

**CITY COUNCIL AGENDA
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 18, 2014, 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.
 - 2- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: APNs 261-122-007 and 261-122-008. Agency Negotiators: John Lollis and Brad Dunlap. Negotiating Parties: Successor Agency to the Porterville Redevelopment Agency and Porterville Hotel Investors. Under Negotiation: Terms and Price.

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: 30.57 mile line of railroad between Strathmore, CA milepost 268.60 and Jovista, CA milepost 299.17 in Tulare County, particularly that portion of the railroad line within the limits of the City of Porterville. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and Union Pacific Railroad. Under Negotiation: Terms and Price.

- 3- Government Code Section 54956.8 – Conference with Real Property Negotiators/Property: A Portion of APN 197-090-005. Agency Negotiator: John Lollis. Negotiating Parties: City of Porterville and City of Lindsay. Under Negotiation: Terms and Price.
- 4- Government Code Section 54956.95 – Liability Claim: Claimant: Jorge Carvajal, Jr. Agency claimed against: City of Porterville.
- 5- Government Code Section 54956.95 – Liability Claim: Claimant: Rico Residential Facility, LLC. Agency claimed against: City of Porterville.
- 6 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Andrea Gould v. City of Porterville, Tulare County Superior Court Case No. PCL 159739.
- 7- Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – Significant Exposure to Litigation: Two cases concerning facts not known to potential plaintiffs.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

Pledge of Allegiance Led by Vice Mayor Brian Ward
Invocation

PRESENTATIONS

Wall of Fame Honorees

AB 1234 REPORTS

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

1. Tulare County Local Agency Formation Commission (LAFCO): February 5, 2014
2. Tulare County Association of Governments (TCAG): February 18, 2014

REPORTS

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

- I. City Commission and Committee Meetings:
 1. Parks & Leisure Services Commission: February 6, 2014
 2. Library & Literacy Commission: February 11, 2014
 3. Arts Commission
 4. Youth Commission: February 10, 2014

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

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

discussion will be heard at the end of Scheduled Matters.

1. **City Council Minutes of February 4, 2014**
2. **Request to Transfer Ownership of Surplus Fire Engine**
Re: Considering authorization to transfer ownership of one surplus 1989 FMC fire apparatus, VIN: 1S9AT6L03JC185792, to the Tule River Tribe.
3. **Monster Energy Drink Motocross Race Proposal**
Re: Considering approval of a proposal to operate the Central Valley segment of the Monster Energy Road to Mammoth Motorcycle Racing series at the Porterville Off-Highway Vehicle Park, March 15-16, 2014; and approval of overnight camping for the event.
4. **National Motocross Championship Qualifier Race Proposal**
Re: Considering approval of a proposal to operate a Northwest Area National Motocross Championship Qualifier event, April 25-27, 2014, at the Porterville Off-Highway Vehicle Park; and approval of overnight camping for the event.
5. **Landscape and Lighting Maintenance Districts Consolidation**
Re: Considering approval of a resolution ordering the proceedings for consolidation of North Creek, Creekview and Porter Creek; and authorizing the scheduling of a public hearing on April 15, 2014, for public comment and ballot tabulation.
6. **Review of Local Emergency Status – December 26, 2013**
Re: Reviewing status of local emergency that was declared following a significant fire event at 14 N. Main Street on December 26, 2013.
7. **Review of Local Emergency Status – December 21, 2010**
Re: Reviewing the City's status of local emergency pursuant to Article 14, Section 8630 of the California Emergency Services Act.

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

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
FEBRUARY 18, 2014

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: Considering adoption of a resolution approving the proposed Administrative Budget for the period of July 1, 2014, through December 31, 2014, and directing Successor Agency staff to submit said budget to the Oversight Board.

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

Re: Considering adoption of a resolution approving the ROPS 14-15A for the period of July 1, 2014, to December 31, 2014, and directing staff to submit the ROPS 14-15A 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 March 4, 2014.

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 MINUTES
CITY HALL, 291 N. MAIN STREET
PORTERVILLE, CALIFORNIA
FEBRUARY 4, 2014, 5:30 P.M.**

Called to Order at 5:31 p.m.

Roll Call: Council Member McCracken, Council Member Shelton (arrived at 6:15 p.m.),
Council Member Gurrola, Vice Mayor Ward, Mayor Hamilton

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 Member McCracken, Agency Member Shelton (arrived at 6:15 p.m.),
Agency Member Gurrola, Vice Chair Ward, Chair Hamilton

ORAL COMMUNICATIONS

- Felipe Martinez, spoke of a burned property in the vicinity of Villa and Belleview and requested that the City address the issue; and thanked the Council and staff for their prompt handling of another matter he had recently brought to the City's attention.
- Jonathan Zimmerman and Jenna Salazar, on behalf of Enspirit Inc., spoke briefly of the impetus and vision of the non-profit and invited the Council to attend its launch party on February 20th at Nuckols Ranch.

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.
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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 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Andrea Gould v. City of Porterville, Tulare County Superior Court Case No. PCL 159739.

3 - Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: Roger Cortez v. City of Porterville, U.S. District Court, Eastern Division, Case No. 1:14-CV-00061-LJO-GSA.

6:30 P.M. RECONVENE OPEN SESSION

REPORT ON ANY COUNCIL ACTION TAKEN IN CLOSED SESSION

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

Pledge of Allegiance Led by Council Member Virginia Gurrola
Invocation – one individual participated.

PRESENTATIONS

Employee of the Month – Michael Patterson

Introduction of New Employee – Morton Campbell IV

Outstanding Business – Stafford's Famous Chocolates

AB 1234 REPORTS

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

1. Tulare County Economic Development Corporation – January 22, 2014
City Manager Lollis reported on presentation of quarterly business activity report.
2. Council of Cities – January 22, 2014
Mayor Hamilton reported on the Council of Cities participation in a lawsuit regarding SB7; and spoke of discussion regarding the County's landfill operations.

