PD	\$ 15,000.00
CALAVERAS COUNTY	CALAVERAS CO SD	\$ 40,018.71
COLUSA COUNTY	COLUSA COUNTY SD	\$ 25,000.00
COLUSA COUNTY	COLUSA PD	\$ 15,000.00
COLUSA COUNTY	WILLIAMS PD	\$ 15,000.00
CONTRA COSTA COUNTY	ANTIOCH PD	\$ 77,229.09
CONTRA COSTA COUNTY	BRENTWOOD PD	\$ 46,337.46
CONTRA COSTA COUNTY	CLAYTON PD	\$ 15,000.00
CONTRA COSTA COUNTY	CONCORD PD	\$ 93,376.99
CONTRA COSTA COUNTY	CONTRA COSTA CO SO/CORONER	\$ 435,993.33
CONTRA COSTA COUNTY	EL CERRITO PD	\$ 25,000.00
CONTRA COSTA COUNTY	HERCULES PD	\$ 20,000.00
CONTRA COSTA COUNTY	KENSINGTON PD	\$ 15,000.00
CONTRA COSTA COUNTY	MARTINEZ PD	\$ 28,000.00
CONTRA COSTA COUNTY	MORAGA PD	\$ 15,000.00
CONTRA COSTA COUNTY	OAKLEY PD	\$ 28,000.00
CONTRA COSTA COUNTY	PINOLE PD	\$ 20,000.00
CONTRA COSTA COUNTY	PITTSBURG PD	\$ 62,485.36
CONTRA COSTA COUNTY	PLEASANT HILL PD	\$ 30,891.64
CONTRA COSTA COUNTY	RICHMOND PD	\$ 83,547.84
CONTRA COSTA COUNTY	SAN PABLO PD	\$ 37,912.46
CONTRA COSTA COUNTY	SAN RAMON PD	\$ 46,337.46
CONTRA COSTA COUNTY	WALNUT CREEK PD	\$ 51,252.03

COUNTY	AGENCY NAME	AWARD AMOUNT
DEL NORTE COUNTY	CRESCENT CITY PD	\$ 15,000.00
DEL NORTE COUNTY	DEL NORTE COUNTY SO	\$ 15,000.00
EL DORADO COUNTY	EL DORADO CO SO	\$ 117,247.80
EL DORADO COUNTY	PLACERVILLE PD	\$ 15,000.00
EL DORADO COUNTY	SOUTH LAKE TAHOE PD	\$ 28,000.00
FRESNO COUNTY	CLOVIS PD	\$ 73,718.68
FRESNO COUNTY	COALINGA PD	\$ 15,000.00
FRESNO COUNTY	FIREBAUGH PD	\$ 15,000.00
FRESNO COUNTY	FOWLER PD	\$ 15,000.00
FRESNO COUNTY	FRESNO CO SO	\$ 288,555.97
FRESNO COUNTY	FRESNO PD	\$ 557,453.63
FRESNO COUNTY	HURON PD	\$ 15,000.00
FRESNO COUNTY	KERMAN PD	\$ 25,000.00
FRESNO COUNTY	KINGSBURG PD	\$ 20,000.00
FRESNO COUNTY	MENDOTA PD	\$ 15,000.00
FRESNO COUNTY	ORANGE COVE PD	\$ 15,000.00
FRESNO COUNTY	PARLIER PD	\$ 15,000.00
FRESNO COUNTY	REEDLEY PD	\$ 25,000.00
FRESNO COUNTY	SANGER PD	\$ 28,000.00
FRESNO COUNTY	SELMA PD	\$ 28,000.00
GLENN COUNTY	GLENN CO SO/CORONER	\$ 30,891.64
GLENN COUNTY	ORLAND PD	\$ 15,000.00
HUMBOLDT COUNTY	ARCATA PD	\$ 20,000.00
HUMBOLDT COUNTY	EUREKA PD	\$ 28,000.00
HUMBOLDT COUNTY	FERNDALE PD	\$ 15,000.00
HUMBOLDT COUNTY	FORTUNA PD	\$ 15,000.00
HUMBOLDT COUNTY	HUMBOLDT CO SO	\$ 128,481.13
HUMBOLDT COUNTY	RIO DELL PD	\$ 15,000.00
IMPERIAL COUNTY	BRAWLEY PD	\$ 20,000.00
IMPERIAL COUNTY	CALEXICO PD	\$ 20,000.00
IMPERIAL COUNTY	CALIPATRIA PD	\$ 15,000.00
IMPERIAL COUNTY	EL CENTRO PD	\$ 28,083.31
IMPERIAL COUNTY	IMPERIAL CO SO	\$ 63,187.44
IMPERIAL COUNTY	IMPERIAL PD	\$ 15,000.00
IMPERIAL COUNTY	WESTMORLAND PD	\$ 15,000.00
INYO COUNTY	BISHOP PD	\$ 15,000.00
INYO COUNTY	INYO COUNTY SO	\$ 28,000.00
KERN COUNTY	ARVIN PD	\$ 15,000.00
KERN COUNTY	BAKERSFIELD PD	\$ 305,405.96
KERN COUNTY	BEAR VALLEY PD	\$ 15,000.00
KERN COUNTY	CALIFORNIA CITY PD	\$ 15,000.00
KERN COUNTY	DELANO PD	\$ 33,699.97
KERN COUNTY	KERN COUNTY SO	\$ 501,989.10
KERN COUNTY	MCFARLAND PD	\$ 15,000.00
KERN COUNTY	RIDGECREST PD	\$ 25,000.00
KERN COUNTY	SHAFTER PD	\$ 25,000.00
KERN COUNTY	STALLION SPRINGS PD	\$ 15,000.00
KERN COUNTY	TAFT PD	\$ 15,000.00
KERN COUNTY	TEHACHAPI PD	\$ 15,000.00
KINGS COUNTY	AVENAL PD	\$ 15,000.00
KINGS COUNTY	CORCORAN PD	\$ 15,000.00
KINGS COUNTY	HANFORD PD	\$ 42,827.04

COUNTY	AGENCY NAME	AWARD AMOUNT
KINGS COUNTY	KINGS CO SHERIFF'S OFFICE	\$ 136,204.04
KINGS COUNTY	LEMOORE PD	\$ 28,000.00
LAKE COUNTY	CLEARLAKE PD	\$ 20,000.00
LAKE COUNTY	LAKE CO SO	\$ 64,591.60
LAKE COUNTY	LAKEPORT PD	\$ 15,000.00
LASSEN COUNTY	LASSEN CO SO	\$ 38,614.55
LASSEN COUNTY	SUSANVILLE PD	\$ 15,000.00
LOS ANGELES COUNTY	ALHAMBRA PD	\$ 56,868.70
LOS ANGELES COUNTY	ARCADIA PD	\$ 45,635.37
LOS ANGELES COUNTY	AZUSA PD	\$ 36,508.30
LOS ANGELES COUNTY	BALDWIN PARK PD	\$ 40,720.79
LOS ANGELES COUNTY	BELL GARDENS PD	\$ 32,295.80
LOS ANGELES COUNTY	BELL PD	\$ 25,000.00
LOS ANGELES COUNTY	BEVERLY HILLS PD	\$ 94,781.16
LOS ANGELES COUNTY	BURBANK PD	\$ 103,908.23
LOS ANGELES COUNTY	CLAREMONT PD	\$ 28,000.00
LOS ANGELES COUNTY	COVINA PD	\$ 40,720.79
LOS ANGELES COUNTY	CULVER CITY PD	\$ 70,910.35
LOS ANGELES COUNTY	DOWNEY PD	\$ 80,037.42
LOS ANGELES COUNTY	EL MONTE PD	\$ 75,824.93
LOS ANGELES COUNTY	EL SEGUNDO PD	\$ 37,912.46
LOS ANGELES COUNTY	GARDENA PD	\$ 60,379.11
LOS ANGELES COUNTY	GLENDALE PD	\$ 162,883.18
LOS ANGELES COUNTY	GLENORA PD	\$ 34,402.05
LOS ANGELES COUNTY	HAWTHORNE PD	\$ 64,591.60
LOS ANGELES COUNTY	HERMOSA BEACH PD	\$ 28,000.00
LOS ANGELES COUNTY	HUNTINGTON PARK PD	\$ 37,210.38
LOS ANGELES COUNTY	INGLEWOOD PD	\$ 120,056.14
LOS ANGELES COUNTY	IRWINDALE PD	\$ 25,000.00
LOS ANGELES COUNTY	LA VERNE PD	\$ 28,000.00
LOS ANGELES COUNTY	LONG BEACH PD	\$ 520,243.25
LOS ANGELES COUNTY	LOS ANGELES CO SD	\$ 6,548,325.00
LOS ANGELES COUNTY	LOS ANGELES PD	\$ 6,499,179.21
LOS ANGELES COUNTY	MANHATTAN BEACH PD	\$ 40,720.79
LOS ANGELES COUNTY	MONROVIA PD	\$ 32,295.80
LOS ANGELES COUNTY	MONTEBELLO PD	\$ 47,741.62
LOS ANGELES COUNTY	MONTEREY PARK PD	\$ 49,847.87
LOS ANGELES COUNTY	PALOS VERDES ESTATES PD	\$ 15,000.00
LOS ANGELES COUNTY	PASADENA PD	\$ 152,351.94
LOS ANGELES COUNTY	POMONA PD	\$ 105,312.40
LOS ANGELES COUNTY	REDONDO BEACH PD	\$ 63,187.44
LOS ANGELES COUNTY	SAN FERNANDO PD	\$ 25,000.00
LOS ANGELES COUNTY	SAN GABRIEL PD	\$ 32,997.89
LOS ANGELES COUNTY	SAN MARINO PD	\$ 25,000.00
LOS ANGELES COUNTY	SANTA MONICA PD	\$ 141,118.62
LOS ANGELES COUNTY	SIERRA MADRE PD	\$ 15,000.00
LOS ANGELES COUNTY	SIGNAL HILL PD	\$ 28,000.00
LOS ANGELES COUNTY	SOUTH GATE PD	\$ 51,954.12
LOS ANGELES COUNTY	SOUTH PASADENA PD	\$ 28,000.00
LOS ANGELES COUNTY	TORRANCE PD	\$ 141,820.70
LOS ANGELES COUNTY	VERNON PD	\$ 30,189.55
LOS ANGELES COUNTY	WEST COVINA PD	\$ 65,293.69

COUNTY	AGENCY NAME	AWARD AMOUNT
LOS ANGELES COUNTY	WHITTIER PD	\$ 87,058.25
MADERA COUNTY	CHOWCHILLA PD	\$ 20,000.00
MADERA COUNTY	MADERA CO SO	\$ 75,122.84
MADERA COUNTY	MADERA PD	\$ 40,720.79
MARIN COUNTY	BELVEDERE PD	\$ 15,000.00
MARIN COUNTY	CENTRAL MARIN POLICE AUTHORITY	\$ 28,000.00
MARIN COUNTY	FAIRFAX PD	\$ 15,000.00
MARIN COUNTY	MARIN CO SO	\$ 132,693.62
MARIN COUNTY	MILL VALLEY PD	\$ 20,000.00
MARIN COUNTY	NOVATO PD	\$ 39,316.63
MARIN COUNTY	ROSS PD	\$ 15,000.00
MARIN COUNTY	SAN RAFAEL PD	\$ 44,933.29
MARIN COUNTY	SAUSALITO PD	\$ 15,000.00
MARIN COUNTY	TIBURON PD	\$ 15,000.00
MARIPOSA COUNTY	MARIPOSA CO SO	\$ 44,231.21
MENDOCINO COUNTY	FORT BRAGG PD	\$ 15,000.00
MENDOCINO COUNTY	MENDOCINO CO SO	\$ 75,824.93
MENDOCINO COUNTY	UKIAH PD	\$ 20,000.00
MENDOCINO COUNTY	WILLITS PD	\$ 15,000.00
MERCED COUNTY	ATWATER PD	\$ 20,000.00
MERCED COUNTY	DOS PALOS PD	\$ 15,000.00
MERCED COUNTY	GUSTINE PD	\$ 15,000.00
MERCED COUNTY	LIVINGSTON PD	\$ 15,000.00
MERCED COUNTY	LOS BANOS PD	\$ 30,189.55
MERCED COUNTY	MERCED CO SO	\$ 84,249.92
MERCED COUNTY	MERCED PD	\$ 65,995.77
MODOC COUNTY	ALTURAS PD	\$ 15,000.00
MODOC COUNTY	MODOC CO SO	\$ 15,000.00
MONO COUNTY	MAMMOTH LAKES PD	\$ 15,000.00
MONO COUNTY	MONO CO SD	\$ 20,000.00
MONTEREY COUNTY	CARMEL PD	\$ 15,000.00
MONTEREY COUNTY	DEL REY OAKS PD	\$ 15,000.00
MONTEREY COUNTY	GONZALES PD	\$ 15,000.00
MONTEREY COUNTY	GREENFIELD PD	\$ 20,000.00
MONTEREY COUNTY	KING CITY PD	\$ 15,000.00
MONTEREY COUNTY	MARINA PD	\$ 25,000.00
MONTEREY COUNTY	MONTEREY CO SHERIFF'S OFFICE	\$ 196,583.15
MONTEREY COUNTY	MONTEREY PD	\$ 32,997.89
MONTEREY COUNTY	PACIFIC GROVE PD	\$ 20,000.00
MONTEREY COUNTY	SALINAS PD	\$ 96,887.41
MONTEREY COUNTY	SAND CITY PD	\$ 15,000.00
MONTEREY COUNTY	SEASIDE PD	\$ 25,000.00
MONTEREY COUNTY	SOLEDAD PD	\$ 15,000.00
NAPA COUNTY	CALISTOGA PD	\$ 15,000.00
NAPA COUNTY	NAPA CO SO	\$ 72,314.51
NAPA COUNTY	NAPA PD	\$ 44,933.29
NAPA COUNTY	SAINT HELENA PD	\$ 15,000.00
NEVADA COUNTY	GRASS VALLEY PD	\$ 25,000.00
NEVADA COUNTY	NEVADA CITY PD	\$ 15,000.00
NEVADA COUNTY	NEVADA CO SO	\$ 42,827.04
NEVADA COUNTY	TRUCKEE PD	\$ 20,000.00
ORANGE COUNTY	ANAHEIM PD	\$ 260,472.67

COUNTY	AGENCY NAME	AWARD AMOUNT
ORANGE COUNTY	BREA PD	\$ 41,422.88
ORANGE COUNTY	BUENA PARK PD	\$ 58,272.86
ORANGE COUNTY	COSTA MESA PD	\$ 93,376.99
ORANGE COUNTY	CYPRESS PD	\$ 37,210.38
ORANGE COUNTY	FOUNTAIN VALLEY PD	\$ 42,827.04
ORANGE COUNTY	FULLERTON PD	\$ 79,335.34
ORANGE COUNTY	GARDEN GROVE PD	\$ 122,162.38
ORANGE COUNTY	HUNTINGTON BEACH PD	\$ 148,841.52
ORANGE COUNTY	IRVINE PD	\$ 160,776.93
ORANGE COUNTY	LA HABRA PD	\$ 50,549.95
ORANGE COUNTY	LA PALMA PD	\$ 20,000.00
ORANGE COUNTY	LAGUNA BEACH PD	\$ 34,402.05
ORANGE COUNTY	LOS ALAMITOS PD	\$ 15,000.00
ORANGE COUNTY	NEWPORT BEACH PD	\$ 94,079.08
ORANGE COUNTY	ORANGE CO SD/CORONER	\$ 1,285,513.36
ORANGE COUNTY	ORANGE PD	\$ 102,504.07
ORANGE COUNTY	PLACENTIA PD	\$ 32,295.80
ORANGE COUNTY	SANTA ANA PD	\$ 246,431.01
ORANGE COUNTY	SEAL BEACH PD	\$ 28,000.00
ORANGE COUNTY	TUSTIN PD	\$ 65,293.69
ORANGE COUNTY	WESTMINSTER PD	\$ 57,570.78
PLACER COUNTY	AUBURN PD	\$ 15,000.00
PLACER COUNTY	LINCOLN PD	\$ 25,000.00
PLACER COUNTY	PLACER COUNTY SO	\$ 176,222.75
PLACER COUNTY	ROCKLIN PD	\$ 41,422.88
PLACER COUNTY	ROSEVILLE PD	\$ 89,866.58
PLUMAS COUNTY	PLUMAS CO SO	\$ 25,000.00
RIVERSIDE COUNTY	BANNING PD	\$ 28,000.00
RIVERSIDE COUNTY	BEAUMONT PD	\$ 35,104.13
RIVERSIDE COUNTY	BLYTHE PD	\$ 20,000.00
RIVERSIDE COUNTY	CATHEDRAL CITY PD	\$ 34,402.05
RIVERSIDE COUNTY	CORONA PD	\$ 104,610.32
RIVERSIDE COUNTY	DESERT HOT SPRINGS PD	\$ 25,000.00
RIVERSIDE COUNTY	HEMET PD	\$ 48,443.70
RIVERSIDE COUNTY	INDIO PD	\$ 44,933.29
RIVERSIDE COUNTY	MENIFEE PD	\$ 53,358.28
RIVERSIDE COUNTY	MURRIETA PD	\$ 70,910.35
RIVERSIDE COUNTY	PALM SPRINGS PD	\$ 68,804.10
RIVERSIDE COUNTY	RIVERSIDE CO SD	\$ 1,951,087.72
RIVERSIDE COUNTY	RIVERSIDE PD	\$ 245,026.85
SACRAMENTO COUNTY	AMTRAK PD	\$ 25,000.00
SACRAMENTO COUNTY	CITRUS HEIGHTS PD	\$ 54,762.45
SACRAMENTO COUNTY	ELK GROVE PD	\$ 89,866.58
SACRAMENTO COUNTY	FOLSOM PD	\$ 51,252.03
SACRAMENTO COUNTY	GALT PD	\$ 28,000.00
SACRAMENTO COUNTY	SACRAMENTO CO SD	\$ 902,176.22
SACRAMENTO COUNTY	SACRAMENTO PD	\$ 480,926.62
SAN BENITO COUNTY	HOLLISTER PD	\$ 28,000.00
SAN BENITO COUNTY	SAN BENITO CO SO	\$ 37,912.46
SAN BERNARDINO COUNTY	BARSTOW PD	\$ 28,000.00
SAN BERNARDINO COUNTY	CHINO PD	\$ 77,931.18
SAN BERNARDINO COUNTY	COLTON PD	\$ 37,210.38

COUNTY	AGENCY NAME	AWARD AMOUNT
SAN BERNARDINO COUNTY	FONTANA PD	\$ 136,204.04
SAN BERNARDINO COUNTY	MONTCLAIR PD	\$ 32,295.80
SAN BERNARDINO COUNTY	ONTARIO PD	\$ 193,072.73
SAN BERNARDINO COUNTY	REDLANDS PD	\$ 55,464.53
SAN BERNARDINO COUNTY	RIALTO PD	\$ 78,633.26
SAN BERNARDINO COUNTY	SAN BERNARDINO CO SD	\$ 1,347,296.63
SAN BERNARDINO COUNTY	SAN BERNARDINO PD	\$ 172,010.25
SAN BERNARDINO COUNTY	UPLAND PD	\$ 45,635.37
SAN DIEGO COUNTY	CARLSBAD PD	\$ 84,952.00
SAN DIEGO COUNTY	CHULA VISTA PD	\$ 163,585.26
SAN DIEGO COUNTY	CORONADO PD	\$ 30,891.64
SAN DIEGO COUNTY	EL CAJON PD	\$ 82,845.75
SAN DIEGO COUNTY	ESCONDIDO PD	\$ 94,781.16
SAN DIEGO COUNTY	LA MESA PD	\$ 42,124.96
SAN DIEGO COUNTY	NATIONAL CITY PD	\$ 58,272.86
SAN DIEGO COUNTY	OCEANSIDE PD	\$ 142,522.78
SAN DIEGO COUNTY	SAN DIEGO CO SD	\$ 1,809,969.10
SAN DIEGO COUNTY	SAN DIEGO PD	\$ 1,263,046.71
SAN FRANCISCO COUNTY	SAN FRANCISCO CO SO	\$ 536,391.15
SAN FRANCISCO COUNTY	SAN FRANCISCO PD	\$ 1,407,675.74
SAN JOAQUIN COUNTY	ESCALON PD	\$ 15,000.00
SAN JOAQUIN COUNTY	LODI PD	\$ 47,741.62
SAN JOAQUIN COUNTY	MANTECA PD	\$ 51,252.03
SAN JOAQUIN COUNTY	RIPON PD	\$ 20,000.00
SAN JOAQUIN COUNTY	SAN JOAQUIN CO SO	\$ 223,262.29
SAN JOAQUIN COUNTY	STOCKTON PD	\$ 275,918.49
SAN JOAQUIN COUNTY	TRACY PD	\$ 73,718.68
SAN LUIS OBISPO COUNTY	ARROYO GRANDE PD	\$ 20,000.00
SAN LUIS OBISPO COUNTY	ATASCADERO PD	\$ 25,000.00
SAN LUIS OBISPO COUNTY	GROVER BEACH PD	\$ 20,000.00
SAN LUIS OBISPO COUNTY	MORRO BAY PD	\$ 15,000.00
SAN LUIS OBISPO COUNTY	PASO ROBLES PD	\$ 28,000.00
SAN LUIS OBISPO COUNTY	PISMO BEACH PD	\$ 20,000.00
SAN LUIS OBISPO COUNTY	SAN LUIS OBISPO CO SO	\$ 216,943.54
SAN LUIS OBISPO COUNTY	SAN LUIS OBISPO PD	\$ 42,124.96
SAN MATEO COUNTY	ATHERTON PD	\$ 20,000.00
SAN MATEO COUNTY	BELMONT PD	\$ 25,000.00
SAN MATEO COUNTY	BRISBANE PD	\$ 15,000.00
SAN MATEO COUNTY	BROADMOOR PD	\$ 15,000.00
SAN MATEO COUNTY	BURLINGAME PD	\$ 28,000.00
SAN MATEO COUNTY	COLMA PD	\$ 15,000.00
SAN MATEO COUNTY	DALY CITY PD	\$ 63,889.52
SAN MATEO COUNTY	EAST PALO ALTO PD	\$ 25,000.00
SAN MATEO COUNTY	FOSTER CITY PD	\$ 28,000.00
SAN MATEO COUNTY	HILLSBOROUGH PD	\$ 25,000.00
SAN MATEO COUNTY	MENLO PARK PD	\$ 28,785.39
SAN MATEO COUNTY	PACIFICA PD	\$ 25,000.00
SAN MATEO COUNTY	REDWOOD CITY PD	\$ 56,166.61
SAN MATEO COUNTY	SAN BRUNO PD	\$ 31,593.72
SAN MATEO COUNTY	SAN MATEO CO SHERIFF'S OFFICE	\$ 202,199.81
SAN MATEO COUNTY	SAN MATEO PD	\$ 75,122.84
SAN MATEO COUNTY	SOUTH SAN FRANCISCO PD	\$ 53,358.28

