

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
SEPTEMBER 17, 2013, 5:30 P.M.**

Call to Order
Roll Call

Adjourn to a Joint Meeting of the Porterville City Council and Successor Agency to the Porterville Redevelopment Agency.

**JOINT CITY COUNCIL / SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 N. MAIN STREET, PORTERVILLE, CA**

Roll Call: Agency Members/Chairman

ORAL COMMUNICATIONS

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

JOINT CITY COUNCIL/AGENCY CLOSED SESSION:

- A. Closed Session Pursuant to:
- 1-** Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: County of Tulare v. All Persons Interested in the Matter of the Addition of the 2010 Amendment to Redevelopment Plan for the Redevelopment Project Area No. 1, as Adopted by Ordinance 1765 on June 15, 2010, by the City of Porterville, et al., Tulare County Superior Court Case No. 249877.

During Closed Session, the Joint Council/Successor Agency Meeting shall adjourn to a Meeting of the Porterville City Council.

CITY COUNCIL CLOSED SESSION:

- B. Closed Session Pursuant to:
- 1** - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: City of Porterville v. County of Tulare et al., Tulare County Superior Court No. 249043.
 - 2-** Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: 200 N. “D” Street. Agency Negotiator: John Lollis and Brad Dunlap. Negotiating Parties: City of Porterville and Ken Lansford. Under Negotiation: Terms and Price.
 - 3-** Government Code Section 54956.95 – Liability Claims: Claimant: State Farm Insurance, Subrogee for Barbara Bardwell. Agency claimed against: City of Porterville.
 - 4-** Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: One Case concerning the May 9, 2013, written request by Tulare County Council on behalf of the Tulare County Local Community Benefit Committee for the City to return the 2011 and 2012 grant funds awarded to it totaling \$217,313.
 - 5-** Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation: One Case.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Council Member Shelton
Invocation

PRESENTATIONS

AB 1234 REPORTS

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

1. Tulare County Association of Governments (TCAG) – September 16, 2013

REPORTS

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

- I. City Commission and Committee Meetings:
 1. Arts Commission
 2. Library and Literacy Commission – September 10, 2013
 3. Parks & Leisure Services Commission – September 5, 2013
 4. Youth Commission – September 16, 2013
 5. Charter Review Committee – September 11, 2013
- II. Staff Informational Items
 1. Vacancies on the Library and Literacy Commission
Re: Informational report regarding upcoming vacancies on the Library and Literacy Commission.

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

1. **Authorization to Advertise for Bids – Chase Park Improvement Project**
Re: Considering approval of Staff's plans and project manual for the project consisting of the installation of various park elements on a 2.33 acre parcel located on the north side of East Chase Avenue, west of South Plano Street.
2. **Award of Contract – Jaye Street and Montgomery Avenue Roundabout Project**
Re: Considering awarding contract in the amount of \$1,330,547.21 to Central Valley Asphalt for the project consisting of the construction of a roundabout at the intersection of Jaye Street and Montgomery Avenue south of State Route 190.

3. **Award of Contract – Main Street and Plano Street Bus Turnouts**
Re: Considering awarding contract in the amount of \$107,676.00 to Hobbs Construction for the project consisting of the installation of new concrete improvements to improve transit accessibility to a portion of Route 4 to Porterville College, and a portion of Routes 3 and 9 to Vallarta Shopping Center.
4. **Approval to Purchase Range Target System**
Re: Considering approval to purchase a shooting range target system from Advanced Training Systems for \$17,950.00, and authorizing installation of same.
5. **Consideration of Street Closure for Porterville “Step Up” Neighborhood Outreach Event**
Re: Considering approval of the temporary closure of Doree Street between Forrester and Mohoff Courts in support of a planned neighborhood “Step Up” outreach event on September 19, 2013, from 5:30 p.m. to 8:00 p.m.
6. **Approval for Community Civic Event – Filipino-American Association of California – Filipino-American Week, September 28-29, 2013**
Re: Considering approval of an event to take place on Saturday and Sunday, September 28 and 29, from 8:00 a.m. to 9:00 p.m. at Veteran’s Park.
7. **Approval of Proposed Proclamation – Domestic Violence Awareness Month**
Re: Considering the approval of a proclamation declaring October 2013 as Domestic Violence Awareness Month.
8. **Review of Local Emergency Status**
Re: Reviewing the City’s status of local emergency pursuant to Article 14, Section 8630 of the California Emergency Services Act.
9. **Council Member Requested Agenda Item – Request for the City Council to Consider Adopting a Resolution of Recognition for the Donation of a Siren to be Installed at Fire Station #1**
Re: Considering approval of a request to schedule on the Agenda for October 1, 2013, the consideration of adopting a resolution of recognition for the Exchange Club of Porterville and American Legion Post #20.

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

SCHEDULED MATTERS

10. **Consideration of Appointment to the Arts Commission**
Re: Consideration of the appointment of one individual to fill the student/youth seat with a one-year term.
11. **Provision of Senior Citizen Programs and Services**
Re: Consideration of the provision of programs and services for the benefit of the community’s senior citizens.
12. **Consideration of Prohibiting City Council Member Attendance at Meetings of the Charter Review Committee**
Re: Considering the prohibition of Council Member attendance at Charter Review Committee meetings.

13. Consideration of Reorganization of the City Council

Re: Consideration of City Council reorganization, including its appointed positions and assignments to various committees.

Adjourn the City Council Meeting to a meeting of the Successor Agency to the Porterville Redevelopment Agency.

**SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY AGENDA
291 NORTH MAIN STREET, PORTERVILLE, CA 93257
SEPTEMBER 17, 2013**

Roll Call: Agency Members/Chairperson

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-1. Successor Agency Review and Approval of Proposed Administrative Budget

Re: Consideration of a resolution approving the proposed Administrative Budget for the period of January 1, 2014, through June 30, 2014.

SA-2. Review and Approval of Draft Recognized Obligation Payment Schedule (ROPS)

Re: Consideration of a resolution approving the ROPS 13-14 B for the period of January 1, 2014, through June 30, 2014, and authorizing submittal of the ROPS 13-14 B to the Oversight Board.

Adjourn the Successor Agency to the Porterville Redevelopment Agency Meeting to a Meeting of the Porterville City Council.

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 October 1, 2013.

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 – SEPTEMBER 17, 2013

INFORMATIONAL REPORT

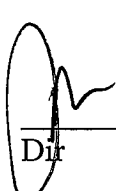

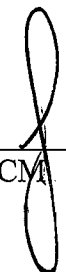
SUBJECT: VACANCIES ON THE LIBRARY AND LITERACY COMMISSION

SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: Three Commissioners on the Library and Literacy Commission have terms expiring in October 2013: Catherine May, Rebecca Ybarra, and Tamara Bishop. As of the time of agenda compilation and distribution, staff has been unable to confirm whether these Commissioners have interest in continuing to serve. Staff will continue efforts in this regard.

As is customary, staff will issue a press release advertising the vacancies to solicit applications from individuals interested in serving, and bring the item back to the Council for their consideration.

RECOMMENDATION: Informational item only.

		
Dir	Approp./ Funded	CM

Report No. II-1

COUNCIL AGENDA: SEPTEMBER 17, 2013

SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS – CHASE PARK IMPROVEMENT PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: Plans and Project Manual have been prepared for the Chase Park Improvement Project and are available in the La Barca Conference Room for Council's review. The project will be located on a 2.33 acre parcel on the north side of E. Chase Avenue west of S. Plano Street. Park elements include a pedestrian trail along the park perimeter, combination soccer/softball field, basketball court, picnic arbors, play equipment, shade sails, soft rubber tile surfacing, water spray park splash pad, irrigation, landscaping, unisex restroom, lighting and appurtenances.

The Estimate of Probable Cost for construction is \$1,026,812.75 with an additional \$51,340.64 required for construction contingency (5%). An additional \$541,494.00 of equipment will be pre-purchased by the City including the play equipment, water spray park splash pad, shade sails, restroom building, soft rubber tile surfacing and new Southern California Edison service fees. The Contractor will coordinate scheduling and installation of the City purchased equipment.

Omni Means will provide construction management/inspection services with oversight by the City as approved by City Council on May 7, 2013. The City's on-call consulting firm, Consolidated Testing, will provide quality control testing. It is anticipated that \$116,000 is required for construction management, quality control and inspection services.

The total estimated probable cost for construction, 5% contingency, construction management, inspection, quality control and pre-purchased equipment by the City is \$1,735,647.39.

Funding for the project is from Proposition 84 2006 Safe Drinking Water Bond Act grant as approved in the 2013/2014 Annual Budget.

RECOMMENDATION: That the City Council:

1. Approve Staff's recommended plans and project manual; and
2. Authorize Staff to advertise for bids on the project.

ATTACHMENTS: Locator Map
Estimate of Probable Cost

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Dir B82 Appropriated/Funded MB CM J

Item No. 1

CHASE PARK IMPROVEMENT PROJECT

PROJECT LOCATION

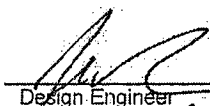
Chase Park Improvements Project
City of Porterville, Engineer's Estimate

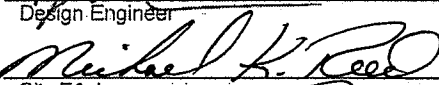
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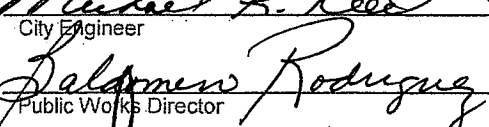
Estimate - Chase Park

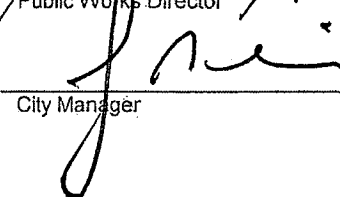
TOTAL BID					
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1	Mobilization and Demobilization	1	LS	\$ 25,000.00	\$ 25,000.00
2	Traffic & Pedestrian Control	1	LS	\$ 5,000.00	\$ 5,000.00
3	Prepare and Maintain Storm Water Pollution Prevention Plan (SWPPP) and Construction Site Measures	1	LS	\$ 12,000.00	\$ 12,000.00
4	Prepare and Maintain Dust Control Plan	1	LS	\$ 2,500.00	\$ 2,500.00
5	Coordination and Scheduling for the installation of the Play Equipment purchased by the City	1	LS	\$ 250.00	\$ 250.00
6	Coordination and Scheduling for the installation of the Splash Pad purchased by the City	1	LS	\$ 250.00	\$ 250.00
7	Coordination and Scheduling for the installation of the Soft Rubber Tiles purchased by the City	1	LS	\$ 250.00	\$ 250.00
8	Coordination and Scheduling of the installation of the Shade Sails purchased by the City	1	LS	\$ 250.00	\$ 250.00
9	Coordination and Scheduling for the installation of Prefabricated Restroom Building purchased by the City	1	LS	\$ 250.00	\$ 250.00
10	Clearing, Grubbing & Demolition	1	LS	\$ 40,000.00	\$ 40,000.00
11	Excavation, Earthwork & Grading	1	LS	\$ 100,000.00	\$ 100,000.00
12	Furnish & Install Lighting System/Electrical	1	LS	\$ 113,000.00	\$ 113,000.00
13	Signing, Striping, & Pavement Markings	1	LS	\$ 5,000.00	\$ 5,000.00
14	Furnish & Install Basketball Hoop	1	EA	\$ 3,200.00	\$ 3,200.00
15	Furnish & Install Backstop	1	EA	\$ 18,800.00	\$ 18,800.00
16	Furnish & Install Americana Shelter Systems Meramec 20'x30' Picnic Arbor (not including concrete)	2	EA	\$ 60,000.00	\$ 120,000.00
17	Furnish & Install 4' Bench	12	EA	\$ 1,200.00	\$ 14,400.00
18	Furnish & Install Concrete Bench	48	LF	\$ 200.00	\$ 9,600.00
19	Furnish & Install 8' Table, ADA Compliant	2	EA	\$ 1,600.00	\$ 3,200.00
20	Furnish & Install 6' Table	6	EA	\$ 1,500.00	\$ 9,000.00
21	Furnish & Install Grill	2	EA	\$ 1,200.00	\$ 2,400.00
22	Furnish & Install Trash Cans	4	EA	\$ 1,000.00	\$ 4,000.00
23	Furnish & Install 4" Thick Concrete (Shall include Trail, Sidewalk, Flatwork, Arbor Pad, Basketball Court, & Playground Pad)	21365	SF	\$ 6.00	\$ 128,190.00
24	Furnish & Install 6" Thick Concrete for Splash Pad w/ #3 @ 12" O.C.	2018	SF	\$ 10.00	\$ 20,180.00
25	Furnish & Install Aggregate Base Class II	84	CY	\$ 35.00	\$ 2,940.00
26	Furnish & Install 6" Thick Concrete for Parking Lot	6110	SF	\$ 8.00	\$ 48,880.00
27	Furnish & Install 6" Thick Concrete for City Std. C-5 Alley Approach	335	SF	\$ 8.00	\$ 2,680.00
28	Furnish & Install Detectable Warning Surface	1	EA	\$ 600.00	\$ 600.00
29	Furnish & Install Drinking Fountain	1	EA	\$ 5,000.00	\$ 5,000.00
30	Furnish & Install 4" PVC Storm Drain Line	32	LF	\$ 24.00	\$ 768.00
31	Furnish & Install 6" PVC Storm Drain Line	212	LF	\$ 30.00	\$ 6,360.00
32	Furnish & Install Trench Drain	20	LF	\$ 40.00	\$ 800.00
33	Furnish & Install Storm Drain Flared End Section	1	EA	\$ 400.00	\$ 400.00
34	Furnish & Install V64 Area Drain	6	EA	\$ 950.00	\$ 5,700.00
35	Furnish & Install 4" Sanitary Sewer Line	63	LF	\$ 40.00	\$ 2,520.00
36	Furnish & Install 1" Water Line	27	LF	\$ 10.00	\$ 270.00
37	Furnish & Install 1-1/2" Water Line	106	LF	\$ 15.00	\$ 1,590.00
38	Furnish & Install 2" Water Line	25	LF	\$ 20.00	\$ 500.00
39	Furnish & Install 2" Water Meter	1	EA	\$ 3,000.00	\$ 3,000.00
40	Furnish & Install 2" Backflow Preventer (includes Protective Cage)	2	EA	\$ 3,500.00	\$ 7,000.00
41	Furnish & Install 3" Water Meter	1	EA	\$ 5,500.00	\$ 5,500.00
42	Furnish & Install 3" Backflow Preventer (includes Protective Cage)	1	EA	\$ 5,500.00	\$ 5,500.00
43	Furnish & Install Fittings (Water)	1	LS	\$ 2,500.00	\$ 2,500.00
44	Furnish & Install Fire Hydrant Assembly	1	EA	\$ 3,500.00	\$ 3,500.00
45	Furnish & Install Utility Boxes	3	EA	\$ 300.00	\$ 900.00
46	Furnish & Install Barrier Curb	337	LF	\$ 25.00	\$ 8,425.00