REPORTS

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

- I. City Commission and Committee Meetings:
 1. Parks & Leisure Services Commission – no report.
 2. Library & Literacy Commission – no report.
 3. Arts Commission – Commissioner Givan reported that the commission as working on establishing long-term goals to promote local artists.
 4. Youth Commission – no report.
- II. Staff Informational Reports
 1. Street Performance Measure - 2nd Quarter Report
 2. Code Enforcement Report, Second Quarter of FY 2013-2014
 3. Attendance Records for Commissions & Committees – 2nd Quarter – FY 2013/14
 4. Report on Charitable Car Washes
 5. Building Permit Activity – December 2013

6. 'Wall of Fame' Honor Designations

ORAL COMMUNICATIONS

- Edith LaVonne, spoke of severity of drought to farmers and encouraged water conservation in the city and by the City.
- Brock Neeley, spoke of comments made by Mayor Hamilton on Facebook.
- Buck Fletcher, spoke in favor of a zero fee permit for pool draining in light of current drought.
- Tamaralynn Smith, spoke in support of safe access for medical marijuana users.
- Lisa Sparks, spoke in support of the use of medical marijuana, and voiced opposition to individuals with a large number of plants.
- Joe Sparks, spoke in favor of an open market for marijuana.
- Teri Irish, inquired about presentation of staff informational reports, specifically the 'Wall of Fame' Honor Designations.
- Gary Wilson, spoke in favor of medical marijuana regulation.
- Mike Pezzi, spoke in support of a local medical marijuana collaborative and distributed a plan to Council.
- Deborah Hulsey, spoke in support of a dispensary and against personal cultivation.

CONSENT CALENDAR

Council Member Shelton announced that he would be abstaining from Item Nos. 10 and 11.

1. REQUEST FOR APPROVAL TO PURCHASE A NETGEAR PROSAFE XSM7224S FIBER SWITCH

Recommendation: That the City Council approve the purchase of the Netgear ProSafe XSM7224S from Softchoice at a cost of \$6,436.11, which includes applicable sales tax and shipping.

Documentation: M.O. 01-020414

Disposition: Approved.

2. REQUEST FOR APPROVAL TO PURCHASE DELL OPTIPLEX 7010 WORKSTATIONS AND MICROSOFT SURFACE PRO 2 TABLETS FOR THE POLICE DEPARTMENT

Recommendation: That the City Council approve the purchase of 18 Dell Optiplex 7010 USFF workstation from Dell at a total cost of \$12,175.97 and 6 Microsoft Surface Pro tablets from Softchoice Corporation for \$8,381.07.

Documentation: M.O. 02-020414

Disposition: Approved.

3. AUTHORIZATION FOR EMERGENCY TRANSIT ENGINE REPLACEMENT

Recommendation: That the City Council authorize:

1. The transit bus engine overhaul by Cummins Pacific at a cost not to exceed \$15,786.80; and
2. Payment of said equipment upon satisfactory delivery.

Documentation: M.O. 03-020414

Disposition: Approved.

4. APPROVAL OF RESOLUTION ADOPTING CITY ATHLETIC FIELDS LIGHTING FEES

Recommendation: That the City Council approve the draft resolution adopting City Athletic Fields Lighting Fees.

Documentation: Resolution No. 11-2014

Disposition: Approved.

5. COMMUNITY CLEAN UP EVENTS

Recommendation: That the City Council:

1. Declare April 12, 2014, "Spring Clean Up Day" and October 18, 2014, "Fall Clean Up Day";
2. Encourage all residents to clean up their properties and take advantage of these special opportunities offered by the City;
3. Authorize the City to accept trash, litter and yard clippings delivered by City residents receiving City residential refuse service to the Spring and Fall Clean Up Events for free disposal; and
4. Authorize the cost of both events be funded from the Solid Waste Operating budget.

Documentation: M.O. 04-020414

Disposition: Approved.

6. CONSIDERATION OF PROPOSED BUDGET CALENDAR FOR FISCAL YEAR 2014-2015

Recommendation: That the City Council approve the proposed budget calendar for the 2014-2015 fiscal year.

Documentation: M.O. 05-020414

Disposition: Approved.

7. INTERIM FINANCIAL STATUS REPORTS

Recommendation: That the City Council accept the interim financial status reports.

Documentation: M.O. 06-020414
Disposition: Approved.

8. QUARTERLY PORTFOLIO SUMMARY

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

Documentation: M.O. 07-020414
Disposition: Approved.

9. CDBG CITIZENS' ADVISORY AND HOUSING OPPORTUNITY COMMITTEE
AND CITIZEN PARTICIPATION PLAN

Recommendation: That the City Council:

1. Adopt the 2014 Citizen Participation Plan; and
2. Appoint existing committee members Pat Contreras, John Dennis, Doug Heudsens, Kelle Jo Lowe, Grace Munos-Rios, Linda Olmedo, and Rebecca Vigil to the Citizens' Advisory Housing Opportunity Committee for a one-year term.

Documentation: M.O. 08-020414
Disposition: Approved.

10. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 26, 2013

Recommendation: That the Council receive the status report and review of the designated local emergency.

Documentation: M.O. 09-020414
Disposition: Approved.

11. REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 21, 2010

Recommendation: That the City 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.

Documentation: M.O. 10-020414
Disposition: Approved.

COUNCIL ACTION: MOVED by Vice Mayor Ward, SECONDED by Council Member Gurrola that the City Council approve Item Nos. 1 through 11, noting

abstention of Council Member Shelton from Item Nos. 10 and 11. The motion carried unanimously.

The Council took a ten minute recess at 7:14 p.m. Following the recess, Council Member Gurrola requested that the Wall of Fame Honorees be recognized at the next regular meeting. The Council concurred.

SCHEDULED MATTERS

12. APPOINTMENTS TO ARTS COMMISSION

Recommendation: That the City Council:

1. Reappoint Ms. Joan Givan, Mr. Monte Reyes and Ms. Deana Worthington to three-year terms ending February 15, 2017; and
2. Direct staff to publicize notice of the remaining vacancy.

City Manager Lollis introduced the item, and the staff report was presented by Administrative Services Director Patrice Hildreth.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Ward that the City Council reappoint Ms. Joan Givan, Mr. Monte Reyes and Ms. Deana Worthington to three-year terms ending February 15, 2017; and direct staff to publicize notice of the remaining vacancy. The motion carried unanimously.

Documentation: M.O. 11-020414

Disposition: Approved.

13. AMENDMENTS TO CITY POLICY RELATED TO USE OF CARGO/SHIPPING CONTAINERS

Recommendation: That the City Council consider the examples and demonstrations of the use of cargo/shipping containers in accordance with standards contained in Resolution 82-2013.

Council Member Shelton indicated that he had a conflict of interest due to his use of cargo containers and recused himself. City Manager Lollis introduced the item, and Community Development Manager Julie Phillips presented the staff report.