COUNTY	AGENCY NAME	AWARD AMOUNT
SANTA BARBARA COUNTY	GUADALUPE PD	\$ 15,000.00
SANTA BARBARA COUNTY	LOMPOC PD	\$ 28,785.39
SANTA BARBARA COUNTY	SANTA BARBARA CO SO	\$ 348,233.00
SANTA BARBARA COUNTY	SANTA BARBARA PD	\$ 82,143.67
SANTA BARBARA COUNTY	SANTA MARIA PD	\$ 83,547.84
SANTA CLARA COUNTY	CAMPBELL PD	\$ 30,189.55
SANTA CLARA COUNTY	GILROY PD	\$ 43,529.13
SANTA CLARA COUNTY	LOS ALTOS PD	\$ 28,000.00
SANTA CLARA COUNTY	LOS GATOS PD	\$ 28,000.00
SANTA CLARA COUNTY	MILPITAS PD	\$ 60,379.11
SANTA CLARA COUNTY	MORGAN HILL PD	\$ 28,000.00
SANTA CLARA COUNTY	MOUNTAIN VIEW PD	\$ 57,570.78
SANTA CLARA COUNTY	PALO ALTO PD	\$ 47,741.62
SANTA CLARA COUNTY	SAN JOSE PD	\$ 758,951.36
SANTA CLARA COUNTY	SANTA CLARA CO SO	\$ 841,095.03
SANTA CLARA COUNTY	SANTA CLARA PD	\$ 98,291.57
SANTA CLARA COUNTY	SUNNYVALE DPS	\$ 139,012.37
SANTA CRUZ COUNTY	CAPITOLA PD	\$ 20,000.00
SANTA CRUZ COUNTY	SANTA CRUZ CO SO	\$ 101,801.99
SANTA CRUZ COUNTY	SANTA CRUZ PD	\$ 50,549.95
SANTA CRUZ COUNTY	SCOTTS VALLEY PD	\$ 15,000.00
SANTA CRUZ COUNTY	WATSONVILLE PD	\$ 47,039.54
SHASTA COUNTY	ANDERSON PD	\$ 15,000.00
SHASTA COUNTY	REDDING PD	\$ 72,314.51
SHASTA COUNTY	SHASTA CO SO	\$ 82,845.75
SIERRA COUNTY	SIERRA CO SHERIFF'S OFFICE	\$ 15,000.00
SISKIYOU COUNTY	ETNA PD	\$ 15,000.00
SISKIYOU COUNTY	LAKE SHASTINA DISTRICT PD	\$ 15,000.00
SISKIYOU COUNTY	MOUNT SHASTA PD	\$ 15,000.00
SISKIYOU COUNTY	SISKIYOU CO SD	\$ 45,635.37
SISKIYOU COUNTY	TULELAKE PD	\$ 15,000.00
SISKIYOU COUNTY	WEED PD	\$ 15,000.00
SISKIYOU COUNTY	YREKA PD	\$ 15,000.00
SOLANO COUNTY	BENICIA PD	\$ 28,000.00
SOLANO COUNTY	DIXON PD	\$ 20,000.00
SOLANO COUNTY	FAIRFIELD PD	\$ 82,143.67
SOLANO COUNTY	SOLANO CO SO	\$ 120,056.14
SOLANO COUNTY	SUISUN CITY PD	\$ 20,000.00
SOLANO COUNTY	VACAVILLE PD	\$ 70,208.27
SOLANO COUNTY	VALLEJO PD	\$ 61,783.27
SONOMA COUNTY	CLOVERDALE PD	\$ 15,000.00
SONOMA COUNTY	COTATI PD	\$ 15,000.00
SONOMA COUNTY	HEALDSBURG PD	\$ 15,000.00
SONOMA COUNTY	PETALUMA PD	\$ 46,337.46
SONOMA COUNTY	ROHNERT PARK DPS	\$ 51,252.03
SONOMA COUNTY	SANTA ROSA PD	\$ 117,247.80
SONOMA COUNTY	SEBASTOPOL PD	\$ 15,000.00
SONOMA COUNTY	SONOMA CO SHERIFF'S OFFICE	\$ 287,151.81
STANISLAUS COUNTY	CERES DPS	\$ 32,997.89
STANISLAUS COUNTY	MODESTO PD	\$ 127,779.04
STANISLAUS COUNTY	NEWMAN PD	\$ 15,000.00
STANISLAUS COUNTY	OAKDALE PD	\$ 20,000.00

COUNTY	AGENCY NAME	AWARD AMOUNT
STANISLAUS COUNTY	STANISLAUS CO SD	\$ 369,997.56
STANISLAUS COUNTY	TURLOCK PD	\$ 57,570.78
SUTTER COUNTY	SUTTER CO SO	\$ 70,910.35
SUTTER COUNTY	YUBA CITY PD	\$ 41,422.88
TEHEMA COUNTY	CORNING PD	\$ 15,000.00
TEHEMA COUNTY	RED BLUFF PD	\$ 20,000.00
TEHEMA COUNTY	TEHAMA CO SO	\$ 47,039.54
TRINITY COUNTY	TRINITY COUNTY SO	\$ 28,000.00
TULARE COUNTY	DINUBA PD	\$ 28,000.00
TULARE COUNTY	EXETER PD	\$ 15,000.00
TULARE COUNTY	FARMERSVILLE PD	\$ 15,000.00
TULARE COUNTY	LINDSAY DPS	\$ 15,000.00
TULARE COUNTY	PORTERVILLE PD	\$ 46,337.46
TULARE COUNTY	TULARE CO SO	\$ 358,062.16
TULARE COUNTY	TULARE PD	\$ 46,337.46
TULARE COUNTY	VISALIA PD	\$ 102,504.07
TULARE COUNTY	WOODLAKE PD	\$ 15,000.00
TUOLUMNE COUNTY	SONORA PD	\$ 15,000.00
TUOLUMNE COUNTY	TUOLUMNE CO SO	\$ 65,293.69
VENTURA COUNTY	OXNARD PD	\$ 152,351.94
VENTURA COUNTY	PORT HUENEME PD	\$ 20,000.00
VENTURA COUNTY	SANTA PAULA PD	\$ 25,000.00
VENTURA COUNTY	SIMI VALLEY PD	\$ 77,229.09
VENTURA COUNTY	VENTURA CO SO	\$ 503,393.27
VENTURA COUNTY	VENTURA PD	\$ 95,483.24
YOLO COUNTY	DAVIS PD	\$ 39,316.63
YOLO COUNTY	WEST SACRAMENTO PD	\$ 47,741.62
YOLO COUNTY	WINTERS PD	\$ 15,000.00
YOLO COUNTY	WOODLAND PD	\$ 47,039.54
YOLO COUNTY	YOLO CO SHERIFF'S OFFICE	\$ 54,060.37
YUBA COUNTY	MARYSVILLE PD	\$ 15,000.00
YUBA COUNTY	WHEATLAND PD	\$ 15,000.00
YUBA COUNTY	YUBA CO SD	\$ 73,016.60



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Community Civic Event - Boys & Girls Club of the Sequoias - 2023 Love Our Kids Fun Run - April 15, 2023

SOURCE: Finance

COMMENT: The Boys & Girls Club of the Sequoias is requesting approval to hold the "2023 Love Our Kids Fun Run" event on Saturday, April 15, 2023, beginning at 9:00 AM at Veterans Park. The Club is requesting the use of the trails inside the Park and the sidewalks along the Park. The event will benefit the Strathmore Boys & Girls Club.

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 City Departments involved. All requirements are listed on the attached copy of the Agreement and Application, Exhibit A, Exhibit B, and Exhibit C.

RECOMMENDATION: That the City Council approve the Community Civic Event application from Boys & Girls Club of the Sequoias to hold the "2023 Love Our Kids Fun Run" on April 15, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

ATTACHMENTS:

1. CCE Application and Agreement, Map, Exhibit A, Exhibit B, Exhibit C, 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: 02/06/2023 Event date: 04/15/2023
Event time: 9:00am

Name of Event: 2023 Love Our Kids Fun Run

Sponsoring organization: Boys & Girls Club of the Sequoias Phone # _____

Address: 215 W. Tulare Ave Visalia, Ca. 93277

Authorized representative: Adele Sanchez Phone # 559-306-7661

Address: PO Box 610 Stathmore Ca. 93267

Event chairperson: Gail Grasmick Phone # 559-361-9321

19960 Road 232, Strathmore Ca. 93267

Location of event Porterville Vertrans Park (Pavilion 2)

(Location map must be attached)

Type of event: 5K Fun Run

Non-profit organization status: (501C) BL#004524

(IRS Determination)

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

Barricades (quantity): NA Street sweeping Yes _____ No X

Police protection Yes _____ No X Refuse pickup Yes _____ No X

Other: _____

Parks facility application required: Yes X No _____ Attached X

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)*



Authorized Representative Initials

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

NA Authorized Representative Initials

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



Authorized Representative Initials

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

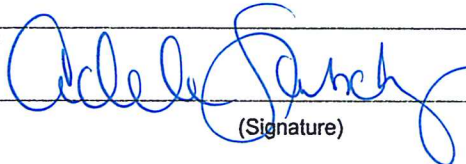


Authorized Representative Initials

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.

Boys and Girls Club of the Sequoias

(Name of Organization)



(Signature)

2/6/2022

(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

Sponsoring organization: Boys & Girls Club of the Sequoias

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

[illegible]

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

CITY OF PORTERVILLE

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

Name of event: 2023 Love Our Kids Fun Run

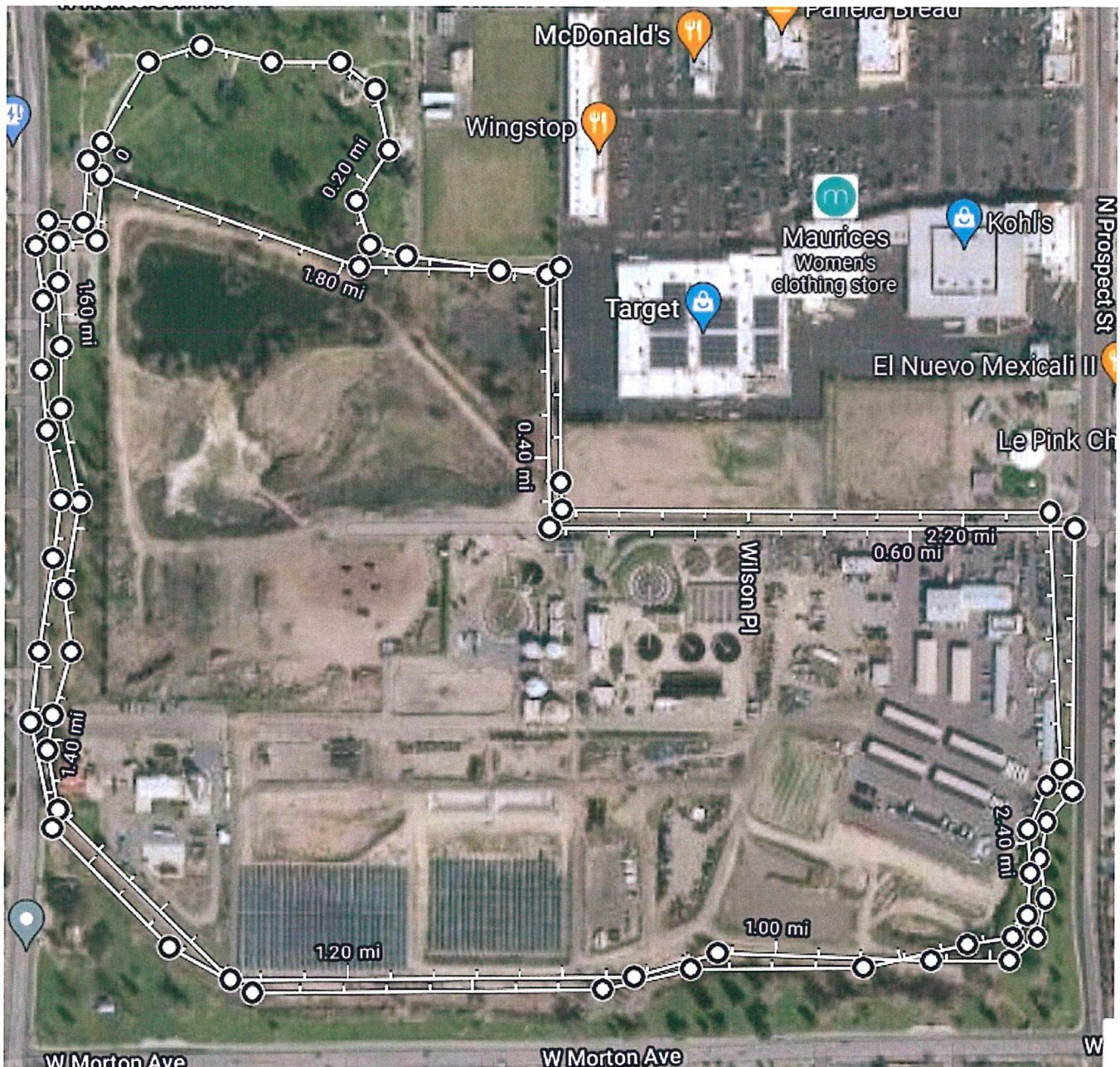
Sponsoring organization: Boys and Girls Club of the Sequoias (Strathmore)

Event date: April 15, 2023 Hours: 7:30am setup 12:30 Clean up

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

Closed

<u>Street Name</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	<u>Activity</u>
#1 West Grand Ave	Veterans Park	N. Prospect Street	5K Fun Run
#2 South on N. Prospect	West Grand Ave	First dirt trail path	5K Fun Run
#3 in front of Fire Station	Move to dirt path	N Newcomb Street	5K Fun Run
<u>Parking lots and spaces</u>	<u>Location</u>	<u>Activity</u>	



Start North follow cement path to South gate, turn East on to dirt path to Target's West parking lot, before parking lot turn South to West Grand Ave, turn East toward Prospect, on Prospect run South 630ft than ease right on to dirt path. Follow dirt path to Newcomb Street and turn North find and follow dirt path to Porterville Skate Park. Follow cement path back towards the registration areal, turn right at water station before the registration area. Run along the fence line, follow fence line to South gate (taking you back to the original path) follow the path back to the registration area.

Requirements for Community Civic Event
Boys & Girls Club of Sequoias
2023 Love Our Kids Fun Run
April 15, 2023

City Engineer: <i>D. Cervantez</i>	No comments.
Community Development Director: <i>J. Ridenour</i>	No comments.
Public Works Director: <i>M. Knight</i>	No comments.
Fire Marshal: <i>C. Dignam</i>	Vendor booths shall comply with the attached information for spacing, etc. Please see Exhibit C.
Parks and Leisure Services Director: <i>D. Moore</i>	Vehicles not permitted to park on the grass.
Police Lieutenant: <i>R. Moore</i>	Please see Exhibit B.
Deputy City Manager: <i>P. Hildreth</i>	Risk Management requires \$2M in liability coverage, with the City of Porterville named as an additional insured. The Certificate of insurance needs to also include the endorsement page. Also, all participants/legal guardians if minors must sign a waiver of liability. Sample language can be provided if needed.
Field Services Superintendent: <i>B. Spry</i>	No comments.
Field Services Superintendent – Streets: <i>J. Baeza</i>	No comments.

Requirements for Community Civic Event

Sponsor: Boys & Girls Club
Event: 2023 Love Our Kids Fun Run
Event Chairman: Gail Grasmick
Location: Veterans Park (Pavilion 2), Porterville Ca
Date of Event: April 15, 2023 (9:00 a.m.)

RISK MANAGEMENT: Conditions of Approval

That the Boys & Girls Club of the Sequoias provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$2,000,000 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 Permitted operation and sponsorship of the aforementioned Community Civic Event.

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

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

**Boys and Girls Club of the Sequoias 5K Run
April 15, 2023 / 9:00 AM—11:30 AM
Veteran's Park, Porterville**

Recommendations/Requirements:

- Any/all aid stations and/or check points must be out of the roadway, and not in a position to interfere with traffic.
- Event staff on the run route should wear highly visible attire.
- If/when near a roadway, participants should be directed to stay off of the roadway so as to not disrupt the normal flow of traffic.
- An Outside Amplifier Permit has been approved. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of the event, organizers shall ensure the park and run route are promptly cleared of any vehicles, equipment, booths, or anything that could present a hazard to pedestrians or vehicles.

Ron Moore, Lieutenant
Porterville Police Department

Exhibit B



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

OUTDOOR FOOD BOOTH REQUIREMENTS

Authority cited: 2019 California Fire Code (CFC)

These standards apply to individual tents, temporary structures, or membrane structures less than 200 square feet in area, and canopies less than 400 square feet in area used as outdoor carnival and fair booths.

A permit is required before any tent or membrane structure larger than 400 square feet can be erected. (California Fire Code 3103.2)

Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the building official and fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all the following:
 - a. Individual tents having a maximum size of 700 square feet.
 - b. Aggregate area of multiple tents placed side by side without 12 feet clearance, not exceeding 700 square feet total.
 - c. A minimum clearance of 12 feet to all structures and other tents.

Definitions

Cooking Booth – Booth where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambe', deep fat frying, baking, warming, or boiling. **Deep fat frying** – Any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.

Vendor Booth – Any booth other than a cooking booth.

Cooking Booth Construction and Location

- All fabrics or membranes covering cooking booths shall be California State Fire Marshal certified flame retardant and be labeled as such.
- Decorative materials shall be inherently fire resistive or shall be treated with a fire-retardant spray.
- Flooring materials used within cooking booths and cooking equipment shall be non-combustible or California State Fire Marshal certified fire-retardant. (*Exception 3/8" plywood or similar material.*)
- Each cooking booth shall have at least one exit-way, a minimum 3' wide and 6'8" high. Booth frames shall not obstruct exit paths.
- Cooking booths shall have a minimum clearance of 10' on at least two sides with clearance of at least 10' from any vendor booth.
- Minimum 12' separation required between cooking booths with an aggregate size of 400 sq.ft. with sides, or 700 sq.ft. without sides.

Cooking Equipment

- All interior cooking equipment shall be of an approved type, and open-flame cooking shall be located a minimum of 18" from booth back/side drop materials.
- Compressed gas (butane, propane, or natural) equipment shall conform to the following:
 - Shut off valves shall be provided at each fuel source;
 - Cooking appliances shall have an ON-OFF valve located far enough away from the appliance to be safely shut off in case of fire;
 - Manufactured cooking appliances shall be equipped with a Thermocouple Valve to shut off fuel if flame is extinguished;
 - The booth operator shall test all connections for leaks with soap and water solution;
 - Fuel tanks shall be protected from damage and secured in an upright position;
 - Hoses shall be of a type approved for use with the equipment and fuel type;
 - Tanks not in use shall be turned off;
 - Extra fuel tanks shall not be stored in booths;
 - Unused fuel cylinders shall be stored in a secured position.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Wood, Charcoal (Solid Fuels) Cooking

- Use only an electric starter or commercially sold lighter fluid.
- Charcoal cooking and storage of lighter fluid is prohibited inside booths.
- Charcoal cooking shall be located a minimum of ten **10'** away from booths and in areas away from public access.
- Charcoal cooking shall be located at least ten **10'** away from combustible structures and parked vehicles.
- Coals shall be disposed of in metal containers with lids approved by the Fire Marshal.

Deep Fat Frying, Flambé, and Wok

- Deep fat frying, flambé, and wok shall be located **no closer than 18"** from any combustible material.
- Cooking areas shall not be accessible to the public.
- Deep fat frying equipment shall be equipped with a temperature regulating device or other method of regulating temperatures approved by the Fire Marshal.
- Separation shall be maintained with a minimum of **3'** clearance between deep fat frying and flambé or open flame cooking.

Vendor Booth Construction and Location

- Each vendor booth shall have at least one exit-way, a minimum of **3'** wide by **6'8"** high. Booth frames shall not obstruct exit paths.
- Vendor booths shall have a minimum clearance of **20'** on at least one side, with clearance of at least **10'** from any cooking booth.

Electrical Power

- Generators shall be placed only in locations approved for festival use.
- Generators shall not be refueled during event hours. Extra fuel shall not be stored during event hours.
- Smoking and open flames shall be prohibited within **25'** of refueling operations.
- Extension cords shall be of a grounded type and approved for exterior use.

Fire Extinguishers

- Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of **2A: 10BC**. Booths with deep fat frying or flambé cooking shall be equipped with an extinguisher rated for **class "K" fires**.
- Cooking booths shall be equipped with visible and accessible fire extinguishers mounted adjacent to the exit.
- For vendor booths, the maximum travel distance to a fire extinguisher with a minimum rating of **2A: 10BC** shall not exceed **75'**.
- Each generator shall be provided with a fire extinguisher with a minimum **40BC** rating. The extinguisher shall be located near the generator and accessible at all times.
- All fire extinguishers shall be serviced and tagged annually by a State-licensed contractor.

Miscellaneous

- The Porterville Fire Department shall be provided with a site plan showing emergency access.
- All booths are subject to inspection by the Fire Department and any discrepancies will require immediate action.
- All cooking areas shall be cleaned regularly to prevent the build-up of grease.
- There shall be a competent adult in cooking booths at all times to ensure safety.
- Seating shall be a minimum of **15'** from booths with open flame devices or cooking appliances.
- The Fire Department shall be provided with a telephone number of the responsible party to contact in case of emergency on a 24 hour basis.

Fire Safety Tips

- Know where fire extinguishers are and how to use them.
- Do not leave cooking unattended.
- Do not wear loose-fitting clothing while cooking.
- Remove trash accumulation regularly.
- Keep combustible materials away from heat sources.
- **In case of an emergency dial 9-1-1.**

The attached "Food Booth Vendor Agreement" must be on site at all times and presented upon request of any Porterville Fire Department Personnel.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Cooking Booth Vendor Agreement

Booth/Space # _____ Business Name _____
On Site Contact Name _____ Contact Phone # _____

Cooking Booth Construction and Location

1. Tents, canopies, and decorative material shall be inherently flame-resistive and proof of certification shall be on site at all times.
2. Cooking booth floors may be concrete, asphalt, or plywood over grass and dirt.
3. An emergency access of 36" shall be maintained between the back of each cooking booth and any fencing at all times. **NO EXCEPTIONS.**

Cooking Equipment

1. Cooking with charcoal, wood, or other solid fuel shall be located a minimum of 10' away from booths, canopies, combustible material or any public access.
2. Deep fat frying shall be located a minimum of 3' away from booths, canopies, open flame cooking, combustible material or any public access.
3. Any open flame cooking shall be located a minimum of 18" away from any vertical surface, combustible material or any public access.
4. Extra fuel tanks shall **NOT** be stored in booths or within 5' of cooking equipment.
5. All cooking, gas powered, or electrically energized equipment shall meet manufacturer specifications and shall be free of excess cooking oils or any other combustible materials.

Miscellaneous

1. A visible and accessible, 2A:10BC fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided within 20' of travel in all cooking areas.
2. A visible and accessible Class K portable fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided in all cooking areas with deep fat frying.
3. All cooking areas shall be cleaned regularly to prevent build-up of combustible substances.
4. Extension cords shall be of a grounded type, approved for exterior use, and in good working order.
5. Smoking is not allowed at any time within food booths or within 25' of any fuel source.
6. Specialized cooking equipment is subject to approval by the Fire Marshal.

Additional Requirements:

The Porterville Fire Department has established these requirements in accordance with the California Fire Code. Your cooperation is required to maintain a high level of fire safety throughout the event. All booths are subject to fire department inspection prior to and at any time during the event. Any discrepancies to the above requirements or any conditions considered a threat to fire and life safety by the Fire Inspector may result in the immediate cessation of cooking.