47	Furnish & Install Curb & Gutter	39	LF	\$ 30.00	\$ 1,170.00
48	Pavement Patching	195	SF	\$ 10.00	\$ 1,950.00
49	Furnish & Install Trash Enclosure Area (includes Trash Enclosure, Concrete Curb, Concrete Slab, Gates)	1	LS	\$ 20,000.00	\$ 20,000.00
50	Furnish & Install 8" Block Wall	348	LF	\$ 85.00	\$ 29,580.00
51	Furnish & Install Bike Rack	1	EA	\$ 400.00	\$ 400.00
52	Furnish & Install Kiosk Sign	1	EA	\$ 1,500.00	\$ 1,500.00
53	Furnish & Install Trail Head Marker	4	EA	\$ 2,000.00	\$ 8,000.00
54	Furnish & Install 6" Wide Mowstrip	175	LF	\$ 15.00	\$ 2,625.00
55	Furnish & Install 12" Wide Mowstrip w/ Wrought Iron Fence	160	LF	\$ 45.00	\$ 7,200.00
56	Furnish & Install Concrete Curb at Soft Rubber Tile	133	LF	\$ 25.00	\$ 3,325.00
57	Furnish & Install Concrete Curb at Soft Rubber Tile w/ Wrought Iron Fence	195	LF	\$ 45.00	\$ 8,775.00
58	Furnish & Install Landscaping	1	LS	\$ 63,500.00	\$ 63,500.00
59	Furnish & Install River Rock for Bioswale	45	CY	\$ 45.00	\$ 2,025.00
60	Furnish & Install Drainage Soil for Bioswale	270	CY	\$ 35.00	\$ 9,450.00
61	Furnish & Install Irrigation Clock	1	EA	\$ 23,085.00	\$ 23,085.00
62	Furnish & Install Booster Pump & Backflow Preventer (Irrigation)	1	EA	\$ 33,000.00	\$ 33,000.00
63	Furnish & Install Irrigation System	1	LS	\$ 21,000.00	\$ 21,000.00
64	Furnish & Install Hydroseeding	51495	SF	\$ 0.05	\$ 2,574.75
65	Furnish & Install Temporary Fencing	560	LF	\$ 10.00	\$ 5,600.00
66	Construction Staking	1	LS	\$ 30,000.00	\$ 30,000.00
Chase Park Subtotal					\$ 1,026,812.75
5% Constr. Contingency					\$ 51,340.64
Total					\$ 1,078,153.39


 Design Engineer 9/16/13
 Date


 City Engineer 9/16/2013
 Date


 Public Works Director 9/11/2013
 Date


 City Manager 09/11/13
 Date

COUNCIL AGENDA: SEPTEMBER 17, 2013

SUBJECT: AWARD OF CONTRACT – JAYE STREET AND MONTGOMERY AVENUE
ROUNABOUT PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On September 5, 2013, staff received five (5) bids for the Jaye Street and Montgomery Avenue Roundabout Project. The project consists of the construction of a roundabout at the intersection of Jaye Street and Montgomery Avenue south of State Route 190 and appurtenant items of work outside of the intersection necessary to properly align Jaye Street and Montgomery Avenue to the roundabout location.

Congestion Mitigation and Air Quality (CMAQ) funds will finance 88.53% of the project's eligible components and Measure R Funds/Local Transportation Funds will finance the 11.47% "local" match.

The bids are as follows:

	<u>Contractor</u>	<u>Amount</u>
1.	Central Valley Asphalt Lindsay, CA	\$1,330,547.21
2.	Seal Rite Grading & Paving Clovis, CA	\$1,344,547.21
3.	American Paving Company Visalia, CA	\$1,525,897.40
4.	Dawson-Mauldin Construction Huntington Beach, CA	\$1,593,434.75
5.	Lee's Paving Visalia, CA	\$1,774,348.25

Staff has found the low bid acceptable and in compliance with the specification requirements for this federally funded project. The Engineer's Estimate of Probable Cost for construction is \$1,212,064. The low bid is 9.8% above the Engineer's Estimate. An additional \$133,054.72 (10%) is requested for the construction contingency. An additional \$133,054.72 (10%) is requested for construction management, Omni-Means construction design services per a December 4, 2012 City Council action, quality control and inspection services for a total estimated construction cost of \$1,596,656.65.

Dir B82 Appropriated/Funded MB CM

Item No. 2

The City has obtained Caltrans and FHWA authorization to bid and award the project by means of an E-76 approval process. Funding allocations are defined as part of this process and initially several components of the project were defined as non-participating. Recently, Caltrans has issued a bulletin that now designates a majority of these components to be federally funded. City Staff must process an Amendment Modification (AMOD) in order to allocate federal funds for those items of work that are now considered participating.

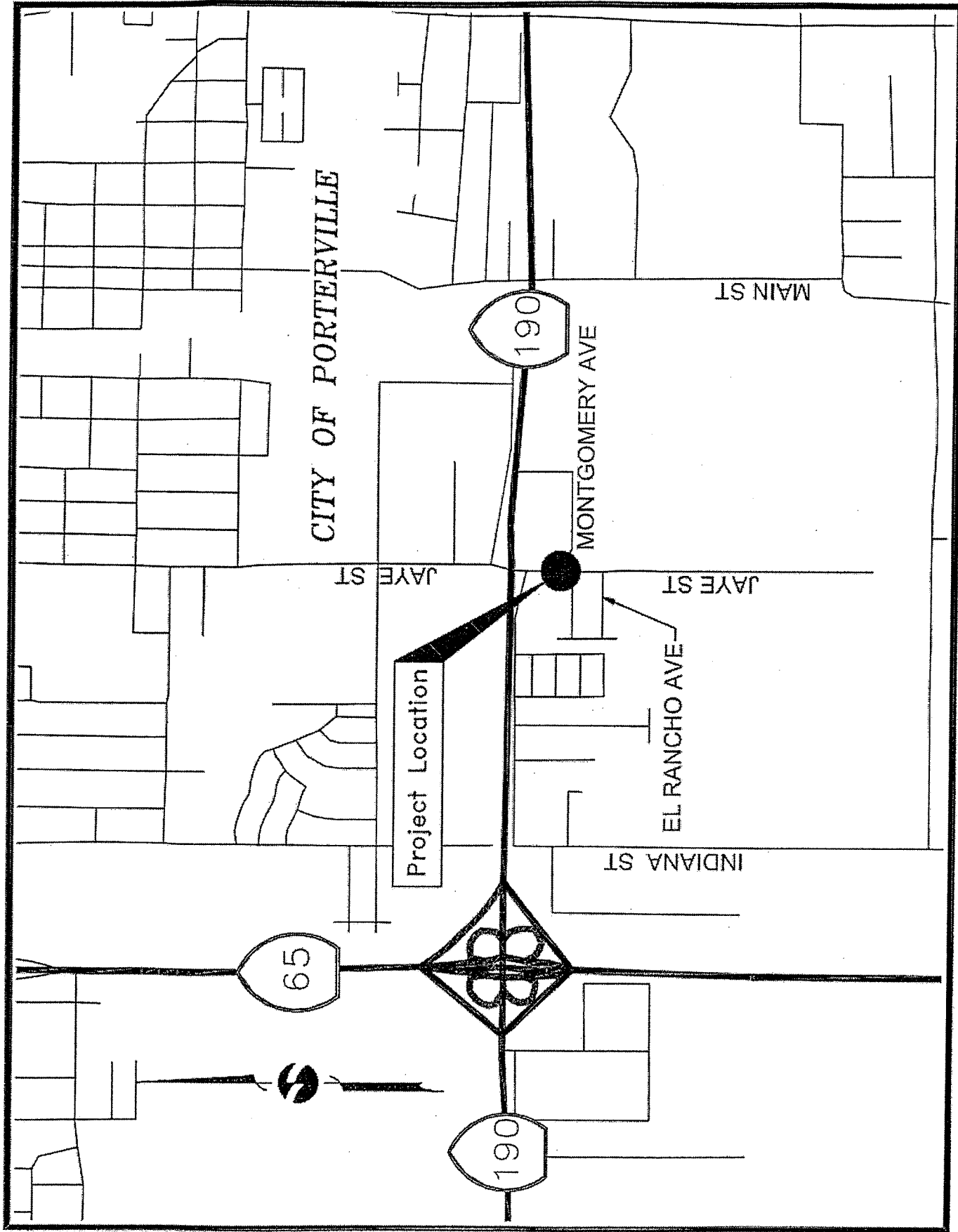
Staff anticipates approval of the AMOD; however, should the AMOD not be approved, \$290,000 of unallocated local transportation funds will be needed to fully fund the project.

The local match and non-participating items of work shall be funded by Measure R, unallocated Local Transportation Funds, Water Replacement Fund and Sewer Revolving Fund, all of which was approved in the 2013/2014 Annual Budget and an August 6, 2013, City Council approved budget appropriation.

RECOMMENDATION: That City Council:

1. Award the Jaye Street & Montgomery Avenue Roundabout Project to Central Valley Asphalt in the amount of \$1,330,547.21; and
2. Authorize a 10% contingency to cover unforeseen construction costs and 10% for construction management, quality control and inspection.
3. Authorize the appropriation of \$290,000 of unallocated Local Transportation Funds if Caltrans does not approve the AMOD.

ATTACHMENT: Locator Map



VICINITY MAP
N.T.S.

COUNCIL AGENDA: SEPTEMBER 17, 2013

SUBJECT: AWARD OF CONTRACT – MAIN STREET AND PLANO STREET BUS TURNOUTS

SOURCE: Public Works Department - Engineering Division

COMMENT: On September 4, 2013, staff received five (5) bids for the Main Street and Plano Street Bus Turnouts. The Main Street Bus Turnout project will improve transit accessibility to a portion of Route 4 to Porterville College along South Main Street and will be located north of College Avenue on the east side of South Main Street.

The Plano Street Bus Turnout project will improve transit accessibility to a portion of Routes 3 and 9 to Vallarta Shopping Center along S. Plano Street and will be located south of Olive Avenue on the west side of South Plano Street. The bus turnout projects include removal of existing concrete improvements and installation of new concrete improvements allowing a bus to completely pull out of the travel way to access the bus stop location. Concrete pads with bus shelters, provided by the City and installed by the contractor, will be adjacent to the back of new sidewalk.

Installation of sidewalk between the eastbound Main Street/State Route 190 off ramp and Porterville College is also a part of the Main Street Bus Turnout project. There is approximately 80 lineal feet of missing sidewalk in the vicinity of the off-ramp that has been missing for years. The number of pedestrians in the area necessitates completion of the walking path from the downtown area to Porterville College.

Funding for this project is from a Federal Transportation Administration Grant (FTA) with a twenty percent (20%) local match. Local Transportation Funds (LTF) is the revenue source for the local share, all of which was approved in the 2013/2014 Annual Budget.

The bids are as follows:

	<u>Contractor</u>	<u>Amount</u>
1.	Hobbs Construction Inc. Fresno, CA	\$107,676.00
2.	Dawson-Mauldin Construction Inc. Huntington Beach, CA	\$113,795.00
3.	DOD Construction Bakersfield, CA	\$122,756.00

Dir B82 Appropriated/Funded MB CM J

Item No. 3

4. Lockwood General Engineering Inc. \$126,274.50
Visalia, CA
5. Bill Nelson General Engineering Inc. \$127,471.00
Fresno, CA

Staff has found the low bid acceptable and in compliance with the specification requirements for this federally funded project. The Engineer's Estimate of Probable Cost for construction is \$95,894. The low bid for the project is 12.3% above the Engineer's Estimate. Pursuant to current policy adopted by City Council during the September 4, 2012, meeting, the bid would normally be rejected. However, staff respectfully asks that the City Council consider making an exception to the policy. The low bid exceeds the 10% City Council "bid ceiling" policy by \$2,192.60.

Staff estimates the cost to revise the construction documents and seek new bids to be more than \$2,500. The initial bidding publication costs for this project was \$1,336.69. Further, the City is faced with time constraints associated with the Federal Transportation Authority Grant and a bidding environment that has become less favorable. Staff has noticed that bid prices are on the rise and will make the appropriate estimating adjustment on all future construction projects.

Should City Council choose to award the contract, an additional \$10,767.60 is required for the construction contingency (10%) and an additional \$10,767.60 is required for construction management, quality control and inspection services (10%) for a total estimated project cost of \$129,211.20.

RECOMMENDATION: That City Council:

1. Award the Main Street and Plano Street Bus Turnouts Project to Hobbs Construction in the amount of \$107,676.00; and
2. Authorize a 10% contingency to cover unforeseen construction costs and a 10% retainer to cover construction management, quality control and inspection services

ATTACHMENTS: Locator Maps



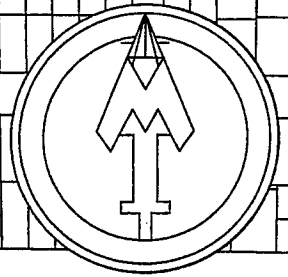
CITY OF PORTERVILLE

ENGINEERING DIVISION

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

MAIN STREET BUS TURNOUT PROJECT NEAR PORTERVILLE COLLEGE

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



NORTH

PROJECT LOCATION

OLIVE AVE.

EASTRIDGE CIR.

PLANO ST.

CITY OF PORTERVILLE

ENGINEERING DIVISION

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

Plano Bus Turnout Locator Map

OWNER	
APN	
AREA	
ACRES	
SCALE	NO SCALE
DATE	
DRAWN BY	MT
CHECKED BY	

SUBJECT: APPROVAL TO PURCHASE RANGE TARGET SYSTEM

SOURCE: Police Department

COMMENT: During the April 2, 2013, City Council meeting, Council authorized the acceptance of \$18,000 in grant funds from the National Rifle Association for purchase of a shooting range target system. Since that time, department staff has been researching target systems in order to identify the minimum standards for a system that would be a crucial component to a comprehensive training program that helps to develop officer's decision-making and reactionary skills with regard to the use of a firearm.

The minimum standards required installation of a ten-lane reactive target system that is capable of being programmed in a variety of ways. Three companies were identified that were capable of providing the system and they were provided with the minimum specifications. Three bids from those companies were obtained:


- Advanced Training Systems - \$17,950
- SPT Targets - \$23,950
- Action Target - \$30,750

The Police Department found the lowest bid to be acceptable and requests Council approval to purchase the Advanced Training Systems target system as specified in the attached quote and enter into direct negotiations with the vendor of the item in accordance with the City's Purchasing Policy & Procedure Manual, as amended by Resolution No. 122-87, adopted by Council on October 10, 1987.


RECOMMENDATION: That the City Council:

- 1) Authorize the purchase and installation of the target system from Advanced Training System; and
- 2) Authorize payment upon satisfactory delivery and installation of the equipment.

Attachments: Quotes

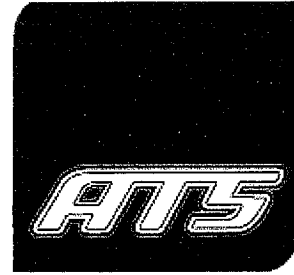
D.D. 

Approp./Funded 

C.M. 