Following the staff report, a discussion ensued regarding the examples provided by staff and ways to address the variations in use, while adhering to standards relative to safety, blight and site plan requirements.

The Council also discussed the authority of the Zoning Administrator, and agreed that those requests in excess of three should be brought to the Council for consideration. Community Development Director Dunlap advised that staff could amend the draft resolution to reflect

comments made by the Council. Staff was then directed to draft a resolution incorporating short-term, long-term (up to three containers), and long-term (over three containers) use of cargo containers for Council for consideration on March 4, 2014.

Disposition: Direction given.

14. AUTHORIZATION TO SUBORDINATE DEVELOPMENT FEE PAYMENT PLAN AGREEMENT – HENDERSON VILLAGE APARTMENTS – PACIFIC RIM MIXED USE PROJECT (2012-002)

Recommendation: That the City Council:

1. Approve the Subordination Agreement pursuant to the approval of the City Attorney for the Henderson Village Apartments Development Fee Payment Plan and authorize the Mayor to sign all necessary documents; and
2. Determine whether to approve the subordination of the Development Fee Payment Plans of subsequent phases of the Pacific Rim Mixed Use Project and authorize the Mayor to sign all necessary documents if approved.

The item was introduced by the City Manager, and Development Associate Jason Ridenour presented the staff report.

City Attorney Lew recommended that the staff and City Council review the loan documents prior to taking any action.

Council Member Shelton expressed concerns regarding the proposed subordination and risk to the City's collection of development fees. Staff addressed questions from the Council regarding the proposed Development Fee Payment Plan.

Council Member McCracken made a motion to continue the item to February 18, 2014. City Manager Lollis noted that the developer was trying to fund by February 12, and suggested a special meeting be scheduled to allow the City Attorney more time to review the necessary documents and Council the opportunity to question Mr. Owhadi. In response to the suggestion, Council Member McCracken withdrew his motion.

COUNCIL ACTION: MOVED by Council Member McCracken, SECONDED by Vice Mayor Ward that the City Council approve the scheduling of a special meeting on February 10, 2014, at 5:30 p.m. The motion carried unanimously.

Documentation: M.O. 12-020414

Disposition: Approved scheduling of meeting.

The Council took a short recess at 8:17 p.m.

The Council adjourned at 8:25 p.m. 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
FEBRUARY 4, 2014

Roll Call: Agency Member McCracken, Agency Member Gurrola, Agency Member Shelton,
Vice Chair Ward, Chair Hamilton

Agency Member Shelton recused himself due to a conflict of interest and exited the chambers.

WRITTEN COMMUNICATIONS

ORAL COMMUNICATIONS

None

SUCCESSOR AGENCY SCHEDULED MATTERS

SA-1. SUCCESSOR AGENCY REVIEW AND APPROVAL OF PROPOSED LONG
RANGE PROPERTY MANAGEMENT PLAN

Recommendation: That the Successor Agency:

1. Approve the Successor Agency's proposed Long Range Property Management Plan, prepared pursuant to Health & Safety Code Section 34191.5; and
2. Adopt a Resolution approving the Long Range Property Management Plan and directing Successor Agency staff to submit the Plan to the Oversight Board.

City Manager Lollis introduced the item, and the staff report was waived at the Agency's request.

AGENCY ACTION: MOVED by Agency Member McCracken, SECONDED by Agency Member Gurrola that the Successor Agency approve the Successor Agency's proposed Long Range Property Management Plan, prepared pursuant to Health & Safety Code Section 34191.5; and adopt a resolution approving the Long Range Property Management Plan and directing Successor Agency staff to submit the Plan to the Oversight Board.

AYES: McCracken, Gurrola, Ward, Hamilton
NOES: None
ABSTAIN: Shelton
ABSENT: None

Documentation: Successor Agency Resolution No. 2014-01

Disposition: Approved.

The Successor Agency to the Porterville Redevelopment Agency Meeting adjourned at 8:29 p.m. to a meeting of the Porterville City Council.

ORAL COMMUNICATIONS

None

OTHER MATTERS

- Council Member Gurrola, thanked the public for their patience with regard to street projects around town; acknowledged local talent Ayla Stackhouse for her participation in American Idol, recent Grammy award winner Rosalie Rodriguez, and Tejano music artist Jorge Moreno's country album; and indicated that she would be participating in a future StepUp clean-up event.
- City Attorney Lew advised that Council Member Gurrola's participation in StepUp activities would not be an issue if she refrained from discussing City business with Council Member Shelton and Vice Mayor Ward.
- Council Member Shelton, spoke of upcoming tree planting events; commended field services for graffiti abatement to his property; and noted Rocky Hill event on the 8th.
- Vice Mayor Ward, wished everyone a happy Valentine's Day; and requested a breakdown of developer impact fees for Visalia, Tulare and Porterville.
- Council Member Shelton requested recognition for new parking lot on Mill.

CLOSED SESSION

None

ADJOURNMENT

The Council adjourned at 8:35 p.m. to the Adjourned Meeting scheduled for 5:30 p.m. on February 10, 2014.

SEAL

Luisa M. Zavala, Deputy City Clerk

Cameron Hamilton, Mayor

COUNCIL AGENDA: FEBRUARY 18, 2014

SUBJECT: REQUEST AUTHORIZATION TO TRANSFER OWNERSHIP OF SURPLUS FIRE ENGINE

SOURCE: FIRE DEPARTMENT

COMMENT: In 2013, the Fire Department took delivery of a new triple combination fire engine, replacing a 1989 FMC, which is now surplus equipment. The department maintains a fleet of four (4) triple combination pumpers, one (1) aerial truck, one (1) quick attack pumper, two (2) brush patrols and one (1) heavy rescue vehicle. The fleet also includes one (1) Office of Emergency Services triple combination pumper.

The 1989 FMC Star Fire Pumper has 72,458 road miles. The total engine hours of 8,318 include approximately 2,900 driving hours, which are reflected in the mileage above, as well as 5,418 hours of stationary pumping, not reflected in the above mileage. The estimated mileage value when calculating actual road miles and stationary pumping hours is 207,829 miles.


This model of FMC is an open cab design; firefighters riding as passengers are not enclosed within the cab. This design is no longer permitted for new fire apparatus because of the danger to passengers riding in the open cab. The vehicle has limited storage space in the side compartments and cannot carry the full complement of equipment found on the department's newer vehicles. These factors cause this vehicle to be unsuitable for future long-term use within the Porterville Fire Department.