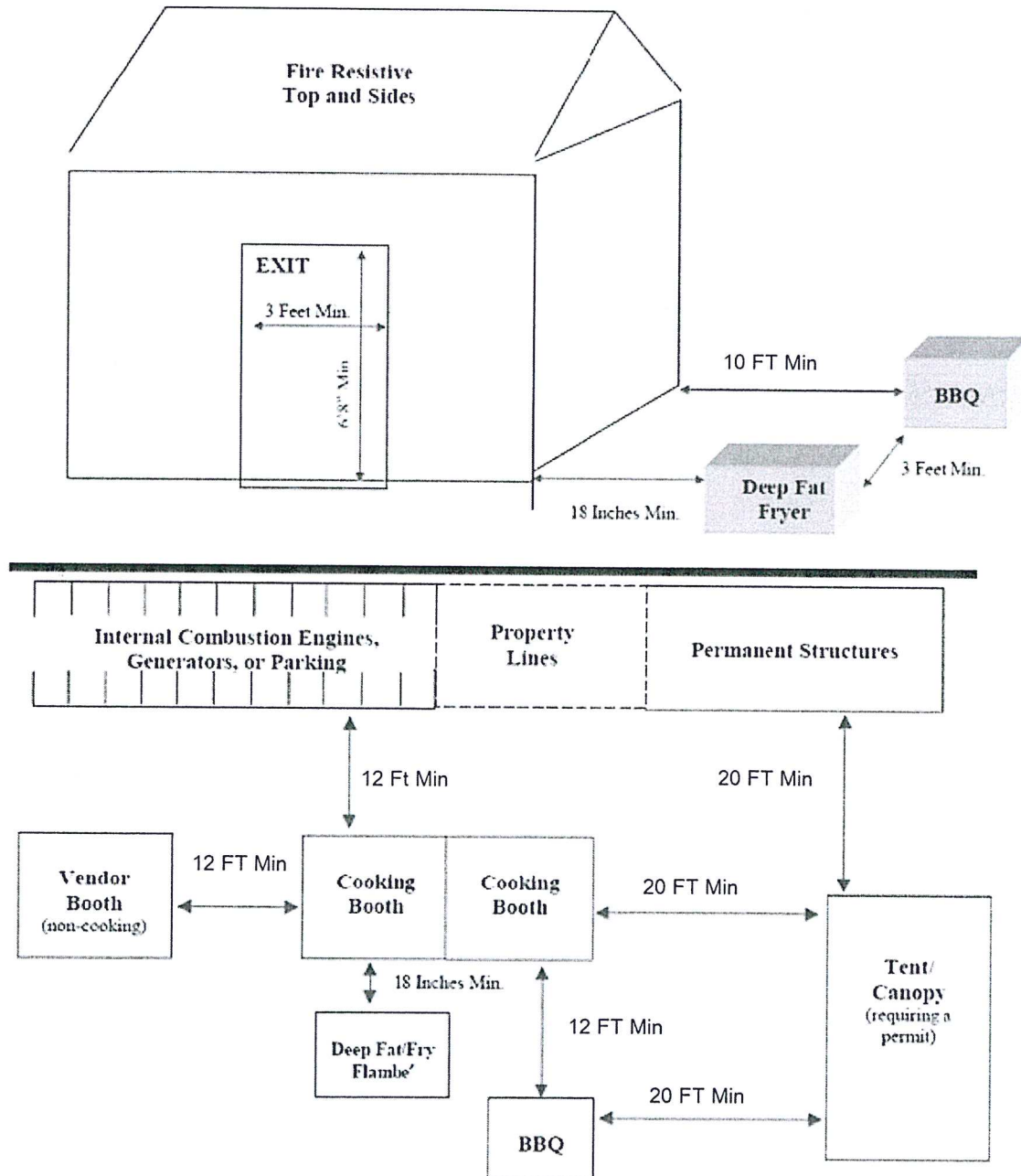
By signing below, I acknowledge that I have read and agree to comply with all requirements of this contract.

Signature _____ Date _____



PORTERVILLE FIRE DEPARTMENT

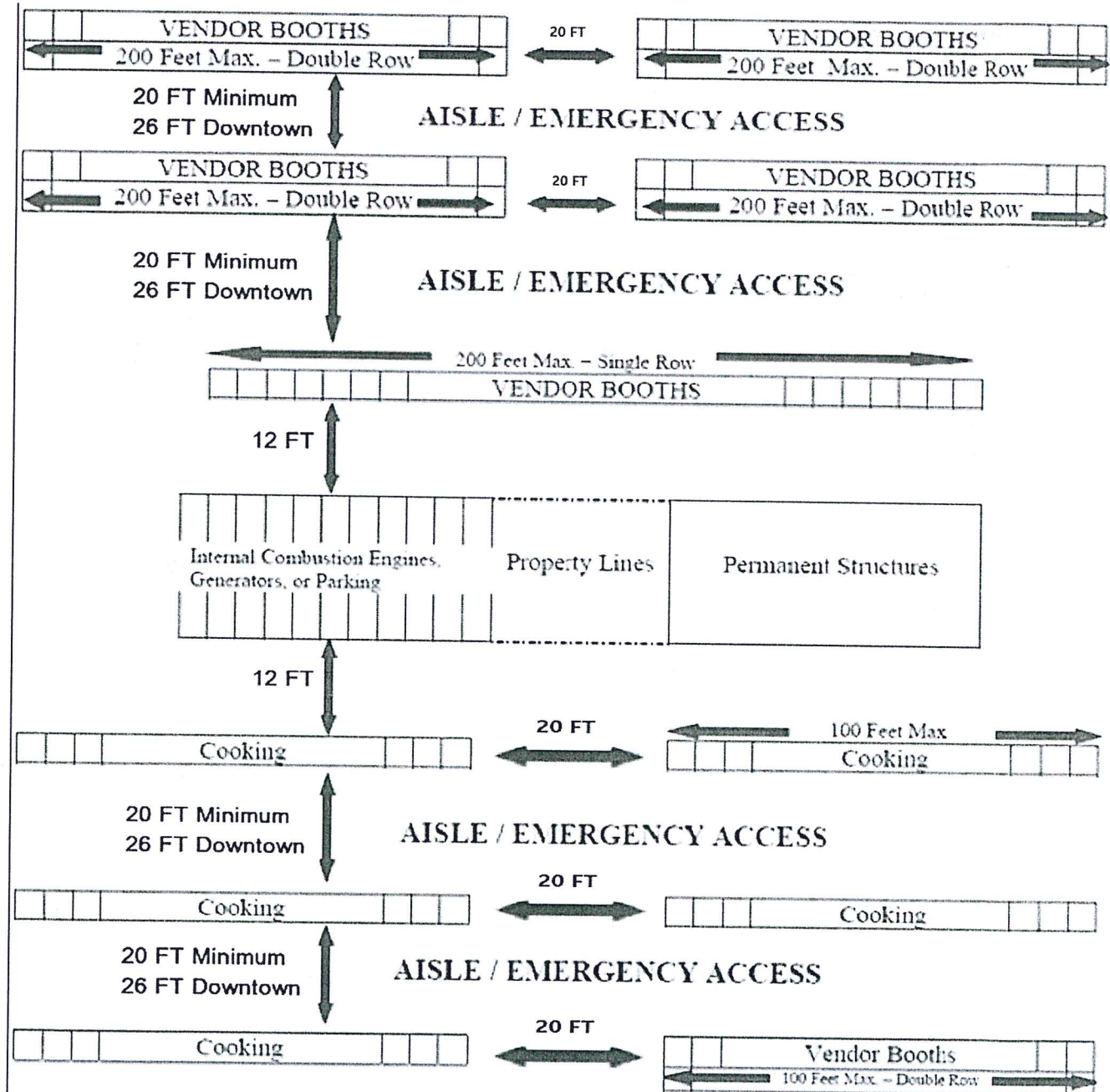
FIRE PREVENTION DIVISION





PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION



**Note: Cooking booths are limited to single rows only. Back-to-back rows are not permitted. Maximum overall length of individual rows is 100 feet with aggregate spacing throughout.*

***Note: Aggregate area of multiple tents placed side by side without 12 feet clearance shall not exceed 400 square feet with sides, or 700 square feet without sides. A minimum clearance of 12 feet to all structures and other tents is required.*

****Note: Maximum overall row length distances listed, or shown above, shall meet spacing requirements for aggregate size restrictions*

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: Boys & Girls Club of the Sequoia's (Strathmore Club)
- 2 Address where amplification equipment is to be used: Porterville Veteran's Park Pavilion #2
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Jonathan Ertl, 19701 Road 222, Strathmore Ca. 93267
- 4 Type of event for which amplification equipment will be used: 5k Fun Run
- 5 Dates and hours of operation of amplification equipment: 04/15/2023 09:00 am - 11:30am
- 6 A general description of the sound amplifying equipment to be used: PA system to thank sponsors and announce winners

Section 18-9

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

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

Section 18-14

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

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

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

Adelle Samer
Signature of Applicant

02/06/2023
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.

Ronald M. 153
City of Porterville, Chief of Police/Designee

2-21-2023
Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/3/2023

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 have ADDITIONAL INSURED provisions or 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 Arthur J. Gallagher Risk Management Services, LLC 501 W Main Street Visalia CA 93921	CONTACT NAME: PHONE (A/C, No, Ext): 559-635-3553 FAX (A/C, No): 559-750-5461 E-MAIL ADDRESS: Kelli_Marks@ajg.com														
INSURED Boys & Girls Clubs of Tulare County, Inc. 215 W. Tulare Ave. Visalia CA 93277	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A : Philadelphia Indemnity Insurance Company</td><td>18058</td></tr><tr><td>INSURER B :</td><td></td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Philadelphia Indemnity Insurance Company	18058	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES**CERTIFICATE NUMBER:** 2139045634**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	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	Y		PHPK2404054	4/15/2022	4/15/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2404054	4/15/2022	4/15/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A A	D&O, EPL, FIDUCIARY SEXUAL MISCONDUCT LIAB PROFESSIONAL LIABILITY			PHSD1707112 PHPK2404054	4/15/2022 4/15/2022	4/15/2023 4/15/2023	\$1M EACH POL PERIOD \$1M OCCURRENCE \$1M OCCURRENCE \$3M EACH POL PER \$3M AGGREGATE \$3M AGGREGATE

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

Sexual Misconduct Liability: Sexual/Physical Abuse Molestation limit of liability is \$1,000,000 per occurrence and \$3,000,000 aggregate; the carrier is Philadelphia Indemnity Insurance Company and the policy number is PHPK2404054.

Professional Liability limit of insurance is \$1,000,000 per occurrence and \$3,000,000 aggregate; the carrier is Philadelphia Indemnity Insurance Company and the policy number is PHPK2404054.

Event: Annual 5K Fun Run at Veterans Park, 1501 W. Henderson Avenue, Porterville, CA 93257

Strathmore Boys & Girls Club is an Additional Insured as respects General Liability policy, pursuant to and subject to the policy's terms, definitions, conditions and exclusions.

CERTIFICATE HOLDER**CANCELLATION**

Strathmore Boys & Girls Club
23059 Avenue 198
Strathmore CA 93267
USA

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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9th Annual 5K FUN RUN

Come run with us to benefit the Strathmore Boys & Girls Club!

Saturday, April 15th, 2023

Veterans Park

1501 W. Henderson Ave., Porterville, CA 93257

On-site registration 8:30 am

Starting whistle blows at 9:00 am

Ages 22 & up - \$30

Ages 21 & under - free with registration

For more information contact: Gail (559) 361-9321

or Adele (559) 306-7661

Register at:

www.bgcsequoias.org/strathmorefunrun



**BOYS & GIRLS CLUBS
OF THE SEQUOIAS**





CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Community Civic Event - Pink Heals Tulare County Chapter - Rollin' Relics Car Show - May 13, 2023

SOURCE: Finance

COMMENT: Pink Heals Tulare County Chapter is requesting approval to hold the annual Rollin' Relics Car Show on Saturday, May 13, 2023 at Veterans Park, from 8:00 AM to 4:00 P.M. The Rollin' Relics Car Club is asking for the ability to park show cars and set up vendor booths on the grass area along Newcomb Street and Morton Avenue within the park.

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 City Departments involved. The requirements and restrictions are listed on the attached copy of the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

RECOMMENDATION: That the City Council approve the Community Civic Event application from Pink Heals Tulare County Chapter to hold the Rollin' Relics Car Show on May 13, 2023 at Veterans Park, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

ATTACHMENTS: 1. CCE Application and Agreement

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? Not Yet E-mail address? dbader44@gmail.com Website?
Application date: Jan 30, 2023 Event date: May 13, 2023
Event time: 8:00 - 4:00pm
Name of Event: Rollin Relics Car Show

Sponsoring organization: Pink Heals T-shirts Phone #
Address: 8949 Rd 248
Authorized representative: Leah Shieris Phone # 791-9985
Address: SAME AS ABOVE
Event chairperson: Don Baden Phone # 310-0861

Location of event Veterans Park - Pavilion 1, 2, 4
(Location map must be attached)

Type of event: Car Show

Non-profit organization status: _____
(IRS Determination)

City services requested (fees associated with these services will be billed separately):
Barricades (quantity): _____ Street sweeping Yes _____ No ☒
Police protection Yes _____ No ☒ Refuse pickup Yes _____ No ☒
Other: _____

Parks facility application required: Yes ☒ No _____ Attached ☒
Assembly permit required: Yes _____ No ☒ Attached _____

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

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

CITY OF PORTERVILLE


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

What constitutes a Community Civic Event?


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

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at www.ci.porterville.ca.us/gov/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 sponsoring organization/applicant's insurance coverage shall apply as primary to, and on a non-contributory basis with, any other available coverage of the City. 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 with the application. 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 two million dollars (\$2,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)

 Authorized Representative Initial


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

 Authorized Representative Initials


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

 Authorized Representative Initials

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

 Authorized Representative Initials

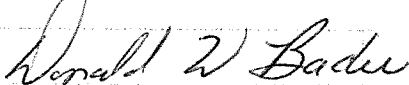
Toilet rental service: Applicant shall have care, custody and control of the equipment and shall bear responsibility and liability for all loss and damage to the equipment and for its contents while at the City's location. Applicant shall not overload, move or alter the equipment and shall use the equipment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

 Authorized Representative Initials

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

Rollin Relics

(Name of Organization)

 (Signature)

1/30/23 (Date)

CITY OF PORTERVILLE

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

Name of event: Rollin Relics Car Show

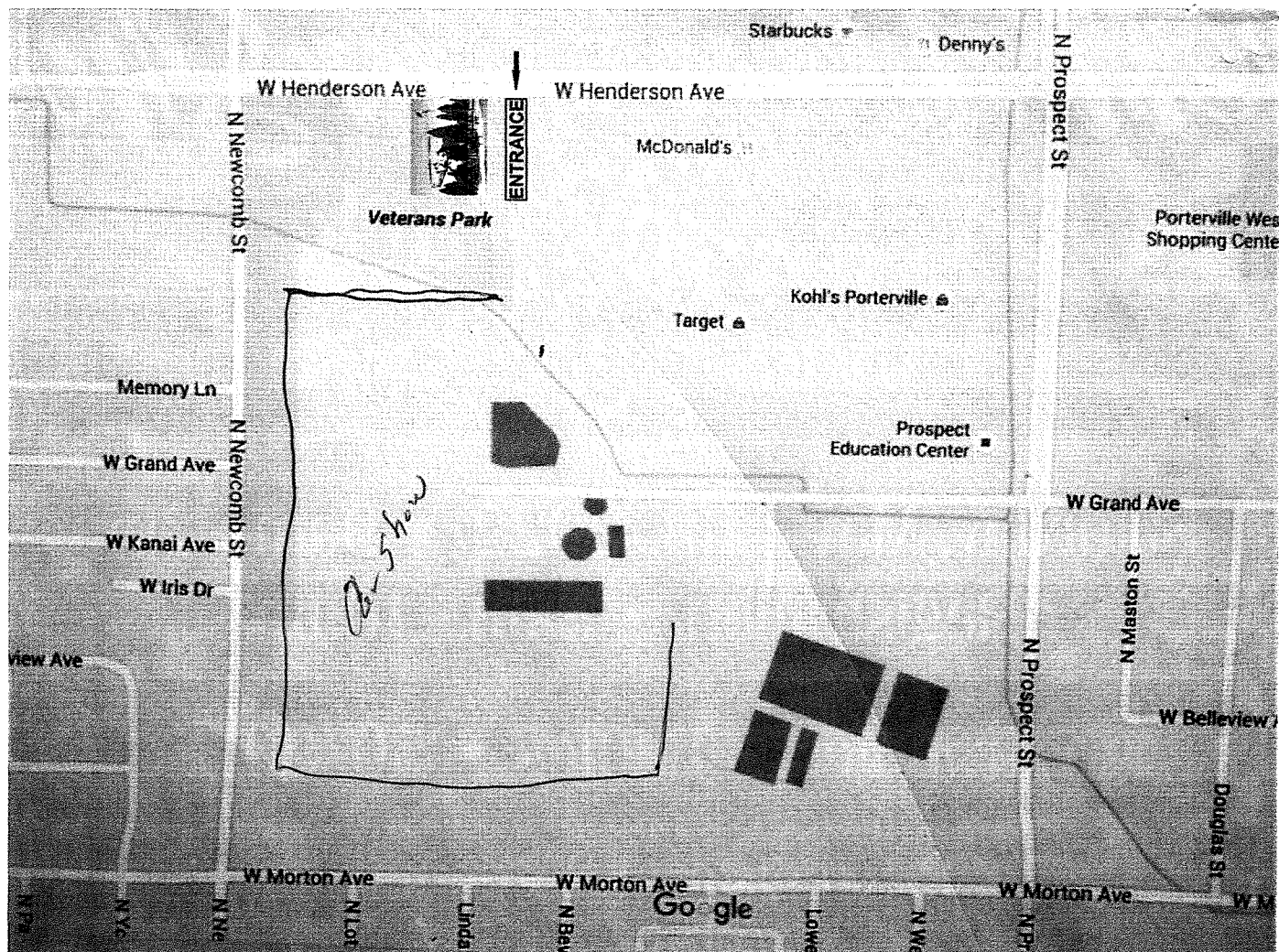
Sponsoring organization: Pink Heels

Location: Veterans Park Event date: 5-13-23 Event time: 8-4pm

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

[illegible]

***Municipal Code 15-20(E) Community Civic Events (16): Business License Fees:** Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm, concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16. The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.



Name _____ Phone _____

Address _____ City _____ Zip _____

Vehicle Year _____ Make _____ Model _____

Stock _____ Custom _____

Club Affiliation _____

Shirt Size S _____ M _____ L _____ XL _____ 2XL _____ 3XL _____

Signature of Applicant _____ Date _____

Make checks payable to: Rollin' Relics Car Show
16437 Mustang Drive, Springville CA 93265

Liability: In consideration of the acceptance of the right to participate and by execution of this entry form, entrants & participants release and discharge the sponsors of any and all damages, injuries & or loss.

For information, please call Tim Day: (559) 310-9575 or Dan Boydstan (559) 789-2260

Requirements for Community Civic Event
Pink Heals Tulare County Chapter
Rollin Relics Car Show
May 13, 2023

City Engineer: <i>D. Cervantez</i>	No comments.
Community Development Director: <i>J. Ridenour</i>	No comments.
Public Works Director: <i>M. Knight</i>	No comments.
Fire Marshal: <i>C. Dignam</i>	Vendor booths shall comply with the attached information for spacing, etc. Please see Exhibit C.
Parks and Leisure Services Director: <i>D. Moore</i>	Will coordinate with event organizer.
Police Lieutenant: <i>R. Moore</i>	Please see Exhibit B.
Deputy City Manager: <i>P. Hildreth</i>	Risk management requires \$2M in liability coverage. The City should also be named as an additional insured and the endorsement page evidencing that must be attached to the certificate of insurance.
Field Services Superintendent: <i>B. Spry</i>	No comments.
Field Services Superintendent – Streets: <i>J. Baeza</i>	No comments.

Requirements for Community Civic Event

Sponsor: Pink Heals Tulare County Chapter
Event: Rollin Relics Car Show
Event Chairman: Don Bader
Location: Veterans Park, Porterville Ca
Date of Event: May 13, 2023 (8:00 a.m.-4:00 p.m.)

RISK MANAGEMENT: Conditions of Approval

That the Pink Heals Tulare County Chapter or the Rollin Relics Car Club provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$2,000,000 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 Permitted operation and sponsorship of the aforementioned Community Civic Event.

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

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

**Rollin' Relics Car Show
May 13, 2023 / 8:00 AM—4:00 PM
Veteran's Park, Porterville**

Recommendations/Requirements:

- There shall be no sales, possession or consumption of alcoholic beverages in the park during the event.
- Food vendors, in the event that some develop during the planning of the event, should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- An Outside Amplifier Permit has been approved. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of the event, organizers shall ensure the park is promptly cleared of any vehicles, equipment, booths, or anything that could present a hazard to pedestrians or residents visiting the park.
- Participant vehicles shall not be parked on any part of any sidewalk, or otherwise block traffic or pedestrian travel.
- Event organizers shall contact Porterville Police Watch Commanders well in advance of the event for informational purposes and to identify any additional policing concerns/requirements. Contact may be made with Lieutenant Azevedo, Lieutenant Gurule or Lieutenant Hatch at (559) 782-7410.

Ron Moore, Lieutenant
Porterville Police Department



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

OUTDOOR FOOD BOOTH REQUIREMENTS

Authority cited: 2019 California Fire Code (CFC)

These standards apply to individual tents, temporary structures, or membrane structures less than 200 square feet in area, and canopies less than 400 square feet in area used as outdoor carnival and fair booths.

A permit is required before any tent or membrane structure larger than 400 square feet can be erected. (California Fire Code 3103.2)

Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the building official and fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all the following:
 - a. Individual tents having a maximum size of 700 square feet.
 - b. Aggregate area of multiple tents placed side by side without 12 feet clearance, not exceeding 700 square feet total.
 - c. A minimum clearance of 12 feet to all structures and other tents.

Definitions

Cooking Booth – Booth where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambe', deep fat frying, baking, warming, or boiling. **Deep fat frying** – Any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.

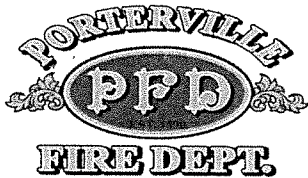
Vendor Booth – Any booth other than a cooking booth.

Cooking Booth Construction and Location

- All fabrics or membranes covering cooking booths shall be California State Fire Marshal certified flame retardant and be labeled as such.
- Decorative materials shall be inherently fire resistive or shall be treated with a fire-retardant spray.
- Flooring materials used within cooking booths and cooking equipment shall be non-combustible or California State Fire Marshal certified fire-retardant. (*Exception 3/8" plywood or similar material.*)
- Each cooking booth shall have at least one exit-way, a minimum 3' wide and 6'8" high. Booth frames shall not obstruct exit paths.
- Cooking booths shall have a minimum clearance of 10' on at least two sides with clearance of at least 10' from any vendor booth.
- Minimum 12' separation required between cooking booths with an aggregate size of 400 sq.ft. with sides, or 700 sq.ft. without sides.

Cooking Equipment

- All interior cooking equipment shall be of an approved type, and open-flame cooking shall be located a minimum of 18" from booth back/side drop materials.
- Compressed gas (butane, propane, or natural) equipment shall conform to the following:
 - Shut off valves shall be provided at each fuel source;
 - Cooking appliances shall have an ON-OFF valve located far enough away from the appliance to be safely shut off in case of fire;
 - Manufactured cooking appliances shall be equipped with a Thermocouple Valve to shut off fuel if flame is extinguished;
 - The booth operator shall test all connections for leaks with soap and water solution;
 - Fuel tanks shall be protected from damage and secured in an upright position;
 - Hoses shall be of a type approved for use with the equipment and fuel type;
 - Tanks not in use shall be turned off;
 - Extra fuel tanks shall not be stored in booths;
 - Unused fuel cylinders shall be stored in a secured position.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Wood, Charcoal (Solid Fuels) Cooking

- Use only an electric starter or commercially sold lighter fluid.
- Charcoal cooking and storage of lighter fluid is prohibited inside booths.
- Charcoal cooking shall be located a minimum of ten **10'** away from booths and in areas away from public access.
- Charcoal cooking shall be located at least ten **10'** away from combustible structures and parked vehicles.
- Coals shall be disposed of in metal containers with lids approved by the Fire Marshal.

Deep Fat Frying, Flambé, and Wok

- Deep fat frying, flambé, and wok shall be located **no closer than 18"** from any combustible material.
- Cooking areas shall not be accessible to the public.
- Deep fat frying equipment shall be equipped with a temperature regulating device or other method of regulating temperatures approved by the Fire Marshal.
- Separation shall be maintained with a minimum of **3'** clearance between deep fat frying and flambé or open flame cooking.

Vendor Booth Construction and Location

- Each vendor booth shall have at least one exit-way, a minimum of **3'** wide by **6'8"** high. Booth frames shall not obstruct exit paths.
- Vendor booths shall have a minimum clearance of **20'** on at least one side, with clearance of at least **10'** from any cooking booth.

Electrical Power

- Generators shall be placed only in locations approved for festival use.
- Generators shall not be refueled during event hours. Extra fuel shall not be stored during event hours.
- Smoking and open flames shall be prohibited within **25'** of refueling operations.
- Extension cords shall be of a grounded type and approved for exterior use.

Fire Extinguishers

- Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of **2A: 10BC**. Booths with deep fat frying or flambé cooking shall be equipped with an extinguisher rated for **class "K" fires**.
- Cooking booths shall be equipped with visible and accessible fire extinguishers mounted adjacent to the exit.
- For vendor booths, the maximum travel distance to a fire extinguisher with a minimum rating of **2A: 10BC** shall not exceed **75'**.
- Each generator shall be provided with a fire extinguisher with a minimum **40BC** rating. The extinguisher shall be located near the generator and accessible at all times.
- All fire extinguishers shall be serviced and tagged annually by a State-licensed contractor.