Item No. 4

ADVANCED TRAINING SYSTEMS



4524 Highway 61 North / Saint Paul, Minnesota 55110 / Tel. 651-429-8091 / Fax 651-429-8702

E-Mail: info@atsusa.biz • Website: www.atsusa.biz

QUOTATION

September 10, 2013

PRODUCT QUOTED: **TEN TARGET (WIRELESS) FLEXI PNEUMATIC SYSTEM**

<u>PRODUCT DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>PRICE</u>
Flexi pneumatic target with All Weather™ Cover	10	\$ 540.00	\$ 5,400.00
UTC-15: 15 position wireless I/O, UTC Software, power supply, and receiver module	1	1,780.00	1,780.00
PTX/Computer Download Serial/USB Cable	1	280.00	280.00
PTX/200 controller	1	1,290.00	1,290.00
Heavy Duty steel pedestal target stand	10	275.00	2,750.00
Law enforcement target frame	10	170.00	<u>1,700.00</u>

TOTAL PRICE, delivered: **\$13,200.00**

On-Site Installation Services: \$ 4,750.00

TURNKEY TOTAL PRICE, delivered and installed: **\$17,950.00**

OPTION: 30 Gal 2 HP air compressor with gages, filters and valves installed with system installation: **\$ 1,290.00**

TERMS: Good for 60 days after quote date.
Net 30 days. VISA, Discover and MasterCard accepted.
Additional charges for installation.

GSA CONTRACT: #GS 02F 0404D



SPTargets Inc.

18525 NW St. Helens Rd.
Portland, OR 97231
(503) 621-3017
sales@sptargets.com

Sales Quotation - 10 Permanent Targets

Attn: Lt. John Hall
Porterville Police Department
350 N. D Street
Porterville, CA 93257
jhall@ci.porterville.ca.us
559-782-7410

Reference: PPD-CA F 01 (10)-LEM

Date: 7/12/13

SP Targets will supply the following materials:

Product / Service	Quantity		
TX-10 Wireless Control Unit	1		
RX-10 Receiver Unit	1		
Compact Base Turning Target Units	10		
All cables, hoses, and hardware required for a top quality, turn-key turning target system			Included
SUBTOTAL			\$18,000.00
Complete installation by SP Targets personnel			\$5,500.00
On-site training with SP Targets personnel			Included
SUBTOTAL			\$23,500.00
Shipping & handling			\$450.00
		TOTAL	\$23,950.00

This quotation is valid for 90 days from the above date. It assumes a fairly standard firing range layout with existing electrical supply and pneumatic plumbing at the target line. Adjustments to the quotation may be required if unusual aspects of the range area call for non-standard equipment installation. Any items not specifically mentioned in the quotation will be provided at extra charge.

David Sweet
Director of Sales



Action Target Inc. Box 636, Provo, UT 84603-0636 801-377-8033 FAX: 801-377-8096

Porterville Police Department

Quotation: 73431 By: Layne Ashby Printed: 2013-Aug-27

Included Items:

1 Complete 180 Degree Target Range with Computer Control Systems 29,900.00

10 180 degree turning targets with valves for independent target control. This is the perfect system for good/bad decision making drills. SmartRange computer target control and wireless remote control system. Prices include all parts, equipment, computer, software and interfaces, compressor, power supply, wiring, air tubing, misc. hardware, and factory installation.

*OPTION: Complete Deluxe 90 Target Range w/ Computer Control Systems

10 Dlx 90 Targets with valves for independent target control.

SmartRange computer target control and wireless remote control system. Prices include all parts, equipment, computer, software and interfaces, compressor, power supply, wiring, air tubing, misc. hardware, and factory installation. - \$24,200

Shipping 850.00

Total 30,750.00

Payment Terms:

See Comments

Shipping Terms:

F.O.B. Provo

Installation Terms:

Factory Install

Terms and Conditions:

You must reference the Order Number above on your purchase order to secure best price. Price will be honored for 60 days from the quotation date if no other date is specified herein. Action Target reserves the right to adjust installation costs based upon the actual site conditions encountered. Unless explicitly itemized, price does not include taxes, bonds, fees, assessments, licenses, mandatory wage requirements or other regulatory costs which may be applicable to the job site.

Comments:

You are responsible to determine whether you are obligated to pay sales tax in your area. Any taxes shall be added to this proposed price.

Payment terms are:

- 30% with signed contract
- 60% prior to equipment being shipped
- 10% upon job completion

Other Contractors shall be responsible for; earthwork, general construction, concrete, engineering, all structural components, conduits, utilities, permits, trash removal, and off-loading materials at the job site prior to the arrival of the ATI installation crew.

The above terms and conditions are satisfactory and hereby accepted. In addition buyer acknowledges he/she has read and understands the items customer is required to provide including a lead free work site. Information contained in this quote is confidential and not for distribution.

Layne Ashby
Territory Manager

Diana Rotolo
Sales Associate

COUNCIL AGENDA: SEPTEMBER 17, 2013

SUBJECT: CONSIDERATION OF STREET CLOSURE FOR PORTERVILLE
"STEP UP" NEIGHBORHOOD OUTREACH EVENT

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: A "Step Up" neighborhood outreach event is being planned and scheduled for September 19, 2013, from 5:30 – 8:00 p.m. The event will take place on Doree Street in the area of Forester and Mohoff Courts. In support of this event, it is recommended that the City Council approve the temporary closure of Doree Street between Forester and Mohoff Courts.

RECOMMENDATION: That the City Council authorize the temporary closure of Doree Street between Forester and Mohoff Courts on September 19, 2013, in support of the planned neighborhood "Step Up" outreach event.

ATTACHMENT: Locator Map

M Director ALA Appropriated/Funded

J City Manager

ITEM NO.: 5

COUNCIL AGENDA: September 17, 2013

SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – FILIPINO-AMERICAN ASSOCIATION OF CALIFORNIA - FILIPINO-AMERICAN WEEK, SEPTEMBER 28 - 29, 2013

SOURCE: Finance Department

COMMENT: The Filipino-American Association of California is requesting approval to hold their annual Filipino-American Weekend at Veteran's Park, on Saturday and Sunday, September 28 and 29, 2013, from 8:00 a.m. to 9:00 p.m. The event is being held as a weekend of cultural celebration of the Filipino-American heritage with displays of folk dances, songs and cuisine, along with a car show.

A motorcade with no street closures is requested for a procession using one lane around the park on Saturday, September 28, 2013. In order not to impede or interfere with the normal flow of traffic, participants will abide by all traffic laws and rules of the road.

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

RECOMMENDATION: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Filipino-American Association of California, subject to the stated requirements contained in Exhibit A.

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

DD MB Appropriated/Funded MB C.M. J

Item No. 6

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? YES E-mail address? NONE Website? NONE

Application date: 8/23/12 Event date: 9/28 & 9/29 2013

Name of Event: Filipino Weekend Fiesta Event time: 8:00 am - 9:00 pm Sat.
8:00 am - 2:00 pm Sunday

Sponsoring organization: Fil-Amer Assn. of CA Phone # (559) 782-3639

BL# 9108 Address: 968 W CED AVE. Porterville CA 93257

Authorized representative: Marilon A. Agapay Phone # (559) 359-1142

Address: 968 W CED AVE, Pville CA 93257

Event chairperson: Marilon A. Agapay Phone # (559) 359-1142

Location of event Veterans' Park (Porterville) Henderson Ave cor
NEWCOMB STREETS
(Location map must be attached)

Type of event: Filipino Cultural Celebration, Car Show,
Motorcade around Veterans' Park, Food Vending.

Non-profit organization status: YES BL# 9108

(IRS Determination)

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

Barricades (quantity): N/A Street sweeping Yes No X

Police protection Yes No X Refuse pickup Yes No X

Other:

Parks facility application required: Yes ✓ No Attached

Assembly permit required: Yes ✓ No Attached

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

Appr. Deny

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

CITY OF PORTERVILLE

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

What constitutes a Community Civic Event?

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

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

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

 Authorized Representative Initials

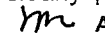
Alcohol liability insurance: Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include **full liquor liability** in an amount not less than one million dollars (\$1,000,000) per occurrence. The City of Porterville 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.**

 Authorized Representative Initials

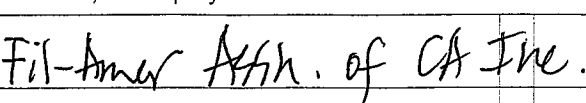
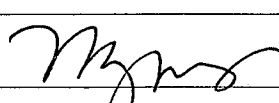
Health permit: Organization/Applicant **will obtain or ensure** that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health 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.

 Fil-Amex Assn. of CA Inc.	 (Signature)	8/23/13 (Date)
(Name of Organization)		

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: 701- Amer. Assoc. of

Location: Porterville, Veterans' Park Event date: Sept. 28-29 Event time: (Sat) 8:00-8:00 pm
(SUNDAY)

[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: _____

Sponsoring organization: _____

Event date: _____ Hours: _____

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>
<u>Parking lots and spaces</u>	<u>Location</u>		<u>Activity</u>

REQUIREMENTS FOR COMMUNITY CIVIC EVENT
FILIPINO-AMERICAN ASSOCIATION OF CALIFORNIA
FILIPINO-AMERICAN WEEKEND
SEPTEMBER 28 - 29, 2013

Finance Director:
M. Bemis

Public Works Director:
B. Rodriguez

Community Development Director:
B. Dunlap

Field Services Manager:
B. Styles No comment.

Fire Chief:
G. Irish Approved without comment.

Parks and Leisure Services Director:
D. Moore Park closes at 10 p.m. Applicant assumes responsibility of all equipment left in the Park overnight.

Police Captain:
D. Haynes See attached conditions/requirements on Exhibit B.

Administrative Services Director:
P. Hildreth See Exhibit A, Page 2

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Filipino-American Association of California
Event: Filipino-American Weekend
Event Chairman: Marilou A. Agpaoa
Location: Veterans' Park
Date of Event: September 28 - 29, 2013

RISK MANAGEMENT: Conditions of Approval

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

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

APPLICATION FOR COMMUNITY CIVIC EVENT

Proposed Event:

Filipino-American Week - Veteran's Park - September 28 & 29, 2013

Staff Comments: Conditions/Requirements by Police Department

- No street closures have been mentioned, but all street closures require City Council approval.
- Participants in any procession on city roadways must comply with all traffic laws and rules of the road. Additionally, they shall not impede traffic or generally interfere with the normal flow of vehicle or pedestrian traffic.
- There shall be no sales, possession or consumption of alcoholic beverages in the park during the event.
- Amplified music or sound shall not continue beyond 8:00 p.m., which is later than the time requested and approved on an outside amplifier permit.
- Event organizers shall contact Porterville Police Sergeant Rick Carrillo at 559-782-7418 or 559-782-7400 well in advance of the event in order to determine additional policing concerns/requirements.

Dan Haynes / Captain
Porterville Police Department

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



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

- 1 Name and home address of the applicant: Marilon A. Agpava, 968 W CLEO AVE
Porterville, CA 93257.
- 2 Address where amplification equipment is to be used: Porterville Veteran's Park
- 3 Names and addresses of all persons who will use or operate the amplification equipment: Ely C. Agpava
968 W CLEO AVE, Porterville CA 93257
- 4 Type of event for which amplification equipment will be used: Filipino Cultural Celebrations
- 5 Dates and hours of operation of amplification equipment: Sept. 28, 2013 Saturday 8:00am-6:00pm
Sept. 29, 2013 Sunday 8:00am-2:00pm
- 6 A general description of the sound amplifying equipment to be used: SOUND SYSTEM, 2 SPEAKERS,
1 RECEIVER, KARAOKE SINGING MACHINES

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.

Signature of Applicant

8/23/13
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.

City of Porterville, Chief of Police/Designee

8973
Date

Filipino
Weekend
Celebration

West
Newcomb

Fil-Amex Assn.
of CA Inc.
Motorcade
starts
here

Prospect

Motorcade

Play Ground

car shop

Pavilion 1

Audience
Food Vendors

East

Prospect

Henderson Ave

N



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/19/2013

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

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

PRODUCER Walter Mortensen Insurance P.O. Box 1960 Porterville, CA 93258 559-781-5200 Daren Griswold	CONTACT NAME:	
	PHONE (A/C, No. Ext):	FAX (A/C, No.):
INSURED Fil - Amer Association Of California, 20441 Ave 164 Porterville, CA 93257	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Fireman's Fund Insurance Company	NAIC # 21873
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

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

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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	<input checked="" type="checkbox"/>	XXC80479906 Certificate #:NAEP054868 Host Liquor Liability	9/28/2013	9/30/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 \$ Included
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y/N N/A				WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Additional Insured: City Of Porterville - Vetran's Park

CERTIFICATE HOLDER**CANCELLATION**

City Of Porterville - Vetran's Park 1501 W Henderson Porterville, CA 93257	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Robert V. Nuccio

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Policy Number: NAE054868

**Additional Insured - Person, Organization or other Entity - Sole
Negligence - 600002STEP 09 12**

Policy Amendment(s) Commercial General Liability

This endorsement modifies insurance provided under the following:

Commercial General Liability Coverage Part

Schedule

Name of Additional Insured Person(s) or Organization(s) or other Entity(ies)

City Of Porterville - Vetran's Park

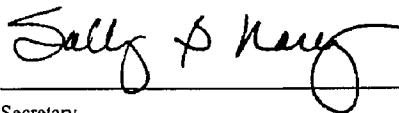
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II - Who Is An Insured is amended to include as an insured the person, organization or other entity shown in the Schedule above but only to the extent that **bodily injury, property damage or personal and advertising injury** is caused by the sole negligence of the Memorandum of Insurance holder.

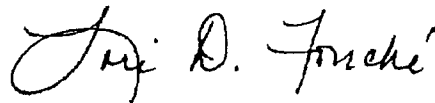
Any Additional Insured Person(s) or Organization(s) or other Entity(ies) covered under this policy is subject to the policy forms, terms, conditions, exclusions, limitations and provisions.

This Endorsement is otherwise subject to all the terms, conditions, exclusions, limitations, and provisions of the policy to which it is attached.

This Form must be attached to Change Endorsement when issued after the policy is written.
One of the Fireman's Fund Insurance Companies as named in the policy



Secretary



President

CITY COUNCIL AGENDA – SEPTEMBER 17, 2013

SUBJECT: APPROVAL OF PROPOSED PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH – OCTOBER 2013

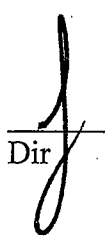
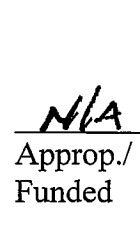
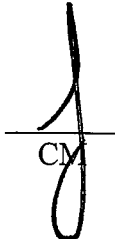
SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: At its meeting of July 16, 2013, the Council amended the process by which proclamations are approved. The new process requires a majority of the Council to approve the request prior to a City proclamation being made.

The Family Crisis Center has requested that the Council consider approval of a proclamation in support of Domestic Violence Awareness Month during the month of October. If approved, the proclamation will be presented at the City Council meeting on October 1st.

RECOMMENDATION: That the City Council consider the approval of the proposed Proclamation declaring October 2013 as Domestic Violence Awareness Month.