All equipment previously used on this vehicle has been removed and placed on the department's newest fire engine. The cost to purchase additional equipment to keep the older fire engine in operation is approximately \$50,000 and includes fire hose, nozzles, power equipment, hand tools, breathing apparatus and emergency medical supplies.

The FMC Fire Apparatus equipment business was discontinued in 1990. FMC no longer manufactures parts or provides supply service. FMC currently advises owners of FMC fire apparatus to search Google or Yahoo for parts suppliers.

Dir. 

Appropriated/Funded 

C.M.  Item No. 2

Within its two fire stations, the Porterville Fire Department has seven apparatus bays large enough to park this fire engine. All seven bays are filled with newer fire engines of greater value and utility. Because this vehicle is parked outside, exposure to the elements will cause accelerated deterioration and increase the maintenance costs required to keep it operational. Additional apparatus bays are not expected to be available until completion of the third fire station, sometime within the next two years. At that time, the department will have a 1996 fire engine of enclosed cab design ready for replacement and may recommend it be maintained in the fleet.

Annual Cost to Maintain: The annual cost to maintain this vehicle includes insurance, maintenance and fuel. Bi-annual safety inspections and maintenance are required of all emergency response vehicles. If additional repairs become necessary, maintenance costs can be much higher, even if just for batteries and tires. Fuel use is predicated on weekly and annual testing of the engine and fire pump with only minimal road driving.

Insurance	\$1,200
Maintenance	\$ 600
Fuel	\$ 300
Annual Costs	\$2,100

Required Repairs: After 25 years of service, the 500 gallon steel water tank has developed leaks. Dealers of used fire apparatus require the tank be repaired prior to marketing and indicate the vehicle has no resale value without tank repair. Estimated cost of tank repair is \$1,500.

Estimated Re-Sale Value

Estimated fair market price:	\$ 8,000
Less sales commission (10%):	-\$ 800
Less cost to repair 500-gallon water tank	<u>-\$ 1,500</u>
	\$ 5,700

Mutual Benefit: The Tule River Fire Department has one fire engine designed and equipped for structural firefighting. During normal operation, this engine can be out of service for a day or more during routine, scheduled maintenance and repairs, leaving the Tribe without structural fire protection. If more time-consuming repairs are required, the engine can be out of service for longer periods, exposing the Tribe to higher fire risk. Beginning February 19, 2014, the Tribe's structural fire engine will be out of service for four to five weeks, for major repairs. The Porterville Fire Department is currently providing its surplus fire engine to the Tule River Fire Department through mutual aid for the duration of the scheduled repair. The Tule River Fire Department uses their structural fire engine as the primary initial attack apparatus for structure fires on the Tule River Reservation, including Eagle Mountain

Casino. The engine is also their primary resource for vehicle fires and vehicle accidents within the Reservation and along the Reservation Road corridor.

City of Porterville transit vehicles traveling daily to and from the reservation are exposed to increased risk if a fire engine capable of extinguishing a transit bus fire were not available to respond quickly. Eagle Mountain Casino is a popular recreational venue and employer for Porterville citizens. When traveling to and from and while staying at the casino, these people are also subjected to increased risk in the absence of a fire engine capable of mitigating vehicle and structure fires.

The surplus City of Porterville fire engine is well-suited to serve as a backup engine for the Tule River Fire Department and as such would help protect the real property interest of the City as transit vehicles travel to and from the Reservation. It would also serve to increase the level of fire protection provided to Porterville citizens who travel to and enjoy the recreational and employment opportunities offered at Eagle Mountain Casino.

RECOMMENDATIONS: That the City Council:

- 1) Make a finding of mutual benefit; and
- 2) Authorize staff to transfer ownership of one (1) surplus 1989 FMC fire apparatus, VIN: 1S9AT6L03JC185792, to the Tule River Tribe.

COUNCIL AGENDA: FEBRUARY 18, 2014

SUBJECT: MONSTER ENERGY DRINK MOTOCROSS RACE PROPOSAL

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Staff has been contacted by Myron Short representing 2x Promotions with a proposal to, for the third year in a row, operate the Central Valley segment of the Monster Energy Road to Mammoth Motorcycle Racing series at the Porterville Off Highway Vehicle Park. This year the event will be held March 15 – 16, 2014.

2x Promotions will provide the insurance (\$2,000,000 liability) naming the City of Porterville as an additional insurer. All necessary equipment and personnel (with the exception of track prep) will also be provided by 2x Promotions. The track will be rented to the Monster Series for \$1,500.

The event last year was the largest to ever take place at the OHV Park. It all went extremely well prompting staff and the Parks and Leisure Services Commission to recommend it take place again this year.

Staff is also seeking permission to permit overnight camping in the open space adjacent to the park for this event at \$10 per unit per night.

RECOMMENDATION: That the City Council:
1) Approve the Motocross Race Proposal for March 15 – 16, 2014, with 2x Promotions at the OHV Park; and
2) Approve overnight camping for this event.

23 Director _____ Appropriated/Funded

J City Manager

ITEM NO.: 3

COUNCIL AGENDA: FEBRUARY 18, 2014

SUBJECT: NATIONAL MOTOCROSS CHAMPIONSHIP QUALIFIER RACE PROPOSAL

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Staff has been contacted by Myron Short representing 2x Promotions with a proposal to operate a Northwest Area National Motocross Championship Qualifier at the Porterville Off Highway Vehicle Park. The event is slated for April 25-27, 2014.

2x Promotions will provide the insurance (\$2,000,000 liability) naming the City of Porterville as an additional insurer. All necessary equipment and personnel (with the exception of track prep) will also be provided by 2x Promotions. The track will be rented for three days to 2x Promotions for \$2,250.

This race has never been hosted in Porterville and is expected to surpass the Road to Mammoth Qualifier attendance total. Staff and the Parks and Leisure Services Commission recommend the approval of this proposal.

Staff is also seeking permission to permit overnight camping in the open space adjacent to the park for this event at \$10 per unit per night.