Miscellaneous

- The Porterville Fire Department shall be provided with a site plan showing emergency access.
- All booths are subject to inspection by the Fire Department and any discrepancies will require immediate action.
- All cooking areas shall be cleaned regularly to prevent the build-up of grease.
- There shall be a competent adult in cooking booths at all times to ensure safety.
- Seating shall be a minimum of **15'** from booths with open flame devices or cooking appliances.
- The Fire Department shall be provided with a telephone number of the responsible party to contact in case of emergency on a 24 hour basis.

Fire Safety Tips

- Know where fire extinguishers are and how to use them.
- Do not leave cooking unattended.
- Do not wear loose-fitting clothing while cooking.
- Remove trash accumulation regularly.
- Keep combustible materials away from heat sources.
- **In case of an emergency dial 9-1-1.**

The attached "Food Booth Vendor Agreement" must be on site at all times and presented upon request of any Porterville Fire Department Personnel.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Cooking Booth Vendor Agreement

Booth/Space # _____ Business Name _____
On Site Contact Name _____ Contact Phone # _____

Cooking Booth Construction and Location

1. Tents, canopies, and decorative material shall be inherently flame-resistive and proof of certification shall be on site at all times.
2. Cooking booth floors may be concrete, asphalt, or plywood over grass and dirt.
3. An emergency access of 36" shall be maintained between the back of each cooking booth and any fencing at all times. **NO EXCEPTIONS.**

Cooking Equipment

1. Cooking with charcoal, wood, or other solid fuel shall be located a minimum of 10' away from booths, canopies, combustible material or any public access.
2. Deep fat frying shall be located a minimum of 3' away from booths, canopies, open flame cooking, combustible material or any public access.
3. Any open flame cooking shall be located a minimum of 18" away from any vertical surface, combustible material or any public access.
4. Extra fuel tanks shall **NOT** be stored in booths or within 5' of cooking equipment.
5. All cooking, gas powered, or electrically energized equipment shall meet manufacturer specifications and shall be free of excess cooking oils or any other combustible materials.

Miscellaneous

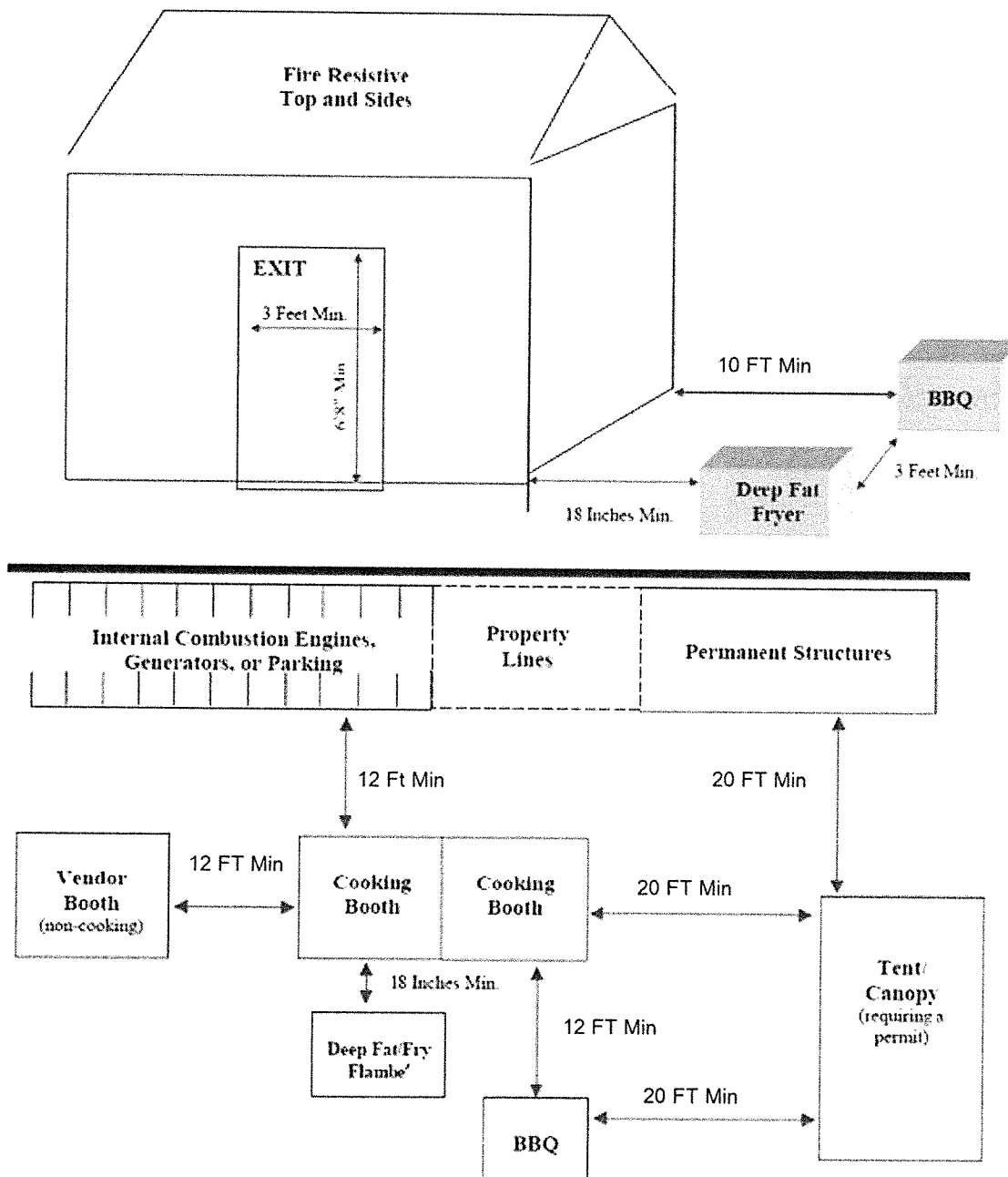
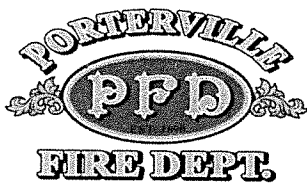
1. A visible and accessible, 2A:10BC fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided within 20' of travel in all cooking areas.
2. A visible and accessible Class K portable fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided in all cooking areas with deep fat frying.
3. All cooking areas shall be cleaned regularly to prevent build-up of combustible substances.
4. Extension cords shall be of a grounded type, approved for exterior use, and in good working order.
5. Smoking is not allowed at any time within food booths or within 25' of any fuel source.
6. Specialized cooking equipment is subject to approval by the Fire Marshal.

Additional Requirements:

The Porterville Fire Department has established these requirements in accordance with the California Fire Code. Your cooperation is required to maintain a high level of fire safety throughout the event. All booths are subject to fire department inspection prior to and at any time during the event. Any discrepancies to the above requirements or any conditions considered a threat to fire and life safety by the Fire Inspector may result in the immediate cessation of cooking.

By signing below, I acknowledge that I have read and agree to comply with all requirements of this contract.

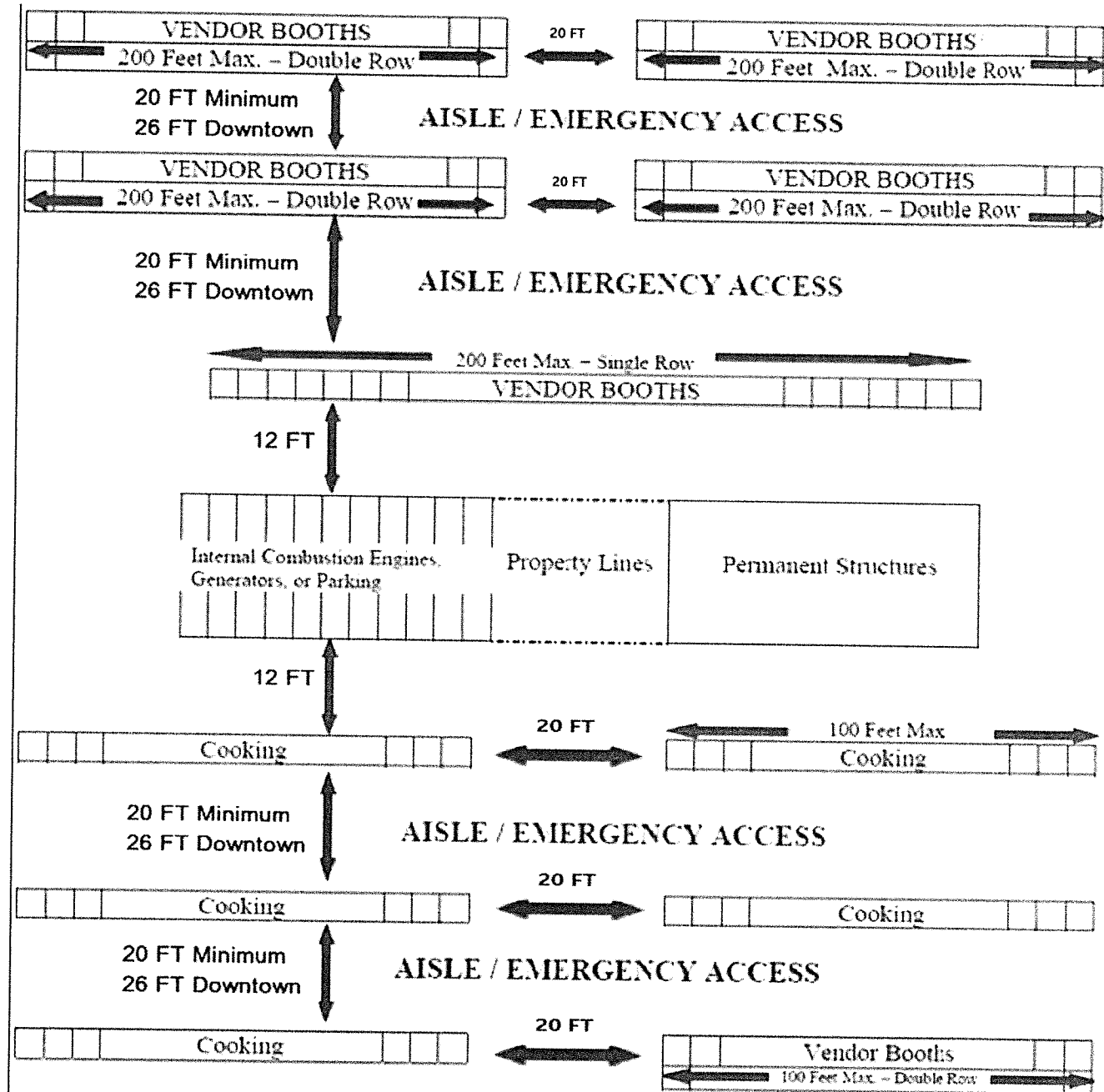
Signature _____ Date _____





PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION



**Note: Cooking booths are limited to single rows only. Back-to-back rows are not permitted. Maximum overall length of individual rows is 100 feet with aggregate spacing throughout.*

***Note: Aggregate area of multiple tents placed side by side without 12 feet clearance shall not exceed 400 square feet with sides, or 700 square feet without sides. A minimum clearance of 12 feet to all structures and other tents is required.*

****Note: Maximum overall row length distances listed, or shown above, shall meet spacing requirements for aggregate size restrictions*

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: Don Baden
555 Brandy Way, Porterville 310-0861
- 2 Address where amplification equipment is to be used: Veterans Park
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Same as above
- 4 Type of event for which amplification equipment will be used: Car Show
- 5 Dates and hours of operation of amplification equipment: 5-13-23 9-3 pm
- 6 A general description of the sound amplifying equipment to be used: Speakers + Microphone

Section 18-9

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

Donall Baden
Signature of Applicant

1-30-23
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.

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

2-6-2023
Date



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Community Civic Event - Optimist Club of Porterville / Porterville Unified School District / Burton School District - Porterville Celebrates Reading - April 1, 2023

SOURCE: Finance

COMMENT: The Optimist Club of Porterville, together with Porterville Unified School District (PUSD) and Burton School District (BSD) are requesting approval to hold the "Porterville Celebrates Reading" event on Saturday, April 1, 2023, at Veterans Park from 10:00 AM to 2:00 PM. The event is a literacy fair for all children from pre-school age and up and will include activities for children from the schools and other community organizations.

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 City Departments involved. The requirements and restrictions are listed on the attached copy of the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

RECOMMENDATION: That the City Council approve the Community Civic Event application from the Optimist Club, PUSD, and BSD to hold the "Porterville Celebrates Reading" event on April 1, 2023, subject to the requirements and restrictions contained in the Application and Agreement, Exhibit A, Exhibit B, and Exhibit C.

ATTACHMENTS: 1. CCE Application and Agreement, Map, Exhibit A, Exhibit B, Exhibit C, and Outside Amplifier Permit

Appropriated/Funded:

Review By:

Department Director:
Maria Bemis, Finance Director

Final Approver: John Lollis, City Manager

CITY OF PORTERVILLE

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



(Incomplete applications can delay permit process)

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

DO YOU HAVE? Event Flyer? E-mail address? Website?
Application date: 23 FEB. 2023 Event date: 1 APRIL 2023
Event time: 10:00AM - 2:00PM
Name of Event: PORTERVILLE CELEBRATES READING

Sponsoring organization: OPTIMIST/PUSD/BSD Phone # 793-2400
Address: 6 PUSD 600 W. GRAND AVE, PORTERVILLE
Authorized representative: DR. NATE NELSON Phone # 793-2400
Address: 600 W. GRAND AVE, PORTERVILLE
Event chairperson: PATIENCE CHRISTENSON Phone # 559-361-7942
pchristenson5826@portervilleschools.org
Location of event VETERAN'S PARK

(Location map must be attached)

Type of event: LITERACY FAIR FOR CHILDREN AGES PRE-SCHOOL - UP.
SCHOOLS AND COMMUNITY ORGANIZATIONS HAVE BOOTHS WITH LITERACY ACTIVITIES

Non-profit organization status: 94-2676266 OPTIMIST B1 2618
(IRS Determination) 03069
00359

City services requested (fees associated with these services will be billed separately):
Barricades (quantity): _____ Street sweeping Yes _____ No X
Police protection Yes _____ No X Refuse pickup Yes _____ No X
Other: _____

Parks facility application required: Yes X No _____ Attached _____
Assembly permit required: Yes _____ No X Attached _____

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

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

A non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. Most of the time, Community Civic Events require street or sidewalk closures. 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/gov/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 sponsoring organization/applicant's insurance coverage shall apply as primary to, and on a non-contributory basis with, any other available coverage of the City. 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 with the application. *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 two million dollars (\$2,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)*

PC Authorized Representative Initial

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

____ Authorized Representative Initials

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

____ Authorized Representative Initials

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

PC Authorized Representative Initials

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

____ Authorized Representative Initials

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

OPTIMIST /USD/BSD
(Name of Organization)

Patricia Christensen
(Signature)

23 FEB. 2023
(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: VETERAN'S PARK Event date: 1 APRIL 2023 Event time: 10:00 AM TO 2:00 PM

[illegible]

3 of 4

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

Event date: 1 APRIL 2023 Hours: 10:00 Am - 2:00pm

[illegible]

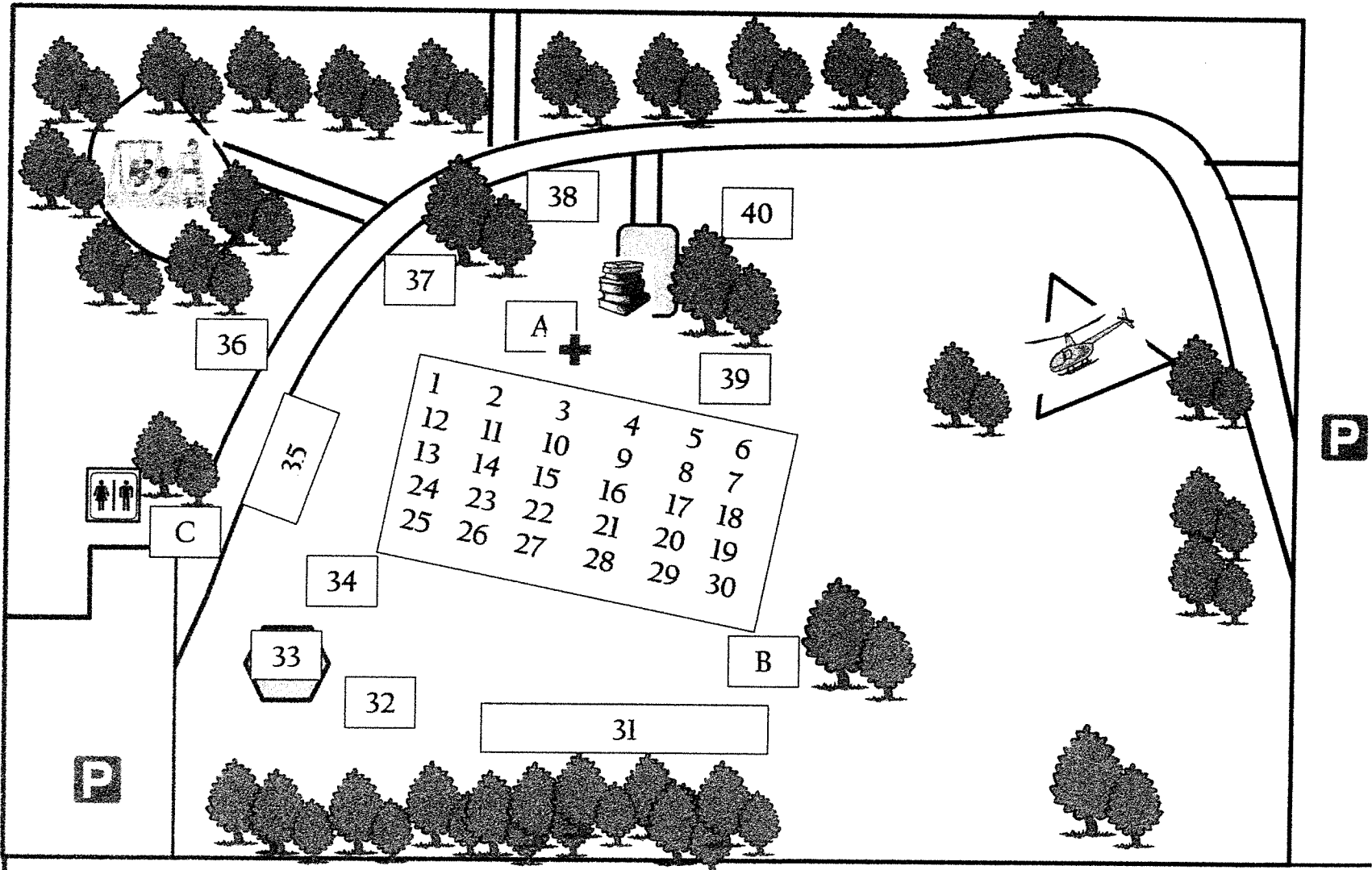


Monache H.S.



Henderson Ave.

Newcomb St.



Porterville Celebrates
Reading Map



First Aid Kit



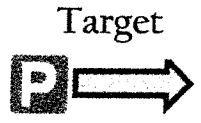
Booths

A-C

Information



Restroom



Target

Requirements for Community Civic Event

Optimist/PUSD/BSD

Porterville Celebrates Reading

April 1, 2023

City Engineer: <i>D. Cervantez</i>	No comments.
Community Development Director: <i>J. Ridenour</i>	No comments.
Public Works Director: <i>M. Knight</i>	No comments.
Fire Marshal: <i>C. Dignam</i>	Vendor booths shall comply with the attached information for spacing, etc. Please see Exhibit C.
Parks and Leisure Services Director: <i>D. Moore</i>	Parks will provide its usual logistical support.
Police Lieutenant: <i>R. Moore</i>	Please see Exhibit B.
Deputy City Manager: <i>P. Hildreth</i>	The City needs to be added as an additional insured. We will need a revised Certificate of Insurance with the Endorsement page attached.
Field Services Superintendent: <i>B. Spry</i>	No comments.
Field Services Superintendent – Streets: <i>J. Baeza</i>	No comments.

Requirements for Community Civic Event

Sponsor: Optimist/PUSD/BSD
Event: Porterville Celebrates Reading
Event Chairman: Patience Christenson
Location: Veterans Park, Porterville Ca
Date of Event: April 1, 2023 (10:00 a.m.)

RISK MANAGEMENT: Conditions of Approval

That the Optimist/PUSD/BSD 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 Permitted operation and sponsorship of the aforementioned Community Civic Event.

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

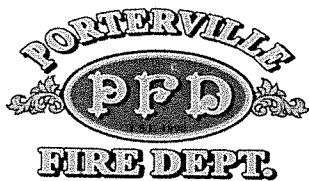
**CITY OF PORTERVILLE/POLICE DEPARTMENT
Community Civic Event Application**

**Porterville Celebrates Reading
April 1, 2023 / 10:00AM-2:00PM
Veterans Park**

Proposed Conditions/Requirements:

- Food vendors, if any, should provide inspection certificates from the Tulare County Health Department to members of the organizing committee, to ensure food product safety.
- An Outside Amplifier Permit has been approved. However, event organizers shall not allow music to be played so loud as to unreasonably disturb the peace and good order of any residents or business establishments in the surrounding area.
- At conclusion of event, event organizers shall ensure the park is promptly cleared of any vehicles, equipment, booths or anything that could present a hazard to others.

Ron Moore, Lieutenant
Porterville Police Department



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

OUTDOOR FOOD BOOTH REQUIREMENTS

Authority cited: 2019 California Fire Code (CFC)

These standards apply to individual tents, temporary structures, or membrane structures less than 200 square feet in area, and canopies less than 400 square feet in area used as outdoor carnival and fair booths.

A permit is required before any tent or membrane structure larger than 400 square feet can be erected. (California Fire Code 3103.2)

Tents and membrane structures having an area in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the building official and fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all the following:
 - a. Individual tents having a maximum size of 700 square feet.
 - b. Aggregate area of multiple tents placed side by side without 12 feet clearance, not exceeding 700 square feet total.
 - c. A minimum clearance of 12 feet to all structures and other tents.

Definitions

Cooking Booth – Booth where food is prepared by a heating or cooking process such as, but not limited to, grilling, frying, barbecuing, flambe', deep fat frying, baking, warming, or boiling. **Deep fat frying** – Any cooking operation or process whereby the product floats or is submerged in hot oil during the cooking process.

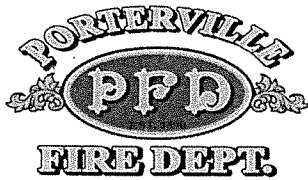
Vendor Booth – Any booth other than a cooking booth.

Cooking Booth Construction and Location

- All fabrics or membranes covering cooking booths shall be California State Fire Marshal certified flame retardant and be labeled as such.
- Decorative materials shall be inherently fire resistive or shall be treated with a fire-retardant spray.
- Flooring materials used within cooking booths and cooking equipment shall be non-combustible or California State Fire Marshal certified fire-retardant. (*Exception 3/8" plywood or similar material.*)
- Each cooking booth shall have at least one exit-way, a minimum 3' wide and 6'8" high. Booth frames shall not obstruct exit paths.
- Cooking booths shall have a minimum clearance of 10' on at least two sides with clearance of at least 10' from any vendor booth.
- Minimum 12' separation required between cooking booths with an aggregate size of 400 sq.ft. with sides, or 700 sq.ft. without sides.

Cooking Equipment

- All interior cooking equipment shall be of an approved type, and open-flame cooking shall be located a minimum of 18" from booth back/side drop materials.
- Compressed gas (butane, propane, or natural) equipment shall conform to the following:
 - Shut off valves shall be provided at each fuel source;
 - Cooking appliances shall have an ON-OFF valve located far enough away from the appliance to be safely shut off in case of fire;
 - Manufactured cooking appliances shall be equipped with a Thermocouple Valve to shut off fuel if flame is extinguished;
 - The booth operator shall test all connections for leaks with soap and water solution;
 - Fuel tanks shall be protected from damage and secured in an upright position;
 - Hoses shall be of a type approved for use with the equipment and fuel type;
 - Tanks not in use shall be turned off;
 - Extra fuel tanks shall not be stored in booths;
 - Unused fuel cylinders shall be stored in a secured position.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Wood, Charcoal (Solid Fuels) Cooking

- Use only an electric starter or commercially sold lighter fluid.
- Charcoal cooking and storage of lighter fluid is prohibited inside booths.
- Charcoal cooking shall be located a minimum of ten **10'** away from booths and in areas away from public access.
- Charcoal cooking shall be located at least ten **10'** away from combustible structures and parked vehicles.
- Coals shall be disposed of in metal containers with lids approved by the Fire Marshal.