ATTACHMENT: Proposed Proclamation

 Dir	 Approp./ Funded	 CM
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Item No. 7

DRAFT PROCLAMATION

- WHEREAS: Domestic violence is a serious crime that affects people of all races, ages, genders and income levels. It is widespread and affects over four million Americans each year; and
- WHEREAS: Almost one third of American women murdered each year are killed by their current or former partners; and
- WHEREAS: Children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and
- WHEREAS: Domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, foster care, sick leave, absenteeism and non-productivity; and
- WHEREAS: Only a coordinated community effort will put a stop to this crime; and
- WHEREAS: Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims.

NOW, THEREFORE, I, VIRGINIA R. GURROLA, Mayor of the City of Porterville, on behalf of the Porterville City Council, do hereby proclaim October 2013, as,

"DOMESTIC VIOLENCE AWARENESS MONTH"

in the City of Porterville and encourage all residents to support local efforts to assist victims of these crimes in finding the help and healing they need.

PROCLAIMED this 1st day of October, 2013.

Virginia R. Gurrola,
Mayor

Pete V. McCracken,
Vice-Mayor

Cameron Hamilton,
Council Member

Brian E. Ward,
Council Member

Greg Shelton,
Council Member

SUBJECT: REVIEW OF LOCAL EMERGENCY STATUS

SOURCE: Administration

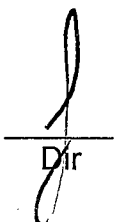
COMMENT: In accordance with the City Council's Resolution of Local Emergency adopted on December 21, 2010, and pursuant to Article 14, Section 8630 of the California Emergency Services Act, the Council must review the status of its local emergency at every regularly scheduled meeting and make a determination whether to continue or terminate the local emergency declaration.

Since its last review on September 3, 2013, City staff has continued its coordination with both State and Federal representatives in having made claims for reimbursement for public areas reported as suffering flood damage. An estimated total of \$361,750 in damage repair projects were defined and accepted by both State (CEMA) and Federal (FEMA) emergency agencies, which after final FEMA administrative review, a total of approximately \$270,000 was approved. Although all repair projects were originally to be completed by no later than July 2012, the City received a one (1)-year extension to July 2013.

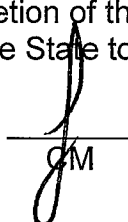
At its meeting on October 16, 2012, the Council awarded a contract in the amount of \$95,391.71 to Greg Bartlett Construction (Porterville), beginning CEMA repairs to Plano Street (south of Thurman Avenue), El Granito Street (near Zalud Park), E. Grand Avenue (at Henrahan Street), and W. Grand Avenue (at Hawaii Street). At its meeting on December 18, 2012, the Council accepted the completion of these identified CEMA repairs, including \$90,295.53 in final construction costs.

At its meeting on March 5, 2013, the Council awarded a contract in the amount of \$29,997.25, also to Greg Bartlett Construction (Porterville), for CEMA repairs of West Street and related storm drain improvements between Scranton and Tea Pot Dome Avenues. At its meeting on May 7, 2013, the Council accepted the completion of these identified CEMA repairs, including \$19,392.25 in final construction costs.

At its meeting on April 2, 2013, the Council awarded a contract in the amount of \$138,350 to Intermountain Slurry Seal, Inc. (Reno, Nevada), for the CEMA repair of Henderson Avenue between Patsy and Balmoral Streets. At its meeting on August 6, 2013, the Council accepted the completion of the identified CEMA repairs, which staff continues to work with the State to finalize repair reimbursements.


Dir


App/Fund


CM

Item No. 8

RECOMMENDATION:

That the Council:

1. Receive the status report and review of the designated local emergency; and
2. Pursuant to the requirements of Article 14, Section 8630 of the California Emergency Services Act, determine that a need exists to continue said local emergency designation.

ATTACHMENT: None

COUNCIL AGENDA: September 17, 2013

SUBJECT: COUNCIL MEMBER REQUESTED AGENDA ITEM – Request for the City Council to Consider Adopting a Resolution of Recognition for the Donation of a Siren to be Installed at Fire Station #1

SOURCE: City Manager

COMMENT: Vice Mayor McCracken has requested that the City Council consider adopting a Resolution of Recognition of the efforts of the Exchange Club of Porterville and American Legion Post #20 in donating the funds for the purchase and installation of a siren at Fire Station #1, to be used as a signal for the Moment of Silence at the Eleventh Hour of the Eleventh Day of the Eleventh Month during the Annual Veteran's Day Parade.

RECOMMENDATION: Vice Mayor McCracken moves to set a Scheduled Matter on the Agenda of the regularly scheduled City Council meeting of October 1, 2013, to consider the adoption of a Resolution of Recognition authorizing the preparation and installation of a plaque commemorating the efforts and donation of the Exchange Club of Porterville and the American Legion Post #20 of a siren at Fire Station #1, funded from the Council's Special Purposes Fund.

ATTACHMENT: Draft Resolution

C/M



Item No. 9

Resolution Number: _____
Of the Porterville City Council

WHEREAS, The City of Porterville held a parade on November 11, 1918 in celebration of Armistice Day ending World War I, and

WHEREAS, The City of Porterville annually remembers this historic occasion annually with a parade and a moment of silence at the eleventh hour of the eleventh day of the eleventh month as tribute to those who made the ultimate sacrifice, and

WHEREAS, until 1996 the moment of silence was announced by sounding the warning siren at Fire Station Number One, and

WHEREAS, the solemnity of the annual remembrance of the War to End All Wars has suffered since 1996 when the siren became inoperative, and

WHEREAS, the Exchange Club of the City of Porterville recognized the need for the siren as an integral component of the remembrance, and

WHEREAS, the Exchange Club of the City of Porterville, with the assistance of American Legion Post 20, has raised the funds necessary to purchase and install a replacement siren, and

WHEREAS, The Exchange Club of the City of Porterville together with the American Legion Post 20 has offered a donation of Three Thousand and no/100 dollars (\$3,000.00) to the City of Porterville for the purchase and installation of a siren at Fire Station Number One to be used to announce the moment of silence and for other City emergencies as necessary, and

WHEREAS, The City of Porterville has accepted the unsolicited donation and agrees to purchase and install the siren at Fire Station #1, and

WHEREAS, The City Council desires to recognize the efforts of the Exchange Club of Porterville and American Legion Post 20 in perpetuity.

NOW THEREFORE BE IT RESOLVED,

That the City of Porterville thank the Exchange Club of Porterville and American Legion Post 20 for the unsolicited donation, and be it further resolved

That the donation be memorialized by means of a brass plaque, commissioned at the expense of the City of Porterville, containing:

- The names of both the Exchange Club of Porterville and the American Legion Post 20, and
- The name of the President of the Exchange Club of Porterville and the name of the Commander of American Legion Post 20, and

- The date of installation, and
- The inscription "In remembrance of those who made the ultimate sacrifice", and
- The names of Pete Lara, President of the Exchange Club of the City of Porterville and David Nena, Commander, American Legion Post 20

And that said plaque shall be installed on Fire Station Number One where the public is able to view it.

PASSED, APPROVED, AND ADOPTED THIS 15TH DAY OF October, 2013

Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

By: _____

Patrice Hildreth, Chief Deputy City Clerk

CITY COUNCIL AGENDA – SEPTEMBER 17, 2013

SUBJECT: CONSIDERATION OF APPOINTMENT TO THE ARTS COMMISSION

SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION



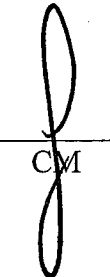
COMMENT: The Arts Commission has one remaining vacancy, the student/youth seat with a one-year term which was recently vacated by Miss Sandra Romero. As of the time of agenda compilation, three individuals have submitted requests for appointment.

- Brenda Carrasco, a senior at Monache High School
- Darion Vigueria, a junior at Monache High School
- Rhiannon Wright, a junior at Monache High School

A copy of their Requests for Appointment are attached hereto for Council's consideration.

RECOMMENDATION: That the City Council appoint one (1) student to the Arts Commission to fill the student/youth seat, with a one-year term, vacated by Miss Sandra Romero.

ATTACHMENTS: Requests for Appointment

		
Dir	Approp./ Funded	CM

Item No. 10

Porterville Arts Commission - Student Rep

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Brenda Carrasco
(Please Print)

Appointment to: Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 1922 W. Cheryl Ave.

Mailing Address: 1922 W. Cheryl Ave.

Name of Business: _____

☐ Own ☐ Operate

Business Address: _____

Telephone: Home (559) 789-0180

Work _____

FAX _____

E-mail brendacarrasco95@yahoo.com

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☐ Yes

☐ No

Qualifications: I am interested in the position for the
Student representative to sit on the board of the
Arts commission. I am currently attending
Monache High school as a senior. I am a very
passionate artist who is skilled in drawing, painting,
etc.. Attending meetings shouldn't be a problem
for me for I also have a lot of spare time
on my hands. I am also a very responsible
and dedicated student who would be honored
to be a part this position.

☐ Resume attached

☒ Letter of request attached

Submitted By: Brenda D. Amador

8-27-13

Date

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____



MONACHE HIGH SCHOOL

960 N. Newcomb • Porterville, California 93257 • Telephone(559) 782-7150 Fax (559) 781-3377

Richard Smithy, Principal • Tammy Keith, Assistant Principal

Jose Valdez, Assistant Principal • Dana Newkirk, Dean of Counseling

To Whom It May Concern,

I would like to take an opportunity to offer a formal recommendation for Brenda Carrasco. I am an art teacher at Monache High School in Porterville, which is the same school Brenda attends. I am and have been her primary art teacher and mentor at Monache High School. I am very aware of her work ethics and her workability with other students. Her work ethics are incredible and people enjoy working with her because she is honest and has positive attitude towards her peers. She has been extremely successful with her artwork and her skills are growing exponentially. Her enthusiasm, energy, and passion for art is greatly shown in her artwork. Brenda has been a very welcomed addition to my class and our MTA (Multimedia and Technology Academy) program at Monache High School.

Brenda is an excellent student, but what I am most proud of is, Brenda is a wonderful and exuberant young person. She is a young person with great integrity and high expectations. I know she will be a great addition to your Arts Commission. Brenda is reliable, dedicated and eternally upbeat. I truly believe she will become a great mentor and a positive voice for many younger artists in the Porterville community.

Brenda Carrasco has my highest recommendation, and I am happy to furnish more details if you would like additional information.

Sincerely,

Ricardo Zavaleta

Art Teacher

Monache High School

(559) 782-7150

rzavaleta@portervilleschools.org

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Darion Viguerica
(Please Print)

Appointment to: The board of the Arts Commission
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 1975 10 Vicki

Mailing Address: P.O. box 1737

Name of Business: NA

☐ Own ☐ Operate

Business Address: NA

Telephone: Home (559) 756-4081

Work (559) 756-9710

FAX _____

E-mail dviguerica@gmail.com

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☐ Yes

☒ No

Qualifications: I have been studying in fine arts for five years. When given a deadline I finish by that date, if not sooner. I work well with others and when someone asks for specific duties in art, treatment towards others, or business like characteristics I rise to meet and or exceed their expectations.

☐ Resume attached

☐ Letter of request attached

Submitted By: Darion Viguerie August 27, 2013
Date

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

CITY OF PORTERVILLE REQUEST FOR APPOINTMENT

Please complete all blanks.

Name: Rhiannon Wright
(Please Print)

Appointment to: _____
(Name of Board, Commission, or Committee)

☐ Reappointment; or IF NEW, please provide :

Street Address: 2165 Kings Cross Way

Mailing Address: _____

Name of Business: _____

☐ Own

☐ Operate

Business Address: _____

Telephone: Home 361 4483

Work _____

FAX _____

E-mail rhi_1997@yahoo.com

City of Porterville resident:

☒ Yes

☐ No

Registered Voter:

☐ Yes

☒ No

Qualifications: I believe I am qualified for this position for a few reasons. I am a very responsible and hard-working person. If I say I am going to do something I do it, I don't back down from my word which I think makes me trustworthy. I also have a very strong passion for art. I've loved drawing, painting, etc. since I was very young. Art is something I will do for the rest of my life. In the future I will be aiming for a profession that has something to do with art. I would be honored to have this position and I am very grateful to have been nominated for this position as well.

☐ Resume attached

☐ Letter of request attached

Submitted By: Rhannon Wright _____ Date _____

Received by: _____

Forwarded to: City Clerk ☐ Date: _____

City Council ☐ Date: _____

City Manager ☐ Date: _____

Applicable Dept. ☐ Date: _____

Tentative Council Mtg Date: _____

COUNCIL AGENDA: September 17, 2013

SUBJECT: PROVISION OF SENIOR CITIZEN PROGRAMS AND SERVICES

SOURCE: Administration

COMMENT: At its meeting on September 3, 2013, the City Council considered the provision of senior citizen programs and services in the community. Having identified the consolidation and administration of such programs and services at the Santa Fe Depot as a priority, the City Council directed that representatives for the Kings/Tulare Agency on Aging (K/T AAA) and the Greater Porterville Senior Citizens' Council (Senior Council) meet to formulate a collaborative agreement for the use of the Santa Fe Depot facility, with a follow-up report to be provided to the City Council at this meeting.

As directed by the City Council, representatives for K/T AAA and the Senior Council met on Wednesday, September 11th. According to the representatives, the meeting was not tremendously productive, with the parties agreeing somewhat in concept to K/T AAA's use of the Santa Fe Depot during the week (Monday – Friday, 8:00 A.M. – 5:00 P.M.), with the Senior Council wanting to limit the facility's use by K/T AAA after 5:00 P.M. and during the weekends. Senior Council also proposed receiving \$650/month in rent from K/T AAA for the use of the facility, in addition to K/T AAA paying an undetermined share of the facility's utilities. Senior Council provided support for its proposal given that K/T AAA is currently paying \$1,000/month in rent to Comision Honorifica Mexicana Americana (CHMA) for the use of the Community Center, though not currently paying any additional utility costs.

According to K/T AAA representatives, the K/T AAA Board of Directors would prefer that their programs be delivered at the Santa Fe Depot in a consolidated service model for the benefit of the community's senior citizens, though recognizing that the City Council must be in agreement. If such an arrangement is not agreed to, then the continued provision of its programs and services at the CHMA Community Center is acceptable. CHMA is apparently agreeable to continue to extend its "month-to-month" lease agreement with K/T AAA beyond this month (September) while it discusses relocating to the Santa Fe Depot, and is also open to negotiating a longer-term lease, though with an increased lease amount.

C/M 

Item No. 11

City Council also discussed, as an alternative to a collaborative agreement between K/T AAA and Senior Council in the use of the Santa Fe Depot facility, the City becoming the lead agency in the administration and scheduling of programs and services at the facility. Such a delivery model would require that the City issue a ninety (90) day Notice of Termination of its sub-lease agreement with the Senior Council.

RECOMMENDATION: That the City Council consider and provide direction on the provision of programs and services for the benefit of the community's senior citizens.