RECOMMENDATION: That the City Council:

- 1) Approve the National Motocross Championship Qualifier Race Proposal for April 25-27, 2014, with 2x Promotions at the OHV Park; and
- 2) Approve overnight camping for this event.

ms Director

____ Appropriated/Funded

J City Manager

ITEM NO.: 4

COUNCIL AGENDA: FEBRUARY 18, 2014

SUBJECT: LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS CONSOLIDATION

SOURCE: PARKS AND LEISURE SERVICES DEPARTMENT

COMMENT: Landscape and Lighting Maintenance Districts (LLMDs) were created pursuant to the California Landscape & Lighting Act of 1972. The purpose of LLMDs is to pay for ongoing maintenance and public improvements. There is an annual assessment process for the maintenance of improvements within a development that only benefit the property owners within that development. Assessments are reported to the County Auditor's Office. The assessment is levied on each parcel and is collected on Property Tax Bills. Example costs associated with LLMDs include: landscape and tree maintenance service contracts, pest control, water, irrigation repair, vandalism and graffiti repair, security street lighting, overhead administrative costs, legal notice publication costs and County fees.

Staff is proposing to consolidate North Creek (D2), Creekview (D6), and Porter Creek (A3). The consolidation would result in a new annual assessment for all three districts of \$119.82 per lot. The previous years' assessments were \$133.58 for D2, \$256.28 for D6, and \$121.26 for A3.

Consolidation will be a cost saving measure to reduce the administrative costs, including the annual assessment report preparation. Other factors enabling the consolidation include combining the fund balances of the three districts and a recent change in the landscape contractor. In compliance with the regulations regarding assessments under Proposition 218, the proposed consolidation requires a majority protest/election for all affected property owners (297 lots). Pending Council authorization, an Engineer's Report will be prepared and a community meeting will be held to help inform the affected owners. Notices are to be mailed to the owners of the identified parcels, which include the ballot, and as required by Prop 218 guidelines, a public hearing is to be held not less than 45 days after mailing the notices. At the public hearing, proposed to be set for April 15, 2014, protests will be considered and ballots will be tabulated. Staff and the Parks and Leisure Services Commission recommend the consolidation which will reduce the annual assessment to all affected property owners.

MB ^{ACTING}
Director

RD

Appropriated/Funded

JB

City Manager

ITEM NO.: 5

RECOMMENDATION: That the City Council:

- 1) Authorize Staff to take steps to consolidate North Creek, Creekview and Porter Creek;
- 2) Authorize Staff to prepare an Engineer's Report reflecting the consolidation;
- 3) Set a Public Hearing for April 15, 2014; and
- 4) Adopt a Resolution ordering the proceedings for the consolidation.

ATTACHMENTS:

- 1) Resolution Ordering the Proceedings for Consolidation of said Landscape and Lighting Maintenance Districts
- 2) Locator Map

RESOLUTION NO. -2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE,
COUNTY OF TULARE, STATE OF CALIFORNIA, ORDERING PROCEEDINGS FOR
THE CONSOLIDATION OF LANDSCAPE AND LIGHTING MAINTENANCE
DISTRICTS 2 NORTH CREEK, 6 CREEKVIEW AND ANNEXATION 3 PORTER
CREEK, ORDERING PREPARATION OF A DISTRICT MAP INDICATING THE
PROPOSED DISTRICT BOUNDARY FOR EACH OF THE DISTRICTS, AND
ORDERING THE PREPARATION OF ENGINEER'S REPORT**

WHEREAS, it has been determined by the City Council of the City of Porterville that the public interest, convenience and necessity required the installation and planting of landscape materials, the installation and construction of irrigation systems, the installation of lighting and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California; and

WHEREAS, the cost for operation and maintenance of the landscaping and lighting improvements is to be determined and considered for assessment to the benefiting properties; and

WHEREAS, Section 22525 requires that an Engineer's Report be prepared to establish new Landscape and Lighting Maintenance Districts, and outlining the initial assessments to be levied against the properties within each assessment district.

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

1. That proceedings are to be conducted for the consolidation of said Landscape and Lighting Maintenance Districts.
2. That the properties to be specifically affected for maintenance of lighting improvements shall be located within the boundary of the proposed districts, and maps to illustrate said boundaries are hereby ordered to be prepared.
3. That Baldomero Rodriguez be appointed as "Engineer of Work" with all applicable provisions of Article 4, Division 15 of the Landscape and Lighting Act of 1972 applied to said "Engineer of Work."
4. That the cost of maintaining the Landscape and Lighting Maintenance District shall be borne by the property owners within the district, and said cost shall be assessed according to said 1972 Act.
5. That the Engineer of Work is hereby ordered to prepare a report for the district consolidation in accordance with Article 4, Division 15 of said 1972 Act.

PASSED, APPROVED AND ADOPTED THIS 18th DAY OF FEBRUARY 2014.

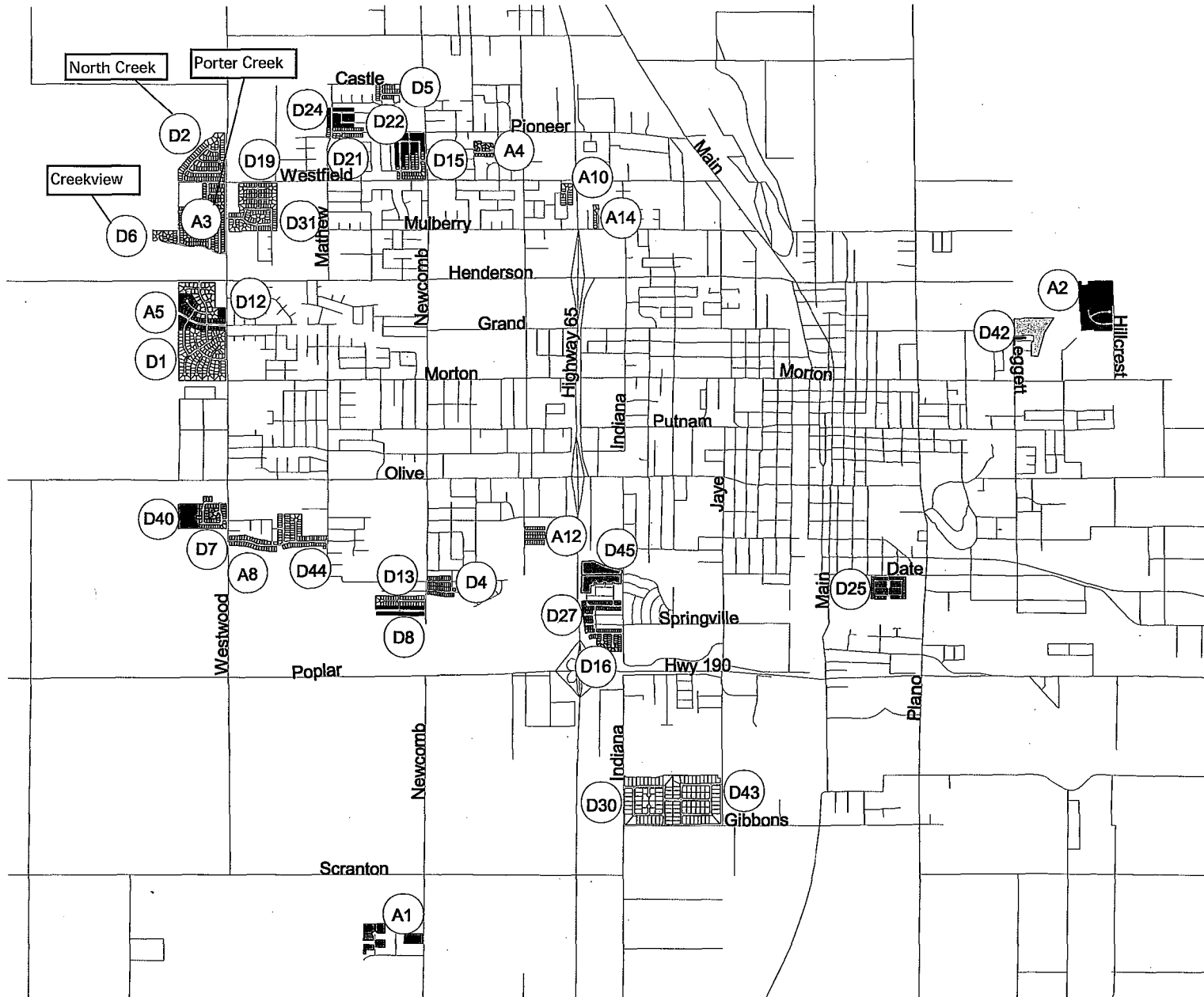
Cameron J. Hamilton, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