Deep Fat Frying, Flambé, and Wok

- Deep fat frying, flambé, and wok shall be located **no closer than 18"** from any combustible material.
- Cooking areas shall not be accessible to the public.
- Deep fat frying equipment shall be equipped with a temperature regulating device or other method of regulating temperatures approved by the Fire Marshal.
- Separation shall be maintained with a minimum of **3'** clearance between deep fat frying and flambé or open flame cooking.

Vendor Booth Construction and Location

- Each vendor booth shall have at least one exit-way, a minimum of **3'** wide by **6'8"** high. Booth frames shall not obstruct exit paths.
- Vendor booths shall have a minimum clearance of **20'** on at least one side, with clearance of at least **10'** from any cooking booth.

Electrical Power

- Generators shall be placed only in locations approved for festival use.
- Generators shall not be refueled during event hours. Extra fuel shall not be stored during event hours.
- Smoking and open flames shall be prohibited within **25'** of refueling operations.
- Extension cords shall be of a grounded type and approved for exterior use.

Fire Extinguishers

- Each cooking booth shall be equipped with a fire extinguisher with a minimum rating of **2A: 10BC**. Booths with deep fat frying or flambé cooking shall be equipped with an extinguisher rated for **class "K" fires**.
- Cooking booths shall be equipped with visible and accessible fire extinguishers mounted adjacent to the exit.
- For vendor booths, the maximum travel distance to a fire extinguisher with a minimum rating of **2A: 10BC** shall not exceed **75'**
- Each generator shall be provided with a fire extinguisher with a minimum **40BC** rating. The extinguisher shall be located near the generator and accessible at all times.
- All fire extinguishers shall be serviced and tagged annually by a State-licensed contractor.

Miscellaneous

- The Porterville Fire Department shall be provided with a site plan showing emergency access.
- All booths are subject to inspection by the Fire Department and any discrepancies will require immediate action.
- All cooking areas shall be cleaned regularly to prevent the build-up of grease.
- There shall be a competent adult in cooking booths at all times to ensure safety.
- Seating shall be a minimum of **15'** from booths with open flame devices or cooking appliances.
- The Fire Department shall be provided with a telephone number of the responsible party to contact in case of emergency on a 24 hour basis.

Fire Safety Tips

- Know where fire extinguishers are and how to use them.
- Do not leave cooking unattended.
- Do not wear loose-fitting clothing while cooking.
- Remove trash accumulation regularly.
- Keep combustible materials away from heat sources.
- **In case of an emergency dial 9-1-1.**

The attached "Food Booth Vendor Agreement" must be on site at all times and presented upon request of any Porterville Fire Department Personnel.



PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION

Cooking Booth Vendor Agreement

Booth/Space # _____ Business Name _____
On Site Contact Name _____ Contact Phone # _____

Cooking Booth Construction and Location

1. Tents, canopies, and decorative material shall be inherently flame-resistive and proof of certification shall be on site at all times.
2. Cooking booth floors may be concrete, asphalt, or plywood over grass and dirt.
3. An emergency access of 36" shall be maintained between the back of each cooking booth and any fencing at all times. **NO EXCEPTIONS.**

Cooking Equipment

1. Cooking with charcoal, wood, or other solid fuel shall be located a minimum of 10' away from booths, canopies, combustible material or any public access.
2. Deep fat frying shall be located a minimum of 3' away from booths, canopies, open flame cooking, combustible material or any public access.
3. Any open flame cooking shall be located a minimum of 18" away from any vertical surface, combustible material or any public access.
4. Extra fuel tanks shall **NOT** be stored in booths or within 5' of cooking equipment.
5. All cooking, gas powered, or electrically energized equipment shall meet manufacturer specifications and shall be free of excess cooking oils or any other combustible materials.

Miscellaneous

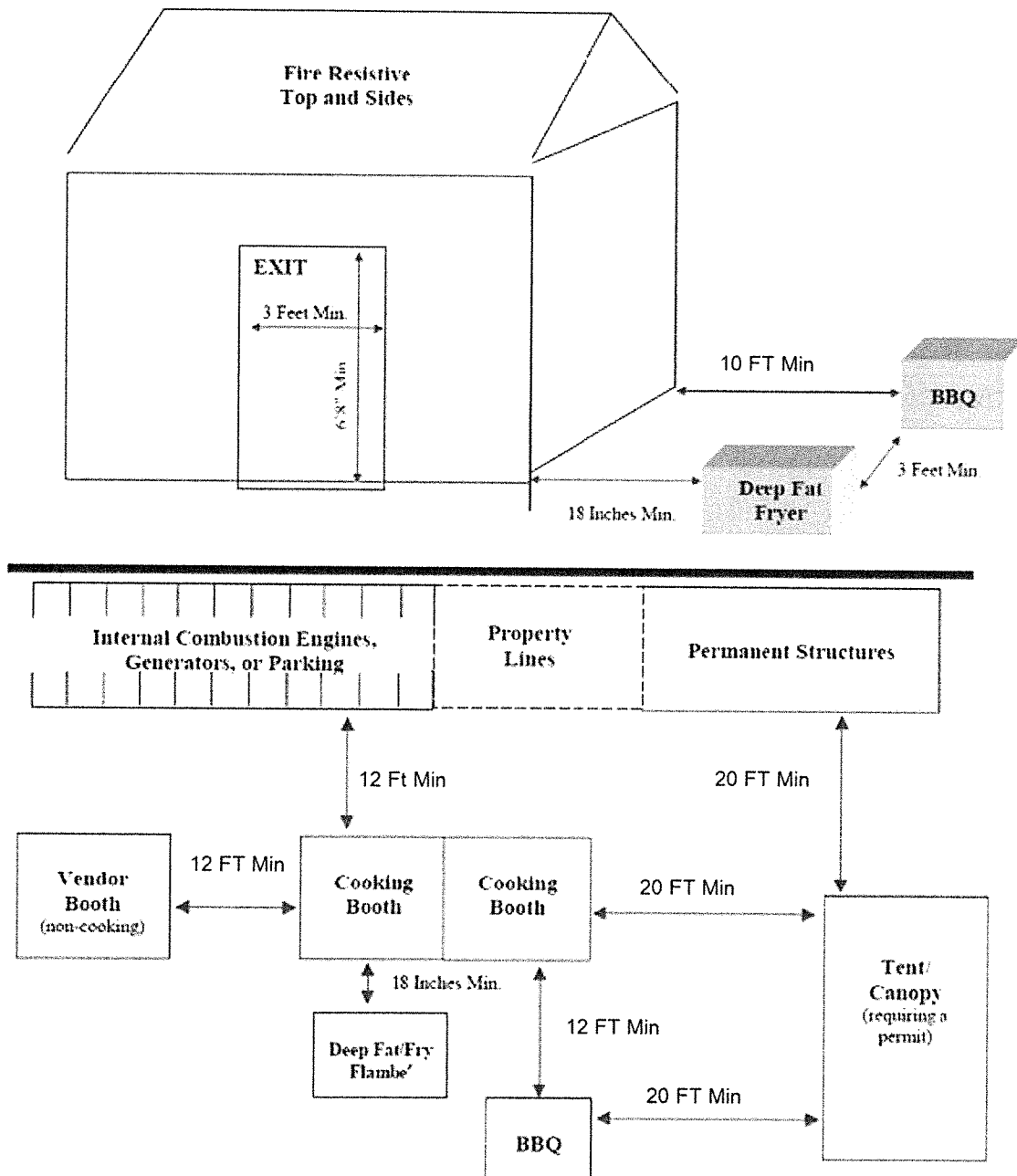
1. A visible and accessible, 2A:10BC fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided within 20' of travel in all cooking areas.
2. A visible and accessible Class K portable fire extinguisher with a current (within the last 12 months) State Fire Marshall tag must be provided in all cooking areas with deep fat frying.
3. All cooking areas shall be cleaned regularly to prevent build-up of combustible substances.
4. Extension cords shall be of a grounded type, approved for exterior use, and in good working order.
5. Smoking is not allowed at any time within food booths or within 25' of any fuel source.
6. Specialized cooking equipment is subject to approval by the Fire Marshal.

Additional Requirements:

The Porterville Fire Department has established these requirements in accordance with the California Fire Code. Your cooperation is required to maintain a high level of fire safety throughout the event. All booths are subject to fire department inspection prior to and at any time during the event. Any discrepancies to the above requirements or any conditions considered a threat to fire and life safety by the Fire Inspector may result in the immediate cessation of cooking.

By signing below, I acknowledge that I have read and agree to comply with all requirements of this contract.

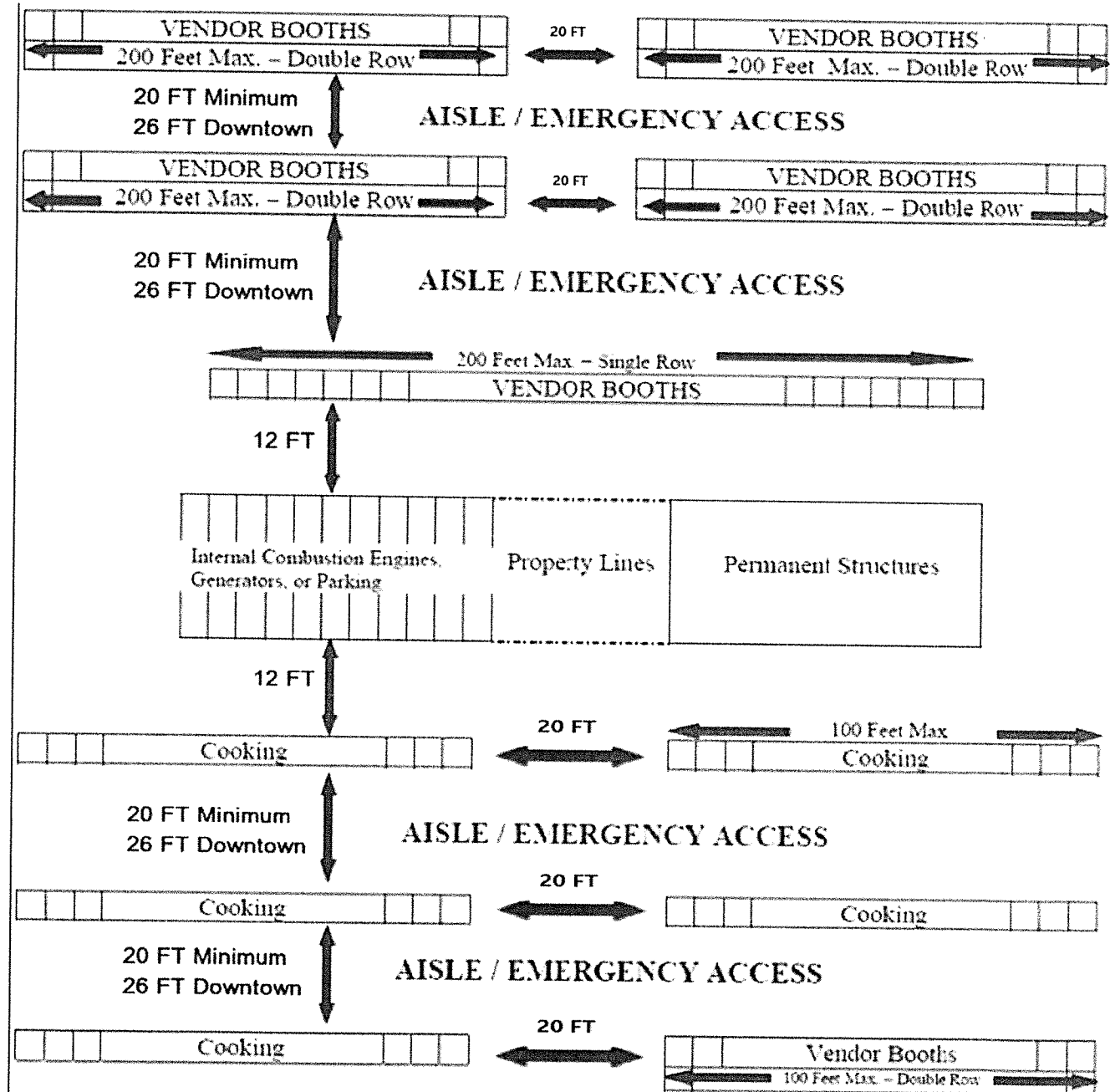
Signature _____ Date _____





PORTERVILLE FIRE DEPARTMENT

FIRE PREVENTION DIVISION



**Note: Cooking booths are limited to single rows only. Back-to-back rows are not permitted. Maximum overall length of individual rows is 100 feet with aggregate spacing throughout.*

***Note: Aggregate area of multiple tents placed side by side without 12 feet clearance shall not exceed 400 square feet with sides, or 700 square feet without sides. A minimum clearance of 12 feet to all structures and other tents is required.*

****Note: Maximum overall row length distances listed, or shown above, shall meet spacing requirements for aggregate size restrictions*

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: PATIENCE CHRISTENSON
1515 W. WESTFIELD AVE, PORTERVILLE, CA 93257
- 2 Address where amplification equipment is to be used: VETERAN'S PARK
- 3 Names and addresses of all persons who will use or operate the amplification equipment: PATIENCE CHRISTENSON
- 4 Type of event for which amplification equipment will be used: LITERACY FAIR
- 5 Dates and hours of operation of amplification equipment: 1 APRIL 2023 10:00 AM - 2:00 PM
- 6 A general description of the sound amplifying equipment to be used: PA SYSTEM

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.

Patience Christenson
Signature of Applicant

23 FEB. 2023
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.

Reid M153
City of Porterville, Chief of Police/Designee

23 2023
Date



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Travel to Washington D.C. for Tulare County Association of Governments "One Voice Trip" - May 9-12, 2023

SOURCE: City Manager's Office

COMMENT:

Representatives of the Tulare County Association of Governments (TCAG) are making preparations for travel as part of its annual "One Voice Trip" to Washington D.C., scheduled for Tuesday, May 9 through Friday, May 12, 2023. A smaller delegation than on past trips, Mayor Flores has been asked to help lead the delegation as the Vice Chair of the Board of Directors, with TCAG providing for hotel accommodations on Tuesday through Thursday night as well as airfare reimbursement. The City Manager has also been asked to join the delegation as the representative for the local City Managers, with TCAG also providing hotel accommodations and airfare reimbursement. The City would be responsible for providing meal per diems and any parking/subway/taxi reimbursements for the travel dates at a total estimated cost of \$950, which would be charged to the respective Council Member and City Manager meeting expense budgets.

RECOMMENDATION: That the City Council:

1. Authorize the travel of Mayor Flores and the City Manager to Washington D.C. as part of the TCAG "One Voice Trip"; and
2. Authorize the expenditure of City monies in support of the trip.

ATTACHMENTS:

Appropriated/Funded: MB

Review By:

Department Director:
John Lollis, City Manager

Final Approver: John Lollis, City Manager



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Status and Review of Local Drought Emergency

SOURCE: City Manager's Office

COMMENT:

At its meeting of May 5, 2015, the City Council took action to approve a Resolution Declaring a Drought Emergency in the City of Porterville. At its meeting of February 21, 2023, the Council reviewed the status of existence of local emergency, and acted to continue its Resolution of local emergency.

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 twenty-five percent (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 twenty-five (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 2016. 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 thirty-two percent (32%) to twenty-six percent (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.

On May 31, 2018, Governor Brown signed both AB 1668 (Friedman) and SB 606 (Hertzberg), which set permanent overall targets for indoor and outdoor water consumption. The legislation sets an initial limit for indoor water use of fifty-five (55) gallons per-person per-day in 2022, reducing to 52.5 gallons per-person per-day in 2025, and finally to fifty (50) gallons per-person per-day in 2030. The amount of residential outdoor use is yet-to-be determined, but will allow for varying regional climates. In addition, a standard for water loss due to leak rates in water system pipes will be established. As an urban water provider, the City will need to submit its plan for compliance for approval by the State Water Resources Control Board.

On March 5, 2021, Secretary Vilsack of the United States Department of Agriculture federally-designated Tulare County as a primary natural disaster area due to ongoing drought conditions. On April 21, 2021, Governor Newsom issued a State of Emergency Proclamation due to drought conditions, including Tulare County. On April 27, 2021, the Tulare County Board of Supervisors adopted a Resolution Proclaiming a Local Emergency due to severe drought conditions. On January 4, 2022, the State Water Resources Control Board adopted emergency regulations to supplement voluntary water conservation.

On March 28, 2022, Governor Newsom issued Executive Order N-7-22, that requires the state's largest water providers (including the City of Porterville) to put in place "Level 2" of water shortage contingency plans, which the City is currently in "Level 4." On June 10, 2022, the State Water Resources Control Board adopted emergency regulations to prohibit the watering of nonfunctional or purely decorative grass in commercial, industrial or institutional properties with potable water.

At its meeting on January 17, 2023, the Council considered an emergency request from the County of Tulare for assistance to Self-Help Enterprises, Inc. (SHE) in the provision of source water for the Emergency Tank Program that serves 389 residences across Tulare County where domestic wells have run dry due to continued drought. The County had been providing source water from its well at the Bob Wiley Detention Facility, north of Visalia, but the recent rainfall had caused damage and the temporary closure of the access road to the well. The Council acted to grant the County's request for emergency assistance and provide source water to SHE to continue the Emergency Tank Program, to be reviewed at its next regular meeting on February 7, 2023. On January 20, 2023, SHE began taking City water for delivery. The County later reported that

the access road had been repaired and that the County source well was accessible again to SHE beginning on February 1, 2023. According to the City water meter report, approximately 111,500 gallons of water was accessed by SHE, with a corresponding cost of \$350. At Council's direction, City staff has also been in contact and coordinating with the Eastern Tule Groundwater Sustainability Agency (ETGSA) in regard to source water from the ETGSA crossing over into other GSA territories and other Sub-basins (e.g. Kaweah) and addressing any potential impacts, although it is important to note that the same has been happening from the County well that is located in the Kaweah Sub-basin.

Initially within the city of Porterville, twenty-six (26) residences within the city were 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. The State has committed funding for non-profit agencies to continue drought-related activities, which Self-Help Enterprises has continued the household tank program locally, through State Cleanup and Abatement Account (CAA) emergency funds.

Representatives for the City, County, State (CalOES, DDW, DWR, and SWB) and non-profit partners 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 completed a significant City waterline extension project to permanently connect those 423 residential units to the City's water system (considered Phase I of the project). To provide initial 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 five hundred (500) single-family residential units. The City indicated its significant interest that the E. Vandalia Avenue area and its eighty (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. On May 7, 2022, Tulare County OES notified the City that due to deteriorating conditions across the county involving small water systems dependent upon the Friant-Kern Canal that may result in the complete lack of water or "Do Not Drink" orders, the State and County may have to invoke the provision of water from the well.

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 forty (40) homes that are located along existing City water mains. Subsequently, the State officially requested that the City approve the connection of an additional thirty (30) residences as part of the first immediate connections, for up to a total of seventy (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 its meeting on 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 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. City staff continued to work with County staff toward the transfer of the well's ownership from the County to the City, which at its meeting on April 20, 2021, the Council approved the draft Transfer Agreement subject to the City Attorney's final form.

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, twenty-three (23) of which were reported as having either dry or diminishing capacity wells. On February 6, 2018, the final residential connection was made of the approximate eligible eight hundred (800) residences in East Porterville to the City's water system.

City staff continues to coordinate with Self-Help Enterprises and State representatives toward the extension of water mains to serve all residential properties within City limits and the city's periphery that are currently participating in the County's Household Tank Program. The two main areas of

focus are N. Cobb Street (northwest of State Route 65 and Pioneer Avenue), and S. Cloverleaf Street (southeast of State Route 65 and Olive Avenue). The State has maintained its commitment to grant-fund the necessary infrastructure and connection fees, providing an official funding letter to the City on January 18, 2018, which commits up to \$2.81 million in funding until December 31, 2019. The authorization to advertise for bids for the water connection project was approved by the Council at its July 17th meeting, after which DWR reviewed the bid package for compliance and approved in December the package for advertisement. Council authorized award of the construction contract for approximately \$1.82 million at its meeting on January 15, 2019.

City staff conducted a pre-construction public outreach meeting with the affected residents on the status of the project on Thursday, April 4, 2019.

Council authorized the agreement with Self-Help Enterprises Inc. to provide the private residential connections at its meeting on July 2, 2019, and construction work began on the project. At its meeting on October 1, 2019, the Council accepted the public works segment of the project in the installation of water mains as complete, with Self-Help and CSET continuing to collaborate on the completion of the individual private connections and abandonment of private wells. City staff has recently been made aware that there may be a couple of additional residences whose wells are dry that are located along existing City water mains or may require further extension of water mains.

Staff is coordinating with State staff on addressing these new isolated needs.

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 forty-one (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 30, 2019, 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. At its meeting on October 1, 2019, the Council directed staff to proceed with the amendment of the UDB to facilitate annexation, which a public meeting with the affected residents was conducted on Wednesday, October 9, 2019. At its meeting on April 21, 2020, the Council conducted a Public Hearing and approved Resolutions of approval of the environmental determination and amendment to the UDB to facilitate annexation. At its meeting on June 1, 2021, the Council approved the State Water Board funding agreement for the development of a City-owned production well, distribution mains and water meters to serve each customer, as well as fire hydrants. On

July 20, 2021, the City received notification from the State Water Board that the Akin/Central Water Consolidation Project funding agreement had been formally approved and executed.

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 fourteen (14) residences and approximately forty-five (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.

DDW has further reported to the City that the Beverly Grand Mutual Water Company water system, located north of West North Grand Avenue, is experiencing problems with its existing well and water quality issues, and desires its connection to the City's system to serve the thirty-one (31) residences the system serves. 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 has agreed to pay appropriate fees toward developing a capacity development project, which at its meeting of October 3, 2017, the Council approved a purchase agreement with Smee Homes, Inc. for the acquisition of property along the Tule River for the development of a new municipal well. At its meeting of October 1, 2019, the Council approved proceeding with the consolidation of the Beverly Grand water system.

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. City of Porterville Resolution Declaring Local Drought Emergency: May 5, 2015
2. United States Department of Agriculture Drought Natural Disaster Area Designation: March 5, 2021
3. State of California State of Emergency Proclamation: April 21, 2021
4. County of Tulare Drought Local Emergency Resolution: April 27, 2021
5. State Water Resources Control Board: Emergency Regulation - Water Conservation; January 4, 2022
6. Governor Newsom Executive Order N-7-22: March 28, 2022

7. State Water Resources Control Board: Emergency Regulation - Water Conservation; June 10, 2022
8. State Water Resources Control Board Funding Agreement: Akin/Central Water Consolidation Project

Appropriated/Funded:

Review By:

Department Director:
John Lollis, City Manager

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

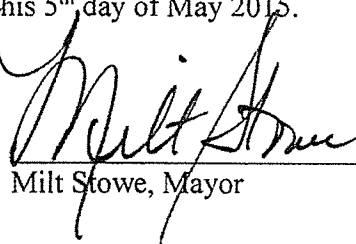
WHEREAS: the long-term ramifications of the current drought will have a significant impact on the city of Porterville and potentially pose a danger to the health and welfare of its residents; and

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

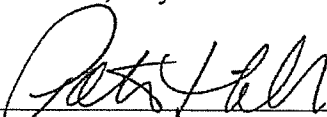
BE IT FURTHER RESOLVED: that the City Council of the City of Porterville requests the Governor and California Department of Water Resources make available California Disaster Assistance Act funding for the State of Local Emergency proclaimed on May 5, 2015, and seek all available forms of Federal assistance, 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



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

March 5, 2021

The Honorable Gavin Newsom
Governor
State of California
Sacramento, California 95814

Dear Governor Newsom:

In accordance with 7 CFR 759.5(a), I am designating 50 California counties as primary natural disaster areas due to a recent drought.