ATTACHMENT: September 3rd City Council Staff Report

SUBJECT: PROVISION OF SENIOR CITIZEN PROGRAMS AND SERVICES

SOURCE: Administration

COMMENT: At its meeting on June 18, 2013, the City Council was scheduled to consider a License Agreement between the Greater Porterville Senior Citizens' Council (Senior Council), Community Services Employment Training (CSET), and the City of Porterville for the joint use of the Santa Fe Depot facility. CSET was recently contracted by the Kings/Tulare Agency on Aging (K/T AAA) to serve as the provider of local community-based programs and services for senior citizens, including: counseling, in-home and dining centers, educational and employment opportunities, health promotions, legal assistance, and money management. Through a sub-lease agreement with Comision Honorifica Mexicana Americana (CHMA) since 2007, K/T AAA has locally administered its programs and services at the CHMA Community Center. Prior to 2007, K/T AAA programs and services were administered under the Senior Council at the Santa Fe Depot. Due to concerns expressed by patrons of the programs and services provided by K/T AAA in transitioning from the CHMA Community Center to the Santa Fe Depot, K/T AAA requested that the City Council not consider the proposed License Agreement, and allow additional time for K/T AAA (and CSET) to address their patron's concerns.

Since 1984, the City has held a Lease Agreement with the Housing Authority of the County of Tulare for the City's use of the Santa Fe Depot, to provide general community-based activities. Concurrently, the City has held a Sub-Lease Agreement of the facility with the Senior Council, for the purpose of conducting activities for senior citizens. In 2009, the City entered into a new twenty (20)-year Lease Agreement, with a City-option for an additional ten (10)-year term. In 2010, the City entered into an extension of its Agreement with Senior Council for the remainder of the calendar year, with no current successor Agreement. Pursuant to the effective Sub-Lease Agreement, either party may terminate the lease with ninety (90) days written notice to the other party.

In 2010, the City entered into a Memorandum of Understanding (MOU) with K/T AAA to facilitate the locally-administered programs and services for senior citizens, especially the in-home and dining center. Having expired July 2013, the draft License Agreement with CSET and Senior Council was intended to serve as a major component of the successor MOU.

C/M 

Item No. 17

City representatives have attended recent outreach meetings hosted by K/T AAA and CSET for senior citizens at both the CHMA Community Center and Santa Fe Depot. The purpose of the outreach meetings was to receive input and feedback from senior citizens on their desires and interests for programs and services. Generally, the program and service desires and interests expressed by the meeting attendees involved increasing the available space and hours of operation.

Beginning in 2012, K/T AAA approached the City regarding potentially moving their programs and services from the CHMA Community Center due to available space and hour limitations, and the prospect of locating at the Santa Fe Depot was discussed given the available space and hours of the facility. With a broader objective and interest of consolidating senior citizen programs and services in a single facility, and after several meetings of the parties, the CSET/Senior Council License Agreement was originally drafted. With CSET as the contracted operator, additional programs and services are available to senior citizens than those customarily offered by K/T AAA, including: energy efficiency and weatherization residential upgrades, income tax preparation, and utility assistance.

Members of the City Council have expressed their interests in having the City take a more active role in support of the community's senior citizens, as well as enhancing the programs and services offered. The concept of establishing a "Senior Commission" to advise the City Council on senior citizen affairs and concerns has also been discussed, similar in purpose and scope to the City's other established Commissions. CSET has also expressed its interest to partner with the City and have an active role in coordinating programs and services for senior citizens.

Absent a long-term Sub-Lease Agreement with the City for the use of the Santa Fe Depot, and given K/T AAA and CSET's interest to transition their programs and services to the Santa Fe Depot, the Senior Council has discussed their primary interest that the current member organizations currently utilizing the Depot for meeting (i.e. Rollin' Relics Car Club) maintain the ability to regularly meet, which should be accommodated given an interest to facilitate an active and vibrant center for senior citizens.

RECOMMENDATION: That the City Council consider and provide direction on the provision of programs and services for the benefit of the community's senior citizens, in addition to the City's role in providing and/or supporting such, as well as providing direction on where such programs and services would be accessed.

- ATTACHMENTS:
1. Lease Agreement between City of Porterville and Housing Authority of the County of Tulare
 2. Sub-Lease Agreement between City of Porterville and Greater Porterville Senior Citizens' Council
 3. Memorandum of Understanding between City of Porterville and Kings/Tulare Area Agency on Aging
 4. Draft License Agreement between City of Porterville, CSET, and Greater Porterville Senior Citizens' Council

LEASE AGREEMENT

This LEASE is made between HOUSING AUTHORITY OF THE COUNTY OF TULARE ("AUTHORITY") and the CITY OF PORTERVILLE ("CITY") as follows.

I. DESCRIPTION

AUTHORITY leases to CITY and CITY leases from AUTHORITY those certain premises located at 270 N. 4th Street, Porterville, California, more particularly described in Exhibit "A", attached hereto and incorporated by this reference.

II. TERM

The term of this lease shall begin on September 1, 2009, and shall continue for a period of twenty (20) years, to and including August 30, 2029; provided that CITY shall have the option to renew for an additional ten (10) years, by giving AUTHORITY written notice of such election at least six (6) months prior to the expiration of the term.

III. RENT

CITY shall pay as rent for the term of this lease the annual sum of Two Thousand Dollars (\$2,000.00) payable in advance annually; provided that each year after year one (1) said rent shall be increased by three percent (3%).

IV. TAXES, ASSESSMENTS, UTILITIES, & INSURANCE

CITY shall pay promptly when due and hold AUTHORITY harmless from any and all real or personal property taxes, assessments of any kind, all charges for utilities and services furnished to the premises, including but not limited to gas, water, electricity, telephone, refuse collection, sewer, and all associated charges.

AUTHORITY shall, at its' expense, insure the improvements on the premises against the perils of fire and extended coverage, with loss payable to AUTHORITY, with coverage in the full amount of the replacement value of all improvements on the premises. CITY shall maintain public liability insurance, or any approved self-insurance program, with ten million dollar limits, with AUTHORITY as a named insured, covering any and all liability arising out of the ownership, use, and maintenance of the premises.

V.

USE

The premises are leased solely and exclusively for general community-based functions and activities, and may not be used for any other purpose or purposes whatsoever, without the prior written consent of AUTHORITY; provided that no such uses shall be of a political nature.

VI.

LIABILITY OF AUTHORITY

AUTHORITY shall not be liable for any damage, loss, or injury to persons or property suffered in, on, or about the premises, and CITY agrees to indemnify, defend, and hold AUTHORITY harmless against any claim, demand, suit, or judgment so arising.

VII.

MAINTENANCE

Except as agreed by AUTHORITY, CITY agrees to maintain and keep in good and clean order and repair and replace the same, as necessary, the premises, and to keep the landscaping, parking areas, and building exteriors clean and properly cared for and maintained at all times, to the reasonable satisfaction of AUTHORITY.

AUTHORITY shall be responsible for major building and property repairs, including repair and replacement of building equipment and fixtures, and repairs to the roof, plumbing, heating, ventilation, electrical and air conditioning systems.

Prior to the effective date of this Lease, CITY shall prepare and provide to AUTHORITY a detailed list of repairs and corrections to the building and property and AUTHORITY shall make all such repairs and corrections at its sole expense. A copy of said list shall be attached as Exhibit "B" and incorporated by this reference.

VIII.
SUBLETTING AND ASSIGNMENT

CITY may not assign its interest in this lease but may sub-lease all or any part of the premises provided it first notifies AUTHORITY in writing.

IX.
ALTERATIONS

No alterations, modifications, or additions to the premises may be made without the prior written approval of AUTHORITY.

X.
ACTIVITIES

CITY acknowledges that adjacent property is a Senior Citizen's Housing Complex, and agrees that it will not permit or commit any act or activity on the premises which may disturb the quiet enjoyment of the residents of such adjacent housing.

XI.
EASTERLY ACCESS TO CITY ADJOINING PROPERTY

AUTHORITY shall not unreasonably withhold future approval of CITY requests to create openings along the easterly line of the property to allow access to CITY owned adjoining property at such time as CITY elects to construct CITY owned and operated facilities on such adjoining property. The precise location of such access points shall be mutually agreed upon by the parties.

XII.
TERMINATION WITHOUT CAUSE

Either party shall have the right to terminate this Lease at any time, without cause, by giving the other party written notice of such election at least twelve (12) months prior to the effective date of such termination. Rents paid by CITY or due from CITY shall be prorated as is necessary and applicable.

XIII.
TERMINATION FOR CAUSE

Either party may terminate this Lease for cause upon giving thirty (30) days written notice of the grounds for such termination, and if the notified party fails to remedy the breach prior to the effective date of said termination. However, if the nature of the default is such that it cannot be reasonably cured within a 30-day period, the notified party shall not be deemed to be in default if it commences that cure within the 30-day period and thereafter diligently prosecutes it to completion.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the 31st of July, 2009.

HOUSING AUTHORITY OF THE
COUNTY OF TULARE

By: Ken Kugler

ATTEST:

Cynthia Fuentes
By:

CITY OF PORTERVILLE

Cameron Hamilton
Cameron Hamilton, Mayor

ATTEST:

John D. Lollis, City Clerk

J. D. Lollis

\\LINDA\SLK\HA\Lease Agrmt. HA and COP\fil.doc

EXHIBIT "A"

DESCRIPTION:

A parcel of land in the City of Porterville, County of Tulare, State of California, being a portion of Lots 1 through 6, inclusive, and Lots 8 through 18, inclusive, of Henrahan Place, as said lots are shown on map recorded in Volume 9 of maps, Page 13, Records of said County, and a portion of those certain vacated streets and alleys described in resolution of the Board of Trustees of the City of Porterville, recorded in Volume 8 of Miscellaneous Records, Page 210, Records of said County, described as follows:

Beginning at the intersection of the northerly line of Putnam Avenue with the easterly line of Fourth Street, as said avenue and street are shown on said map of Henrahan Place; thence northerly along said easterly line 582.90 feet to a point in a line parallel with and distant northerly 582.90 feet at right angles from said northerly line; thence easterly along said parallel line, 115.90 feet to a point in a line parallel with and distant easterly 115.90 feet at right angles from said easterly line; thence southerly along last said parallel line, 582.90 feet to a point in said northerly line; thence westerly along said northerly line, 115.90 feet to the point of beginning.

Excepting there from the south 220 feet thereof, and
Also excepting there from the north 105 feet thereof.

Subject to an easement for ingress and egress over that portion of Lots 2 and 3 of Henrahan Place per map recorded in Book 9 Page 13 of maps, in the office of the County Recorder of said county, and a portion of certain vacated streets described in resolution of the Board of Trustees of the City of Porterville recorded in Book 8 of Miscellaneous Records, Page 210, Tulare County Records, in the City of Porterville, County of Tulare, State of California, more particularly described as follows:

Beginning at the southwest corner of Lot 1 of said Henrahan Place; thence north $00^{\circ} 58' 45''$ east along the westerly line of Lots 1 and 2 of said Henrahan Place, a distance of 220.00 feet to the true point of beginning; thence continuing north $00^{\circ} 58' 45''$ east along the westerly line of said Lots 2 and 3 and the northerly prolongation of the westerly line of said Lot 3, a distance of 129.97 feet to a point on a curve concave to the west, said curve having a radius of 50.00 feet and a chord bearing of north $15^{\circ} 25' 22''$ east; thence northeasterly along said curve through a central angle of $42^{\circ} 29' 36''$ an arc distance of 37.08 feet; thence south $89^{\circ} 27' 21''$ east along a line parallel to the southerly line of Lot 1 of said Henrahan Place a distance of 15.94 feet; thence south $00^{\circ} 51' 94''$ west along a line parallel to the southerly prolongation of the westerly line of Lot 4 of said Henrahan Place a distance of 16.72 feet; thence south $00^{\circ} 58' 45''$ west along a line parallel to the westerly line of said Lots 2 and 3 and the northerly prolongation of the westerly line of said Lot 3, a distance of 148.28 feet; thence north $89^{\circ} 27' 21''$ west along a line parallel to the southerly line of Lot 1 of said Henrahan Place a distance of 25.00 feet to the true point of beginning.

All is delineated in red on the attached sketch of the subject premises.

EXHIBIT "B" to LEASE AGREEMENT

**PROPERTY LOCATION 270 N. 4TH STREET
(SANTA FE DEPOT)**

PROPERTY REPAIRS/CORRECTIONS NEEDED

Rear electrical plug needs plate

Dry rot on roof corbels

Cracking @ interior walls

Floor separating from wall

Strap water heater

Sink in HC restroom needs wrapping

GFI plugs required @ counters

Remove/replace handicap ramp

Stucco cracks

Roof mastic failing, re-roof possibility

Wall mastic separating from building

Roof holds water near AC

Clean roof of debris

Holes in exterior stucco

Install screens on exterior vents

Remove extension cords from basement

Secure ceiling conduits

Major sidewalk cracks on south side

4th St. drive approach & gutter

Damaged conduit/exposed wiring @ roof

Secure storm drain lid @ landscape

Low spot in sidewalk @ water meter

Trim back shrubs from sidewalk

AMENDMENT NO. 1 TO SUB-LEASE AGREEMENT
WITH GREATER PORTERVILLE SENIOR CITIZEN'S COUNCIL

The City of Porterville, a Municipal Corporation ("the City") and the Greater Porterville senior Citizen's Council ("the Senior Council"), having entered into a Sub-lease Agreement dated November 15, 1983, make the following recitals and hereby agree to amend said Agreement.

RECITALS

Whereas, the Senior Council is in need of continued use of the Santa Fe Depot; and

Whereas, the City desires the Senior Council to continue oversight and use of the Santa Fe Depot.

Now, therefore, it is agreed by and between the City and the Senior Council that the Sub-lease Agreement dated November 15, 1983 be amended, to wit:

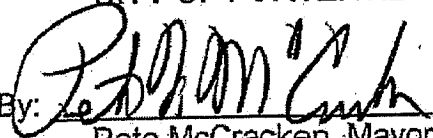
1. The term of the Agreement shall end December 31, 2010 or earlier should a new Sub-lease Agreement be entered into.
2. The Senior Council may utilize the Santa Fe Depot for purposes compliant with the current Housing Authority Lease Agreement with the City.
3. The City is fully responsible for the lease payment to the Housing Authority through the term of this Sub-lease Agreement.
4. The Friends of the Porterville Library ("the Friends"), at their sole option, shall have the ability to continued use of the basement portion of the Santa Fe Depot building through June 30, 2010, subject to the Friends continuance as members in good standing with the Senior Council and payment to the Senior Council of a space usage fee of \$100 per month.
5. The Senior Council and the City will continue diligent efforts to compile a new longer term sublease to be effective at the earliest possible date on or following July 1, 2010.

Dated: 02/02/2010

GREATER PORTERVILLE SENIOR CITIZENS COUNCIL

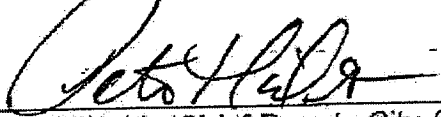
By: Lloyd Winher
Lloyd Winher, President

CITY OF PORTERVILLE

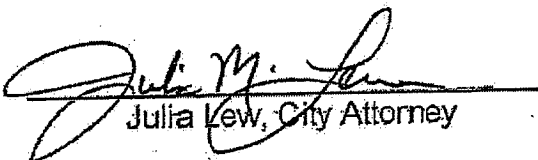
By: 
Pete McCracken, Mayor

ATTEST:

John Lollis, City Clerk

By: 
Patrice Hildreth, Chief Deputy City Clerk

Approved as to Form:


Julia Lew, City Attorney

SANTA FE DEPOT LEASE

This sub-lease, made by the City of Porterville, a municipal corporation of the State of California, hereinafter referred to as LESSEE and the Greater Porterville Senior Citizen's Council, hereinafter referred to as SUB-LESSEE.