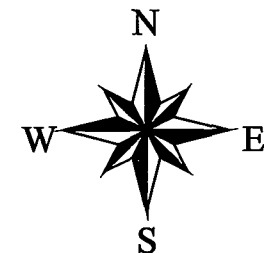
CITY OF PORTERVILLE

Landscape & Lighting Maintenance Districts



DISTRICT / ANNEXATION

- D1 - Westwood Estates
- A1 - Airport Industrial Park
- A2 - Jasmine Ranch
- A3 - Porter Creek
- A4 - La Vida Park
- A5 - Westwood Estates Unit 4-5
- A8 - Westwood Park Unit 3
- A10 - Westview
- A12 - Sunrise Estates Ph 6
- A14 - Wisconsin Manor
- D2 - North Creek
- D4 - River Springs Ph 1
- D5 - Castle Woods Ph 2
- D6 - Creekview
- D7 - Ford Estates
- D8 - River Breeze
- D12 - Westwood Estates Unit 5, Ph 2
- D13 - River Ranch Ph 3
- D15 - Meadowood Ph 1
- D16 - New Expressions Ph 2
- D19 - Williams Ranch Ph 1
- D21 - Orchard Ridge Ph 7
- D22 - Meadowood Ph 2
- D24 - Orchard Ridge Ph 8
- D25 - Casas del Rio
- D27 - New Expressions Ph 3
- D30 - Sierra Meadows Ph 1
- D31 - Williams Ranch Ph 2-3
- D40 - Amalene Estates
- D42 - Sierra Estates
- D43 - Sierra Meadows Ph 2
- D44 - Summit Estates Ph 1
- D45 - New Expressions Ph 5



SUBJECT: REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 26, 2013

SOURCE: Administration


COMMENT: In its adoption of the Resolution of Local Emergency on December 26, 2013, the City Council declared the existence of a local emergency as a result of a significant fire event that occurred at the Porterville Hotel (14 N. Main Street) during the early morning hours of December 26, 2013, and found that the remaining damaged structure posed a serious threat to the health, safety and welfare of the public and as such required immediate safety mitigation of the structure. In accordance with the Resolution and per the Council's authorization, a Contractor (Bowen Engineering & Environmental) was secured to perform the emergency demolition of the burned structure sufficient to mitigate the immediate threat to public safety.


Due to the damaged structure's proximity to public right-of-way, the adjacent roadways and intersection of Main Street and Olive Avenue were closed to the public. With the demolition and mitigation of the threat to public safety, the intersection and roadways were opened to the public by approximately 6:00 PM on December 26, 2013. City staff continued its coordination with the San Joaquin Valley Air Pollution Control District and the Contractor on additional mitigation measures to protect the safety of the public, and minor additional demolition work subsequently occurred in an effort to open affected pedestrian walkways.

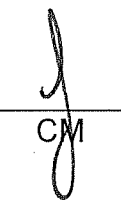
The property owner has continued his coordination with his insurance company toward the removal of the existing debris, and the company has agreed to reimburse the City for its mitigation costs. The property owner is currently soliciting bids from qualified contractors, with the debris removal anticipated to begin by the end of this month.

RECOMMENDATION: That the Council receive the status report and review of the designated local emergency.

ATTACHMENT: Resolution No. 85-2013


Dir


App/Fund


CM

Item No. 6

RESOLUTION NO. 85-2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

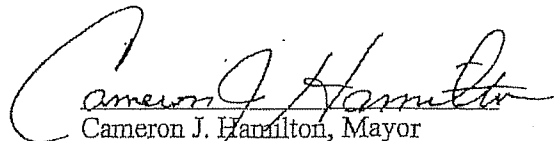
WHEREAS, the Porterville Hotel, 14 North Main Street, sustained major damage in a fire that occurred in the early morning hours of December 26, 2013; and

WHEREAS, the remaining structure poses a serious threat to the health, safety and welfare of the public due to the remaining damaged structure's proximity to public right-of-way at a major City intersection and as such requires immediate demolition to remove that threat; and

WHEREAS, the City Council has found that the aforementioned conditions of extreme peril warrant and necessitate the proclamation of a local emergency so as to take immediate actions to remove said threat.

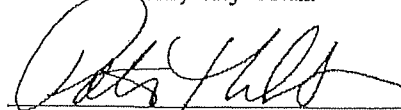
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Porterville does hereby declare the existence of a local emergency as a result of a significant fire that occurred at the Porterville Hotel, 14 North Main Street, during the early morning hours of December 26, 2013, and that the remaining damaged structure poses a serious threat to the health, safety and welfare of the public and as such requires immediate safety mitigation of the structure, which includes demolition of the remaining standing structure, potential removal of asbestos, and fencing of site to secure the property.