According to the U.S. Drought Monitor (see <http://droughtmonitor.unl.edu/>), these counties suffered from a drought intensity value during the growing season of 1) D2 Drought-Severe for 8 or more consecutive weeks or 2) D3 Drought-Extreme or D4 Drought-Exceptional.

In accordance with section 321(a) of the Consolidated Farm and Rural Development Act, additional areas of your state and adjacent states are named as contiguous disaster counties. Enclosed you will find documentation that provides a detailed list of all primary and contiguous counties impacted by this disaster.

A Secretarial disaster designation makes farm operators in primary counties and those counties contiguous to such primary counties eligible to be considered for certain assistance from the Farm Service Agency (FSA), provided eligibility requirements are met. This assistance includes FSA emergency loans. Farmers in eligible counties have 8 months from the date of a Secretarial disaster declaration to apply for emergency loans. FSA considers each emergency loan application on its own merits, taking into account the extent of production losses on the farm and the security and repayment ability of the operator.

Local FSA offices can provide affected farmers with further information.

Sincerely,

A handwritten signature in blue ink, reading "Tom J. Vilsack", is positioned above the printed name of the Secretary.

Thomas J. Vilsack
Secretary

Enclosure

Disaster Designation Areas for California and Contiguous States

Primary Counties:

California	(50)			
Alameda	Glenn	Marin	Riverside	Solano
Alpine	Humboldt	Mariposa	Sacramento	Sonoma
Amador	Imperial	Mendocino	San Bernardino	Stanislaus
Butte	Inyo	Merced	San Francisco	Sutter
Calaveras	Kern	Modoc	San Joaquin	Tehama
Colusa	Kings	Mono	San Mateo	Trinity
Contra Costa	Lake	Napa	Santa Clara	Tulare
Del Norte	Lassen	Nevada	Shasta	Tuolumne
El Dorado	Los Angeles	Placer	Sierra	Yolo
Fresno	Madera	Plumas	Siskiyou	Yuba

Contiguous Counties:

California	(8)		
Monterey	San Benito	San Luis Obispo	Santa Cruz
Orange	San Diego	Santa Barbara	Ventura

In addition, in accordance with section 321(a) of the Consolidated Farm and Rural Development Act, counties in adjacent states are named as contiguous disaster areas. Those states, counties, and numbers are:

Contiguous Counties in Adjacent States:

Arizona	(3)		
La Paz	Mohave	Yuma	
Nevada	(8)		
Clark	Esmeralda	Mineral	Washoe
Douglas	Lyon	Nye	Carson City
Oregon	(5)		
Curry	Josephine	Lake	
Jackson	Klamath		

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

State of Emergency Proclamation

WHEREAS climate change is intensifying the impacts of droughts on our communities, environment and economy, and California must therefore improve drought resiliency and prepare to respond to more frequent, prolonged, and intense dry periods; and

WHEREAS much of the West is experiencing severe to exceptional drought and California is in a second consecutive year of dry conditions, resulting in drought or near-drought throughout many portions of the State; and

WHEREAS these drought conditions can result in degraded water quality, fallowing of productive farmland, setbacks to vulnerable and rural communities through job losses and longer-lasting recoveries, significant impacts to tribal, commercial, and recreational salmon fisheries, constraints on access to traditional lifeways, loss of aquatic and terrestrial biodiversity, and ecosystem impacts; and

WHEREAS drought conditions vary across the State and some watersheds, including the Russian River and Klamath Basin, are extremely dry and are facing substantial water supply and ecosystem challenges; and

WHEREAS it is necessary to expeditiously mitigate the effects of the drought conditions within the Russian River Watershed, located within Mendocino and Sonoma counties, to ensure the protection of health, safety, and the environment; and

WHEREAS experience in the last drought has demonstrated the value of preparing earlier for potential sustained dry conditions, the need to improve our monitoring and forecasting capabilities, and many other lessons that are captured in the Administration's *Report to the Legislature on the 2012-2016 Drought*; and

WHEREAS the State and its many partners have strengthened drought resilience since the last drought including state investments in water management systems, implementation of the Sustainable Groundwater Management Act, establishment of the Safe and Affordable Fund for Equity and Resilience Program, development of the Administration's *Water Resilience Portfolio*, and continued water conservation by Californians whose current statewide urban water use is 16% lower than at the beginning of the last drought; and

WHEREAS state agencies have been actively responding to current drought conditions and preparing for the possibility of a third dry year including through convenings of the interagency drought team, which was established at my direction, to organize, focus, and track changing conditions, coordinate state agency responses, and work closely with partners across the State; and

WHEREAS under the provisions of Government Code section 8558(b), I find that the conditions caused by the drought conditions, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the drought conditions; and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of, the drought conditions within the Russian River Watershed, and under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions of the Russian River Watershed, located within Mendocino and Sonoma counties.

NOW THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Mendocino and Sonoma counties due to drought conditions in the Russian River Watershed.

IT IS HEREBY ORDERED THAT:

1. To further the success of California's water conservation efforts and increase our drought preparedness, state agencies shall partner with local water districts and utilities to make all Californians aware of drought, and encourage actions to reduce water usage by promoting the Department of Water Resources' Save Our Water campaign (<https://saveourwater.com>) and other water conservation programs.
2. To continue coordination with partners across the State for the potential of prolonged drought impacts, the Department of Water Resources, the State Water Resources Control Board (Water Board), the Department of Fish and Wildlife, and the Department of Food and Agriculture shall work with regional and local governments, including groundwater sustainability agencies, to identify watersheds, communities, public water systems, and ecosystems that may require coordinated state and local actions to address issues stemming from continued dry conditions, to ensure that we can respond to water shortages and protect people, natural resources and economic activity.
3. To continue partnership and coordination with Californian Native American tribes, state agencies shall engage in consultation, collaboration, and communication with California Native American tribes to assist them in necessary preparation and response to drought conditions on tribal lands and potential impacts to cultural and traditional resources within ancestral lands.
4. To prioritize drought response and preparedness resources, the Department of Water Resources, the Water Board, the Department of Fish and Wildlife and the Department of Food and Agriculture, in consultation with the Department of Finance, shall:
 - a. Accelerate funding for water supply enhancement, water conservation, or species conservation projects.
 - b. Identify unspent funds that can be repurposed to enable projects to address drought impacts to people, ecosystems, and economic activities.
 - c. Recommend additional financial support for water resilience infrastructure projects and actions for potential inclusion in the upcoming May Revision.

5. To increase resilience of our water supplies during drought conditions, the Department of Water Resources shall:
 - a. Work with counties to encourage reporting of household water shortages, such as dry residential wells, on the website the Department maintains for that purpose, to enable tracking of drought impacts.
 - b. Work with counties, and groundwater sustainability agencies as appropriate, to help ensure that well drillers submit required groundwater well logs for newly constructed and deepened wells in a timely manner.
 - c. Work with agricultural water suppliers and agricultural water users to provide technical assistance, including implementation of efficient water management practices and use of technology such as the California Irrigation Management Information System.
 - d. Work with urban and agricultural water suppliers to encourage timely submittal by water districts and public posting of urban water management and water shortage contingency plans and agricultural water management and drought plans.
 - e. Accelerate updating the land subsidence data it is providing to support implementation of the Sustainable Groundwater Management Act.
6. To increase resilience of our water systems during drought conditions, the Water Board shall:
 - a. Use its authority, provide technical assistance, and where feasible provide financial assistance, to support regular reporting of drinking water supply well levels and reservoir water levels where the Water Board determines that there is risk of supply failure because of lowering groundwater levels or reservoir levels that may fall below public water system intakes.
 - b. Prioritize the permitting of public water systems that anticipate the need to activate additional supply wells where water quality is a concern and treatment installation needs to proceed to relieve a system's potential supply concerns.
 - c. Provide annual water demand data, information on water right priority, and other communications on water availability on its website.
 - d. Identify watersheds where current diversion data is insufficient to evaluate supply impacts caused by dry conditions, and take actions to ensure prompt submittal of missing data in those watersheds.
7. To address the acutely dry conditions in the Russian River Watershed, the Water Board shall consider:
 - a. Modifying requirements for reservoir releases or diversion limitations in that watershed to ensure adequate, minimal water supplies for critical purposes.
 - b. Adopting emergency regulations to curtail water diversions when water is not available at water rights holders' priority of right or to protect releases of stored water.

For purposes of carrying out this directive, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are suspended in the counties of Mendocino and Sonoma to the extent necessary to address the impacts of the drought in the Russian River Watershed. The Water Board shall identify the projects

eligible for the suspensions pursuant to this paragraph and maintain on its websites a list of the activities or approvals for which these provisions are suspended.

8. To ensure that equipment and services necessary for drought response in the Russian River Watershed can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to procurement, state contracts, and fleet assets, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended to the extent necessary to address the effects of the drought in the Russian River Watershed, located within Mendocino and Sonoma counties. Approval of the Department of Finance is required prior to the execution of any contract entered into pursuant to this provision.
9. To increase the resilience of our natural habitats to protect vulnerable species during drought conditions, the Department of Fish and Wildlife shall:
 - a. Evaluate and take actions to protect terrestrial and aquatic species and, wherever possible, work with water users and other parties on voluntary measures to protect species.
 - b. Work to improve State hatcheries and increase water use efficiency on State wildlife areas and ecological reserves to maintain habitat for vulnerable species.
 - c. Respond to human-wildlife interactions related to ongoing dry conditions and increase public messaging and awareness.
 - d. Work with commercial and recreational salmon fishing and tribal representatives to anticipate and develop strategies to mitigate and respond to salmon fishery impacts, with particular emphasis on addressing impacts to salmon fisheries in the Klamath Basin.
10. To support our agricultural economy and food security during drought conditions, the Department of Food and Agriculture shall:
 - a. Provide technical assistance to support conservation planning, on-farm water and energy conservation practices and technologies, including augmenting the State Water Efficiency and Enhancement Program.
 - b. Conduct an economic analysis of drought impacts to agriculture, including land use, jobs, and rural food economies, expanding on existing research done in the last drought to include thorough regional analysis especially in the Central Valley, and in the implementation of the Sustainable Groundwater Management Act and alternative land uses for fallowed land.
 - c. Maintain a web page with drought resources for farmers and ranchers, including the United States Department of Agriculture and other federal and state resources.
 - d. Work with federal agencies to assist Klamath Basin farmers and ranchers contending with reduced water supplies.
11. To ensure the potential impacts of drought on communities are anticipated and proactively addressed, the Department of Water Resources, in coordination with the Water Board, shall develop groundwater management principles and strategies to monitor, analyze, and minimize impacts to drinking water wells.
12. To provide critical information on the different drought conditions across the State, the Department of Water Resources, in consultation with the Department of Fish and Wildlife, the Department of Food and Agriculture,

and the Water Board, shall develop a California Drought Monitor by December 31, 2021, as recommended in the Administration's Report to the Legislature on the 2012-2016 Drought.

13. To prepare for potential salinity issues in the Delta, the Department of Water Resources, in consultation with the Water Board, the Department of Fish and Wildlife, the Delta Stewardship Council, and the Central Valley Flood Protection Board, shall initiate actions necessary to prepare for and address potential Delta salinity issues during prolonged drought conditions.

14. To prepare for potential impacts of drought conditions on species, the Water Board and the Department of Fish and Wildlife shall work with federal agency partners to manage temperature conditions for the preservation of fish in the Sacramento River downstream of Shasta Dam while balancing water supply needs.

This Proclamation 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 Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 21st day of April 2021



GAVIN NEWSOM
Governor of California

ATTEST:

DR. SHIRLEY WEBER
Secretary of State

RESOLUTION PROCLAIMING A LOCAL EMERGENCY BY THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF A)
LOCAL EMERGENCY DUE TO)
SEVERE DROUGHT CONDITIONS)

RESOLUTION NO. 2021-0290

WHEREAS, California's most recent drought spanning from approximately 2012 to 2018 required the proclamation of a Local Emergency by the County of Tulare from February 2014 to November 2019, as well as a Governor's State of Emergency and the combined resources of multiple local, state, and federal agencies, commercial entities, and non-profit organizations to mitigate; and

WHEREAS, over 3,000 failed or dry wells – including private domestic, community, and agricultural wells – were reported to Tulare County from 2014 to 2017 as a result of the prior drought, causing significant health, safety, and economic issues for Tulare County residents and businesses; and

WHEREAS, well over \$100 million in emergency relief and permanent infrastructure projects were expended to mitigate the effects of the prior drought; and

WHEREAS, a hydrological year ("water year") runs from October 1 to September 30 of the following year; and

WHEREAS, the current water year beginning October 1, 2020 is, to date, the third-driest on record, with potential to become the driest on record without significant additional precipitation which is unlikely to occur during the traditionally dry months; and

WHEREAS, the United States Drought Monitor shows that 94.51% of Tulare County is currently experiencing "Extreme Drought" (D3) conditions and the remaining 5.49% is in "Severe Drought" (D2) conditions, and the County of Tulare anticipates that these conditions will progress to "Exceptional Drought" (D4) conditions as occurred in the prior drought based on the current Southern Sierra snowpack measured at only 15% of historical average for April 1st, drastically reduced surface water allocations on the State Water Project and Central Valley Project, and correspondingly low water levels in local reservoirs; and

WHEREAS, surface water supply constraints create a demonstrable and unsustainable increase in demand for groundwater which is likely to cause additional dry wells for community water systems, private domestic wells, and agricultural wells, creating economic hardships and conditions of extreme peril to the health and safety of individuals within Tulare County requiring the combined forces of all levels of government to mitigate; and

WHEREAS, California Government Code section 8630 empowers the Board of Supervisors to proclaim the existence or threatened existence of a local emergency; and

WHEREAS, Section 1-15-1005 of the Tulare County Ordinance Code defines "emergency" to include "the actual or threatened existence of conditions of disaster or of

extreme peril to the safety of persons and property within [Tulare] County caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, ... which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of [Tulare] County, requiring the combined forces of other political subdivisions to combat"; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout said Tulare County due to drought which has created conditions of disaster and extreme peril to the safety of persons and property within the County, and that such conditions are or are likely to be beyond the control of the services, personnel, equipment, and/or facilities of this County, thus requiring the combined forces of other political subdivisions to combat; and

IT IS FURTHER PROCLAIMED that this local emergency is proclaimed pursuant to the California Emergency Services Act, California Government Code §8550 et seq.; and

IT IS REQUESTED that the Governor of the State of California find and proclaim Tulare County to be in a State of Emergency, and make available any and all material and financial support and resources necessary to combat the conditions of disaster, including but not limited to California Disaster Assistance Act funding for emergency protective measures and increased funding to relevant programs of the State Water Resources Control Board and Department of Water Resources; and

IT IS FURTHER REQUESTED that the Governor waive and all regulations and statutes that may hinder response to this emergency; and

IT IS PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of Tulare County shall be those prescribed by State law, by ordinances and resolutions of Tulare County, and by the Tulare County Operational Area Emergency Operations Plan, as approved by the Board of Supervisors.

UPON MOTION OF SUPERVISOR MICARI, SECONDED BY SUPERVISOR TOWNSEND, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD APRIL 27, 2021, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND TOWNSEND

NOES: NONE


ABSTAIN: NONE

ABSENT: NONE

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS



BY:


Deputy Clerk

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2022-0002**

**TO ADOPT AN EMERGENCY REGULATION
TO SUPPLEMENT VOLUNTARY WATER CONSERVATION**

WHEREAS:

1. On April 21, May 10, and July 8, 2021, Governor Newsom issued proclamations that a state of emergency exists in a total of 50 counties due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
2. On October 19, 2021, Governor Newsom signed a proclamation extending the drought emergency statewide and further urging Californians to reduce their water use.
3. There is no guarantee that winter precipitation will alleviate the current drought conditions.
4. Many Californians have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought and uncertainty about Water Year 2022 require additional conservation actions from residents and businesses.
5. Water conservation is the easiest, most efficient, and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances or that water rationing will be required.
6. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

7. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign ([SaveOurWater.com](https://www.saveourwater.com)), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response.
8. [SaveWater.CA.Gov](https://www.savewater.ca.gov) is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Resources Control Board (State Water Board or Board) and relevant local water supplier.
9. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.
10. On October 19, 2021, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions.
11. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”
12. On November 30, 2021, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board’s regularly scheduled January 4, 2022 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.
13. The emergency regulation sets a minimum standard that many communities are already doing more but not everyone is taking these low-cost, easy to implement actions that can save significant amounts of water during a drought emergency.

14. Disadvantaged communities may require assistance in increasing water conservation, and state and local agencies should look for opportunities to provide assistance in promoting water conservation, including but not limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries.
15. The Board directs staff to consider the following in pursuing any enforcement of section 995, subdivision (b)(1)(A)-(F): before imposing monetary penalties, staff shall provide one or more warnings; monetary penalties must be based on an ability to pay determination, consider allowing a payment plan of at least 12 months, and shall not result in a tax lien; and Board enforcement shall not result in shutoff.
16. The Board encourages entities other than Board staff that consider any enforcement of this regulation to apply these same factors identified in resolved paragraph 15. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain their enforcement discretion in enforcing the regulation, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 995, as appended to this resolution as an emergency regulation.
2. State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval.
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes.

4. This regulation shall remain in effect for one year after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions or unless the State Water Board renews the regulation due to continued drought conditions, as described in Water Code section 1058.5.
5. The State Water Board directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations.
6. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 4, 2022.

AYE: Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: Chair E. Joaquin Esquivel

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

ADOPTED TEXT OF EMERGENCY REGULATION

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 995. Wasteful and Unreasonable Water Uses.

(a) As used in this section:

(1) "Turf" has the same meaning as in section 491.

(2) "Incidental runoff" means unintended amounts (volume) of runoff, such as unintended, minimal overspray from sprinklers that escapes the area of intended use. Water leaving an intended use area is not considered incidental if it is part of the facility or system design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence.

(b)(1) To prevent the unreasonable use of water and to promote water conservation, the use of water is prohibited as identified in this subdivision for the following actions:

(A) The application of potable water to outdoor landscapes in a manner that causes more than incidental runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(B) The use of a hose that dispenses water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(C) The use of potable water for washing sidewalks, driveways, buildings, structures, patios, parking lots, or other hard surfaced areas, except in cases where health and safety are at risk;

(D) The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public;

(E) The use of potable water for decorative fountains or the filling or topping-off of decorative lakes or ponds, with exceptions for those decorative fountains, lakes, or ponds that use pumps to recirculate water and only require refilling to replace evaporative losses;

(F) The application of water to irrigate turf and ornamental landscapes during and within 48 hours after measurable rainfall of at least one fourth of one inch of rain. In determining whether measurable rainfall of at least fourth of one inch of rain occurred in a given area, enforcement may be based on records of the National Weather Service, the closest CIMIS station to the parcel, or any other reliable source of rainfall data available to the entity undertaking enforcement of this subdivision; and

(G) The use of potable water for irrigation of ornamental turf on public street medians.

(2) Notwithstanding subdivision (b)(1), the use of water is not prohibited by this section to the extent necessary to address an immediate health and safety need. This may include, but is not limited to, the use of potable water in a fountain or water feature when required to be potable because human contact is expected to occur.

(c)(1) To prevent the unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivisions (a) and (b) of the Civil Code;

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code; or

(C) Requiring an owner of a separate interest upon which water-efficient landscaping measures have been installed in response to a declared drought emergency, as described in section 4735, subdivisions (c) and (d) of the Civil Code, to reverse or remove the water-efficient landscaping measures upon the conclusion of the state of emergency.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

(B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(C) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(D) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.

(F) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (c)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

(d) To prevent the unreasonable use of water and to promote water conservation, any city, county, or city and county is prohibited from imposing a fine under any local maintenance ordinance or other relevant ordinance as prohibited by section 8627.7 of the Government Code.

(e) The taking of any action prohibited in subdivision (b), (c) or (d) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) A decision or order issued under this section by the Board or an officer or employee of the Board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 491, and 1122, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at [SaveOurWater.com](https://www.SaveOurWater.com) provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining “non-functional turf” (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. Approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act and classified as medium- or high-priority without first obtaining written verification from a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable

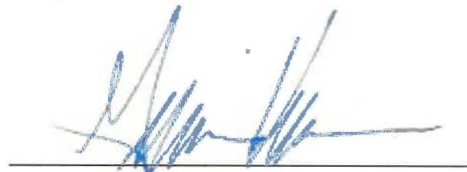
Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED 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.

This 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.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 996

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION**

Government Code Sections 11346.1 and
11349.6

OAL Matter Number: 2022-0606-03

OAL Matter Type: Emergency (E)

This emergency action by the State Water Resources Control Board adopts a new regulation which requires urban water suppliers to submit preliminary supply and demand assessments to the Department of Water Resources and to implement Level 2 demand reduction actions (actions intended to result in a 10 to 20 percent savings). The regulation bans the irrigation of non-functional turf with potable water in commercial, industrial, and institutional sectors and establishes that such irrigation is an infraction punishable by a fine of up to five hundred dollars for each day in which the violation occurs pursuant to Water Code section 1058.5(d).

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code. Pursuant to Water Code section 1058.5(b), the Finding of Emergency in this matter was exempt from Office of Administrative Law Review.

This emergency regulatory action is effective on 6/10/2022 and, pursuant to Water Code section 1058.5(c), will expire on 6/10/2023. The Certificate of Compliance for this action is due no later than 6/9/2023.

Date: June 10, 2022


Dale Mentink
Assistant Chief Counsel

For: Kenneth J. Pogue
Director

Original: Eileen Sobeck, Executive
Director

Copy: Garrett Lenahan

EMERGENCY

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2022	EMERGENCY NUMBER -0606-03E
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For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2022 JUN 6 PM 3:18

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY

State Water Resources Control Board

AGENCY FILE NUMBER (If any)

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JUN 10 2022

2:06 PM

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER		PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Water Demand Reduction Emergency Regulation	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
---	--

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 996
	AMEND
TITLE(S) 23	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) <u>Water Code Section 1058.5</u>	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Garrett Lenahan	TELEPHONE NUMBER (916) 341-5179	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

Eric Oppenheimer

Digitally signed by Eric Oppenheimer
Date: 2022.06.06 14:24:44 -0700

DATE

6/6/2022

TYPED NAME AND TITLE OF SIGNATORY

Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board

For use by Office of Administrative Law (OAL) only

AUTHORIZED FOR FILING AND PRINTING

JUN 10 2022

Office of Administrative Law

ADOPTED EMERGENCY REGULATION TEXT

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 996. Urban Drought Response Actions

(a) As used in this section:

(1) "Commercial, industrial and institutional" refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests.

(2) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(3) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(4) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(5) "Non-functional turf" means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) "Plant factor" has the same meaning as in section 491.

(7) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(8) "Turf" has the same meaning as in section 491.

(9) "Urban water supplier" has the same meaning as Water Code section 10617.

(10) "Water shortage contingency plan" means the plan required by Water Code section 10632.

(b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1

of the Water Code no later than June 1, 2022 or the effective date of this section, whichever comes later, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.

(c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2).

(2) Notwithstanding subdivision (c)(1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.

(3) Notwithstanding subdivision (c)(1), an urban water supplier may implement the actions identified in subdivision (d) in lieu of implementing the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code section 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), provided the supplier meets all of the following:

(i) The supplier's annual water supply and demand assessment submitted to the Department of Water Resources demonstrates an ability to maintain reliable supply until September 30, 2023.

(ii) The supplier does not rely on, for any part of its supply, the Colorado River, State Water Project, or Central Valley Project, and no more than ten (10) percent of its supply comes from critically overdrafted groundwater basins as designated by the Department of Water Resources.

(iii) The supplier's average number of gallons of water used per person per day by residential customers for the year 2020 is below 55 gallons, as reported to the Board in the Electronic Annual Report.

(d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), implement at a minimum the following actions:

(1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.

(2) Implement and enforce a rule or ordinance limiting landscape irrigation with potable water to no more than two (2) days per week and prohibiting landscape irrigation with potable water between the hours of 10:00 a.m. and 6:00 p.m.

(3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.

(e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.

(2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

(3) Notwithstanding subdivision (e)(1), an urban water supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration.