R E C I T A L S

I. LESSEE is the LESSEE, from Housing Authority of Tulare County, of the real property located in the County of Tulare, State of California, known as the Santa Fe Depot, located at 270 N. 4th Street, Porterville, California, described in Exhibit A attached.

II. LESSEE wishes to sub-lease said real property to SUB-LESSEE and SUB-LESSEE wishes to lease said property from LESSEE upon the terms, conditions, and covenants hereinafter set forth. In consideration of the promises and conditions contained herein, the parties agree with each other as follows:

1. LESSEE hereby leases to SUB-LESSEE the property located at 270 N. 4th Street, Porterville, California, and known as the Santa Fe Depot for the purpose of conducting activities for senior citizens.

2. The term of the lease shall be for twenty-five (25) years commencing August 30, 1984 and ending August 30, 2009.

3. SUB-LESSEE agrees to pay all electrical, heating and cooling, telephone and any other utility costs during the period of this sub-lease.

4. SUB-LESSEE agrees to assume, in labor, or pay all costs of janitorial services during the period of this sub-lease, to the satisfaction of the City.

5. SUB-LESSEE agrees to assume, in labor, or pay all costs of landscape maintenance during the period of the sub-lease, to the satisfaction of the City.

6. The rent shall be in the sum of \$1.00 per year, with twenty-five dollars (\$25.00) due and payable on December 1, 1983.

7. In the event of failure of SUB-LESSEE to meet their obligations, it shall be lawful for LESSEE to re-enter said premises and remove all persons and property therefrom.

8. SUB-LESSEE will not commit or allow any waste upon premises or any public or private nuisance or other act which may disturb the quiet enjoyment of other persons residing in the intermediate area.

9. SUB-LESSEE further agrees that it shall keep and maintain the lease premises free from trash, rubbish, debris, litter, paper and other refuse.

10. SUB-LESSEE will not assign or sub-let these premises or any part thereof without the written consent of LESSEE.

11. SUB-LESSEE promises that during the term of this lease, it will maintain in full force and effect, an insurance policy which will insure and indemnify LESSEE, and the Housing Authority of Tulare County, against liability or financial loss resulting from injuries occurring to persons or property on or about the demised premises, the insured amount not to be less than \$300,000.00 for bodily injury including accidental death to one or more persons, each accident and \$50,000.00 property damage, each accident. These policy coverage amounts shall be reviewed every five (5) years to be modified to the satisfaction of the LESSEE.

12. SUB-LESSEE will permit LESSEE to enter said premises at reasonable times for the purposes of inspecting same or for other reasons as deemed necessary by the LESSEE.

13. In case of suit, or because of breach of any terms, conditions and covenants contained herein, prevailing party will pay a reasonable attorney's fee, which shall be fixed by the court as part of the cost of such suit.

14. Any improvements performed by SUB-LESSEE shall have written approval of the City Council and Tulare County Housing Authority and shall meet all applicable standards and codes as established by City, County, State and Federal laws and regulations.

15. SUB-LESSEE agrees to abide by all City, County, State and Federal laws in the operation of the facility including coverage of all employees and volunteers with worker's compensation insurance.

16. Either party may terminate this lease with ninety (90) days written notice to the other party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the 15th of November, 1983.

BY Rex Mainord
Rex Mainord, Greater Porterville
Senior Citizen's Council

BY Steven Tree
Steven Tree, Mayor
City of Porterville

ATTEST:

C. G. Huffaker
C. G. Huffaker, City Clerk

EXHIBIT "A"

DESCRIPTION:

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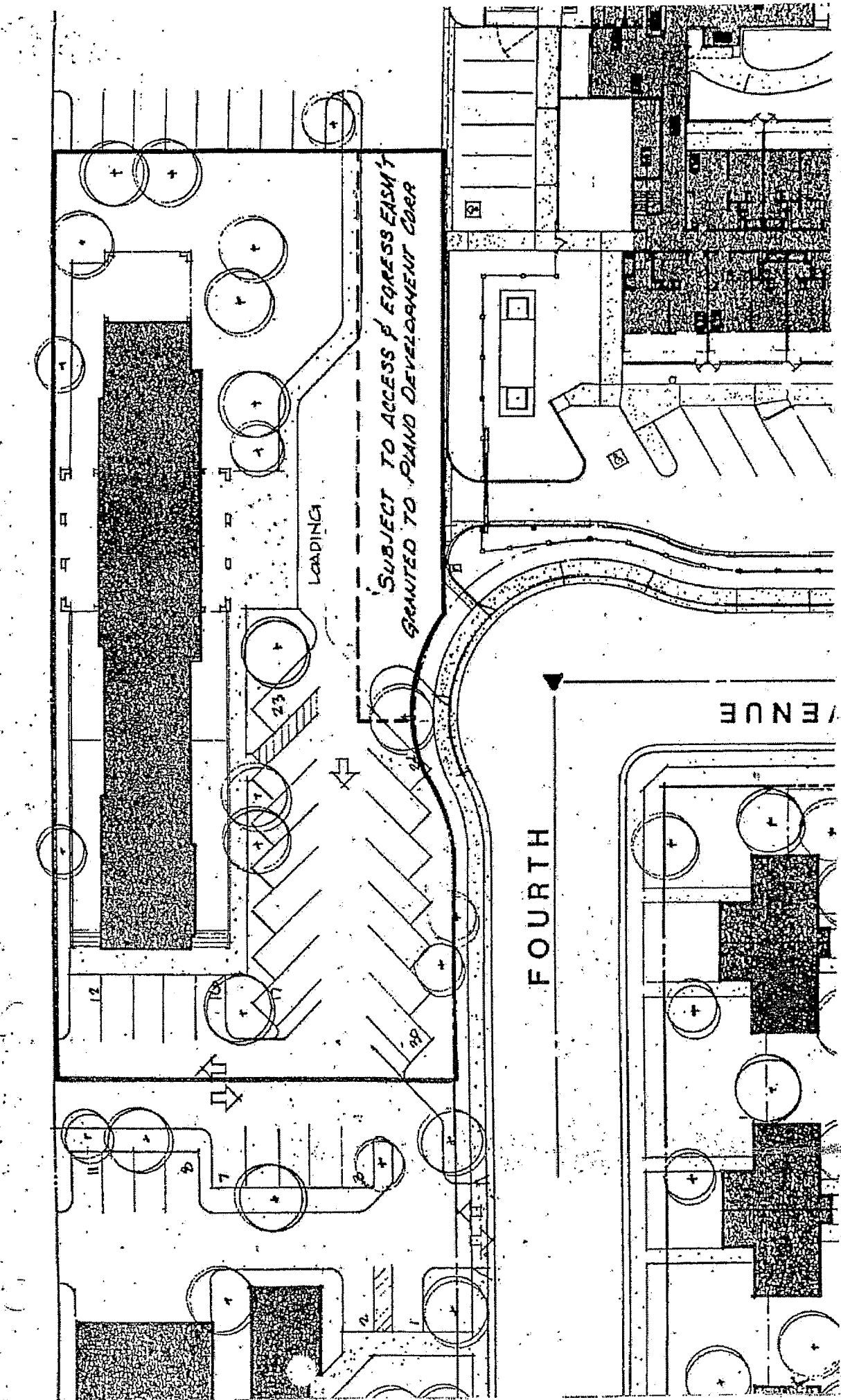
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All is delineated in red on the attached sketch of the subject premises.



MEMORANDUM OF UNDERSTANDING
BETWEEN CITY OF PORTERVILLE AND
KINGS/TULARE AREA AGENCY ON AGING
TO FACILITATE A SENIOR NUTRITION PROGRAM

This Memorandum of Understanding (MOU) is entered into between the City of Porterville (CITY) and the Kings/Tulare Area Agency on Aging (K/T AAA) to facilitate a Senior Nutrition Program (PROGRAM) within CITY boundaries.

A. RESPONSIBILITIES

CITY shall contribute financial support to K/TAAA in advance on a quarterly basis and within the term of this MOU to facilitate a senior citizens PROGRAM. Contributions in the amount of \$3,500 shall be made by the fifteenth day of the first month of each calendar quarter, commencing July 1, 2010.

K/T AAA shall provide, within the boundaries of CITY, a five-day per week PROGRAM to provide senior citizens with congregate meals and other services commensurate with such PROGRAM as K/T AAA operates within other communities. K/T AAA shall utilize the funds contributed by CITY for any legal purpose as determined by K/T AAA; make all necessary arrangements for the PROGRAM; shall indemnify, defend, and hold harmless CITY from any and all claims, actions, and losses arising from the activities of K/T AAA to the fullest extent permitted by law. For any calendar quarter in which the PROGRAM is discontinued, the contribution provided by CITY shall be prorated, with refund made to CITY within thirty days for the term in which the PROGRAM was not provided.

B. TERM

The term of this MOU shall be for a period of twelve calendar quarters commencing July 1, 2010, and ending June 30, 2013. Any party may withdraw from this MOU by giving written notice of intent to withdraw at least one calendar quarter in advance of the effective withdrawal date.

C. MODIFICATION AND ASSIGNMENT

This MOU may be modified at any time by written agreement of the parties. Assignment of responsibilities under this MOU by any of the parties shall be effective only upon prior written consent of the other party, which shall not be unreasonably withheld.

IN WITNESS WHEREOF, the parties have executed this MOU at Porterville, California on this ____ day of ____, 2010.

CITY OF PORTERVILLE

KINGS/TULARE AREA AGENCY ON AGING

By: _____
Pete V. McCracken, Mayor

By: _____
John M. Davis, Director

**PROPERTY LICENSE AGREEMENT
AND
AGREEMENT CONCERNING RIGHTS AND OBLIGATIONS
OF THE PARTIES**

Parties

1. This license agreement is entered into by and between the Porterville Senior Council ("Senior Council"), licensee, Community Services Employment Training ("CSET"), licensee, and the City of Porterville ("City"), licensor.

Description of Property

2. City is the lessee of certain real property situated in the City of Porterville, and more particularly described as the Porterville Santa Fe Depot ("Depot") located at 280 N. 4th Street, Porterville, California.

Grant of License

3. In consideration for and in accordance with the terms and conditions of this agreement, City grants the following Licenses ("the Licenses") to perform the following acts on the Property:
 - a. CSET shall have exclusive use of the upper level main room of the Santa Fe Depot Monday-Friday of each week between the hours of 8:30 a.m. and 2:30 p.m. for food services and programs.
 - b. If available, CSET may use the lower level on occasion by prior arrangement with the Senior Council.
 - c. CSET shall provide regular senior citizen meal programs, in compliance with California Department of Aging food service guidelines, and services commensurate with services provided elsewhere in the Kings/Tulare Area Agency on Aging (KTAAA) service area.
 - d. CSET shall have use of the kitchen area on occasion and for special events such as holidays. Advanced notification should be submitted to the Porterville Senior Council preferably two weeks prior to use.
 - e. CSET shall have use of the storage room in the upper level main room for an office that CSET may secure.
 - f. CSET shall be responsible for the cleanliness of all areas utilized including the restrooms, and for stocking the restroom with paper products during and after use.
 - g. The Porterville Senior Council shall have exclusive use of the entire Santa Fe Depot seven days per week Monday-Friday 8:30 a.m. - 2:30 p.m., with the exception of the upper level main room and the other areas noted in this Agreement.
 - h. The Porterville Senior Council shall schedule all activities in the Santa Fe Depot aside from CSET's daily 8:30 a.m. - 2:30 p.m. usage, and notify CSET of the schedule.

Other Rights and Obligations

4. The following incidental rights and obligations accompany the License and the use of the property:
- a. The City currently leases said property from Tulare County Housing Authority for the annual sum of Two Thousand Dollars (\$2,000.00) payable in advance annually to the Housing Authority of the County of Tulare; provided that each year said rent shall be increased by three percent (3%). The Tulare County Housing Authority is not a party to this Agreement.
 - b. CSET shall pay to the Porterville Senior Council the cost of utilities, refuse service, pest control, other routine maintenance of the facility incurred by CSET usage. This amount will be reviewed monthly.
 - c. CSET shall have full and exclusive management authority over the program areas during the times of program use, and shall assume full responsibility for the timely cleaning of all areas used after all Licensee activities.
 - d. CSET shall be permitted to install telephone services and assume all responsibility for installation, control of use, and service cost.
 - e. CSET shall provide an insurance certificate naming the City, the Senior Council, and the Tulare County Housing Authority as additional insureds.
 - f. CSET will be responsible for interior modifications to accommodate their programs.
 - g. The Porterville Senior Council shall provide facility management oversight, routine building and grounds maintenance, utility services, and schedule use of the building. The Senior Council shall coordinate with CSET on available resources.
 - h. The City, Porterville Senior Council and CSET shall meet semi-annually to address any concerns and coordinate schedules for the next six months.
 - i. The City shall facilitate, with Housing Authority of the County of Tulare, major building and property repairs, including repair and replacement of building equipment and fixtures, and repairs to the roof, plumbing, heating, ventilation, electrical and air conditioning systems.

In exercising these rights and obligations, Senior Council and CSET must use reasonable care and may not unreasonably increase the burden on the Property.

License Non-assignable

5. This License is personal to the licensees and shall not be assigned. Any attempt to assign the License shall automatically terminate it. No legal title or leasehold interest in the Property is created or vested in licensees by the grant of this License.

Term of License

6. This License shall be for a term of one year, commencing July 1, 2013, and terminating on July 1, 2014. The parties may agree to extend this Agreement,

with the terms of said Agreement to be reviewed and adjusted as the parties deem to be appropriate prior to renewal.

Termination of License

7. On or before the termination date for this License specified in paragraph six of this agreement, CSET and Senior Council shall remove all of their personal property from the Property and shall leave the Property to the City in good order and repair to the reasonable satisfaction of the City, normal wear and tear excepted.

Default

8. In the event the Senior Council and/or CSET fails to comply with any of the material terms of this Agreement, in addition to any and all other remedies available under the law, this License may be revoked by the City, upon the party's(ies') receipt of written notice of the violation and its failure to cure within ten (10) days. More time may be granted for the cure of any violations if agreed to in writing by the parties.

Termination

9. The parties understand that the City has leased the premises from Tulare County Housing Authority, and said sublease is not scheduled to expire during the term of this Agreement. However, in the event the property is no longer available to the City, the License herein granted shall cease to be in effect, and the parties' obligations to each other under this Agreement also cease.

Entire Agreement

10. This Agreement constitutes the entire Agreement between the City, CSET, and the Senior Council relating to the License. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by all parties named above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the _____ of _____, 2013.