PASSED, APPROVED AND ADOPTED this 26th day of December, 2013..


Cameron J. Hamilton, Mayor

ATTEST:

John D. Lollis, City Clerk



By: Patrice Hildreth, Chief Deputy City Clerk

SUBJECT: REVIEW OF LOCAL EMERGENCY STATUS – DECEMBER 21, 2010

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.

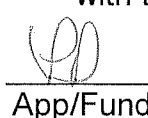
Since its last review on February 4, 2014, City staff has continued its coordination with both State and Federal representatives in having made claims for reimbursement for public areas reported as suffering flood damage. An estimated total of \$361,750 in damage repair projects were defined and accepted 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.

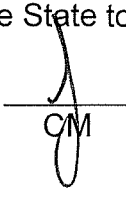
At its meeting on October 16, 2012, the Council awarded a contract in the amount of \$95,391.71 to Greg Bartlett Construction (Porterville), beginning CEMA repairs to Plano Street (south of Thurman Avenue), El Granito Street (near Zalud Park), E. Grand Avenue (at Henrahan Street), and W. Grand Avenue (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. 7

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

SUCCESSOR AGENCY AGENDA: FEBRUARY 18, 2014

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 July 1, 2014, through December 31, 2014, (i.e., concurrent with the Recognized Obligation Payment Schedule {"ROPS"} 14-15A) 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 June 30, 2014.

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 14-15A for the period July 1, 2014, to December 31, 2014, shall be approved by the Successor Agency and Oversight Board and submitted to the DOF by March 1, 2014.

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. AB 1X 26 specifies that successor agencies may spend up to \$250,000 of the former tax increment revenues for annual administrative expenses.

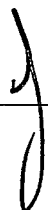
Under Section 34177(k) of the Dissolution Act, upon approval of the Administrative Budget by the Oversight Board, the Successor Agency will provide to the County of Tulare Auditor Controller the administrative cost estimates from the approved Administrative Budget that are to be paid from property tax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

DD



APPROPRIATED/FUNDED

CM



ITEM NO.

SA-1

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 adopt a Resolution approving the Administrative Budget for the period of July 1, 2014, through December 31, 2014 and direct 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 14-15A shall not become effective for 45 days after the ROPS has been submitted to the DOF.)

**SUCCESSOR AGENCY AND HOUSING AUTHORITY SUCCESSOR AGENCY BUDGET
JULY 1, 2014 THROUGH DECEMBER 31, 2014**

OBJECT #	ACCOUNT DESCRIPTION	2014-15 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	\$188
-22	PRINTING	\$800
-23	PROFESSIONAL SERVICES	\$25,000
-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		\$36,263
TOTAL		\$51,000

**ATTACHMENT
ITEM NO. 1**

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 1X 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

**ATTACHMENT
ITEM NO. 2**

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 18th day of February, 2014.

By: _____
Cameron J. Hamilton, Chair

ATTEST:
John D. Lollis, Agency Secretary

Patrice Hildreth, Chief Deputy Agency Secretary

SUCCESSOR AGENCY AGENDA: FEBRUARY 18, 2014

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 assumed the responsibility of acting and serving 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 ("ROPS") 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 14-15A by March 1, 2014, for the June 1st distribution of the semi-annual Redevelopment Property Tax Trust Fund (RPTTF) distribution.

Pursuant to Section 34177(l)(1) of the Dissolution Act, for each recognized obligation, the ROPS 13-14B 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 14-15A, included as Attachment No. 1, includes comparable listings of Enforceable Obligations as were set forth in the DOF-approved first, second and third ROPS and subsequent ROPS 13-14B. The DOF approved the Finding of Completion for the Successor Agency. With this approval, the Successor Agency was allowed to 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.

Section 34177(l)(2)(B) of the Dissolution Act requires the Successor Agency to submit the ROPS 14-15A 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 14-15A 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 14-15A, the ROPS 14-15A be sent to the County Auditor-Controller, the State Controller's Office, the DOF, and that the ROPS 14-15A 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 14-15A. As the format is still under revision and there have been issues with the provided template, staff recommends that the Successor Agency review and approve the ROPS 14-15A as provided and authorize the Successor Agency's Executive Director, and/or the Finance Director or their authorized designees, to also augment, modify, add or revise the ROPS 14-15A as may be necessary to comply with requirements imposed by the DOF.

RECOMMENDATION: That the Successor Agency adopt a Resolution approving the Recognized Obligation Payment Schedule 14-15A for the period of July 1, 2014, through December 31, 2014, provided that should any modification be required to the ROPS 14-15 A by the DOF, the Executive Director and/or the Finance Director shall be authorized to make any augmentation, modification, additions or revisions as may be necessary to conform the ROPS 14-15A to requirements imposed by the DOF and direct Successor Agency staff to submit the ROPS 14-15A to the Oversight Board.

ATTACHMENT:

1. Recognized Obligation Payment Schedule for the period of July 1, 2014 through December 31, 2014
2. A Resolution of the Successor Agency to the Porterville Redevelopment Agency Approving the Recognized Obligation Payment Schedule (ROPS 14-15A) for the Period July 1, 2014, to December 31, 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 14-15A shall not become effective for 45 days after the ROPS has been submitted to the DOF.)

Recognized Obligation Payment Schedule (ROPS 14-15A) - Summary

Filed for the July 1, 2014 through December 31, 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):		\$ 1,965,435
B Bond Proceeds Funding (ROPS Detail)		1,965,435
C Reserve Balance Funding (ROPS Detail)		-
D Other Funding (ROPS Detail)		-
E Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 396,667
F Non-Administrative Costs (ROPS Detail)		345,667
G Administrative Costs (ROPS Detail)		51,000
H Current Period Enforceable Obligations (A+E):		\$ 2,362,102

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I Enforceable Obligations funded with RPTTF (E):		396,667
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)		-
K Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 396,667

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L Enforceable Obligations funded with RPTTF (E):		396,667
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)		-
N Adjusted Current Period RPTTF Requested Funding (L-M)		396,667

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.