(f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 377, 491, 1058.5, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976



DRINKING WATER CONSTRUCTION LOAN

AGREEMENT NO. SWRCB0000000000D2002017

by and between

CITY OF PORTERVILLE ("Recipient")

and

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD ("State Water Board")



for the purpose of the

AKIN/CENTRAL WATER CONSOLIDATION PROJECT
5410010-018C AND 5400655-001C ("Project")

- Section 116760 et seq. of the Health and Safety Code and Resolution Nos. 2019-0065 and 2020-0022.

PROJECT FUNDING AMOUNT: \$4,787,664
PRINCIPAL FORGIVENESS COMPONENT: \$4,787,664

ESTIMATED REASONABLE PROJECT COST: \$4,787,664
ELIGIBLE WORK START DATE: JULY 1, 2016
ELIGIBLE CONSTRUCTION START DATE: SEPTEMBER 22, 2020
CONSTRUCTION COMPLETION DATE: OCTOBER 1, 2023
FINAL REIMBURSEMENT REQUEST DATE: APRIL 1, 2024
RECORDS RETENTION END DATE: OCTOBER 1, 2059

1. The State Water Board and the Recipient mutually promise, covenant, and agree to the terms, provisions, and conditions of this Agreement, including the following Exhibits, which are attached hereto or are incorporated by reference:
 - Exhibit A – Scope of Work and Schedule
 - Exhibit B – Specific Funding Provisions
 - Exhibit C – GENERAL TERMS AND CONDITIONS 2019-NOV
 - Exhibit D – Special Conditions
2. The following documents are also incorporated by reference:
 - the Drinking Water System Permit No. 03-12-06P-004;
 - the Davis-Bacon requirements found at:
https://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/davisbacon/2020_dwsrf_governmental_entities.pdf
3. Party Contacts during the term of this Agreement are:

State Water Board		City of Porterville	
Section:	Division of Financial Assistance		
Name:	Pete Stamas, Project Manager	Name:	Monte Reyes, Mayor
Address:	1001 I Street, 16th Floor	Address:	291 North Main Street
City, State, Zip:	Sacramento, CA 95814	City, State, Zip:	Porterville, CA 93257
Phone:	(916) 552-9983	Phone:	(559) 782-7499
Fax:		Fax:	
Email:	Pete.Stamas@waterboards.ca.gov	Email:	montereyes@portervilleca.gov

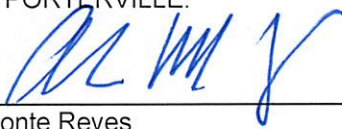
Each party may change its contact upon written notice to the other party. While Party Contacts are contacts for day-to-day communications regarding Project work, the Recipient must provide official communications and notices to the Division's Deputy Director.

4. Conditions precedent to this Agreement are set forth as follows:
 - (a) The Recipient must deliver an opinion of general counsel satisfactory to the State Water Board's counsel dated on or after the date that the Recipient signs this Agreement.
 - (b) The Recipient must deliver to the Division a resolution authorizing this Agreement and identifying its authorized representative by title.
 - (c) The Recipient must deliver to the Division a resolution certifying that its decision-making body reviewed and considered the Mitigated Negative Declaration filed by the State Water Board for the Akin Water Company Water Supply Project together with the Mitigation Monitoring and Reporting Program and reached its own conclusions on whether and how to approve the Project, pursuant to Section 15050 (b) of the CEQA Guidelines.
5. The Recipient represents, warrants, and commits to the following as of the Eligible Work Start Date and continuing thereafter for the term of this Agreement, which shall be at least until the Records Retention End Date:
 - (a) The Recipient agrees to comply with all terms, provisions, conditions, and commitments of this Agreement, including all incorporated documents.
 - (b) The execution and delivery of this Agreement, including all incorporated documents, has been duly authorized by the Recipient. Upon execution by both parties, this Agreement constitutes a valid and binding obligation of the Recipient, enforceable in accordance with its terms, except as such enforcement may be limited by law.

- (c) None of the transactions contemplated by this Agreement will be or have been made with an actual intent to hinder, delay, or defraud any present or future creditors of Recipient. The Recipient is solvent and will not be rendered insolvent by the transactions contemplated by this Agreement. The Recipient is able to pay its debts as they become due. The Recipient maintains sufficient insurance coverage considering the scope of this Agreement, including, for example but not necessarily limited to, general liability, automobile liability, workers compensation and employer liability, professional liability.
- (d) The Recipient is in compliance with all State Water Board funding agreements to which it is a party.

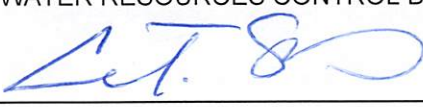
IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CITY OF PORTERVILLE:

By: 
Name: Monte Reyes
Title: Mayor

Date: 6/1/2021

STATE WATER RESOURCES CONTROL BOARD:

By: 
Name: Leslie Laudon
Title: Deputy Director *for*
Division of Financial Assistance

Date: 7/15/21

EXHIBIT A – SCOPE OF WORK AND SCHEDULE

A.1. PROJECT PURPOSE AND DESCRIPTION.

The Project is for the benefit of the Recipient and has a Useful Life of at least 40 years. The funding under this Agreement shall be used to provide the residents of two small disadvantaged communities currently served by Akin Water Company (Akin WC) and Central Mutual Water Company (Central MWC) with a sustainable source of safe drinking water.

A.2. SCOPE OF WORK.

The Recipient agrees to do the following: consolidate with Akin WC and Central MWC. Recipient also agrees to construct a new production well, estimated to produce between 1,300 and 1,800 gallons per minute, to provide the needed source capacity for the consolidation of Akin WC, the consolidation of Central MWC, as well as satisfy the remainder of East Porterville residents' capacity needs.

The Recipient agrees to do the following for the Akin WC service area: construct approximately 1,500 feet of 8-inch waterline to provide water service to each customer currently served by Akin WC; install approximately three new fire hydrants and twenty-six new service laterals and meters; and destroy Akin WC's two existing wells.

The Recipient agrees to do the following for the Central MWC service area: construct approximately 1,400 feet of 6-inch waterline to provide water service to each customer currently served by Central MWC; install approximately four new fire hydrants and thirty-four new service laterals and meters; and destroy Central MWC's existing well.

Upon Completion of Construction, the Recipient must expeditiously initiate Project operations.

A.3 SIGNAGE

The Recipient must place a professionally prepared sign at least four feet tall by eight feet wide made of ¾ inch thick exterior grade plywood or other approved material in a prominent location on the Project site and must maintain the sign in good condition for the duration of Project implementation. The sign may include another agency's required information and must include, prominently displayed, the following disclosure statement and color logos (available from the Division):



"Funding for this project has been provided in full or in part under the Drinking Water State Revolving Fund, which may include capitalization funding from the United States Environmental Protection Agency through an agreement with the State Water Resources Control Board."

A.4 SCHEDULE.

Failure to provide items by the due dates indicated in the table below may constitute a material violation of this Agreement. The Project Manager may adjust the dates in the "Estimated Due Date" column of this table, but Critical Due Date adjustments will require an amendment to this Agreement. The Recipient

must complete and submit all work in time to be approved by the Division prior to the Project Completion Date. As applicable for specific submittals, the Recipient must plan adequate time to solicit, receive, and address comments prior to submitting the final submittal. The Recipient must submit the final Reimbursement Request prior to the Final Reimbursement Request Date set forth on the Cover Page.

ITEM	DESCRIPTION OF SUBMITTAL	CRITICAL DUE DATE	ESTIMATED DUE DATE
EXHIBIT A – SCOPE OF WORK			
A.	ADDITIONAL SUBMITTAL(S) TO DIVISION		
1.	Final Plans and Specifications		September 1, 2021
2.	Final Budget Approval Package		February 1, 2022
3.	Completion of Construction	October 1, 2023	
B.	REPORTS		
1.	Progress Reports		Quarterly
2.	Final Inspection and Certification		October 1, 2023
3.	Project Completion Report		December 1, 2023
4.	As Needed Reports		TBD
EXHIBIT B – REIMBURSEMENTS, BUDGET DETAIL, AND REPORTING PROVISIONS			
A.	REIMBURSEMENTS		
1.	Reimbursement Requests		Quarterly
2.	Final Reimbursement Request	April 1, 2024	

The Recipient must award the prime construction contract and begin construction timely. The Recipient must deliver any request for extension of the Completion of Construction Date no less than 90 days prior to the Completion of Construction Date.

A.5 PROGRESS REPORTS.

The Recipient must provide a progress report to the Division each quarter, beginning no later than 90 days after execution of this Agreement. The Recipient must provide a progress report with each Reimbursement Request. Failure to provide a complete and accurate progress report may result in the withholding of Project Funds, as set forth in Exhibit B. A progress report must contain the following information:

- 1) A summary of progress to date including a description of progress since the last report, percent construction complete, percent contractor invoiced, and percent schedule elapsed;
- 2) A description of compliance with environmental requirements;
- 3) A listing of change orders including amount, description of work, and change in contract amount and schedule; and
- 4) Any problems encountered, proposed resolution, schedule for resolution, and status of previous problem resolutions.

A.6 SPECIAL REPORTS.

(a) The Recipient must submit a Project Completion Report to the Division with a copy to the appropriate District Office on or before the due date established by the Division and the Recipient at the time of final project inspection. The Project Completion Report must include the following:

- i. Description of the Project,
- ii. Description of the water quality problem the Project sought to address,
- iii. Discussion of the Project's likelihood of successfully addressing that water quality problem in the future, and
- iv. Summary of compliance with applicable environmental conditions.

(b) If the Recipient fails to submit a timely Project Completion Report, the State Water Board may stop processing pending or future applications for new financial assistance, withhold reimbursements under this Agreement or other agreements, and begin administrative proceedings.

(c) The Recipient must report Disadvantaged Business Enterprise (DBE) utilization to the Division on the DBE Utilization Report, State Water Board Form DBE UR334. The Recipient must submit such reports to the Division annually within ten (10) calendar days following October 1 until such time as the "Notice of Completion" is issued. The Recipient must comply with 40 CFR § 33.301 and require its contractors and subcontractors on the Project to comply.

A.7 FINAL PROJECT INSPECTION AND CERTIFICATION.

Upon completion of the Project, the Recipient must provide for a final inspection and must certify that the Project has been completed in accordance with this Agreement, any final plans and specifications submitted to the State Water Board, and any amendments or modifications thereto. If the Project involves the planning, investigation, evaluation, design, or other work requiring interpretation and proper application of engineering, or other professionals, the final inspection and certification must be conducted by a California Registered Civil Engineer or other appropriate California registered professional. The results of the final inspection and certification must be submitted to the Project Manager.

EXHIBIT B – FUNDING AMOUNTS

B.1 ESTIMATED REASONABLE COST AND PROJECT FUNDS.

The estimated reasonable cost of the total Project is set forth on the Cover Page of this Agreement and is greater than or equal to the funding anticipated to be provided by the State Water Board under this Agreement. Subject to the terms of this Agreement, the State Water Board agrees to provide Project Funds not to exceed the amount of the Project Funding Amount set forth on the Cover Page of this Agreement.

B.2 RECIPIENT CONTRIBUTIONS.

(a) The loan component of this Agreement is forgiven. The estimated amount of principal that will be due to the State Water Board from the Recipient under this Agreement is Zero dollars and no cents (\$0.00).

(b) The Recipient must pay any and all costs connected with the Project including, without limitation, any and all Project Costs. If the Project Funds are not sufficient to pay the Project Costs in full, the Recipient must nonetheless complete the Project and pay that portion of the Project Costs in excess of available Project Funds, and shall not be entitled to any reimbursement therefor from the State Water Board.

(c) If the Recipient recovers funds from any responsible parties, the Recipient shall immediately notify the Division. The amount of this Agreement may be reduced to reflect the recovered funds.

B.3 VERIFIABLE DATA.

Upon request by the Division, the Recipient must submit verifiable data to support deliverables specified in the Scope of Work. The Recipient's failure to comply with this requirement may be construed as a material breach of this Agreement.

B.4 BUDGET COSTS

Budget costs are contained in the Summary Project Cost Table below:

LINE ITEM	TOTAL ESTIMATED COST	PROJECT FUNDING AMOUNT
Construction	\$3,194,720	\$3,194,720
Pre-Purchased Material/Equipment	\$0	\$0
Purchase of Land	\$0	\$0
Contingency	\$638,944	\$638,944
Allowances (Soft Costs)	\$954,000	\$954,000
TOTAL	\$4,787,664	\$4,787,664

The Division's Final Budget Approval and related Form 259 and Form 260 will document a more detailed budget of eligible Project Costs and Project funding amounts.

The Recipient is prohibited from requesting disbursement amounts that represent Recipient's mark-ups to costs invoiced or otherwise requested by consultants or contractors.

Reasonable indirect costs may be allowable upon approval by the Division.

B.5 LINE ITEM ADJUSTMENTS.

Upon written request by the Recipient, the Division may adjust the line items of the Summary Project Cost Table at the time of Division's Final Budget Approval. Upon written request by the Recipient, the Division may also adjust the line items of the Summary Project Cost Table as well as the detailed budget at the time of Recipient's submittal of its final claim. Any line item adjustments to the Summary Project Cost Table that are due to a change in scope of work will require an Agreement amendment. The sum of adjusted line items in both the Summary

Project Cost Table and the detailed budget must not exceed the Project Funding Amount. The Division may also propose budget adjustments.

Under no circumstances may the sum of line items in the budget approved through the Final Budget Approval process exceed the Project Funding Amount. Any increase in the Project Funding Amount will require an Agreement amendment.

B.6 REIMBURSEMENT PROCEDURE.

(a) Except as may be otherwise provided in this Agreement, reimbursements will be made as follows:

1. Upon execution and delivery of this Agreement by both parties, the Recipient may request immediate reimbursement of any eligible incurred costs as specified below through submission to the State Water Board of the Reimbursement Request Form 260 and Form 261, or any amendment thereto, duly completed and executed.
2. The Recipient must submit a Reimbursement Request for costs incurred prior to the date this Agreement is executed by the State Water Board no later than ninety (90) days after this Agreement is executed by the State Water Board. Late Reimbursement Requests may not be honored.
3. Additional Project Funds will be promptly disbursed to the Recipient upon receipt of Reimbursement Request Form 260 and Form 261, or any amendment thereto, duly completed and executed by the Recipient for incurred costs consistent with this Agreement, along with receipt of progress reports due under Exhibit A.
4. The Recipient must not request reimbursement for any Project Cost until such cost has been incurred and is currently due and payable by the Recipient, although the actual payment of such cost by the Recipient is not required as a condition of reimbursement. Supporting documentation (e.g., receipts) must be submitted with each Reimbursement Request. The amount requested for Recipient's administration costs must include a calculation formula (i.e., hours or days worked times the hourly or daily rate = total amount claimed). Reimbursement of Project Funds will be made only after receipt of a complete, adequately supported, properly documented, and accurately addressed Reimbursement Request. Upon request by the Division, supporting documents for professional and administrative services must include the employees' names, classifications, labor rates, hours worked, and descriptions of the tasks performed. Reimbursement Requests submitted without supporting documents may be wholly or partially withheld at the discretion of the Division.
5. The Recipient must spend Project Funds within 30 days of receipt. If the Recipient earns interest earned on Project Funds, it must report that interest immediately to the State Water Board. The State Water Board may deduct earned interest from future reimbursements.
6. The Recipient shall not request a reimbursement unless that Project Cost is allowable, reasonable, and allocable.
7. Notwithstanding any other provision of this Agreement, no reimbursement shall be required at any time or in any manner which is in violation of or in conflict with federal or state laws, policies, or regulations.

(b) Notwithstanding any other provision of this Agreement, the Recipient agrees that the State Water Board may retain an amount equal to ten percent (10%) of the Project Funding Amount until Project Completion. Any retained amounts due to the Recipient will be promptly disbursed to the Recipient, without interest, upon Project Completion.

(c) Except as follows, construction costs and disbursements are not available until after the Division has approved the final budget form submitted by the Recipient. The Deputy Director of the Division may authorize the disbursement of up to ten percent (10%) of Project Funds for the reimbursement of eligible construction costs and pre-purchased materials prior to Division approval of the final budget form submitted by the Recipient. All other construction costs are not eligible for reimbursement until after this the Division has approved the final budget form submitted by the Recipient. Construction costs incurred prior to the Eligible Construction Start Date are not eligible for reimbursement.

B.7 REVERTING FUNDS AND DISENCUMBRANCE.

In the event the Recipient does not submit Reimbursement Requests for all funds encumbered under this Agreement by the Final Reimbursement Request Date, any remaining funds revert to the State. The State Water Board may notify the Recipient that the project file is closed, and any remaining balance will be disencumbered and unavailable for further use under the Agreement.

EXHIBIT C – GENERAL TERMS AND CONDITIONS 2019-NOV

GENERAL TERMS AND CONDITIONS 2019-NOV is incorporated by reference and is posted at
https://www.waterboards.ca.gov/water_issues/programs/grants_loans/general_terms.html

EXHIBIT D – SPECIAL CONDITIONS

1. Notwithstanding Exhibit C, the following terms have no meaning for the purposes of this Agreement:
 - Work Completion
 - Work Completion Date
2. Each capitalized term used in this Agreement has the following meaning:
 - "Allowance" means an amount based on a percentage of the accepted bid for an eligible project to help defray the planning, design, and construction engineering and administration costs of the Project.
 - "Authorized Representative" means the duly appointed representative of the Recipient as set forth in the certified original of the Recipient's authorizing resolution that designates the authorized representative by title.
 - "Completion of Construction" means the date, as determined by the Division after consultation with the Recipient, that the work of building and erection of the Project is substantially complete, and is established on the Cover Page of this Agreement.
 - "District Office" means District Office of the Division of Drinking Water of the State Water Board.
 - "Division of Drinking Water" means the Division of Drinking Water of the State Water Board.
 - "Eligible Construction Start Date" means the date set forth on the Cover Page of this Agreement, establishing the date on or after which construction costs may be incurred and eligible for reimbursement hereunder.
 - "Eligible Work Start Date" means the date set forth on the Cover Page of this Agreement, establishing the date on or after which any non-construction costs may be incurred and eligible for reimbursement hereunder.
 - "Enterprise Fund" means the enterprise fund of the Recipient in which Revenues are deposited.
 - "Event of Default" means, in addition to the meanings set forth in Exhibit C, the occurrence of any of the following events:
 - a) A material adverse change in the condition of the Recipient, the Revenues, or the System, which the Division reasonably determines would materially impair the Recipient's ability to satisfy its obligations under this Agreement.
 - b) Failure to operate the System or the Project without the Division's approval;
 - "Final Budget Approval" means the Division-approved final budget for the Project, as set forth in Exhibit B.
 - "Indirect Costs" means those costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the Project (i.e., costs that are not directly related to the Project). Examples of Indirect Costs include, but are not limited to: central service costs; general administration of the Recipient; non-project-specific accounting and personnel services performed within the Recipient organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition and conference fees; generic overhead or markup; and taxes.
 - "Initiation of Construction" means the date that notice to proceed with work is issued for the Project, or, if notice to proceed is not required, the date of commencement of building and erection of the Project.
 - "Net Revenues" means, for any Fiscal Year, all Revenues received by the Recipient less the Operations and Maintenance Costs for such Fiscal Year.
 - "Operations and Maintenance Costs" means the reasonable and necessary costs paid or incurred by the Recipient for maintaining and operating the System, determined in accordance with GAAP, including all

reasonable expenses of management and repair and all other expenses necessary to maintain and preserve the System in good repair and working order, and including all reasonable and necessary administrative costs of the Recipient that are charged directly or apportioned to the operation of the System, such as salaries and wages of employees, overhead, taxes (if any), the cost of permits, licenses, and charges to operate the System and insurance premiums; but excluding, in all cases depreciation, replacement, and obsolescence charges or reserves therefor and amortization of intangibles.

- "Reimbursement Request" means the Recipient's request for Project Funds from the State Water Board as set forth in Exhibit B.
- "Revenues" means, for each Fiscal Year, all gross income and revenue received or receivable by the Recipient from the ownership or operation of the System, determined in accordance with GAAP, including all rates, fees, and charges (including connection fees and charges) as received by the Recipient for the services of the System, and all other income and revenue howsoever derived by the Recipient from the ownership or operation of the System or arising from the System, including all income from the deposit or investment of any money in the Enterprise Fund or any rate stabilization fund of the Recipient or held on the Recipient's behalf, and any refundable deposits made to establish credit, and advances or contributions in aid of construction.
- "System" means all drinking water collection, transport, treatment, storage, and delivery facilities, including land and easements thereof, owned by the City of Porterville, or its successor agency, and all other properties, structures, or works hereafter acquired and constructed by the Recipient and determined to be a part of the System, together with all additions, betterments, extensions, or improvements to such facilities, properties, structures, or works, or any part thereof hereafter acquired and constructed.
- "Useful Life" means the economically useful life of the Project beginning at Project Completion and is set forth in Exhibit A.

3. Acknowledgements.

The Recipient must include the following acknowledgement in any document, written report, or brochure to be shared with the general public prepared in whole or in part pursuant to this Agreement:

"Funding for this project has been provided in full or in part under the Drinking Water State Revolving Fund, which may include capitalization funding from the United States Environmental Protection Agency through an agreement with the State Water Resources Control Board. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use."

4. Rates and Charges. The Recipient must, to the extent permitted by law, fix, prescribe and collect rates, fees and charges for the System during each Fiscal Year which are reasonable, fair, and nondiscriminatory and which will be sufficient to generate Revenues in the amounts necessary to cover Operations and Maintenance Costs, and must ensure that Net Revenues are in an amount necessary to meet its obligations under this Agreement. The Recipient may make adjustments from time to time in such fees and charges and may make such classification thereof as it deems necessary, but shall not reduce the rates, fees and charges then in effect unless the Net Revenues from such reduced rates, fees, and charges will at all times be sufficient to meet the requirements of this section.
5. [RESERVED]
6. [RESERVED].

7. Environmental/Technical Special Conditions

Technical:

1. The Recipient shall submit its professional engineering services contract to the Division prior to disbursement of funds for costs incurred under such contract.
2. The Recipient shall not solicit bids, award a contract, or commence construction activities until final plans and specifications are approved by the Division of Drinking Water Tulare District Office Engineer and the Project Manager.
3. The Recipient must submit final consolidation agreements with Akin WC and Central MWC, in a form satisfactory to the Division, and receive written approval from the Project Manager to proceed before Project Funds may be disbursed for any Project Costs under the Agreement.
4. Upon completion of the Project the Recipient shall submit a water supply permit amendment request for review to the Division of Drinking Water Tulare District Office.

Environmental:

1. The documents identified below are incorporated by reference and the Recipient shall comply with the conditions and recommendations therein:
 - a. The Mitigation Monitoring and Reporting Program adopted by the State Water Board on June 16, 2016 for the Project. The Recipient shall implement all mitigation measures therein.
 - b. The letter dated February 12, 2020, from Patricia Cole of the United States Fish and Wildlife Service, San Joaquin Valley Division to Douglas E. Eberhardt of the United States Environmental Protection Agency, including, but not limited to, the following:
 - i. Implement Avoidance and Minimization Measures and Best Management Practices prior to and during construction activities to minimize and avoid effects to the San Joaquin kit fox.
 - c. The Mitigation Monitoring and Reporting Program adopted by the City of Porterville on April 21, 2020 for the Central Mutual Water Company Consolidation Project. The Recipient shall implement all mitigation measures therein.
2. In the Recipient's Quarterly Reports submitted pursuant to this Agreement, the Recipient shall include a discussion of the status of its compliance with environmental measures identified in this Exhibit D, with separate sections clearly labeled and titled, discussing the status of Recipient's compliance.
3. In the Recipient's Project Completion Report submitted pursuant to this Agreement, the Recipient shall include a discussion of its compliance with environmental measures identified in this Exhibit D, with separate sections clearly labeled and titled, discussing the status of Recipient's compliance.
8. [RESERVED].
9. Appointment of Receiver/Custodian. Upon the filing of a suit or other commencement of judicial proceedings to enforce the rights of the State Water Board under this Agreement, the State Water Board may make application for the appointment of a receiver or custodian of the Revenues, pending such proceeding, with such power as the court making such appointment may confer.
10. [RESERVED].
11. Damages for Breach of Federal Conditions. In the event that any breach of any of the provisions of this Agreement by the Recipient results in the failure of Project Funds to be used pursuant to the provisions of this Agreement, or if such breach results in an obligation on the part of the State or any subdivision or agency thereof to reimburse the federal government, the Recipient must immediately reimburse the State or any subdivision or agency thereof in an amount equal to any damages paid by or loss incurred by the State or any subdivision or agency thereof due to such breach.