PORTERVILLE SENIOR COUNCIL

President

COMMUNITY SERVICES EMPLOYMENT TRAINING

CITY OF PORTERVILLE

Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

APPROVED AS TO FORM

Julia M. Lew, City Attorney

COUNCIL AGENDA: September 17, 2013

SUBJECT: CONSIDERATION OF PROHIBITING CITY COUNCIL MEMBER ATTENDANCE AT MEETINGS OF THE CHARTER REVIEW COMMITTEE

SOURCE: City Manager

COMMENT: City Council Member Hamilton requested, and the City Council approved, the consideration of prohibiting City Council Member attendance at meetings of the Charter Review Committee. As an advisory body to the Council, meetings of the City's Charter Review Committee are subject to the Brown Act, and therefore open to the general public to attend. However, the Council may consider rules of conduct for its members, though the enforcement of such a rule in this instance may be difficult to enforce given the Brown Act allowances.

RECOMMENDATION: That the City Council consider prohibiting City Council Member attendance at meetings of the Charter Review Committee.

ATTACHMENT: None

C/M 

Item No. 12

COUNCIL AGENDA: September 17, 2013

SUBJECT: CONSIDERATION OF REORGANIZATION OF THE CITY COUNCIL

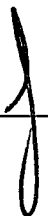
SOURCE: City Manager

COMMENT: City Council Member Ward requested, and the City Council approved, the consideration of reorganization of the Council, including its appointed positions and assignment to committees.

RECOMMENDATION: That the City Council consider reorganization, including its appointed positions and assignment to committees.

ATTACHMENT: Appointment of Council Members to Various Committees and Boards

C/M

A handwritten signature, possibly of the City Manager, written in black ink. It consists of a stylized, cursive letter 'f' or 'J' that loops around and ends in a small hook.

Item No. 13

APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS COMMITTEES & BOARDS

Committee/Board	Member/Alternate	Appointment Date	Meeting Information
Tulare Co. Association of Govts/ Transportation Planning Agency	Virginia Gurrola - Member Cameron Hamilton - Alternate	7/3/2012 7/3/2012	Board of Supervisors Conf. Room, Admin. Bldg 2800 W. Burrel Ave., Visalia; TCAG-Monday, 1pm; TAC-Thurs., 1:30pm (for exact dates see: www.tularecog.org/meetings.htm)
Tulare County Local Agency Formation Commission ("LAFCO")	*Cameron Hamilton - Member (representing City Councils)	5/1/2007 Re-appt'd 5/2012	Board of Supervisors Board Room 2800 W. Burrel Avenue, Visalia, First Wed. @ 2 p.m. www.co.tulare.ca.us/lafco/
Tulare County E.D.C.	Virgina Gurrola John Lollis - Alternate	7/3/2012	Fourth Wed. @ 7:30 a.m. at the Heritage Complex International Agri-Center, 4500 S. Laspina, Tulare
Business Incentive Zone Council	Virginia Gurrola John Lollis - Alternate	7/3/2012	Quarterly (Feb., May, Aug., and Nov.) immediately following EDC.
Tule River Improvement JPA	Cameron Hamilton - Member Baldo Rodriguez - Alternate	7/6/2010	Quarterly; Lower Tule Irrigation District Conference Room, 357 E. Olive Avenue, Tipton
Consolidated Waste Management Authority	Pete McCracken - Member Brian Ward - Alternate	7/6/2010 7/6/2010	Third Thursday each month at 12pm; Visalia City Hall Council Chambers, 707 W. Acequia
Porterville Area Airport Development Corporation ("PAADA")	Cameron Hamilton - Member Greg Shelton - Member	7/6/2010 7/6/2010	Meets quarterly, or as needed. Notification of meetings is provided.
Joint City/School Committee	Brian Ward - Member Virginia Gurrola - Member	7/6/2010 7/3/2012	Meets quarterly at the PUSD Board Room 600 W. Grand Avenue, Porterville

APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS COMMITTEES & BOARDS

<u>Committee/Board</u>	<u>Member/Alternate</u>	<u>Appointment Date</u>	<u>Meeting Information</u>
PDC Advisory Board	John Lollis - Member Mayor - Alternate	1/14/2009	Meets quarterly at Porterville Developmental Center 26501 Road 140, Room 59
Tulare County City Selection Committee	Mayor - City Member Mayor Pro Tem - Alternate		Meets as needed. Notification of meetings provided.
Internal City Audit Committee	Pete McCracken - Member	7/6/2010	Meets as needed in La Barca Conference Room, Porterville City Hall. Notification of meetings provided.
Council of Cities	Virginia Gurrola - Member Pete McCracken - Member	7/3/2012 7/6/2010	Meets as needed. Location of meetings varies. Notification of meetings provided.
Public Safety Building Committee	Greg Shelton - Member	7/6/2010	Meets as needed. Location of meetings varies. Notification provided.
Chamber Branding Stewardship Committee	Brian Ward - Member Pete McCracken - Alternate	7/6/2010 7/6/2010	Meets as needed. Notification provided.
SJVAPCD's Special City Selection Committee	Greg Shelton - Member Brian Ward - Alternate	7/6/2010 7/6/2010	Notification of Meetings provided; Members can attend via video-teleconference in Bakersfield or Fresno District Office.
SJVUAPCD Citizens Advisory Committee	Greg Shelton - Member (City Industry Alt. Member)	7/6/2010	Meets 1st Tuesday of month via video conferencing Southern Region Office-24946 Flyover Ct., Bakersfield.

APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS COMMITTEES & BOARDS

Committee/Board	Member/Alternate	Appointment Date	Meeting Information
Ad Hoc Committee - Provision of Local Water Services	Cameron Hamilton - Member Brian Ward - Member	7/6/2010	Ad Hoc Committee to address local water issues. Meets as needed.
Ad Hoc Committee - Military Banners	Cameron Hamilton - Member Brian Ward - Member	12/4/2012	Ad Hoc Committee to consider military banner program. Meets as needed.

SUCCESSOR AGENCY AGENDA: SEPTEMBER 17, 2013

SCHEDULED MATTER

SUBJECT: SUCCESSOR AGENCY REVIEW AND APPROVAL OF PROPOSED ADMINISTRATIVE BUDGET


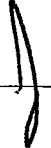
SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: Health & Safety Code section 34177(j), as modified by AB 1484, requires the Successor Agency to the Porterville Redevelopment Agency (referred to herein as "Successor Agency") to prepare a proposed "Administrative Budget" covering the upcoming six-month fiscal period, which will be January 1, 2014, through June 30, 2014, (i.e., concurrent with the Recognized Obligation Payment Schedule 13-14 B) and submit it to the Oversight Board for approval. The California Department of Finance (DOF) implemented a new ROPS naming convention to be associated with the fiscal year that the ROPS is related to, and the time period (A-the first half of the fiscal year, and B-the second half of the fiscal year). To date, the Successor Agency previously prepared and approved, and the Oversight Board reviewed and approved, Administrative Budgets through December 31, 2013.

Pursuant to the Dissolution Act (Parts 1.8 and 1.85 of Division 24 of the Health & Safety Code), each ROPS includes a line item for the Successor Agency's Administrative Budget for the applicable period, and AB 1484, which amended the Dissolution Act on June 27, 2012, requires that the ROPS 13-14 B for the period January 1, 2014, to June 30, 2014, shall be approved by the Successor Agency and Oversight Board and submitted to the State Department of Finance ("DOF") by October 1, 2013.

The Administrative Budget is required to set forth all of the following: (1) Estimated amounts for Successor Agency administrative costs for the upcoming six-month fiscal period; (2) Proposed sources of payment for the costs identified in paragraph (1); and (3) Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity.

The DOF issued a Finding of Completion in August 2013, and staff has begun preparing the Property Management Plan, which would allow for the expenditures of bond proceeds for the Porterville Hotel project and the construction of the parking lot on Hockett Street. ABX 1 26 specifies that successor agencies may spend up to \$250,000 of the former tax increment revenues for annual administrative expenses.

DD  APPROPRIATED/FUNDED MB CM  ITEM NO. SA-1

Under Section 34177(k) of the Dissolution Act, upon approval of the Administrative Budget by the Oversight Board, the Successor Agency will provide to the County of Tulare Auditor Controller the administrative cost estimates from the approved Administrative Budget that are to be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund (RPTTF) for such period.

Pursuant to Section 34179(h) of the Dissolution Act, as amended by AB 1484, written notice and information about all actions taken by the Oversight Board must be provided to the California Department of Finance ("DOF") by electronic means and in a manner of DOF's choosing.

An Oversight Board's action shall become effective five (5) business days after notice in the manner specified by the DOF, unless the DOF requests a review; provided, however, pursuant to Section 34177(m) as to each ROPS submitted to the DOF of which an Administrative Budget is a part, the DOF shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations on each ROPS submitted no later than 45 days after submittal.

RECOMMENDATION: That the Successor Agency:

1. Approve the Successor Agency's proposed Administrative Budget, Exhibit A, for the period of January 1, 2014, through June 30, 2014, prepared pursuant to Health & Safety Code section 34177(j); and
2. Adopt a Resolution approving the Administrative Budget and directing Successor Agency staff to submit the Administrative Budget to the Oversight Board.

ATTACHMENTS:

1. Proposed Administrative Budget
2. A Resolution of the Successor Agency to the Porterville Redevelopment Agency Approving the Administrative Budget Pursuant to Health & Safety Code Section 34177(j) and Directing Transmittal of the Administrative Budget to the Oversight Board

(Note that the action of the Oversight Board to approve the ROPS 13-14 B shall not become effective for 45 days after the ROPS has been submitted to the DOF).

ATTACHMENT NO. 1

Successor Agency Administrative Budget

(attached)

SUCCESSOR AGENCY AND HOUSING AUTHORITY SUCCESSOR AGENCY BUDGET
JANUARY 1, 2014 THROUGH JUNE 30, 2014

OBJECT #	ACCOUNT DESCRIPTION	2013-14 BUDGET
PERSONAL SERVICES		
-01	SALARIES, REGULAR	\$10,795
-02	SALARIES, PART TIME	\$0
-03	SALARIES, OVERTIME	\$0
-09	BENEFITS	\$3,942

SUB-TOTAL \$14,737

MATERIALS, SUPPLIES & SERVICES		
-12	BUILDINGS/GROUNDS MAINTENANCE	\$2,000
-21	ADVERTISING	\$250
-22	PRINTING	\$1,000
-23	PROFESSIONAL SERVICES	\$65,000
-24	COLLECTION COSTS	\$0
-28	ADMINISTRATIVE SERVICES	\$0
-32	OFFICE AND COMPUTER SUPPLIES	\$500
-34	MAINTENANCE & REPAIR MATERIALS	\$0
-41	MEETING EXPENSE	\$750
-42	UTILITIES	\$3,000
-43	UNIFORM ALLOWANCE	\$0
-44	TRAINING EXPENSE	\$750
-45	PUBLICATION AND DUES	\$0
-46	POSTAGE	\$500
-52	INSURANCE, LIABILITY	\$0
-62	DEBT REDEMPTION	\$0
-64	AMORTIZATION	\$0
-65	DEPRECIATION EXPENSE	\$0
-66	OTHER EXPENSES	\$2,775

SUB -TOTAL \$76,525

TOTAL \$91,262

ATTACHMENT
ITEM NO.

SUCCESSOR AGENCY RESOLUTION NO. _____

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
PORTERVILLE REDEVELOPMENT AGENCY APPROVING THE
ADMINISTRATIVE BUDGET PURSUANT TO HEALTH & SAFETY CODE
SECTION 34177(j) AND DIRECTING TRANSMITTAL OF THE
ADMINISTRATIVE BUDGET TO THE OVERSIGHT BOARD**

WHEREAS, the Porterville Redevelopment Agency ("Agency") was established as a redevelopment agency, organized and existing under the California Community Redevelopment Law, Health & Safety Code Section 33000, *et seq.* ("CRL"), and was authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Porterville ("City"); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code ("Dissolution Act"), pursuant to which (1) all redevelopment agencies in California were dissolved on February 1, 2012, and (2) successor agencies were formed for the purpose of winding down the affairs of the former redevelopment agencies; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by a resolution considered and approved by the City Council of the City at an open public meeting, the City Council chose to serve as the governing body of the Successor Agency to the dissolved Agency, a separate legal entity, under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the Successor Agency and the City will perform the functions of the Successor Agency under the Dissolution Act to administer the enforceable obligations of the former Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member Oversight Board ("Oversight Board"); and

WHEREAS, Section 34177(j) requires the Successor Agency to prepare a proposed administrative budget covering the upcoming six-month fiscal period, and submit it to the Oversight Board for approval; and

WHEREAS, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is required to include all of the following: (a) estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period; (b) proposed sources of payment for the costs identified in clause (a); and (c) proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity, such as the City; and

WHEREAS, the Administrative Budget, as approved by the Oversight Board, will be provided to the County of Tulare Auditor-Controller pursuant to Section 34177(k) so that the Successor Agency's estimated administrative costs in the approved Administrative Budget will be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for the applicable six-month period.

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY:

1. The above recitals are true and correct, are a substantive part of this Resolution, and are adopted as the findings of the Successor Agency.

2. Pursuant to the Dissolution Act, the Successor Agency hereby approves the proposed Administrative Budget in the form attached hereto as Exhibit A and incorporated herein by this reference. The City Manager and Successor Agency legal counsel are authorized to make such revisions to the Administrative Budget, as they deem appropriate, in order to ensure the proper and effective operation of the Successor Agency pursuant to the Dissolution Act.

3. The City Manager, or his authorized designees, are hereby authorized to transmit the Administrative Budget to the Oversight Board for approval.

4. Upon approval of the Administrative Budget by the Oversight Board, the City Manager or his authorized designees shall provide written notice and information about the Oversight Board's approval of the Administrative Budget to the State of California Department of Finance by electronic means, as directed by the Department of Finance, pursuant to Section 34179(h) and shall post the Administrative Budget on the Successor Agency's website.

5. This Resolution shall be effective immediately upon adoption.

6. The City Clerk on behalf of the Successor Agency shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 17th day of September, 2013.

By: _____

Virginia R. Gurrola, Chair

ATTEST:

John D. Lollis, Agency Secretary

Patrice Hildreth, Chief Deputy Agency Secretary

SUCCESSOR AGENCY AND HOUSING AUTHORITY SUCCESSOR AGENCY BUDGET
JANUARY 1, 2014 THROUGH JUNE 30, 2014

EXHIBIT A

OBJECT #	ACCOUNT DESCRIPTION	2013-14 BUDGET
PERSONAL SERVICES		
-01	SALARIES, REGULAR	
-02	SALARIES, PART TIME	\$10,795
-03	SALARIES, OVERTIME	\$0
-09	BENEFITS	\$0
		\$3,942
<hr/>		
	SUB-TOTAL	\$14,737
 MATERIALS, SUPPLIES & SERVICES		
-12	BUILDINGS/GROUNDS MAINTENANCE	\$2,000
-21	ADVERTISING	\$250
-22	PRINTING	\$1,000
-23	PROFESSIONAL SERVICES	\$65,000
-24	COLLECTION COSTS	\$0
-28	ADMINISTRATIVE SERVICES	\$0
-32	OFFICE AND COMPUTER SUPPLIES	\$500
-34	MAINTENANCE & REPAIR MATERIALS	\$0
-41	MEETING EXPENSE	\$750
-42	UTILITIES	\$3,000
-43	UNIFORM ALLOWANCE	\$0
-44	TRAINING EXPENSE	\$750
-45	PUBLICATION AND DUES	\$0
-46	POSTAGE	\$500
-52	INSURANCE, LIABILITY	\$0
-62	DEBT REDEMPTION	\$0
-64	AMORTIZATION	\$0
-65	DEPRECIATION EXPENSE	\$0
-66	OTHER EXPENSES	\$2,775
		\$76,525
	SUB-TOTAL	\$76,525
	 TOTAL	 \$91,262

SUCCESSOR AGENCY AGENDA: SEPTEMBER 17, 2013

SCHEDULED MATTER

SUBJECT: REVIEW AND APPROVAL OF DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

SOURCE: COMMUNITY DEVELOPMENT DEPARTMENT

COMMENT: As of February 1, 2012, the Porterville Redevelopment Agency ("Agency") was dissolved and the City Council now acts and serves as the governing body of the "Successor Agency," a separate legal entity from the City, pursuant to Parts 1.8 and 1.85 of Division 24 of the Health & Safety Code ("Dissolution Act"). The Dissolution Act requires the Successor Agency to administer the enforceable obligations of the former Agency and otherwise unwind the Agency's affairs subject, where applicable, to the review and approval by the seven-member Oversight Board.