Name	Title
/s/	
Signature	Date

[illegible][illegible]

Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Cash Balances

(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177(l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H	I
	Cash Balance Information by ROPS Period	Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR balances retained	Prior ROPS RPTTF distributed as reserve for next bond payment	Rent, Grants, Interest, Etc.	Non-Admin and Admin	
ROPS 13-14A Actuals (07/01/13 - 12/31/13)								
1	Beginning Available Cash Balance (Actual 07/01/13) Note that for the RPTTF, 1 + 2 should tie to columns J and O in the Report of Prior Period Adjustments (PPAs)	2,624,162					(34,918)	
2	Revenue/Income (Actual 12/31/13) Note that the RPTTF amounts should tie to the ROPS 13-14A distribution from the County Auditor-Controller during June 2013	12,466				1,268	236,271	
3	Expenditures for ROPS 13-14A Enforceable Obligations (Actual 12/31/13) Note that for the RPTTF, 3 + 4 should tie to columns L and Q in the Report of PPAs	4				1,268	295,144	
4	Retention of Available Cash Balance (Actual 12/31/13) Note that the RPTTF amount should only include the retention of reserves for debt service approved in ROPS 13-14A	671,189						(C) \$671,189 is retained as restricted reserve funds for the 2008 bonds required by bond indentures and the REDIP loan required by the State of California.
5	ROPS 13-14A RPTTF Prior Period Adjustment Note that the RPTTF amount should tie to column S in the Report of PPAs.	No entry required					-	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 1,965,435	\$ -	\$ -	\$ -	\$ -	\$ (93,791)	
ROPS 13-14B Estimate (01/01/14 - 06/30/14)								
7	Beginning Available Cash Balance (Actual 01/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 2,636,624	\$ -	\$ -	\$ -	\$ -	\$ (93,791)	
8	Revenue/Income (Estimate 06/30/14) Note that the RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014						407,358	
9	Expenditures for 13-14B Enforceable Obligations (Estimate 06/30/14)						481,389	
10	Retention of Available Cash Balance (Estimate 06/30/14) Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14B	671,189						(C) \$671,189 is retained as restricted reserve funds for the 2008 bonds required by bond indentures and the REDIP loan required by the State of California.
11	Ending Estimated Available Cash Balance (7 + 8 - 9 -10)	\$ 1,965,435	\$ -	\$ -	\$ -	\$ -	\$ (167,822)	

Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Prior Period Adjustments																													
Reported for the ROPS 13-14A (July 1, 2013 through December 31, 2013) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)																													
(Report Amounts in Whole Dollars)																													
ROPS 13-14A 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 13-14A (July through December 2013) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 14-15A (July through December 2014) period will be offset by the SA's self-reported ROPS 13-14A prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.																					ROPS 13-14A CAC PPA: To be completed by the CAC upon submittal of the ROPS 14-15A by the SA to Finance and the CAC. Note that CACs will need to enter their own formulas at the line item level pursuant to the manner in which they calculate the PPA. Also note that the admin amounts do not need to be listed at the line item level and may be entered as a lump sum.								
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB		
	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures										Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 14-15A Requested RPTTF)	SA Comments	RPTTF Expenditures						Net CAC Non-Admin and Admin PPA (Amount Used to Offset ROPS 14-15A Requested RPTTF)	CAC Comments		
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin					Admin							Non-Admin CAC			Admin CAC						
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 13-14A distributed + all other available as of 07/1/13)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 13-14A distributed + all other available as of 07/1/13)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)			Net Difference (M+R)	Net Lesser of Authorized / Available	Actual	Difference	Net Lesser of Authorized / Available	Actual			Difference	Net Difference
Item #																													
		\$ -	\$ 4	\$ -	\$ -	\$ 103,832	\$ 1,268	\$ 164,945	\$ 208,631	\$ 164,945	\$ 267,504	\$ -	\$ 91,262	\$ 27,640	\$ 27,640	\$ 27,640	\$ -	\$ -	(Q) Total actual admin exp reduced by a/p balance (cash basis to agree to Form Cash Balances). (J,O) Available RPTTF-Admin of \$43,686 transferred to Available RPTTF-Non-Admin.			\$ -			\$ -	\$ -			
1	2008 Tax Allocation Bonds Series A	-	4	-	-	103,832	1,268	11,941	55,627	11,941	114,500	-						\$ -	(D,H) interest revenue; (G) Other funds were used to pay enforceable obligations in prior period (ROPS III); (J,O) Available RPTTF-Admin of \$43,686 transferred to Available RPTTF-Non-Admin to cover insufficient RPTTF.										
2	2008 Tax Allocation Bonds Series B	-	-	-	-	-	-	81,209	81,209	\$ 81,209	81,209	\$ -						\$ -											
3	2008 Tax Allocation Bonds Series C	-	-	-	-	-	-	29,368	29,368	\$ 29,368	29,368	\$ -						\$ -											
4	2008 Tax Allocation Bonds Series D	-	-	-	-	-	-	24,841	24,841	\$ 24,841	24,841	\$ -						\$ -											
5	2008 Tax Allocation Bond Reserves	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
6	2008 Tax Allocation Bond Admin.	-	-	-	-	-	-	3,650	3,650	\$ 3,650	3,650	\$ -						\$ -											
7	2008 Tax Allocation Bond Arbitrage	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
8	Rural Eco. Dev. Infrastructure Prog.	-	-	-	-	-	-	13,936	13,936	\$ 13,936	13,936	\$ -						\$ -											
9	Rural Eco. Dev. Infrastructure Prog. Reserve	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
10	Loan for Formation of Area	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
11	Loan for Repayment to County	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
12	Loan for Parking Lot Improvements - Storm Drain	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
13	Loan for Reconstruction of Parking Lot - Hockett Street	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
14	Loan for Amendment of the Boundaries of Project Area No. 1	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
15	Successor Agency Administration	-	-	-	-	-	-	-	-	\$ -	-	\$ -						\$ -											
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<p align="center">Recognized Obligation Payment Schedule 14-15A - Notes</p> <p align="center">July 1, 2014 through December 31, 2014</p>	
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<p align="center">Recognized Obligation Payment Schedule 14-15A - Notes</p> <p align="center">July 1, 2014 through December 31, 2014</p>	
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[illegible]

RESOLUTION NO. _____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE PORTERVILLE REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15A) FOR THE PERIOD JULY 1, 2014, TO DECEMBER 31, 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 1X 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 July 1, 2014 through December 31, 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 well as allowing the Successor Agency to utilize remaining bond proceeds for projects; and

**ATTACHMENT
ITEM NO. 2**

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 18th day of February, 2014.

By: _____

Cameron J. Hamilton, Chair

ATTEST:

John D. Lollis, Agency Secretary

Patrice Hildreth, Chief Deputy Agency Secretary