12. [RESERVED].

13. Operation and Maintenance. The Recipient shall sufficiently and properly staff, operate, and maintain the facility and structures constructed or improved as part of the project throughout the term of this Agreement, consistent with the purposes of this Agreement. The Recipient assumes all operations and maintenance costs of the facilities and structures; the State Water Board shall not be liable for any cost of such maintenance, management or operation.

14. Insurance. The Recipient will procure and maintain or cause to be maintained insurance on the System and Project with responsible insurers, or as part of a reasonable system of self-insurance, in such amounts and against such risks (including damage to or destruction of the System or Project) as are usually covered in connection with systems similar to the System or Project. Such insurance may be maintained by a self-insurance plan so long as such plan provides for (i) the establishment by the Recipient of a separate segregated self-insurance fund in an amount determined (initially and on at least an annual basis) by an independent insurance consultant experienced in the field of risk management employing accepted actuarial techniques and (ii) the establishment and maintenance of a claims processing and risk management program. In the event of any damage to or destruction of the System or Project caused by the perils covered by such insurance, the net proceeds thereof shall be applied to the reconstruction, repair or replacement of the damaged or destroyed portion of the System or Project. The Recipient must begin such reconstruction, repair or replacement as expeditiously as possible, and must pay out of such net proceeds all costs and expenses in connection with such reconstruction, repair or replacement so that the same must be completed and the System and Project must be free and clear of all claims and liens. Recipient agrees that for any policy of insurance concerning or covering the construction of the Project, it will cause, and will require its contractors and subcontractors to cause, a certificate of insurance to be issued showing the State Water Board, its officers, agents, employees, and servants as additional insured; and must provide the Division with a copy of all such certificates prior to the commencement of construction of the Project.

15. Notice Events. Upon the occurrence of any of the following events, the Recipient must notify the Division's Deputy Director and Party Contacts by phone and email within the time specified below:

- a. The Recipient must notify the Division within 24 hours by phone at (916) 327-9978 and by email to DrinkingWaterSRF@waterboards.ca.gov of any discovery of any potential tribal cultural resource and/or archaeological or historical resource. Should a potential tribal cultural resource and/or archaeological or historical resource be discovered during construction or Project implementation, the Recipient must ensure that all work in the area of the find will cease until a qualified archaeologist has evaluated the situation and made recommendations regarding preservation of the resource, and the Division has determined what actions should be taken to protect and preserve the resource. The Recipient must implement appropriate actions as directed by the Division.
- b. The Recipient must notify the Division promptly of the occurrence of any of the following events:
 - i. Bankruptcy, insolvency, receivership or similar event of the Recipient, or actions taken in anticipation of any of the foregoing;
 - ii. Change of ownership of the Project (no change of ownership may occur without written consent of the Division);
 - iii. Loss, theft, damage, or impairment to Project;
 - iv. Events of Default, except as otherwise set forth in this section;

- v. A proceeding or action by a public entity to acquire the Project by power of eminent domain.
- vi. Any litigation pending or threatened with respect to the Project or the Recipient's technical, managerial or financial capacity or the Recipient's continued existence;
- vii. Consideration of dissolution, or disincorporation;
- viii. Enforcement actions by or brought on behalf of the State Water Board or Regional Water Board.
- ix. The discovery of a false statement of fact or representation made in this Agreement or in the application to the Division for this funding, or in any certification, report, or request for reimbursement made pursuant to this Agreement, by the Recipient, its employees, agents, or contractors;
- x. Any substantial change in scope of the Project. The Recipient must undertake no substantial change in the scope of the Project until prompt written notice of the proposed change has been provided to the Division and the Division has given written approval for the change;
- xi. Any circumstance, combination of circumstances, or condition, which is expected to or does delay Completion of Construction for a period of ninety (90) days or more;
- xii. Any Project monitoring, demonstration, or other implementation activities required in this Agreement;
- xiii. Any public or media event publicizing the accomplishments and/or results of this Agreement and provide the opportunity for attendance and participation by state representatives with at least ten (10) working days' notice to the Division;
- xiv. Any event requiring notice to the Division pursuant to any other provision of this Agreement.
- xv. Completion of work on the Project.
- xvi. The Recipient must promptly notify the Division and Party Contacts of cessation of all major construction work on the Project where such cessation of work is expected to or does extend for a period of thirty (30) days or more;
- xvii. The Recipient must promptly notify the Division and Party Contacts of the discovery of any unexpected endangered or threatened species, as defined in the federal Endangered Species Act. Should a federally protected species be unexpectedly encountered during implementation of the Project, the Recipient agrees to promptly notify the Division. This notification is in addition to the Recipient's obligations under the federal Endangered Species Act;
- xviii. The Recipient must promptly notify the Division and Party Contacts of Completion of Construction, and Project Completion;
- xix. The Recipient must promptly notify the Division and Party Contacts of the award of the prime construction contract for the Project; and the Recipient must promptly notify the Division and Party Contacts of Initiation of construction of the Project.

xx. The occurrence of a material breach or event of default under any Recipient obligation that results in the acceleration of principal or interest or otherwise requires immediate prepayment, repurchase or redemption.

xxi. [RESERVED].

16. Continuous Use of Project; No Lease, Sale, Transfer of Ownership, or Disposal of Project. The Recipient agrees that, except as provided in this Agreement, it will not abandon, substantially discontinue use of, lease, sell, transfer ownership of, or dispose of all or a significant part or portion of the Project during the Useful Life of the Project without prior written approval of the Division. Such approval may be conditioned as determined to be appropriate by the Division, including a condition requiring repayment of all disbursed Project Funds or all or any portion of all remaining funds covered by this Agreement together with accrued interest and any penalty assessments that may be due.
17. State Cross-Cutters. Recipient represents that, as applicable, it complies and covenants to maintain compliance with the following for the term of the Agreement:
- a) The California Environmental Quality Act (CEQA), as set forth in Public Resources Code 21000 et seq. and in the CEQA Guidelines at Title 14, Division 6, Chapter 3, Section 15000 et seq.
 - b) Water Conservation requirements, including regulations in Division 3 of Title 23 of the California Code of Regulations.
 - c) Monthly Water Diversion Reporting requirements, including requirements set forth in Water Code section 5103.
 - d) Public Works Contractor Registration with Department of Industrial Relations requirements, including requirements set forth in Sections 1725.5 and 1771.1 of the Labor Code.
 - e) Volumetric Pricing & Water Meters requirements, including the requirements of Water Code sections 526 and 527.
 - f) Urban Water Management Plan requirements, including the Urban Water Management Planning Act (Water Code, § 10610 et seq.).
 - g) Urban Water Demand Management requirements, including the requirements of Section 10608.56 of the Water Code.
 - h) Delta Plan Consistency Findings requirements, including the requirements of Water Code section 85225 and California Code of Regulations, title 23, section 5002.
 - i) Agricultural Water Management Plan Consistency requirements, including the requirements of Water Code section 10852.
 - j) Charter City Project Labor Requirements, including the requirements of Labor Code section 1782 and Public Contract Code section 2503.
 - k) The Recipient agrees that it will, at all times, comply with and require its contractors and subcontractors to comply with directives or orders issued pursuant to Division 7 of the Water Code.
18. Financial Management Systems. The Recipient must comply with federal standards for financial management systems. The Recipient agrees that, at a minimum, its fiscal control and accounting procedures will be sufficient to permit preparation of reports required by the federal government and tracking of Project funds to a level of expenditure adequate to establish that such funds have not been

used in violation of federal or state law or the terms of this Agreement. To the extent applicable, the Recipient is bound by, and must comply with, the provisions and requirements of the federal Single Audit Act of 1984 and 2 CFR Part 200, subpart F, and updates or revisions, thereto.

19. Access and Inspection. In addition to the obligations set forth in section 2 of the General Terms and Conditions incorporated in Exhibit C of this Agreement, the Recipient must ensure that the United States Environmental Protection Agency, the Office of Inspector General, any member of Congress, or any authorized representative of the foregoing, will have safe and suitable access to the Project site at all reasonable times during the term of the Agreement.
20. Fraud, Waste, and Abuse. The Recipient shall prevent fraud, waste, and the abuse of Project Funds, and shall cooperate in any investigation of such activities that are suspected in connection with this Agreement. The Recipient understands that discovery of any evidence of misrepresentation or fraud related to reimbursement requests, invoices, proof of payment of invoices, or other supporting information, including but not limited to double or multiple billing for time, services, or any other eligible cost, may result in referral to the Attorney General's Office or the applicable District Attorney's Office for appropriate action. The Recipient further understands that any suspected occurrences of false claims, misrepresentation, fraud, forgery, theft or any other misuse of Project Funds may result in withholding of reimbursements and/or the termination of this Agreement requiring the immediate repayment of all funds disbursed hereunder.
21. Disputes. The Recipient must continue with the responsibilities under this Agreement during any dispute. The Recipient may, in writing, appeal a staff decision within 30 days to the Deputy Director of the Division or designee, for a final Division decision. The Recipient may appeal a final Division decision to the State Water Board within 30 days. The Office of the Chief Counsel of the State Water Board will prepare a summary of the dispute and make recommendations relative to its final resolution, which will be provided to the State Water Board's Executive Director and each State Water Board Member. Upon the motion of any State Water Board Member, the State Water Board will review and resolve the dispute in the manner determined by the State Water Board. Should the State Water Board determine not to review the final Division decision, this decision will represent a final agency action on the dispute. This provision does not preclude consideration of legal questions, provided that nothing herein shall be construed to make final the decision of the State Water Board, or any official or representative thereof, on any question of law. This section relating to disputes does not establish an exclusive procedure for resolving claims within the meaning of Government Code sections 930 and 930.4.
22. Additional Representations and Warranties. The Recipient makes the following representations and warranties:
 - a. [RESERVED].
 - b. The Recipient has not made any untrue statement of a material fact in its application for this financial assistance, or omitted to state in its application, a material fact that makes the statements in its application not misleading.
 - c. The Recipient agrees to fulfill all assurances, declarations, representations, and commitments in its application, accompanying documents, and communications filed in support of its request for funding under this Agreement.
 - d. The execution, delivery, and performance by Recipient of this Agreement, including all incorporated documents, do not violate any provision of any law or regulation in effect as of the date set forth on the first page hereof, or result in any breach or default under any contract, obligation, indenture, or other instrument to which Recipient is a party or by which Recipient is bound as of the date set forth on the Cover Page.

- e. Except as set forth in this paragraph, there are, as of the date of execution of this Agreement by the Recipient, no pending or, to Recipient's knowledge, threatened actions, claims, investigations, suits, or proceedings before any governmental authority, court, or administrative agency which materially affect the financial condition or operations of the Recipient, the Revenues, and/or the Project.
 - f. There are no proceedings, actions, or offers by a public entity to acquire by purchase or the power of eminent domain any of the real or personal property related to or necessary for the Project.
 - g. The Recipient is duly organized and existing and in good standing under the laws of the State of California. Recipient must at all times maintain its current legal existence and preserve and keep in full force and effect its legal rights and authority. Within the preceding ten years, the Recipient has not failed to demonstrate compliance with state or federal audit disallowances.
 - h. Any financial statements or other financial documentation of Recipient previously delivered to the State Water Board as of the date(s) set forth in such financial statements or other financial documentation: (a) are materially complete and correct; (b) present fairly the financial condition of the Recipient; and (c) have been prepared in accordance with GAAP. Since the date(s) of such financial statements or other financial documentation, there has been no material adverse change in the financial condition of the Recipient, nor have any assets or properties reflected on such financial statements or other financial documentation been sold, transferred, assigned, mortgaged, pledged or encumbered, except as previously disclosed in writing by Recipient and approved in writing by the State Water Board.
 - i. The Recipient is current in its continuing disclosure obligations associated with its material debt, if any.
 - j. The Recipient has no conflicting or material obligations, except as set forth in this paragraph.
 - k. The Recipient legally possesses all real property rights necessary for the purposes of this Agreement, not subject to third party revocation, which rights extend at least to the Records Retention End Date of this Agreement, except as set forth in this paragraph.
 - l. The Recipient and its principals, to the best of the Recipient's knowledge and belief, are not presently debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from participation in any work overseen, directed, funded, or administered by the State Water Board program for which this grant funding is authorized; nor have they engaged or permitted the performance of services covered by this Agreement from parties that are debarred or suspended or otherwise excluded from or ineligible for participation in any work overseen, directed, funded, or administered by the State Water Board program for which this grant funding is authorized.
 - m. The Recipient possesses all water rights necessary for this Project.
23. Federal SRF Requirements. The Recipient acknowledges, warrants compliance with, and covenants to continuing compliance with the following federal terms and conditions for the Useful Life of the Project:
- a. Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board or unless this Project is not a project for the construction, alteration, maintenance or repair of a public water system or treatment work, the Recipient shall not purchase "iron and steel products" produced outside of the United States on this Project. Unless the Recipient has obtained a waiver from USEPA on file with the State Water Board or unless this Project is not a project for the construction, alteration, maintenance or repair of a public water system or treatment work, the

Recipient hereby certifies that all "iron and steel products" used in the Project were or will be produced in the United States. For purposes of this section, the term "iron and steel products" means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials. "Steel" means an alloy that includes at least 50 percent iron, between .02 and 2 percent carbon, and may include other elements.

- b. The Recipient must include in full the Wage Rate Requirements (Davis-Bacon) language incorporated by reference in Section 2 of this Agreement in all construction contracts and subcontracts.
- c. The Recipient shall notify the State Water Board and the USEPA contact of public or media events publicizing the accomplishment of significant events related to this Project and provide the opportunity for attendance and participation by federal representatives with at least ten (10) working days' notice.
- d. The Recipient shall comply with applicable EPA general terms and conditions found at <http://www.epa.gov/ogd>.
- e. No Recipient may receive funding under this Agreement unless it has provided its DUNS number to the State Water Board.
- f. [RESERVED]
- g. The Recipient represents and warrants that it and its principals are not excluded or disqualified from participating in this transaction as such terms are defined in Parts 180 and 1532 of Title 2 of the Code of Federal Regulations (2 CFR). If the Recipient is excluded after execution of this Agreement, the Recipient shall notify the Division within ten (10) days and shall inform the Division of the Recipient's exclusion in any request for amendment of this Agreement. The Recipient shall comply with Subpart C of Part 180 of 2 CFR, as supplemented by Subpart C of Part 1532 of 2 CFR. Such compliance is a condition precedent to the State Water Board's performance of its obligations under this Agreement. When entering into a covered transaction as defined in Parts 180 and 1532 of 2 CFR, the Recipient shall require the other party to the covered transaction to comply with Subpart C of Part 180 of 2 CFR, as supplemented by Subpart C of Part 1532 of 2 CFR.
- h. To the extent applicable, the Recipient shall disclose to the State Water Board any potential conflict of interest consistent with USEPA's Final Financial Assistance Conflict of Interest Policy at <https://www.epa.gov/grants/epas-final-financial-assistance-conflict-interest-policy>. A conflict of interest may result in disallowance of costs.
- i. USEPA and the State Water Board have the right to reproduce, publish, use and authorize others to reproduce, publish and use copyrighted works or other data developed under this assistance agreement.
- j. Where an invention is made with Project Funds, USEPA and the State Water Board retain the right to a worldwide, nonexclusive, nontransferable, irrevocable, paid-up license to practice the invention owned by the Recipient. The Recipient must utilize the Interagency Edison extramural invention reporting system at <http://Edison.gov> and shall notify the Division when an invention report, patent report, or utilization report is filed.

- k. The Recipient agrees that any reports, documents, publications or other materials developed for public distribution supported by this Agreement shall contain the Disclosure statement set forth in Exhibit A.
- l. The Recipient acknowledges that it is encouraged to follow guidelines established under Section 508 of the Rehabilitation Act, codified at 36 CFR Part 1194, with respect to enabling individuals with disabilities to participate in its programs supported by this Project.
- m. The Recipient, its employees, contractors and subcontractors and their employees warrants that it will not engage in severe forms of trafficking in persons, procure a commercial sex act during the term of this Agreement, or use forced labor in the performance of this Agreement. The Recipient must include this provision in its contracts and subcontracts under this Agreement. The Recipient must inform the State Water Board immediately of any information regarding a violation of the foregoing. The Recipient understands that failure to comply with this provision may subject the State Water Board to loss of federal funds. The Recipient agrees to compensate the State Water Board for any such funds lost due to its failure to comply with this condition, or the failure of its contractors or subcontractors to comply with this condition. The State Water Board may unilaterally terminate this Agreement if the Recipient that is a private entity is determined to have violated the foregoing.
- n. The Recipient certifies to the best of its knowledge and belief that:
 - i. No federal appropriated funds have been paid or will be paid, by or on behalf of the Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - ii. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Agreement, the Recipient shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions, and notify the State Water Board.
 - iii. The Recipient shall require this certification from all parties to any contract or agreement that the Recipient enters into and under which the Recipient incurs costs for which it seeks disbursements under this Agreement.
- o. The Recipient must comply with the following federal non-discrimination requirements:
 - i. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, and national origin, including limited English proficiency (LEP).
 - ii. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against persons with disabilities.
 - iii. The Age Discrimination Act of 1975, which prohibits age discrimination.
 - iv. Section 13 of the Federal Water Pollution Control Act Amendments of 1972, which prohibits discrimination on the basis of sex.
 - v. 40 CFR Part 7, as it relates to the foregoing.
 - vi. Executive Order 13798, including, to the greatest extent practicable and to the extent permitted by law, the requirement to respect and protect the freedom of persons and organizations to engage in political and religious speech
 - vii. All applicable federal civil rights regulations, including statutory and national policy requirements (2 CFR section 200.300).

- p. Executive Order No. 11246. The Recipient shall include in its contracts and subcontracts related to the Project the following provisions:

"During the performance of this contract, the contractor agrees as follows:"(a) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(d) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(e) The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

"(g) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of Sept. 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

- q. The Recipient agrees to comply with the requirements of USEPA's Program for Utilization of Small, Minority and Women's Business Enterprises as set forth in this Agreement.
- r. Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans; 42 USC § 7606; 33 USC § 1368. Except where the purpose of this Agreement is to remedy the cause of the violation, the Recipient may not procure goods, services, or materials from suppliers excluded under the federal System for Award Management: <http://www.sam.gov/>.
- s. Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended; 42 USC §§4601-4655. The Recipient must comply with the Act's implementing regulations at 49 CFR 24.101 through 24.105.
- t. The Recipient agrees that if its network or information system is connected to USEPA networks to transfer data using systems other than the Environmental Information Exchange Network or USEPA's Central Data Exchange, it will ensure that any connections are secure.
- u. All geospatial data created pursuant to this Agreement that is submitted to the State Water Board for use by USEPA or that is submitted directly to USEPA must be consistent with Federal Geographic Data Committee endorsed standards. Information on these standards may be found at www.fgdc.gov.
- v. If the Recipient is a water system that serves 500 or fewer persons, the Recipient represents that it has considered publicly-owned wells as an alternative drinking water supply.
- w. The Recipient represents that it is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and it is not a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.
- x. The Recipient agrees to immediately notify the Project Manager in writing about any allegation of research misconduct involving research activities that are supported in whole or in part with EPA funds under this Project, including fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results, or ordering, advising, or suggesting that subordinates engage in research misconduct.
- y. The Recipient agrees to comply with, and require all contractors and subcontractors to comply with, EPA's Scientific Integrity Policy, available at <https://www.epa.gov/osa/policy-epa-scientific-integrity>, when conducting, supervising, and communicating science and when using or applying the results of science. For purposes of this condition scientific activities include, but are not limited to, computer modelling, economic analysis, field sampling, laboratory experimentation, demonstrating new technology, statistical analysis, and writing a review article on a scientific issue.
- z. The Recipient shall not suppress, alter, or otherwise impede the timely release of scientific findings or conclusions; intimidate or coerce scientists to alter scientific data, findings, or professional opinions or exert non-scientific influence on scientific advisory boards; knowingly misrepresent, exaggerate, or downplay areas of scientific uncertainty; or otherwise violate the EPA's Scientific Integrity Policy. The Recipient must refrain from acts of research misconduct, including publication or reporting, as described in EPA's Policy and Procedures for Addressing Research Misconduct, Section 9.C, and must ensure scientific findings are generated and

disseminated in a timely and transparent manner, including scientific research performed by contractors and subcontractors.

- aa. The Recipient agrees to comply with the Animal Welfare Act of 1966 (7 USC 2131-2156). Recipient also agrees to abide by the "U.S. Government Principles for the Utilization and Care of Vertebrate Animals used in Testing, Research, and Training," available at <http://grants.nih.gov/grants/olaw/references/phspol.htm#USGovPrinciples>.
- bb. The Recipient certifies that no Project Funds will be used on:
 - i. Video surveillance or telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities), telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
 - ii. Telecommunications or video surveillance services produced by such entities;
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country; or
 - iv. Other telecommunications or video surveillance services or equipment in violation of [2 CFR 200.216](#).



CITY COUNCIL AGENDA – MARCH 7, 2023

SUBJECT: Tulare County Regional Multi-Jurisdiction Housing Element Update

SOURCE: Community Development

COMMENT: Pursuant to Government Code Sections 65580-65589.8, local jurisdictions are required to update the Housing Element of their General Plan every eight (8) years, subject to review and approval of the State Department of Housing and Community Development (HCD). The City's current Housing Element (5th Cycle) was adopted on December 15, 2015 and covers the period from 2015-2023.

The Housing Element creates a housing plan for residents of all income levels. Non-compliance triggers potential fines, and the General Plan could be deemed inadequate and/or invalid as well. Under Senate Bill 2, jurisdictions that do not have an approved HCD certified Housing Element are not eligible for grant funding, therefore affecting the City's eligibility for various federal and State housing, community development and infrastructure funding and grant programs. The Tulare County Regional Multi-Jurisdiction Housing Element provides a base set of analyses, data and information usable by all participating jurisdictions along with plans and programs specific to each.

One of the primary purposes of the Housing Element is to demonstrate that a city can meet its Regional Housing Needs Allocation (RHNA). Typically, HCD provides an allocation to each regional planning agency. In Tulare County, the Tulare County Association of Governments (TCAG) is the regional planning agency. Using methodology from HCD, TCAG then determines and assigns a RHNA for each individual jurisdiction within the region. Each jurisdiction must plan for sites to meet its RHNA by income category and support the likelihood that adequate housing units within the 8-year planning period will be developed.

TCAG submitted the adopted RHNA to HCD, which was approved by HCD on September 13, 2022. TCAG is coordinating the development of a Regional Housing Element for the Cities of Porterville, Dinuba, Exeter, Farmersville, Lindsay, Tulare, and Woodlake. This update to the City's Housing Element will cover the eight-year period from 2023-2031. The statutory deadline for jurisdictions in the Tulare County Region to adopt a legally compliant Housing Element is December 31, 2023.

Staff is currently working with Rincon Consultants, Inc. (Consultant) on preparing the Draft Regional Multi-Jurisdiction Housing Element as required by State law. The Housing Element contains the City's goals, policies, and strategic plan for addressing the most critical housing needs in the community over the

next eight years. The Housing Element is designed to provide the City with a coordinated and comprehensive strategy for promoting the production of safe, decent and affordable housing within the community.

City staff will continue public outreach as part of the process and will work with the Consultant to prepare the Draft Housing Element for formal review. With more input and additional analysis following stakeholder and community workshops, staff will return to the City Council to report back on the input received and the status of the update process. It is anticipated that the Draft Housing Element will be available for public review in the Fall of 2023 and submitted to HCD for review shortly thereafter.

Staff is prepared to provide a presentation of the Housing Element Update and the process remaining to complete the Draft Housing Element.

RECOMMENDATION: That the City Council review and provide input on the development of the 2023-2031 Draft Housing Element Update.

ATTACHMENTS:

Appropriated/Funded:

Review By:

Department Director:
Jason Ridenour, Assistant City Manager

Final Approver: John Lollis, City Manager