On June 27, 2012, the Legislature passed and the Governor signed AB 1484. The primary purpose of AB 1484 is to make technical and substantive amendments to the Dissolution Act. Included in AB 1484 was a change to the schedule for adoption of a Recognized Obligation Payment Schedule for the period ending June 30, 2013, and all subsequent ROPS. The California Department of Finance (DOF) implemented a new ROPS naming convention to be associated with the fiscal year that the ROPS is related to and the time period (A-the first half of the fiscal year and B-the second half of the fiscal year). Under AB 1484, a Successor Agency and its Oversight Board are required to submit the ROPS 13-14 B by October 1, 2013, for the December 1st distribution of the semiannual Redevelopment Property Tax Trust Fund (RPTTF) distribution.

Pursuant to Section 34177(l)(1) of the Dissolution Act, for each recognized obligation the ROPS 13-14 B shall identify one or more of the following sources of payment:

(A) Low and Moderate Income Housing Fund.

(B) Bond proceeds.

(C) Reserve balances.

(D) Administrative cost allowance.

(E) The RPTTF, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

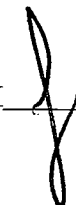
DD



APPROPRIATED/FUNDED



CM



ITEM NO.

SA-2

(F) Other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former redevelopment agency, as approved by the Oversight Board.

The draft ROPS 13-14 B is included as Attachment No. 1 to this agenda report and includes comparable listings of Enforceable Obligations as were set forth in the DOF-approved first, second and third ROPS and subsequent ROPS 13-14 A. The DOF approved the Finding of Completion for the Successor Agency. With this approval the Successor Agency may place loan agreements between the former redevelopment agency and the City on the ROPS as an enforceable obligation pursuant to the criteria in Health and Safety code section 34191.4. The Finding of Completion also allows the Successor Agency to utilize remaining bond proceeds. Staff has added the Porterville Hotel Project to the ROPS 13-14 B.

Section 34177(l)(2)(B) of the Dissolution Act requires the Successor Agency to submit the ROPS 13-14 B to the Oversight Board for approval and, concurrently with the submission of the ROPS to the Oversight Board, the Successor Agency is required to transmit the ROPS 13-14 B to the County Administrative Officer, the County Auditor-Controller, and the DOF. Section 34177(l)(2)(C) requires that, once the Oversight Board has approved the ROPS 13-14 B, the ROPS 13-14 B be sent to the County Auditor-Controller, the State Controller's Office, the DOF, and that the ROPS 13-14 B be posted on the Successor Agency's website.

Section 34177(m) of the Dissolution Act requires the Successor Agency to complete the Third ROPS and each subsequent ROPS in the manner directed by the DOF. The DOF provided a pre-populated ROPS template and instructions for the ROPS 13-14 B. As the format is new and there have been issues with the provided template, staff recommends that the Successor Agency review and approve the ROPS 13-14 B as provided and authorize the Successor Agency's Community Development Director and/or the Finance Director or their authorized designees to also augment, modify, add or revise the ROPS 13-14 B as may be necessary to comply with requirements imposed by the DOF.

RECOMMENDATION: That the Successor Agency:

1. Approve the Recognized Obligation Payment Schedule for the second half of fiscal year 2013-14 (ROPS 13-14 B) provided that should any modification be required to the ROPS 13-14 B by the DOF, the Community Development Director and/or the Finance Director or their authorized designees shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 13-14 B to requirements imposed by the DOF; and

2. Adopt a Resolution approving the ROPS 13-14 B for the period of January 31, 2014, through June 30, 2014, and directing Successor Agency staff to submit the ROPS 13-14 B to the Oversight Board.

ATTACHMENT:

1. Recognized Obligation Payment Schedule for the period of January 1, 2014 through June 30, 2014,
2. A Resolution of the Successor Agency to the Porterville Redevelopment Agency Approving the Recognized Obligation Payment Schedule (ROPS 13-14 B) for the Period January 1, 2014, to June 30, 2014, Subject to Submittal to, and Review and Approval by, the Oversight Board and California Department of Finance pursuant to California Health & Safety Code, Division 24, Part 1.85, as amended by Assembly Bill 1484; and Authorizing Posting and Transmittal Thereof.

(Note that the action of the Oversight Board to approve the ROPS 13-14 B shall not become effective for 45 days after the ROPS has been submitted to the DOF).

Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary

Filed for the January 1, 2014 through June 30, 2014 Period

Name of Successor Agency: Porterville
 Name of County: Tulare

Current Period Requested Funding for Outstanding Debt or Obligation			Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding			
A	Sources (B+C+D):		\$ 1,952,515
B	Bond Proceeds Funding (ROPS Detail)		1,952,515
C	Reserve Balance Funding (ROPS Detail)		-
D	Other Funding (ROPS Detail)		-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 481,389
F	Non-Administrative Costs (ROPS Detail)		390,127
G	Administrative Costs (ROPS Detail)		91,262
H	Current Period Enforceable Obligations (A+E):		\$ 2,433,904

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding			
I	Enforceable Obligations funded with RPTTF (E):		481,389
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)		-
K	Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 481,389

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding			
L	Enforceable Obligations funded with RPTTF (E):		481,389
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)		-
N	Adjusted Current Period RPTTF Requested Funding (L-M)		481,389

Certification of Oversight Board Chairman:
 Pursuant to Section 34177(m) of the Health and Safety code, I
 hereby certify that the above is a true and accurate Recognized
 Obligation Payment Schedule for the above named agency.

/s/ _____
 Name Title
 Signature Date

ATTACHMENT
 ITEM NO. 1

(Report Amounts in Whole Dollars)

enforceable obligation.

[illegible]

ROPS III Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS III period approved for the ROPS 13-14B (January through June 2014) period will be offset by the SA's self-reported ROPS III prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to

[illegible]

Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item #	Notes/Comments
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10 - 14	Amounts listed under total obligation includes principal plus the allowed recalculated accrued interest through 6/30/2013. Repayment amounts are unknown at this time. The termination dates listed are estimated. Funding for the repayment of the outstanding principal plus recalculated interest will be requested beginning with ROPS 14-15A.
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15	The amount of total obligation listed is the balance of the bond proceeds including accrued interest through May 31, 2013. The obligation is subject to the approval of agreements by the Oversight Board and Department of Finance.
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RESOLUTION NO. _____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14 B) FOR THE PERIOD JANUARY 1, 2014, TO JUNE 30, 2014, SUBJECT TO SUBMITTAL TO, AND REVIEW AND APPROVAL BY, THE OVERSIGHT BOARD AND CALIFORNIA DEPARTMENT OF FINANCE PURSUANT TO CALIFORNIA HEALTH & SAFETY CODE, DIVISION 24, PART 1.85, AS AMENDED BY ASSEMBLY BILL 1484; AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF

WHEREAS, the Porterville Redevelopment Agency ("Agency") was established as a redevelopment agency, organized and existing under the California Community Redevelopment Law, Health & Safety Code Section 33000, et seq. ("CRL"), and was authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Porterville ("City"); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code ("Dissolution Act"), pursuant to which (1) all redevelopment agencies in California were dissolved on February 1, 2012 and (2) successor agencies were formed for the purpose of winding down the affairs of the former redevelopment agencies; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by a resolution considered and approved by the City Council of the City at an open public meeting, the City Council chose to serve as the governing body of the Successor Agency to the dissolved Agency, a separate legal entity, under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the Successor Agency and the City will perform the functions of the Successor Agency under the Dissolution Act to administer the enforceable obligations of the former Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member Oversight Board ("Oversight Board"); and

WHEREAS, pursuant to Section 34171(h) of the Dissolution Act, a "Recognized Obligation Payment Schedule" means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period as provided in subdivisions (l) and (m) of Section 34177 of the Dissolution Act; and

WHEREAS, pursuant to subdivisions (l) and (m) of Section 34177 of the Dissolution Act, the City, acting as Successor Agency to the Agency, has prepared its Recognized Obligation Payment Schedule ("ROPS") for the period covering January 1, 2014 through June 30, 2014, in the form attached to this Resolution as Exhibit A and incorporated herein by this reference; and

WHEREAS, pursuant to Section 34191.4 of the Health and Safety Code that with the Department of Finance's approval of the Finding of Completion, the Successor Agency has placed loan agreements between the former redevelopment agency and the City on the ROPS as an enforceable obligation pursuant to the criteria in Health and Safety code section 34191.4 as

**ATTACHMENT
ITEM NO. 2**

well as allowing the Successor Agency to utilize remaining bond proceeds for projects; therefore, the Porterville Hotel Project has been added to the ROPS 13-14 B.

WHEREAS, by this Resolution, pursuant to Section 34177(l)(2)(B) of the Dissolution Act, as amended by AB 1484, the City Council, serving as and on behalf of the Successor Agency, approves the ROPS and authorizes the transmittal of the ROPS to the Oversight Board and concurrently to the County Administrative Officer, the County Auditor-Controller, and the State Department of Finance; and

WHEREAS, pursuant to Section 34177(l)(2)(C) of the Dissolution Act, a copy of the ROPS shall be submitted to the County Auditor-Controller, the State Controller's Office, the State Department of Finance and shall be posted on the City's/Successor Agency's website promptly upon approval thereof by the Oversight Board.

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY:

1. The above recitals are true and correct, are a substantive part of this Resolution, and are adopted as the findings of the Successor Agency.

2. The Successor Agency hereby approves the ROPS in the format provided by the State Department of Finance attached hereto as Exhibit A.

3. The City Manager or his authorized designees on behalf of the Successor Agency shall cause the ROPS to be transmitted concurrently to the Oversight Board, the County Administrative Officer, the County Auditor-Controller, and the State Department of Finance.

4. The City Manager or his authorized designees on behalf of the Successor Agency shall, upon approval of the ROPS by the Oversight Board, transmit the approved ROPS to the County Auditor Controller, the State Controller's Office, and the State Department of Finance, and shall cause the approved ROPS to be posted on the City's website.

5. This Resolution shall be effective immediately upon adoption.

6. The City Clerk on behalf of the Successor Agency shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of September, 2013.

By: _____
Virginia R. Gurrola, Chair

ATTEST:
John D. Lollis, Agency Secretary

Patrice Hildreth, Chief Deputy Agency Secretary

Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary

Filed for the January 1, 2014 through June 30, 2014 Period

Name of Successor Agency: Porterville
 Name of County: Tulare

Current Period Requested Funding for Outstanding Debt or Obligation			Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):			
A	Bond Proceeds Funding (ROPS Detail)		\$ 1,952,515
B	Reserve Balance Funding (ROPS Detail)		1,952,515
C	Other Funding (ROPS Detail)		-
D			-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 481,389
F	Non-Administrative Costs (ROPS Detail)		390,127
G	Administrative Costs (ROPS Detail)		91,262
H	Current Period Enforceable Obligations (A+E):		\$ 2,433,904

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	481,389
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 481,389

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	481,389
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	481,389

Certification of Oversight Board Chairman:
 Pursuant to Section 34177(m) of the Health and Safety code, I
 hereby certify that the above is a true and accurate Recognized
 Obligation Payment Schedule for the above named agency.

/s/ _____
 Name Title
 Signature Date

[illegible]

Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Prior Period Adjustments																											
Reported for the ROPS II (January 1, 2013 through June 30, 2013) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)																											
ROPS II (Successor Agency) (SA) 547 reported Prior Period Adjustments (PPA) Payment to HSC Section 34186 (a). SAs are required to report the difference between their actual available funding and their actual expenditures for the ROPS II (July through December 2013) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) reported for the ROPS II (January 1, 2013 through June 30, 2013) period and the difference between the ROPS II (January 1, 2013 through June 30, 2013) period and the ROPS II (July through December 2013) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) reported for the ROPS II (January 1, 2013 through June 30, 2013) period and the difference between the ROPS II (January 1, 2013 through June 30, 2013) period and the ROPS II (July through December 2013) period.																											
Item #	Project Name / Debt Description	LUMP Sum (Actual/Authorized)		Bond Proceeds		Reserve Balance (Actual/Authorized)		Other Funds		Non-RPTTF Expenditures		RPTTF Expenditures		Net SA (Non-Admin)		Net Admin CAC		Net CAC (Non-Admin)		Net CAC (Non-Admin)		Net CAC (Non-Admin)		Net CAC (Non-Admin)		Net CAC (Non-Admin)	
		Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized
1	Series A																										
2	Series B																										
3	Series C																										
4	Series D																										
5	Series E																										
6	Series F																										
7	Series G																										
8	Series H																										
9	Series I																										
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11	Series K																										
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26	Series Z																										
27	Series AA																										
28	Series AB																										
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38	Series AL																										
39	Series AM																										
40	Series AN																										
41	Series AO																										
42	Series AP																										
43	Series AQ																										
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45	Series AS																										
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48	Series AV																										
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67	Series BO																										
68	Series BP																										
69	Series BQ																										
70	Series BR																										
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72	Series BT																										
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74	Series BV																										
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76	Series BX																										
77	Series BY																										
78	Series BZ																										
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80	Series CB																										
81	Series CC																										
82	Series CD																										
83	Series CE																										
84	Series CF																										
85	Series CG																										
86	Series CH																										
87	Series CI																										
88	Series CJ																										
89	Series CK																										
90	Series CL																										

Recognized Obligation Payment Schedule (ROPS) 13-14
Reported for the ROPS III (January 1, 2013 through June 30, 2013) Period Pt
(Report Amounts in Whole £)

ROPS III Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS I approved for the ROPS 13-14B (January through June 2014) period will be offset by the SA's self-reported ROPS III prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to

[illegible]

Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item #	Notes/Comments
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10 - 14	Amounts listed under total obligation includes principal plus the allowed recalculated accrued interest through 6/30/2013. Repayment amounts are unknown at this time. The termination dates listed are estimated. Funding for the repayment of the outstanding principal plus recalculated interest will be requested beginning with ROPS 14-15A.
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15	The amount of total obligation listed is the balance of the bond proceeds including accrued interest through May 31, 2013. The obligation is subject to the approval of agreements by the Oversight Board and Department of Finance.
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